

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**  
**June 30, 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**

**REGULAR MEETING**

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**June 30, 2020**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:30 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 Deputy County Clerk Julia Valdez and indicated the presence of a quorum as follows:

**Members Present:**

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

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. Moment of Reflection**

The Pledge of Allegiance and the State Pledge were led by Chairman Roybal and the Moment of Reflection by Tessa Jo Mascarenas of the County Manager's Office.

A moment of silence was requested for County Manager Miller's mother, Nancy Bartine, for Victor Gonzales from the Housing Department, and author Rudolfo Anaya, along with Connie Salazar and Linda Elmore

**F. Approval of Agenda**

KATHERINE MILLER (County Manager): Mr. Chair, first of all, the original agenda was published a week ago and then it was amended on 6/26 at 4:43 p.m. I

SFC CLERK RECORDED 08/11/2020

just want to make sure I go through those items that were added or changed on the amended agenda. On page 1 of your agenda, 1. E, that caption was updated to reflect who would be doing that. Also on page 2, item 2. G, under Consent Agenda, action items, that item was added. Under 3. Miscellaneous Action Items, item F, the caption was updated, and item G was moved, as was item H moved. I am going to ask in a second though that you move those up on the agenda

Also, on page 3 of the agenda, item 5. C, Miscellaneous and COVID-19 emergency updates, that item was added. Under Matters from the County Attorney, item 8. A. 3 was added, as well as item 8. B, a settlement agreement, that action item was added. So those are things that were added.

And then I would like to request, Mr. Chair, that when we go to item 3, Miscellaneous Action Items, that the Board consider item 3. G and 3. H first instead of at the end of the Miscellaneous Items agenda.

CHAIR ROYBAL: Manager Miller, are you asking for them to be first on the Miscellaneous?

MANAGER MILLER: Yes, I am. We need some time to prepare those items and submit them today. So if we could get those moved to the beginning of the Miscellaneous Action Item portion of the agenda.

CHAIR ROYBAL: Okay, no problem.

MANAGER MILLER: So those are the only changes or amendments that I have.

CHAIR ROYBAL: Okay. Are there any other changes? Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes, I was just going to move to approve the agenda with those changes.

CHAIR ROYBAL: Okay, so we have a motion to accept the changes and approval of the agenda.

COMMISSIONER HANSEN: Second.

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

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

**I. G. Approval of Minutes: May 26, 2020 Regular Meeting Minutes.**

COMMISSIONER GARCIA: Mr. Chair, motion for approval if there's no changes.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: I believe that Commissioner Hansen may have some. We have a motion and a second but under discussion, Commissioner Hansen, did you have some changes that you submitted to the stenographer?

COMMISSIONER HANSEN: I have some changes that I will submit to the stenographer.

CHAIR ROYBAL: Okay, so does the motion and the second include the

changes from Commissioner Hansen?

COMMISSIONER GARCIA: Yes.

COMMISSIONER HAMILTON: Yes.

CHAIR ROYBAL: Okay, so we have a motion and a second.

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

**1. H. Recognition of Years of Service for Santa Fe County Employees for June 2020**

MANAGER MILLER: Thank you, Mr. Chair, Commissioners. There's actually – there were three people in May and Daniel, if you would pull up June. We had three people who hit five years of service with Santa Fe County in May and that was Shane Martinez in Open Space Maintenance, Kenneth Quintana in Fire Administration, and Katherine Urioste in our adult detention facility. So if by chance they were not mentioned at our May meeting I want to make sure I mention them now.

As far as those for today's meeting, we have in Public Works, Darren Martinez who's in our Road Maintenance Division, and Pedro Armendariz in Property Valuation in the County Assessor's, Margaret Varela, Patrick Griego, Michael Matison in the Sheriff's Department/Animal Control, Leroy Alvarado in our Utilities Division, and Stephen Serna in the County Assessor's Office as well in Property Valuation. All of those individuals just hit their five-year anniversary in June.

And then in IT, Jerome Blea on June 1<sup>st</sup> hit his ten years of service.

I just wanted to congratulate them on their years of service and thank them for their commitment to Santa Fe County. We clearly appreciate those employees who make a career in Santa Fe County and keep that expertise and training that we provide, to keep it here and continue to give back to the community. So thank you to those individuals for being with Santa Fe County.

CHAIR ROYBAL: Thank you, Manager Miller, and I couldn't agree with you more. It's always great to celebrate anniversaries and see that we're keeping our employees for five years, ten years, so I just want to congratulate all of them and thank them for their hard work. Great job. I'm going to go to all the Commissioners. Commissioner Garcia, did you have a comment?

COMMISSIONER GARCIA: No, just congratulations everybody.

CHAIR ROYBAL: Thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: Ditto, as they say. Congratulations and thank you for the years of service and for making your contributions.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you all for being here and making Santa Fe County look so good.

CHAIR ROYBAL: Thank you. Commissioner Moreno.

COMMISSIONER MORENO: Yes. Good job, everybody. The County is a good place to be an employee.

CHAIR ROYBAL: Thank you, Commissioner Moreno.

**1. I. Recognition of New Hires in May 2020**

MANAGER MILLER: Just as we recognize those employees who are hitting a milestone with the County we like to welcome those new employees who just joined us. We usually recognize those employees from the prior month. It's ironic that we're also at the end of the month from when I did the other one so it's why we had two months worth. But we have those who were hired in May.

As you know, we have a hiring freeze so we are only hiring in our critical mission positions at the moment, so this list isn't very long. But I'd still like to welcome Marshall Dean to our RECC, our dispatch center. He's a training coordinator and he started on May 9<sup>th</sup>. And James Calabaza who is with our Utilities Department in Utilities Maintenance. He started with us on May 23<sup>rd</sup>. So welcome to those two new employees and we're happy they have joined our team.

CHAIR ROYBAL: Thank you, Manager Miller, and yes, welcome to the family. I hope that we'll be able to see you celebrating your five, ten, fifteen, twenty-year anniversary in the future, so welcome to Santa Fe County. Any other comments from Commissioners? Commissioner Garcia? I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes. A definite welcome, and knowing it's in a way an auspicious time to join and hopefully it's not too distressing to join during a time when it's hard to be welcomed in in person, but we really do welcome you to the family.

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

COMMISSIONER HANSEN: Thank you, Chair Roybal. Just welcome to everybody and enjoy your new position.

CHAIR ROYBAL: Thank you, Commissioner. Commissioner Moreno.

COMMISSIONER MORENO: Yes. Welcome to the team.

CHAIR ROYBAL: Okay, I'll go back to Commissioner Garcia. It sounds like he may not be on temporarily. I just want to thank Manager Miller for bringing the employees forward who we need to recognize for their anniversaries and our new hires and I know right now it's a very small list. We're used to seeing ten or fifteen new hires but given the circumstance that we're not going to see that probably here in the near future for at least a while. But we do want to make sure that we continue to take care of the employees that we do have and the ones that we do hire that are essential.

**2. CONSENT AGENDA**

- A. Request Approval of County Health Care Assistance Claims in the Amount of \$3,553 (Community Services Department/Jennifer Romero)**
- B. Resolution No. 2020-45, a Resolution Authorizing the Disposition of Fixed Assets Worth Less than \$5,000 in Accordance with State Statute (Finance Division/Yvonne S. Herrera)**
- C. Request (1) Approval of Indefinite Quantity Professional Services Agreement Nos. 2020-0155-A-CORR/CW with Accountable Healthcare Staffing, 2020-0155-B-CORR/CW with Cell Staff, and**

**2020-0155-C-CORR/CW Cross Country Staffing to Provide Temporary Nursing Services for the Corrections Department and (2) Authorization for the County Manager to Sign the Purchase Orders (Purchasing Division/Bill Taylor and Public Safety Department/Pablo Sedillo III)**

- D. Request (1) Approval of Amendment No. 4 to Lease Agreement No. 2010-0175-CSD/MS Between Santa Fe County and Life Link for the Lease of Office Space and Property Located at 1318 Luana Street in Santa Fe, New Mexico; and (2) Authorization to Submit Amendment No. 4 to the State Board of Finance for Approval (Public Works Department/Gary L.J. Giron and Scott Kaseman)**
- E. Request (1) Approval of Amendment No. 4 to Lease Agreement No. 2010-0066-CSD/VO Between Santa Fe County and Esperanza Shelter for Battered Families, Inc. (Esperanza Shelter) for the Lease of Office Space at 3130 Rufina Street in Santa Fe, NM and (2) Authorization to Submit Amendment No. 4 to the State Board of Finance for Approval (Public Works Department/Gary L.J. Giron and Scott Kaseman)**
- F. Request (1) Approval of Amendment No. 3 to Lease Agreement No. 2010-0165-CSD/VO Between Santa Fe County and Santa Fe Recovery Center, Inc. for the Lease of Office Space and Property Located at 4100 Lucia Lane in Santa Fe, NM and (2) Authorization to Submit Amendment No. 3 to the State Board of Finance for Approval. (Public Works Department/Gary L.J. Giron and Scott Kaseman)**
- G. Request (1) Approval of Professional Services Agreement No. 2020-0186-CSD/CW Between Santa Fe County and the Santa Fe Recovery Center for a Total Compensation of \$300,000, Inclusive of NM GRT, to Provide Evidence-Based, Clinically Managed Detoxification Services for the County's Residents and (2) Authorization for the County Manager to Sign the Purchase Order(s) (Purchasing Division/Bill Taylor)**

CHAIR ROYBAL: Are there any items on the Consent Agenda that Commissioners would like to get further explanation or more information? If not then I'll entertain a motion.

COMMISSIONER HANSEN: Chair Roybal.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to approve the Consent Agenda.

COMMISSIONER HAMILTON: Second.

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

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

3. MISCELLANEOUS

G. **Resolution No. 2020-46, a Resolution Delegating to the County Manager the Authority to Negotiate for Medical Malpractice Coverage for Fiscal Year 2021 and to Execute Purchase Orders, Agreements, and Other Documents Necessary or Advisable to Effectuate Such Coverage, Including but not Limited to a Third-Party Administrator Contract**

GREG SHAFFER (County Attorney): Thank you, Mr. Chair. I'll be taking the lead on the item and Ms. Quintana will be available to backstop me and answer any specific questions that you have of her. We, by virtue of having staff medical providers at our adult detention facility, we're required to secure as a matter of prudence medical malpractice coverage to ensure against claims that may be brought against the County arising out of medical care, again, that is primarily delivered and received by inmates at our County jail.

The policy term is July 1, 2020 to June 30, 2021, so our medical malpractice policies are written on a fiscal year year basis. We solicited competitive proposals, both for medical malpractice coverage from insurance companies as well as from third-party administrators. We contacted, as I understand it, from our broker, 22 carriers of medical malpractice insurance. Only one submitted a proposal to the County to provide us with medical malpractice insurance during fiscal year 2021. While we do recommend that the County accept that proposal it does fundamentally change both the amount of risk that the County is assuming with regard to each claim, but also how we administer claims that arise from the jail alleging medical malpractice.

With regard to the amount of risk that the market is forcing the County to bear, the minimum amount of per-claim exposure that the County was offered was \$200,000 per claim. What that means is that the first \$200,000 of any claim will be the County's responsibility in terms of defense costs, investigation, as well as any settlement or judgment that might be entered into. That continues a trend in terms of increasing amounts of responsibility and risk being shifted from the insurance carriers to the County as alluded to in the packet memo concerning this item. In fiscal year 2019 our deductible per claim was \$25,000. Our premium for that coverage was \$297,000. In fiscal year 20 our deductible was \$75,000 per claim, the premium for which was \$594,000, and now in fiscal year 2021, we recommend, and the minimum offered was \$200,000 self-insured retention per claim, the premium for which is very comparable to what we're paying this year at \$575,000 is the lowest premium for that level of coverage.

This is a self-insured retention program, so it's not a traditional deductible program. In traditional insurance, the insurance company administers any claim that arises and would bill the insured for the deductible. Under an SIR program the insured must administer the claims within its SIR, so again, we'll be responsible for choosing counsel to defend claims, for investigating those claims, setting reserves relative to those claims. That will all be the County's responsibility, albeit we'll be required to partner with a third-party administrator, so called TPA, and that will be an additional cost to the County. Not only will we be assuming a larger share of each claim, the first \$200,000, but we'll also be required to pay the TPA their expenses relative to administering the

claim, which are difficult to estimate but we ballpark it being in the \$20,000 to \$25,000 or \$30,000 range, depending upon the number of claims that are received as well as the complexity of those claims and what it is that we ask the TPA to do on our behalf.

I would highlight the following relative to the decision before the Board and how the TPA that we propose to contract with was selected. The market conditions relative to medical malpractice insurance at correctional facilities are very hard, due primarily to the frequency and size of claims that arise from such facilities, in addition to the County's own recent loss ratios. In addition, insurance companies are leery of underwriting new business because they fear a rash of COVID-19-related claims emanating from correctional facilities, and in that regard I would highlight that as expensive as this coverage is and as much risk we are assuming per claim, this policy comes with a COVID-19 exclusion. So in other words the insurance company is refusing to assume any risk associated with medical care related to COVID-19 provided to our inmates.

Given all of this, as bad as this news is, we still feel fortunate that we received any coverage proposal at all because it was questionable whether or not there would be any proposal on offer.

With regard to the options that we received, there was a \$200,000 SIR – self-insured retention – for \$575,000 in annual premium, or a \$250,000 SIR for a \$500,000 annual premium. Staff is recommending that we take the lower SIR and pay the higher premium, since generally speaking, medical malpractice claims are expensive to defend and settle, and so in a bad year we think it's quite possible if not likely that the additional amount of risk we would be assuming would eclipse the premium savings, and in this environment where we're unexpectedly being asked to shoulder more risk we think it prudent to do what we can to minimize the amount that we're taking on that could arise unexpectedly.

The last thing I would highlight is with regard to the TPA, I think I've already touched on how an SIR program works adequately, but in terms of the TPA, Ironshore, the proposed carrier, requires that the County use a TPA approved by it. The County, through its broker, solicited proposals from the three TPAs that are approved by Ironshore – Sedgwick, Western Litigation and Hamlin & Burton – and ultimately the evaluation committee, consisting of myself, Ms. Quintana and our insurance broker, Scott Gates from Hub International, selected Sedgwick as the proposal most advantageous to the County.

So the resolution in front of you would choose Ironshore's \$200,000 SIR option as the one that's most advantageous to the County. It would choose Sedgwick as the County's TPA. That's a very important point. We can't bind coverage with Ironshore without being able to represent that we have chosen Sedgwick or another acceptable TPA as the County's third-party administrator, and finally, it would authorize the County Manager to basically do everything that is necessary to effectuate medical malpractice coverage through the upcoming fiscal year and secure the required TPA services, including by signing all necessary contracts and purchase orders. With that I would stand for any questions, Mr. Chair, Commissioners.

CHAIR ROYBAL: Thank you, Attorney Shaffer. Great job. I'm going to go to Commissioner Garcia. Do you have any questions, sir?

COMMISSIONER GARCIA: No. Just as you mentioned, great job, Greg,

and your staff. Very detailed, very detailed now during the COVID virus and all that other stuff I think as you mentioned that we should be able to just carry it. So with that I'd like to make a motion to approve, Mr. Chair, and then we could have a second for discussion. But great job, Greg and your staff.

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

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: So a second from Commissioner Hamilton, and under discussion, Commissioner Hamilton.

COMMISSIONER HAMILTON: Could you say a few words about – it was a very informative presentation so I don't have any questions on those specifics. Have we had substantial claims in this regard? Or is the lack of this kind of response to provide this coverage just a reflection of the overall market and threat of these kinds of facilities in general?

MR. SHAFFER: Mr. Chair, Commissioner Hamilton, I think it's fair to say that it's a combination of both our own loss experience over an extended period of time, but also the general unwillingness of insurance carriers to underwrite new business in this area. But it is both. We have had over the period of time that carriers would look at some bad loss years and in other years we've had good. So again, it is very much variable but they tend to look over a long horizon in terms of assessing our likely risk profile, but there are also other conditions in the market generally relative to these claims that are negatively impacting our ability to secure coverage.

MANAGER MILLER: Mr. Chair, Commissioner Hamilton, I wanted to add to that. We're the only county in New Mexico that runs their own facility, that provides their own in-house medical. Everybody else contracts the medical to what I'll call national companies that provide medical services inside a facility. So it creates a big challenge for us to get insurance because we're not spreading that out over hundreds of facilities that we operate in. We have one facility and that's ours. So that's one of the other contributing factors to the difficulty of getting insurance coverage for this.

COMMISSIONER HAMILTON: That actually makes sense and it just makes me wonder just because of the data presented was very informative but the jump over the last two years is really dramatic so I wonder if eventually it's going to become unsustainable.

MANAGER MILLER: Mr. Chair, Commissioner Hamilton, I think that's spot-on the question that we have to ask ourselves, what do we do? Because there's a certain amount of liability, risk that we can't take on because it puts the entire County funds in jeopardy. We can't isolate – oh, it's just the jail. It's part of the County. And if we can't get proper insurance coverage for that I think that's a serious question and challenge about do we have to look at the way we provide those medical services.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Okay, thank you, Commissioner Hamilton. So we're going to go on to – we actually – I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair, Manager Miller, and Greg. Thank you for this presentation. Have we done or will we do in the future, a cost analysis of what it would cost us to hire a private medical company to come into the jail?

I'm guessing that Bernalillo must have hired a medical company. They're another big jail and if we're the only ones that do our own medical. Do we need to do possibly a cost analysis? The claim from 2019 to now, in 2020 is definitely a substantial increase and so I'm just curious about that.

MANAGER MILLER: Mr. Chair, Commissioner Hansen, it's been a few years since we did that. We actually did have some companies come in and present to the Board. Gosh, it's probably been about five years now, present to the Board the possibility of how they would provide medical services versus how we provide medical services. It's been the policy of the Board – and I'm talking the Board over years, not this particular Board. This has not come up as a decision point for the current sitting Commission but it has in the past been discussed and has been looked at.

There was reluctance from the Board to go with an outside contractor firmly believing that County employees have a more vested interest in the health and well being of the inmates as County employees, and that we could adjust and provide services more easily if it's our own staff. But it's always been a challenge to get enough staff. We always have had difficulty hiring enough nurses. We have a wonderful doctor but we've had a difficult time with psychiatrists. We did I think even a couple of years ago we talked about just behavioral health portion of whether we should contract that out. As you know we had a stretch where we could not hire a staff member for our psychiatrist but we tried and tried.

So this has been a challenge but this change in insurance is new. This kind of major increase in insurance and the inability to get medical malpractice insurance easily has just been new. And so I think it's probably something that we definitely should explore this year, getting proposals, working on what other ways could we potentially provide the medical services in the jail, where we don't need to try to acquire medical malpractice insurance.

COMMISSIONER HANSEN: Thank you, Manager Miller, for that answer and we'll just move forward.

CHAIR ROYBAL: Was that it, Commissioner?

COMMISSIONER HANSEN: Yes, that was it.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Moreno, did you have questions?

COMMISSIONER MORENO: It seems we're in a bind, but we need to have the service. We're going to have to economize in some other way in order to make it work. I'm not sure what the ultimate situation will be. I don't have anything to add. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Moreno. Okay, did I miss anybody? I know we were going back and forth with different Commissioners. Commissioner Garcia, did I come to you?

COMMISSIONER GARCIA: I'm fine.

CHAIR ROYBAL: Okay. We have a motion and a second and a very long discussion.

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

**3. H. Resolution No. 2020-47, a Resolution Delegating to the County Manager the Authority to Negotiate for Workers' Compensation Coverage for Fiscal Year 2021 and to Execute Purchase Orders, Agreements, and Other Documents Necessary or Advisable to Effectuate Such Coverage**

MR. SHAFFER: Thank you, Mr. Chair, Commissioners. This item of business related to Workers' Compensation coverage. We solicited proposals, again through our independent broker, and we received proposals from New Mexico Mutual, who is the County's current carrier in fiscal year 20, as well as the New Mexico County Insurance Authority, which as you're all aware is the joint powers agreement entity created by member counties to offer pooled insurance though it's not technically insurance, but pooled coverage to member counties selecting to acquire different coverages through it.

We're asking today that the Board of County Commissioners choose the proposal that is most advantageous to the County and through that resolution that is before the Board for consideration authorize the County Manager to do what is necessary to bind that coverage.

So with regard to this item, unlike the previous item, there's actually a choice for the Board of County Commissioners to make, and again, that is between NMCIA and New Mexico Mutual. And while the County Insurance Authority's proposal is nominally cheaper than New Mexico Mutual's for fiscal year 2021 staff recommends that we choose New Mexico Mutual's \$25,000 deductible proposal for several different reasons. First, the New Mexico County Insurance Authority's contribution rates for fiscal year 2021 are artificially low and in my view as a member of that board, non-sustainable. Rather than charging counties the rates that would be suggested by its normal underwriting process the New Mexico County Insurance Authority offered counties a steep discount, opting to use \$3.2 million in fund balance to cover anticipated expenses in fiscal year 2021.

So in other words, if you looked at New Mexico County Insurance Authority's proposed budget, the contribution rates being charged counties does not cover either their administrative cost or their anticipated cost of claims. Instead, they are planning on using \$3.2 million in fund balance to bridge the gap.

So in the County's case, we were offered a discount of 20 percent off of the normal underwriting rates, which is the only reason in staff's view that NMCIA's proposals are competitive, let alone nominally cheaper with New Mexico Mutual's. Again, we don't believe that such discounting is sustainable and would anticipate a sharp increase in future rates from NMCIA.

In addition, while we have the utmost respect for NMCIA and the employees that it has through the New Mexico Counties in loss prevention and otherwise, at this time our view is that New Mexico Mutual has a more robust loss prevention program. Workers' Compensation is all the New Mexico Mutual does. It is also, my understanding is that it is also the single largest underwriter of Workers' Compensation business in New Mexico. So it's able to not only focus but provide a wider array of training and other loss prevention programs for the County and we think that not only will that help Ms.

Quintana and her team improve overall employee team member safety, which is obviously our paramount goal, but it will also help us reduce our overall cost of insurance.

So in fiscal year 2021 the average cost of a Workers' Compensation claim was almost \$10,000, so the simplest way to think about it is every claim that we avoid, not only are we avoiding team member injury but we're saving \$10,000 relative to the cost of our Workers' Compensation program. So choosing the partner that you feel is best situated to help you drive down your claims' severity and frequency, again, not only means that you're keeping your workforce safe but it's also saving costs in your Workers' Compensation program.

Moving on to the detailed analysis, you've seen this before so I won't belabor the point. Whenever you're evaluating the true cost of an insurance program you have to look at both the premium, in the case of New Mexico Mutual, or the contribution in the case of the New Mexico County Insurance Authority that you pay, plus your deductible expense. It's the combination of those two that will really tell you what your true cost of insurance is.

So with regard to your deductible expense, you can't predict with certainty, obviously, what that will be in advance. We have, through our broker done – provided you with a range of probable values of what our deductible expense will be based upon statistical analysis. Again, that's a backward-looking focus in terms of what our claims experience was over, I think the last ten years in terms of what our claims were, how much they ultimately cost, and then you can analyze how much of that cost would have been ours at various deductible levels.

So a medium year represents what our deductible expense would be at a given deductible level would be in a statistical average year. Again, looking backwards. A low year represents what our deductible expense would be at a given deductible level in a statistically low claim year. And a high year represents what our deductible expense would be at a given deductible level in a statistically high claim year. So again, that kind of gives you the range of potential outcomes which is statistically valid based upon historic information.

So the deductibles – again, that's the first dollar paid is your deductible, and it represents the portion of the claim that the County is basically self-insuring and is responsible for. So a good claims year translates again, both into employee health and safety, but it also translates into current fiscal year savings as well as potential future fiscal year premium savings. And the comparison of offers that follow is based upon those concepts that I just went over.

So the first thing that we wanted to show you is to give you a sense of how steeply discounted NMCI's, the County Insurance Authority's contribution schedule is or offer for the County. So the first table shows what the fiscal year 2020 proposal was from NMCI at various deductible levels, and then compares it to what the proposal was for fiscal year 2021. So again, you can see that the discount is very significant. It was 20 percent off of what they otherwise would have charged us, so focusing in on the \$25,000 deductible level, they reduced their contribution proposal by \$307,000 from fiscal year 20 to fiscal year 2021.

The next table shows what the true cost of insurance by deductible level would be

from the two carriers in a low, medium and high statistical year. So the first part of the chart shows you what we would anticipate our deductible expense to be in those statistical years by deductible level. So obviously you'll see that as your deductible increases then your deductible expense goes up, and again, this shows the range of anticipated options in a low, medium, and high statistical year.

What we then do is show you what the contribution rate proposed by the County Insurance Authority was at \$10,000, \$25,000, and \$50,000. So your true cost of insurance for NMCIA is taken by adding the premium to your proposed or anticipated deductible expense. And so when you do that, that's what we anticipate the true cost of insurance to be by deductible level and statistical year.

The next part of the chart does the same thing for New Mexico Mutual. New Mexico Mutual did not offer us a \$10,000 deductible program. Instead, the two proposals from New Mexico Mutual were at the \$25,000 and \$50,000 deductible level. In terms of what we're recommending. We don't recommend at this time that we increase the amount of risk that the County is self-insuring. Our current deductible for fiscal year 20 is \$25,000. We recommend that we stay there.

As you know, from the previous item, we're being forced to take on a significant higher amount of risk through the medical malpractice program and we don't want to add to the potential down-side exposure of the County by increasing the risk in the Workers' Compensation program. And so if we focus there at that level NMCIA's total cost of insurance is estimated in an average statistic year to be \$27,455 less than New Mexico Mutual's.

We don't recommend that we go with that proposal, however, because again, we think those premiums are not sustainable in the long run, but focusing even on the current year, we think that New Mexico Mutual, because of its more robust loss prevention program will be a better partner with Ms. Quintana and her team and situate us better to outperform a statistic average year and thereby reduce not only the number of claims but our overall cost of insurance. So in other words, we believe in sum that New Mexico Mutual will help us gravitate to the lower end of the spectrum and the true cost of insurance versus NMCIA and therefore could ultimately end up being cheaper when the year actually plays out.

So I would stand for any questions. I don't know if Ms. Quintana has anything that she would like to add relative to the loss prevention program and the training opportunities that are available through New Mexico Mutual. She's been working with them very closely over the last couple of months so I'd give her the opportunity to add anything on that score if she's like.

CHAIR ROYBAL: Thank you, Attorney Shaffer. Ms. Quintana, did you have anything to add?

SONYA QUINTANA (HR Director): Thank you. Mr. Chair, members of the Commission, I would just like to add we have been concentrating on increased training in the Risk Management Division in the hope that we will be able to, through that training, lower safety claims, Workers' Compensation claims, and our premiums. So that's all that I would like to add.

CHAIR ROYBAL: Thank you, Director Quintana. We appreciate the input. Are there any other questions from the Board? I'm going to go to Commissioner

Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So once again, I think this is incredibly sobering news. I recognize that the New Mexico Mutual would probably be a better solution because of the training, and I think that can seriously help us with New Mexico Mutual. So with that, I would move to approve. Thank you, Mr. Chair. I would move to approve that we go with staff's recommendation of New Mexico Mutual, but I could wait.

CHAIR ROYBAL: No, I think it's fine for you to have the motion, Commissioner Hansen. I can go ahead and ask if there's a second out there.

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton. Under discussion, Commissioner Hamilton, did you have any questions or comments?

COMMISSIONER HAMILTON: No, actually I don't. Thank you for the information though, Mr. Shaffer and Ms. Quintana.

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

COMMISSIONER GARCIA: No.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Commissioner Moreno, did you have any questions or comments?

COMMISSIONER MORENO: Yes, I support the motion.

CHAIR ROYBAL: Thank you, sir. We have a motion and a second. I'm going to call for the vote now.

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

MR. SHAFFER: Mr. Chair, Commissioners, if I could add one thought, and I appreciate the Board's indulgence in terms of considering these items first. I would like to note that the premium charged by New Mexico Mutual also decreased from fiscal year 20 to fiscal year 2021. The premium in the previous fiscal year was \$612,734, versus a premium this year of \$534,544. So that premium did come down as did our estimated total cost of insurance, and I believe, to provide some good news, that we are on pace this year to have one of the lower overall costs for Workers' Compensation since 2016. So that was a positive trend line and I did want to acknowledge that because of the comment made about sobering news. Obviously, these are real dollars and this is a big cost, but I did want to highlight both that the premium went down as well as our overall claim experience this year. So I'd stand for any additional questions but I wanted to add that for your edification as well as for the record. Thank you, Mr. Chair.

COMMISSIONER HANSEN: Mr. Chair, Mr. Shaffer, I really appreciate that additional piece of knowledge and thank you. These are still large sums to deal with and I think it's important to have as much information available as possible. So thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I would agree with Commissioner Hansen's statement. Any time the County can save \$78,000 I think that's a really great progress. So thank you. Is there any other comments from the Board?

Thank you for the additional information, Attorney Shaffer. Appreciate that.

**3. A. Resolution No. 2020-48, a Resolution Committing Santa Fe County Fund Balance**

YVONNE HERRERA (Finance Director): Good afternoon, Chair Roybal, Commissioners. I'm here before you to request approval of the resolution to commit fund balance for the purpose of setting aside funds for the reserves identified in the Santa Fe County fund balance reserve and budget contingency policy. Daniel, would you mind bringing up Attachment 3, the calculated? On January 8, 2019, the BCC passed resolution 2019-7 repealing and replacing the Santa Fe County fund balance reserve and budget contingency policy. The policy requires a process of committing unrestricted fund balances to set aside funds for specific purposes.

This exhibit here details those specific purposes. The policy requires that we have a committed fund balance in the general fund specifically for contingency reserves, disaster recovery, uninsured loss and major infrastructure repair and replacement. Each of these reserves are calculated based upon either an operating budget out of the current year or fiscal year 21, or unrestricted fund balance from 2019.

In addition to the general fund, the policy requires that we set aside funds and we set aside for a fund balance in the funds that support operations. So the next section that is on the screen right now are those special revenue funds. The only difference between those that are ten percent and those that are at 25, at the last BCC meeting Manager Miller provided additional information as to why our Public Safety funds are at 25 percent, which is related to their support through gross receipts tax revenue. Because they are so dependent on gross receipts tax revenue the reserve amount has been established at 25 percent versus the other funds which are only at ten percent.

And then finally the policy requires that our enterprise funds and our internal service fund are established at I believe ten percent. So our water enterprise fund and our housing fund – actually our water enterprise fund is at 50 percent and our housing enterprise fund is at ten, while our self-insurance fund is actually established at 20 percent.

At the last BCC meeting we went through a presentation detailing these amounts. Earlier today we went through the budget and made it very clear that these amounts are separate from the cash balances that are used to budget the balance. These committed amounts are in addition to amounts that are restricted fund balance amounts by legislation or by law, whether it's federal or state, and then the difference between those restricted amounts and these committed would then be the unassigned fund balance, which is what's used for balancing the County's annual budget. And I stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Yvonne. Appreciate it. Can we go to – I'm going to go to Commissioners. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Yvonne, for this presentation. It's always helpful to be reminded of our committed fund balance revenue and the commitment that we have. I think it's incredibly important so I appreciate you going over this. And with that I will make a motion to approve a resolution committing Santa Fe County's fund balance. So I'll move this forward.

COMMISSIONER HANSEN: Thank you, Commissioner Hansen.  
Commissioner Hamilton.

COMMISSIONER HAMILTON: I'll second and I have no questions.  
Thanks for the information.

CHAIR ROYBAL: Okay, so we have a motion and a second. Under  
discussion. Commissioner Garcia.

COMMISSIONER GARCIA: No questions.

CHAIR ROYBAL: Commissioner Moreno.

COMMISSIONER MORENO: No questions.

CHAIR ROYBAL: Thank you. I'm going to call for the vote.

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

**3. B. Request Authorization for the County Manager to Negotiate and  
Execute on Behalf of the County the Contracts and Purchase Orders  
Necessary to Construct Lightning Protection at the Adult Detention  
Facility for an Amount Not to Exceed \$351,181.87, Exclusive of NM  
GRT**

BILL TAYLOR (Purchasing Manager): Thank you, Mr. Chair,  
Commissioners. Thanks for having me this afternoon. This request, the Purchasing  
Division obtained quotes to install lightning protection at the adult detention. We're  
utilizing the cooperative educational services agreement, CES, with a project delivery  
method known as job order contracting, and this is to install the lightning protection  
around the outside perimeter of the adult detention center.

The quotes that came in from the job order contracting contractors that we can  
still negotiate with and try to fine-tune that quote is \$351,181.87. The quote was attached  
in the BoardDocs for your review, Mr. Chair, and I will stand for any questions that the  
Commission may have on this item.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: So Commissioner Hamilton, did you have questions?

COMMISSIONER HAMILTON: I just had a brief – it's a curiosity  
question. Is this a replacement or have we never had to have this before at the detention  
center? Lightning protection?

MR. TAYLOR: Mr. Chair, Commissioner Hamilton, I believe this is a  
new deferred maintenance item for the detention center but I will defer to Director  
Sedillo if he can add any history to that facility.

PABLO SEDILLO (Public Safety Director): Thank you, Bill. Mr. Chair,  
Commissioner Hamilton, we put in some extensive projects in our facility, very costly  
projects. We did the new camera system in the adult facility. We put in our new JMS  
system, which is our jail management system in our facility as well, as well as our EMR  
system, which is our electronic medical records system in there. We really don't have any  
control over Mother Nature; she has her own agenda at times. Last year she hit our  
transformer and knocked out a lot of the power inside our facility. I thought it was in the  
best interest of the adult detention center to protect that investment that we put in there.

COMMISSIONER HAMILTON: That's brilliant. It makes sense. Better than a couple of super surge protectors. I get it. It was just curiosity. I appreciate it.

DIRECTOR SEDILLO: Thank you.

CHAIR ROYBAL: Thank you for that question. It was a great question. It was actually something I was thinking of too, if it was something that we were just adding, because I know a lot of facilities in different areas do have the lightning protection right away to protect equipment, so thanks for that question. Commissioner Hansen.

COMMISSIONER HANSEN: I am good with this and I am going to move to approve authorization for the County Manager to negotiate and execute on behalf of the County the contract and purchase orders necessary for lightning protection at the adult detention facility for an amount not to exceed \$351,181.87.

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

COMMISSIONER GARCIA: I'll second it, and yes, I approve it.

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

COMMISSIONER MORENO: I support it.

CHAIR ROYBAL: Thank you, Commissioner Moreno. And so on this contract, we probably, just as a question, do we send these out for RFP as well?

MR. TAYLOR: Mr. Chair, we do not. This has already been competed. These are contracts that are with CES, the Cooperative Educational Group. They put out the solicitation and compete it for contractors where they actually bid on price items for these types. It's typically, the job order contracting delivery method is used by organizations for numerous construction projects that are quick, easily installed. It's competitively bid with a fixed price [inaudible]. So they all bid on items specific to all the disciplines involved in a renovation project. They'll bid either an adjusted amount on the price and what CES does is they – typically they have – I'm sure you've heard of RS Means, which is a price book. That price book is basically for the entire country.

What the CES organization does is develop their own price book for this region of the Southwest and specifically here in New Mexico. So the pricing for these items to install are realistic to this region for materials and labor. And so to answer your question, this has already been competed and we just pull from that list of those contractors. We meet with them on the site. We go through the scope of work, the projects that don't necessarily have a full design from an engineer and architect.

We can discuss it and answer questions, and then they submit a quote or price for that project. It's a very quick tool that we have in our procurement method. You discussed a little bit of it on the capital projects that are coming up in the bandwidth capacity with Public Works. Purchasing also has to implement procurement methods such as this that will help widen the bandwidth for procurements, so we can get a lot of those done. This contracting method though is primarily for deferred maintenance items, renovations and such for projects but can be used for larger projects as well.

CHAIR ROYBAL: Okay. Thank you for that explanation. Appreciate it. So I'm going to go to the vote.

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

3. C. **Request (1) Ratification of the 4<sup>th</sup> Supplement to Addendum to Master Agreement and Schedule NM2016-001.01 for Licensed Software, Hardware and Services Between Santa Fe County and TRTA Gov, Inc., Which Increased the Amount of the Agreement an Additional \$98,905 and Extended the Term Until June 30, 2020; (2) Approval of the 5<sup>th</sup> Supplement to Addendum to Master Agreement and Schedule NM2016-001.01, Increasing the Compensation an Additional \$102,861 for a Total Contract Sum of \$494,425.19, Exclusive of NMGRT, and Extending the Term an Additional Year to June 30, 2021; and (3) Authorization for the County Manager to Sign the Purchase Order [Exhibit 1: Supplement to Addendum; Exhibit 2: Schedules for Master Agreement]**

MR. TAYLOR: Mr. Chair and Commissioners, for the record, the request for approval before you is referencing the fourth and the fifth supplement addendum to the master agreement identifying TRTA Gov, Inc. We were notified yesterday that the entity that we are actually contracting with is Manatron, Inc. The agreement was modified and corrected. We contacted the vendor in April. They did not inform us of this until we sent them the addendum.

But at any rate, all the terms and conditions that are before you in the request today are the same. The fourth supplement addendum needs to be ratified by the Commission. It increased the amount of the contract more than ten percent, which pursuant to the resolution requires BCC approval. So we're asking for one ratification of the fourth addendum for the software and hardware services.

The second request of course is specific to the fifth supplement addendum with Manatron, Inc. to extend the term and increase the compensation by the amount of \$102,861. With the Assessor's Office purchase of this system back in 2012 and it was a Manatron system. It was owned by a different company at that time. It changed and was owned by TRTA. Now it's owned by a company that is listed there in the recitals which is N. Harris Computer Corporation and the company business is actually Manatron. It's always been Manatron software and the Assessor uses it in the Gamma system for valuation of properties.

I apologize for the disconnect or any confusion, but we were able to get the addendum clarified, corrected, that's before you today for approval. So one, we are asking ratification of the fourth addendum and approval of this addendum five. I'll stand for questions.

CHAIR ROYBAL: Okay, thank you, Mr. Taylor. We're going to go to Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, I have no questions. Move for approval.

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

COMMISSIONER HAMILTON: I have no questions. I'll second.

CHAIR ROYBAL: Commissioner Hansen, do you have any additional

questions?

COMMISSIONER HANSEN: I'm good. Thank you.

CHAIR ROYBAL: Okay, Commissioner Moreno.

COMMISSIONER MORENO: Yes.

CHAIR ROYBAL: Okay, thank you, Commissioner Moreno. I'm going to roll call.

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

**3. D. Approval of Lease Agreement between Santa Fe County and Reunity Resources to Lease County Property Along the Santa Fe River to Reunity Resources for Agricultural Use to Support Local Hunger Efforts**

SCOTT KASEMAN (Public Works): Good afternoon, Mr. Chair and Commissioners. I'm the real property supervisor for the Public Works Department. Reunity Resources are the new owners of the Agua Fria community farm, and they approached us and would like to lease approximately .94 acres of County land that is located on the northeast corner of Agua Fria Road and San Ysidro Crossing in the Village of Agua Fria. That's right on the Santa Fe River and directly across the river from the community farm.

They would like to lease this property to grow produce to increase their capacity to support local hunger efforts that they're currently doing. This is an in-kind lease agreement, meaning that Reunity will not pay any monetary rent. Instead they will meet its rent obligations by donating the food it produces to County food programs and meal distribution programs that help members of the community who are susceptible to food insecurity.

Staff has conducted its due diligence and has determined that the estimated value of the produce to be donated is approximately \$25,000 and that significantly exceeds the fair market rental value of the land that is approximately \$2200. The initial lease will have a term of 15 months, after which time we will re-evaluate the relationship. And with that I'll stand for any questions.

CHAIR ROYBAL: Okay. Thank you for that report, Mr. Kaseman. I'm going to go – I know this is in Commissioner Hansen's district, so I'm going to go to Commissioner Hansen, and then I'll go to Commissioner Hamilton. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. So I want to make a few comments about how important I think this is. Tejinder and Juliana, I believe are on the phone also and they are already doing a tremendous amount of work with Youthworks and other groups in the community to provide food to local communities who cook this food and prepare it out in the community. I also received one email, a concerned constituent about where the water was going to be coming from, and the water is going to be trucked in to a few tanks, and the cost of the water is about \$450 a truckload, and it will have some tanks that will store it on the property, and it will last for five to six weeks. They will not be using any water rights with this water because it will be water

that they are buying from a trucking water service that is approved by NMED.

So I wanted to give you that additional information because I feel like it is important to understand that not only are they going to be donating the food that they are producing on this piece of property but that the water is not coming from any water rights in the area, so acequias and rivers do not need to worry about that.

And if there's any other questions I know that Scott could possibly answer them and also Tejinder and Juliana Ciano I know are on the line and they could also answer any questions. So with that, I know Scott and I will stand for questions and I wholeheartedly support this and I would like to move for approval.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Okay, thank you, Commissioner Hansen. I'm going to go to Commissioner Hamilton. It looks like I had a motion from Commissioner Hansen and a second from Commissioner Hamilton. Under discussion, Commissioner Hamilton.

COMMISSIONER HAMILTON: This looks hugely valuable and Commissioner Hansen, I appreciate the information on water because I had been asked the question. So I have no further questions beyond that, other than seconding this and agreeing that this does quite a bit of good work. Having also been on the Food Policy, conference calls with them, so there's a lot of community service that's embodied in this that's very much appreciated.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I know I have a motion and a second. Under discussion, to Commissioner Garcia.

COMMISSIONER GARCIA: I have some questions. Sorry to be the bearer of bad news, but I just need to put this out so we can – next time, I'd like to see the site plan. Like where are these tanks located, the size of the tanks, how high the tanks are. The reason I'm asking all of these questions is because first of all, the new owners of the property are doing an excellent job. I pass by there a lot. [Poor audio] I just want to know how high are the tanks. A site plan would have been great. Another thing is who is going to monitor that they are actually giving the food to the homeless or the shelter or whatever they do. The next three, five, ten, fifty years is where I'm looking at and hopefully we still have the same owners and they're still doing what we want them to do.

And one big question that I have is that ARC site on the south corner. Because under the [inaudible] of San Ysidro Crossing and – that's the second oldest ARC site in New Mexico. That's ARC site #0002, which is Pueblo Pindi, I believe, and it's just a concern that I have on that property because I believe the County bought that property years ago because of that ARC site. Has anybody looked at that or addressed that? I'm just asking.

MR. KASEMAN: So Mr. Chair, Commissioner Garcia, first, did you receive the Exhibit A that has the survey in it and has an outline of the area that is being leased out that demarks the .94 acres?

COMMISSIONER GARCIA: Maybe Daniel could send that to us, put it on the screen real quick. So is anything tied to the northeast corner is it just the portion where the old barracks are?

MR. KASEMAN: It's just a very small portion of the property. Of course everything's pretty small. One thing I will address is the two tanks are 2,000-gallon tanks. There'll be two of them. [Poor audio] And the two tanks will be in the southeast

corner of the property, sitting on top of the gravel road that is there, which is the easement line that's marked right there. Go all the way to the right, and then the southeast corner is where the two water storage tanks will be. They'll be 2,000 gallons, and based on what I know they'll probably be six feet tall, maybe, guessing. Six to eight feet tall, I would think, but they'll be at the very bottom of the hill and won't be very visible.

As far as the ARC site, the entire area that is being disturbed is in the AE flood zone, which is a non-buildable area. That area has been flooded over and over. As far as I remember there have been no artifacts or anything found in this part of the lease area down in the flood plain. This has been disturbed many, many times over the years.

We put in the sewer line right here that goes through the property and that was approved to go in. So I don't have any concerns about the archaeology in the area.

COMMISSIONER GARCIA: Well, I have concerns. I just would like to know. I understand, Scott, [Poor audio] it's a great thing that the community is doing but I guess I just need to say it. Is there any way we can get the ARC study from the state and overlay it or can we have the state look at this? I just don't want the property to – there is a pueblo under there, there is at that intersection because even the Agua Fria water system, whenever they got the money from the state legislature they had to do an intense ARC study [inaudible] the well there. But those are the concerns I have, Commissioner Hansen.

COMMISSIONER HANSEN: Commissioner Garcia, so one, the ARC site is up along the road, and this has been extensively studied. If you remember, or maybe you weren't on the Commission when I had this presentation done by – I'm trying to pull up her name. I know Mr. Mee is on here. But the archaeologist who did this and the archaeology site stops along the road. That was the end of the site when they did the entire area. This is LA-2 is what it's called. So we are down by the river and if you look at this map you can see that right here on the north edge is a berm, which is right along the river, and then you can see the zigzag going through the line which I believe that's the sewer line.

So all of this area has been disturbed before –

COMMISSIONER GARCIA: Mr. Chair, I don't mean to cut you off, Commissioner Hansen. I'm okay as long as the village is okay. Willy, you're okay with it? He's on the other line and as long as it doesn't get disturbed, I'm great. I just wanted to make sure and put it on the record. But if everybody's looked into and everybody feels comfortable.

WILLIAM MEE: I'm from the Agua Fria Village Association. This is William Mee. We're in favor of this. In 1950 Carl Kaufman Sand and Gravel removed everything in this area. So there may have been archaeological sites but they're all long gone from sand and gravel extraction.

COMMISSIONER GARCIA: Okay. Good, for my benefit. I just wanted to bring that up. Thank you.

CHAIR ROYBAL: Okay. Thank you for your comments and bringing that awareness level up. I don't think everybody knows the history of the property so we appreciated that. I'm going to go to Commissioner Moreno.

COMMISSIONER MORENO: I think it's a pretty good deal.

CHAIR ROYBAL: Thank you, Commissioner Moreno. Okay, so we're

going to go ahead and go to the vote on this.

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

COMMISSIONER GARCIA: And once again, thank you for what the individuals do for the community at large. It's a great project out there. Anybody that passes by there you can just see the extent of work that's being done out there. And actually my friend –

**3. E. Resolution No. 2020-49, a Resolution to Budget Cash Balance in the Fire Operations Fund (244), in the Amount of \$1,100,268, to Correct Negative Expenditure Balances**

MS. HERRERA: Hello again, Chair Roybal. I'm here in front of the Commission to request approval of this resolution to do a budget adjustment for the fire operations fund, specifically related to their health insurance and over the fiscal year 20 budget preparations unfortunately it did not budget sufficient amounts for the health insurance. The fire fund is the only fund that we needed to come before you to request a BAR in the amount of \$598,817. In addition to that the fund was overspent in their overtime budget by \$501,451. To prevent these two issues from occurring again in the future, the health insurance amounts that were included in the 21 budget proposal from this morning's presentation was calculated using actual costs per employee as well as including amounts from the vacant positions, once they're filled at some point in time next year or in the future.

As far as overtime goes, County management has addressed the issue with the Public Safety Department Director to encourage staffing structures to be continued to be reviewed for efficiency and cost effectiveness. And I stand for any questions.

COMMISSIONER HANSEN: Commissioner Roybal.

CHAIR ROYBAL: Commissioner Hansen, go ahead.

COMMISSIONER HANSEN: I would like to move to approve.

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

COMMISSIONER Hamilton I'll second.

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

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

**3. F. Request Authorization to Publish Title and General Summary of Ordinance No. 2020-\_\_\_, an Ordinance Authorizing the Execution and Delivery of a Lease-Purchase Agreement Concerning One (1) 900 kW Cummins Generator 60 Hz, One (1) Level 2 Sound Enclosure, and One (1) 2,000-Gallon Fuel Tank (the "Equipment") for the Santa Fe County Water Reclamation Facility, Evidencing a Special, Limited Obligation of the County Payable from the Net Revenue of the County**

**Water and Wastewater Utility; Delegating Authority to the County Manager to Execute the Lease-Purchase Agreement and Associated Purchase Order(s) Within the Parameters Set Forth in this Authorizing Ordinance; Ratifying Actions Heretofore Taken; Repealing All Action Inconsistent with this Authorizing Ordinance; and Authorizing the Taking of Other Actions in Connection with the Execution and Delivery of the Lease-Purchase Agreement**

MR. SHAFFER: Thank you, Mr. Chair and Commissioners. At its June 9, 2020 meeting the Board of County Commissioners approved change order #3 to an agreement between the County and Integrated Water Services, Inc. related to the Santa Fe County water reclamation facility that's currently being constructed on property that the County leases from the state penitentiary/State of New Mexico. That change order contemplated that the County would enter into a lease-purchase agreement with Integrated Water Services for the provision of a backup generator, as well as associated equipment, namely a 2,000 gallon fuel tank and a sound enclosure for the generator.

A lease-purchase agreement is considered a revenue bond under state law and revenue bonds must be approved by ordinance, which is why we are requesting that you authorize staff to publish title and general summary of the subject ordinance. If you authorize us to do so we will have the public hearing on the ordinance on July 14, 2020. We had originally intended to have this item be on the agenda at the special meeting that had been scheduled for last week. Given that things were postponed and in order to maintain a critical path, we actually took the liberty of putting notice in the paper today of that public hearing on the expectation that the Board would approve this item today given its earlier conceptual approval to the concept of entering into a lease-purchase agreement.

So with that, I'd stand for any questions, but again, this is only to authorize publication and general summary of the proposed ordinance on the public hearing which would be held two weeks from today. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Attorney Shaffer. Are there any questions from the Commission?

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

CHAIR ROYBAL: Commissioner Garcia, go ahead.

COMMISSIONER GARCIA: Just really quick, Attorney Shaffer, this is just to go ahead and publish title and general summary, correct?

MR. SHAFFER: Mr. Chair, Commissioner Garcia, that is correct. And there will be a public hearing again at the Board of County Commissioners meeting two weeks time from now, and as noted in the memo, which I'll state for the record, the monthly lease payments are \$8,793.58 per month for 36 months. If we paid all of those payments and exercise our option to purchase, the total cost would be \$316,569.88. Thank you.

CHAIR ROYBAL: Thank you, Attorney Shaffer. Commissioner Garcia, did you have any additional questions?

COMMISSIONER GARCIA: Just a couple things. I'll get with Attorney Shaffer and Manager Miller, just the warranty and all this other stuff. How long is it

going to last? Are they warrantied? Will it last the lifetime of the cost and so on and so forth? But we can obviously move along though. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Do I have any other questions from other Commissioners?

COMMISSIONER HAMILTON: No, but I would think those kinds of questions might well be asked now, if in two weeks, then to ask the questions then.

COMMISSIONER GARCIA: It's up to you guys, whatever you want. Just because we'd have a longer night – it's up to you, Commissioners, whatever you like. But those are some of the questions I have.

MR. SHAFFER: Mr. Chair, Commissioners, we'd be pleased to include in the material for the 14<sup>th</sup> meeting details as to the warranty and the expected life of the equipment, as well as the business necessity for having a backup for the water reclamation facility. If there are any other questions that anyone would like us to answer feel free to email them to me and I'll make sure that they're answered thoroughly in the packet material in advance of that meeting. Thank you.

CHAIR ROYBAL: Thank you, Attorney Shaffer. I believe that was all Commissioner Garcia had. Commissioner Hamilton, did you have a question or a comment?

COMMISSIONER HAMILTON: I don't have a question. I was just going to move to approve.

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

COMMISSIONER GARCIA: I'll second.

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

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

#### **4. MATTERS OF PUBLIC CONCERN**

CHAIR ROYBAL: Is there anybody from the public that would like to address the Board?

TESSA JO MASCARENAS (County Manager's Office): Mr. Chair.

CHAIR ROYBAL: Yes, Tessa Jo. I have two people that I have signed up under Public Comment. The first one is Jamie Aranda.

CHAIR ROYBAL: Okay, Ms. Aranda, would you like to address the Board?

JAMIE ARANDA: Yes. Good afternoon, Chairman Roybal and Commissioners. It is great to see you. My name is Jamie Aranda. I'm the Northern Local Government Affairs and Community Manager for PNM. On behalf of PNM I'm very excited to support Commissioner Hansen's resolution to protect and enhance pollinator species and habitat. Personally, I aspire to have honey bees one day but until then I have been working on my yard to plant more needed pollinator-friendly vegetation. I am also proud to be a part of a local company that is continually looking at how we can be better stewards of our planet.

Currently we have a thoughtful vegetation and revegetation program to improve utility corridor habitat where environmental conditions will provide positive outcomes. Through our partnership with the Electric Power Research Institute and many other energy industry groups we have engaged in planning and researching the enhancement of transmission corridors and other sites such as solar fields, plant vegetation that attracts pollinators and is regionally appropriate like those mentioned in Commissioner Hansen's resolution.

We will also be working with other local, state and federal partners to track and share findings and practices used to attract and protect our pollinator friends. PNM appreciates Commissioner Hansen for creating this awareness and we support this resolution. Thank you for the time and we look forward to working with the County on aligning and implementing more of its sustainability goals. Thank you.

CHAIR ROYBAL: Thank you, Ms. Aranda. We appreciate the comments. And who else do we have from the public?

MS. MASCARENAS: Mr. Sam Chavez from AFSCME signed up but it doesn't look like he has been able to sign on via computer. I'm not sure if he was able to call in.

CHAIR ROYBAL: Mr. Chavez, are you part of the meeting today?

MS. MASCARENAS: And that was all, Mr. Chair.

CHAIR ROYBAL: Okay, once again, I'd like to ask for Mr. Sam Chavez. Are you on line sir? Okay, is there anybody else from the public besides the two that had signed up that would like to address the Board? If you can unmute everybody temporarily, Tessa Jo.

CHAIR ROYBAL: Once again, is there anyone that would like to address the Board? Hearing non, I'm going to close Public Comment and I'm going to move on to our next agenda item. Later on, just because we did have Mr. Sam Chavez that had signed up earlier I'll touch base once again in about maybe 40 minutes or so, after we've gone through a few additional items or right before we go into executive session to see if he's joined in or not.

## **5. MATTERS FROM THE COUNTY MANAGER**

### **A. 54<sup>th</sup> Legislature – First Special Session, 2020, Update**

CHAIR ROYBAL: Manager Miller, will you be presenting that.

MANAGER MILLER: Mr. Chair, actually, Hvtce Miller will be presenting that but before we start that, real quickly, I just want to say thank you to the Commissioners and all the staff and thank you earlier in the meeting for having a moment of silence for my mother. She passed away on June 20<sup>th</sup>. It's been really difficult for me and I wasn't at work a lot the last two weeks, especially last week, and the staff really stepped up. I felt very supportive and I really want to express my thank you to the staff that contributed to flowers that were sent to her services. I don't know who did it but thank you very much. And like I said, thank you to all the staff, especially Greg Shaffer who really stepped in in my absence to keep things going and get all of these agendas together for these three meetings today. It is no small task.

I also want to thank everybody who helped put the budget together – Yvonne,

Joey, Regina, and all of the capital planning staff from those folks in Growth Management – Paul and Jacob, Public Works – Gary, P.J., Barbara Ryan, John, Diego, and in Finance, Sam and Joey and Yvonne. And I probably missed somebody but I just want to express my sincere gratitude for everybody putting their time in and making this all happen in spite of my absence, and also to Hvtce and Tessa Jo for covering the special session. So with that I'd like to turn it over to Hvtce to present what happened in our first special session of 2020.

HVTCE MILLER (County Manager's Office): Good afternoon, Mr. Chair, Commissioners. You should have the report provided to you in an email and also Tessa has posted this report on BoardDocs, this particular presentation. But I can go over it and it won't take very long. The session was a short session, just a few days long. It started on the 18<sup>th</sup>, and what was on the governor's call was the budget, tax relief for individuals, loans for small businesses and local governments, police reform and election improvements.

Legislation was passed for all of those items. There were 11 total items passed by the House and Senate and of those 11, eight items need the final authorization by the governor and of those eight that have been sent to the governor, four of them have currently been signed. So what that means is this will be the final report you're getting on the special session. The governor actually has till July 12<sup>th</sup> to act on legislation, so I'll be providing subsequent reports to let you know about the different legislation that has passed.

Right now the governor has signed House Bill 5, the New Mexico Civil Rights Commission, Senate Bill 4, temporary election changes, Senate Bill 5, solvency measures, and just yesterday, House Bill 6, which was temporary tax waivers and distributions.

In this report I have overviews of more highlighted legislation and on the very last page of the report, page 4, I have the list of all 11 pieces of legislation that were passed by the House and Senate, and there's hyperlinks on that last page so you can click on them and look at the text of the bills themselves.

I was just going to go over three of the bills which have language within them that pertain to counties, and the first bill is House Bill 1. This is the budget revisions to the budget that was already passed earlier this year back in March but because of the COVID restrictions and the decrease in state revenues and the drop in the price of oil, the budget needed to be revisited and realigned to the new revenues that are forecasted now.

So the governor needs to act on this particular bill and like I stated earlier, she hasn't yet. She needs to act on this today because the budget cycle for the state starts tomorrow. This budget is a 1.5 percent increase over the previous year and the original budget passed in March was a 7.6 percent increase over the budget last year. And the overall approximate budget amount is \$7 billion.

Most directly affecting local governments in this bill is an appropriation of \$165 million in funding to help local governments that have their own coronavirus-related fiscal problems. Of that, \$165 million, \$15 million is specifically earmarked for McKinley, Cibola and San Juan counties. How this money will be distributed is up to the Department of Finance and Administration but in all likelihood the population of the localities will be a determinant in dividing up this money.

The next bill is House Bill 6 and that was signed yesterday as I mentioned earlier. Within this bill is a distribution from online sales of \$48 million to local governments and where this distribution is coming from is that in 2019 there was a tax on internet sales and what they're doing in this special session bill is moving up the distribution from these internet sales to local governments. The original 2019 bill and its distribution to local governments wasn't supposed to take place until July of 2021. So in House Bill 6 there is that amount that will be going to localities.

And lastly I have Senate Bill 4 which deals with elections during this COVID pandemic and what this bill in the final version that was passed, it allows county clerks to go ahead and issue applications for absentee ballots to registered voters within their counties. The original intent of the bill was to go ahead and send out ballots themselves but that was scaled back to the sending out of the absentee ballot applications. So that is a new change that will take place within the election law. Also within Senate Bill 4 there's a special provision that there's an election task force created so that if conditions restrict voting further in different counties this election task force would be able to re-examine and make changes to election law so that voters could be accommodated while still living within the restrictions of the COVID pandemic.

So those are the three main pieces of legislation that I wanted to update you on and if there's any more questions I'll be happy to answer them, and like I had mentioned earlier, I will be providing a further report as legislation is approved and signed by the governor. And like I had said before she has till July 12<sup>th</sup> to do so. Thank you.

CHAIR ROYBAL: Thank you, Mr. Miller, for the update. I think our next BCC meeting will be after the 12<sup>th</sup>. Is that correct? Let me look.

MANAGER MILLER: It's the 14<sup>th</sup>.

CHAIR ROYBAL: Okay. So that will be probably perfect timing to get the next update. Okay. Is there any questions specific to the update just provided us by any of the Commissioners?

[Commissioner Garcia excused himself from the meeting temporarily.]

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

COMMISSIONER HANSEN: Do we have any idea what happened to the capital outlay?

MR. MILLER: Mr. Chair, Commissioner Hansen, Senate Bill 5 was the piece of legislation that was pulling back general fund dollars for capital projects and to my inspection of the bill there was not any new managed projects that were the result any funding cuts.

COMMISSIONER HANSEN: So has she signed that bill?

MR. MILLER: Yes. Senate Bill 5 was signed into law on Friday.

COMMISSIONER HANSEN: Okay. So at the moment we don't know exactly how much of the capital outlay has been clawed back.

MR. MILLER: I can provide you a list of all the projects including everything that's in Santa Fe County, but like I had mentioned before, nothing managed by the County itself was taken away from Santa Fe County.

COMMISSIONER HANSEN: Okay. Thank you. I appreciate that.

MANAGER MILLER: Mr. Chair, Hvtce, didn't they take – wasn't the yurt project that we weren't able to actually execute, the yurt funding at the Mountain Center, wasn't that in there? Or did it end up not even being taken?

MR. MILLER: Mr. Chair, Ms. Miller, yes, that was one of the projects that was defunded, the Mountain Center yurt project, and also there was an amount to the La Bajada Water District I believe it was, that was pulled back. Just off the top of my head, those were two items within the County itself, but like I had mentioned, not managed by Santa Fe County but within the County projects that had been taken back.

MANAGER MILLER: Yes. Thank you, Htvce. Mr. Chair, Commissioners, we don't think that any of the actual projects, as I said earlier this morning, that we – I don't think any of the ones that we received in 19 or 20, whether we actually were moving them or not, there were some that had encumbrances against them. They didn't take any of those, even though it wasn't the full appropriation, and others that we hadn't quite gotten an encumbrance against but we were moving those projects, we had sent letters requesting that they were health/safety projects and that they not take that funding, and that was the senior center in Cerrillos, the Madrid water system, and some of the other fire funds that we had.

So I think we did really well relative to not losing funds that we had received through special appropriations on projects that Santa Fe County is moving forward on.

CHAIR ROYBAL: Okay. Thank you for that, Manager Miller. Do we have any other questions? I know Commissioner Garcia had left earlier. Commissioner Hamilton, did you have any questions?

COMMISSIONER HAMILTON: No, but Htvce, if it's relatively easy, if you could get a list from House Bill 5 of what projects that are still funded that are not managed by the County. Or a link if that's – sort of a listing. That would be cool.

MR. MILLER: Mr. Chair, Commissioner Hamilton, yes, I will get that to all the Commissioners.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Thank you for bring that recommendation forward, Commissioner Hamilton. Commissioner Moreno, did you have any questions, sir?

COMMISSIONER MORENO: Yes, I would like to see the list also.

CHAIR ROYBAL: Okay. Thank you, Commissioner Moreno.

Commissioner Garcia, are you back online, sir? Sounds like he's not. So thanks again, Hvtce. Appreciate the update.

**5. B. Report of New 2020 Maximum Target Pricing for Inclusionary Zoning Program**

MANAGER MILLER: Mr. Chair, that should be Penny or Joseph. I'm not sure which one is online to do that.

JOSEPH MONTOYA (Housing Director): Mr. Chair, members of the Commission, County Manager, we did go over this in the small amount of time at the previous meeting, just for informational sakes. As you know, there's a resolution that provides the opportunity to update our housing prices every single year in order to be able to effectuate our inclusionary zoning provisions. This provision, we have updated

the numbers based on new census numbers and the Department of Housing and Urban Development numbers, and we used the standard formula that is related into our program parameters

It's very interesting. We have a small discrepancy between what we're saying is affordable housing under both these terms that the City has. It's very small; the formula is slightly different, and we're looking to see what differences those make. However, this is an informational item. The resolution that promulgated this just wants us to let you know that we have updated these numbers. And these are the new numbers that we'll be using in terms of any kind of affordable housing agreements we have with private developers. And with that I'll stand for any questions you might have.

CHAIR ROYBAL: Okay. Thank you, Mr. Montoya. Do we have any questions? Commissioner Hansen.

COMMISSIONER HANSEN: No, thank you. Thank you Joseph for the brief update and let us know how things proceed.

CHAIR ROYBAL: Commissioner Moreno, did you have any questions?

COMMISSIONER MORENO: No, I don't.

CHAIR ROYBAL: Thank you, sir. Commissioner Hamilton.

COMMISSIONER HAMILTON: No, but thank you, Joseph.

CHAIR ROYBAL: Commissioner Garcia, are you online, sir? And I just want to say thank you as well for the presentation, Director Montoya. We appreciate it.

MR. MONTOYA: Mr. Chair, thank you very much. Feel free to ask any questions you might have and we'll be presenting information like this on a far greater level of detail when we go over our new work plan.

CHAIR ROYBAL: Thank you, sir.

#### **5. C. Miscellaneous and COVID-19 Emergency Update**

MANAGER MILLER: Mr. Chair, both Rachel and Greg gave me a few things that we've got going on related to the COVID-19. First of all, our CONNECT program continues to provide basic support to people who live in Santa Fe County and are experiencing a crisis. So since the pandemic hit we have assisted 477 individuals with basic need services, including food assistance, housing and income support through our CONNECT program, and we've received three times the amount of food assistance requests than in the initial quarter and twice the number of housing requests since the initial quarter.

This is in addition to all the meals that were provided in connection with our senior services program as well as the Food Depot meal delivery program that we did.

New Mexico Solutions continues to provide behavioral health support to individuals in crisis including those at the Midtown Shelter, so we have assisted the City with the Midtown Shelter by providing behavioral health services through New Mexico Solutions to individuals who are staying there, and in May they responded to 136 incident calls and provided coordination for 96 groups on anxiety and depression.

Also the Department of Health did a presentation for us on the Santa Fe County data last week. They stated that although our numbers have gone up, most of the cases in Santa Fe County are related to family clusters. Also both our death rate and our

hospitalization rates remain pretty stable.

We've been tracking the data by zip code and providing it to the task force and I can also provide that to you. What that is is the number of cases in zip codes that are in Santa Fe County. That is the only data that we're provided from the Department of Health as far as a breakdown of where cases are. Currently, I would say our hot spot is 87507 and 87505 also has the second largest number of cases in the county. The rest of the county, in the rural part of the county is really stable, really good. Those numbers haven't changed much at all, and I can send you that information. But 87507 has 94 of our 228 cases.

Then also we are working with the City Food Depot and Youth Shelters and others to continue to distribute both individual meals and groceries to county locations, and we are also distributing to individuals who are homebound.

As far as County facilities, we partially reopened our County staff fitness facilities at 100 Catron and the Public Safety Complex. We do require that people sign up for appointments or reservations. They must wear face masks or face coverings, and occupancy is limited to ensure that we have social distancing.

Also we instituted a cloth face covering policy for all County employees. They must generally wear cloth face coverings except when in a private office space or eating or drinking. We're pleased to report that most employees seem to be complying with this requirement and actually even before we put the policy in place I think County employees really were stepping up to the plate and wearing their face coverings when they are at work, if they're at work at all, and particularly if they are working with other County staff or the public.

And I hope that our staff will continue to lead by example in this important area. I truly believe that has a lot to do with why Santa Fe County has been so good as a county on the whole with our community spread of COVID-19 is that you see that most people do voluntarily comply with the face covering requirements that the City put in place and that the County has put in place for County staff.

Also, one other piece of good news, we did receive our reaccreditation from New Mexico Counties for our adult detention facility, which means we've been reaccredited by the Adult Detention Professional Standards Council of New Mexico Counties through June 23, 2023. I'd like to congratulate all of the staff, especially Cat Ramos in getting all of our medical requirements in place, and the Warden, Deputy Warden, and everybody who worked to make sure we received our accreditation. And it's a significant achievement and does help us get our insurance through New Mexico Counties as well as bring down the cost of our insurance. So kudos to them and congratulations.

And that is all I have and I stand for questions, Mr. Chair.

CHAIR ROYBAL: Thank you, Manager Miller. Thank you for the update. I'm going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you, Mr. Chair. I'm not sure this is the appropriate place but you can let me know. Given that we're just a few days from July 4<sup>th</sup>, I wonder if we could get any restrictions about any restrictions, particularly with respect to fireworks, just to get that out on public record, as a plea for care.

CHAIR ROYBAL: Yes. I think we probably have our Fire Chief here. I did ask that question a couple weeks ago and I think that we weren't going to have any

restrictions. The County Manager might be able to answer that a little bit better if the Fire Chief isn't here.

MANAGER MILLER: Mr. Chair, I believe that Chief Litzenberg is on the line. We did not put forward a resolution limiting fireworks. Obviously the state's overall restrictions on gathering are in place and restrictions on retail are in place, but Chief Litzenberg, do you want to add to that?

ERIK LITZENBERG (Fire Chief): Sure, Mr. Chair, members of the Commission and County Manager. The County Manager is really spot-on with that. There are very strict conditions that have to exist for us to enforce more strict fireworks bans, and those conditions and the timeframe we had to do them actually did not exist in the county. So 20 days before July 4<sup>th</sup> you have to be in extreme or severe fire conditions. We actually weren't in those. That being said it is concerning and the fire conditions are something that we are monitoring. The state's restrictions on fireworks still exist and we're hoping that we are – the weather is predicted that we will get rain on both the 4<sup>th</sup> and the 5<sup>th</sup>, which would be extraordinarily useful for us on the Fourth of July weekend.

CHAIR ROYBAL: Great. Thank you for that, Chief Litzenberg and Manager Miller. Commissioner Hamilton, did you have any additional questions?

COMMISSIONER HAMILTON: Well, no, not at this point. I wanted to get that on the record and I can make my own plea for care under Matters from Commissioners.

CHAIR ROYBAL: Okay. Thank you.

MANAGER MILLER: And Mr. Chair, I'm actually glad Commissioner Hamilton brought up Fourth of July because the County is close on Friday, the 3<sup>rd</sup> of July in observance of the Fourth of July since it's on a Saturday. So our County offices will be closed this Friday.

CHAIR ROYBAL: Okay. Great. Thank you for your questions, Commissioner Hamilton. Commissioner Hansen, did you have any questions or comments?

COMMISSIONER HANSEN: Yes, thank you, Mr. Chair. So I have noticed our social media people have complained about people in 87507 having a high case of COVID. I think one of the comments was it is a place where a lot of essential workers live. It is also part of the Village of Agua Fria and off of Airport Road where we have a lot of low income and struggling people but also essential workers who are working in many of our places and serving food, so I think it's really incumbent upon us to make sure we help those people in any way possible.

Also I am wondering, like the City, do we need a mask resolution at all? I'm hoping that people will just comply with the requirement to wear a mask. I think a mask is really important in this COVID and I encourage all of the citizens of Santa Fe County to please wear a mask when you go out in public. I never leave home without one. That's the best example that we can all be is to make sure that we wear masks when we go out. So I'm just wondering, County Manager, if we need any further efforts towards that issue.

MANAGER MILLER: Mr. Chair, Commissioner Hansen, it is something I've thought about, whether it's appropriate or not. I think the City did it as an ordinance. The county is very rural and spread out. We don't have very many areas that you would

have high congestion. Also I'm not really sure how we would enforce something like that. I'd have to talk to the Sheriff and to Greg as to whether that's even something we have authority to do in the way of an ordinance, or whether just a resolution that encourages people to do it.

Like I said, the numbers for the county, when you look at the numbers, the areas where we have out of 228 cases, most of those, 93 in 507, 54 in 505 and 18 in 501, those are City of Santa Fe areas, predominantly. The other areas, when you look at like Stanley, 2, Lamy's 3, Glorieta 2. So I don't think if you're looking at those smaller communities that it really makes sense. I think the issue is really that when you come into town and you're in an area where you can't socially distance or you're not out in the open air, is where you really need to be cognizant of wearing a mask, and you're wearing it so that if you're asymptomatic you're not giving it to somebody else.

So I'll do some more conversation with Greg and the Sheriff but I'm not sure that it really fits for us to try to pass something like the City did, just because of the nature of the county being so open and rural and that's actually the environment where the virus doesn't spread, versus in congested areas.

COMMISSIONER HANSEN: Manager Miller, that's why I asked. Even though I live in the city and I live in a more congested area. I live in 505 and 507 is right down the road and part of the Village is 507, which is part of the county. I'm hoping that it's enough that the City has made this ordinance and that people will respect that and understand how important it is for us to wear the mask and keep socially distant. So I think that's all I had. Thank you for all the information that you provided.

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

COMMISSIONER MORENO: I don't have anything to contribute. I'm good.

CHAIR ROYBAL: Thank you, Commissioner Moreno, and thank you again for this update on COVID-19 and the other emergency updates, Manager Miller. I look forward to seeing the map you're going to provide showing the zip codes with the cases that we have in Santa Fe.

MANAGER MILLER: Mr. Chair, just to be clear, it's not a map; it's just a list of zip codes and the number of cases. I don't have a map. We're not able to have that specific of information from the Department of Health.

CHAIR ROYBAL: Okay. I didn't know if maybe there was a map that would show where the 87507 area would be relative to that. But that will be fine. Thank you.

## **6. 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: I'm going to go to Commissioner Hansen. Did you have any issues under 6. A?

COMMISSIONER HANSEN: I think all my issues are underneath 6.A –

B and C. So I will wait until then. I do want to say to you though, Commissioner Roybal, for your information, 87507 is a lot of the area off of Airport Road and Agua Fria Village, in that general area in the southern part of the city.

CHAIR ROYBAL: Okay. Thanks for that information. And I'm sure there's a map out there that will have all the different zip codes. It will be interesting to see where the different cases are. I appreciate that. Thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. A few really short things. Lots of you know I'm a volunteer firefighter so we get to be out on scenes with our County sheriffs a lot. We've actually been out recently with some new deputies I guess, or new sheriff's who have actually done some incredible jobs with some really difficult situations. And we were talking with them to find out that our Sheriff Mendoza makes a point of doing ride-alongs with his new sheriffs just to get to know that. And I just felt like I had to remark about how amazing that is. It just strikes me as a wonderful training thing and a huge amount of commitment. And so I wanted to thank our Sheriff for doing that and point out that we do have some incredibly good people working at the County. That's just something that was really notable.

I wanted to thank Chief Litzenberg for the information on fireworks. Given that we are coming up to the 4<sup>th</sup> I just wanted to put it out there, hoping that everybody really enjoys themselves, remains socially distant, and is incredibly careful with any burning and with fireworks so that we don't have to attend to things other than celebrating the holiday with our friends and family.

And I knew we took time at the beginning to take a moment of silence for Manager Miller's mother, but I couldn't help but want to again make the comment to thank her for all she's done in the past two very difficult weeks, because we're really had a lot of incredible information and I know a lot of people contributed to that and Manager Miller put her thanks out and those were well deserved, but she's done an incredible lot of work over a very difficult time and I just wanted to thank her for that as well. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Commissioner Moreno, did you have any announcements that you wanted to share with us today?

COMMISSIONER MORENO: I'm looking forward to what comes next. I'm a man of few words.

CHAIR ROYBAL: Thank you, sir, but your words are always welcome and right on point. I'm not sure if Commissioner Garcia has rejoined us. I didn't see him come up. And as far as comments from here, I just wanted to wish all of Santa Fe County and quite frankly, the state of New Mexico and the United States a happy and safe Independence day, and just have everybody be careful and be safe out there. Be very aware of fire conditions, and just take care of everyone out there and not to relax on the restrictions on the virus out there, and make sure we still are abiding by those conditions and try to keep everybody stay safe. We don't want to see a spike in the COVID-19 or the coronavirus right after Independence Day, which may happen anyway. But just remind everybody to be careful out there. Wear your mask, as Commissioner Hansen had indicated and just do what we need to do to make sure that we stay safe.

I also did have a question. I think I had asked sometime back – I had constituents in the Pojoaque Valley area that had approached me about a cemetery that they were

hoping that we could do in the community, possibly on BLM land and I think that I had called to see if I could get an update. So I just wanted to put that on the record out there that I'd for – I think it was with our Attorneys Office and finding out whether or not we can acquire BLM land, because we do have a shortfall in the cemetery at this point where a lot of the cemeteries in the Pojoaque Valle from El Rancho, Nambe and Pojoaque, I've heard that the cemeteries are filling up and a lot of constituents that have come forward asking me if we can acquire BLM land to do a community cemetery and possibly even a veterans' cemetery. I believe the one in Santa Fe is filling up as well. So I'd just like to see if I can get an update on that request and where we're at on it.

That's all that I had. I don't know if by chance our Attorney Shaffer, if you have any information at all on what the status of that is at this point.

MR. SHAFFER: Mr. Chair, I'll have to look into that matter with the attorney who has been principally involved in analyzing what the options are for both private citizens as well as the County to acquire BLM land for those purposes. But I will follow up and provide you with an update on that matter and if it's interest to the entire Board will be pleased to do so at the next meeting as well.

CHAIR ROYBAL: Okay. Thank you, Attorney Shaffer.

## 7. MATTERS FROM OTHER ELECTED OFFICIALS

CHAIR ROYBAL: I'm actually going to deviate slightly from our agenda and I'm going to go ahead and allot time for our other elected officials. I know I did see Treasurer Varela on the line earlier. I don't know if he's still here but I do know that we do have our County Clerk. Do you have any items that you would like to share with the Commission at this point, Madam Clerk?

GERALDINE SALAZAR (County Clerk): Yes, Chair Roybal, just that I'd like to state, so that the public would hear from the County Clerk that we are preparing for the 2020 general election and we will be following Senate Bill 4 with the new updates that allow us to run an election under these COVID pandemic conditions.

In addition to that I also want to mention per your earlier discussions with the County Manager, so far what we see is that there may be three items on the ballot for the 2020 general election from the state. We so far know that one bond issue will be on the ballot and two amendments. So those are the state ballot items that will be on our 2020 general election ballot. In addition that, if the Board is looking at putting questions on this ballot those will be added. As far as we know we don't know of anyone else. There may be a possibility after the County puts their ballot questions in and the City is aware of this that they might also put their own bond issues. I don't know. But so far we have three items from the state, and then we'll have from the County and then we'll wait and see what other items may be on the ballot.

In addition to that, I'd also like to state that I was very impressed with today's budget session. I feel that it was the best I have ever seen, that I have experienced in the years that I've been County Clerk. Also to the hard work that County staff and the Finance Department and the County Clerk and everyone that was involved in this process, I want you to know that this was the very best I've ever seen.

In addition to that I want to acknowledge that several years ago I made it an

opportunity for myself as County Clerk to participate in some of the processes that former Deputy Manager Tony Flores and P.J. co-chaired the process of dealing with capital outlay, and all of the County staff that we involved, and I believe those initial meetings helped streamline this process to date, because where I observed and participated and saw the vast knowledge from County employee about these types of projects, and also I was aware then that a lot of times some of these projects are initiated and sometimes they appear more political. And so County staff had many items on their plate of what they needed to accomplish and a lot of them were not.

So I think part of those initial meetings with P.J. and Tony Flores and all of the County staff and their expressions of concerns that when we just continue to add items and they don't get completed, I am seeing the positive outcomes of those meetings and the process that was instituted a few years ago. So congratulations to the Board of County Commissioners, to the County Manager, and all County staff who really has proceeded in this process to make it even better. Thank you so much.

CHAIR ROYBAL: Thank you for the update, Madam Clerk. We appreciate it. We do have another item under Matters from Other Elected Officials.

**7. A. Computer-Aided Dispatch/One Solution Implementation Recognition**

KEN JOHNSON (Undersheriff): Good afternoon, Mr. Chair and members of the Commission. I'm here today on behalf of Sheriff Mendoza who was unable to be here due to a medical surgery that he had yesterday. We wish him well and a speedy recovery. Sheriff Mendoza asked me to address you all today to give you a status update regarding the One Solution computer-aided dispatch project that has been in the works for the last two years.

When Sheriff Mendoza took office in January of 2019 he made this project one of his priorities and was integral in getting all the agencies involved working together to reach that goal. I am pleased to inform you that we went live with the project last Tuesday and Wednesday, June 16<sup>th</sup> and 17<sup>th</sup>. This was accomplished remotely via Webex with the vendor CentralSquare. As with any IT project of this magnitude there are issues to be had. Our team has been phenomenal in working through them and ensuring that calls for service were responded to quickly and efficiently. The Sheriff wanted to recognize their efforts and hard work that have gotten us to this point. Therefore if you indulge me I would like to recognize them.

They are as follows: From the Sheriff's Office: our Sheriff's Office Coordinator and Records Supervisor, Jessica Rodarte, our computer specialist, Adrian Ortiz, our training team, consisting of Sgt. Edward Webb, Cpl. Chris Zook, Cpl. Josh David, Deputies Jonathan Ward and Agent Adrian Miranda, and our Quartermaster, Shawn Kesler. We would also like to recognize the County IT Department: Director Daniel Sanchez, Jeff Espinoza, Jason Dixon, Dominic LeDoux, and Gabriel Rogers. A special thank you to Paula Herrera who really worked with us closely and played a vital role in getting this project running.

Santa Fe County GIS Department, Christina Kelso, Erle Wright, Julian Sena, Deborah Garcia – these individuals created all the maps and worked with the vendor to ensure accuracy and troubleshoot issues as they arose. I would also like to recognize

Chief Litzenberg and his team at the County Fire Department, the Santa Fe Police Department Chief Andrew Padilla, and Jennifer Muñoz who served as their coordinator, and the rest of their team. Edgewood Chief Ron Crow and his team. This project would not have been a success without RECC and the countless hours that they have put into this project. We want to thank Director Marquez and their entire team in the RECC, as well as retired director Ken Martinez for all he did early on before he retired.

So if I missed anybody I apologize, but it was a really successful project and the Sheriff felt it was really necessary to recognize all these individuals and thank them for all their hard work. If you have any questions or comments.

CHAIR ROYBAL: Thank you, Undersheriff Johnson. We really appreciate the update and the information. I'm going to go to other Commissioners. Commissioner Hansen, did you have a comment or a question?

COMMISSIONER HANSEN: Thank you very much for all the information and thank you for everything that you do for our community.

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

COMMISSIONER HAMILTON: Just to congratulate you for getting this implemented and I hope it runs smoothly and is as big a help as we all expect it should be for you. Thank you.

UNDERSHERIFF JOHNSON:

COMMISSIONER MORENO: Thank you, Mr. Chair. What capabilities will be available for the Sheriff's Office with this system?

UNDERSHERIFF JOHNSON: Thank you, Commissioner, and thank you for the kind you said about the Sheriff and I'll pass them along to him, about the ride-alongs. We intend to continue those efforts.

COMMISSIONER HANSEN: I very much appreciate you passing that along. I was really very impressed. It was from a casual conversation and it was very noteworthy to me.

UNDERSHERIFF JOHNSON: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton and Undersheriff Johnson. I do want to go to Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Mr. Chair. What capabilities will be available for the Sheriff's Office with this system?

UNDERSHERIFF JOHNSON: It's a really advanced system. We're going to be able to do all of our work pretty much electronically, including producing reports, submitting evidence, just inventorying and being able to access all those records electronically and providing information to the public. It's really going to streamline our process and make everything a lot more transparent and accurate. It was a major investment from the County and it's money well spent and I think we're going to be very successful with this project up and running.

COMMISSIONER MORENO: That's good to hear. Thank you.

UNDERSHERIFF JOHNSON: Thank you, Commissioner.

CHAIR ROYBAL: Thank you, Commissioner Moreno. I just want to ditto those remarks from fellow Commissioners and congratulate the Sheriff's Department, and also thank Commissioner Hamilton for bringing up the ride-alongs that Sheriff

Mendoza does with each one of his new deputies. I think that's very important to start off on the right foot and invest in your staff and deputies and make sure that we're making them feel welcome and to get to know them. So I appreciate that. And so I think it would be great to pass along our appreciation to the Sheriff. Thank you, Undersheriff.

UNDERSHERIFF JOHNSON: Thank you. These past few months have been trying for everybody, and on behalf of the Sheriff's Office we'd like to just say thank you for all the support that we receive from the Commission and everyone in the county. And luckily to this point we haven't had anyone that's come down with the COVID virus and we're very thankful and we appreciate all the PPE and everything that's been provided for our deputies and they appreciate it very much also.

CHAIR ROYBAL: Thank you. One last time, I'd like to ask if there's any other elected officials out there that would like to address the Board. Okay, seeing none, I'm going to go ahead and close that item. I do want to recognize that we do have Commissioner-elect Hank Hughes present at this meeting. So thank you for being here, sir.

**6. B. Resolution No. 2020-50, a Resolution Recognizing the County's Efforts to Reduce Disparities in Health Care and Public Safety (Commissioner Anna Hansen and Commissioner Ed Moreno)**

CHAIR ROYBAL: I'm going to go to Commissioner Hansen. She's sponsoring this resolution along with Commissioner Moreno.

COMMISSIONER HANSEN: Thank you, Commissioners. Part of the reason that I wanted to work with Community Services was out of the BLM movement, Black Lives Matter, is that for people in the city and the county to understand the kind of work that we are doing to help our community. The CONNECT program, there are so many things the Community Services program does that people are so unaware of, and I brought this resolution forward hoping that we could get some press, that we could write a press release about the things that we are doing at the County, because I feel that it is really important for the community to understand the kind of effort that the County makes during this special time. How many people we're feeding, how much work all of Community Services is doing. I know that Rachel and Patricia are on the line also and I think that just reminding each other and sharing this with the community, this type of resolution about what we are doing to provide services in this really extremely difficult time and what our staff is doing and how many meals that they are producing.

There are things in the resolution, and I would like to offer the Board to possibly Rachel and/or Patricia, if they would like to say a few words about this resolution and why it's important for people to understand. Also, part of this idea of defunding the police, really is to move services. People want to move services to community services that provide more services for our community, and I don't feel that we need to defund our Sheriff. What we need to do is work with our Sheriff and it's clear that we have a really good Sheriff in Santa Fe County and that we enable people to recognize all the good work that Santa Fe County is doing. And that is part of the reason why I brought forward this resolution. I'm hoping that the press will pick this up.

I'm realizing some of the great things that Santa Fe County is doing for our

community. With that, Rachel, are you on the line? Would you like to say a few words?

RACHEL O'CONNOR (Community Services Director): Good afternoon, Mr. Chair, Commissioners. There's a couple things I'd like to add, and I'm not going to belabor it because County Manager Miller just mentioned some of the things in her COVID report. But I do want to state a couple things and that is about five years ago the Commission and the Community Services Department embarked on a Health Action Plan. Many of you are familiar with it, and in that I think we've been pro-active in doing a couple things that have come up during this time of crisis for Santa Fe County and for the state and for the county.

And the first is this issue of healthcare disparity. I think that the COVID crisis has rightly so confirmed some of the things that we recognized within our Health Action Plan that equal access to healthcare does not exist and that we have tried to assist in reducing that disparity in Santa Fe County and hopefully across the state with the programs that we've developed including the CONNECT program and many other programs that provide basic support to people and increase their access to healthcare.

And the second matter that I want to thank everybody for, and that was also included in the Health Action Plan, I want to thank the County Commission and my colleagues for is the fact that I think the County very early on recognized some of the intersection between public health and public safety, and have tried to work pro-actively amongst ourselves so that we could provide behavioral health supports that hopefully reduced the number of people that had primary behavioral health diagnoses and that were being treated perhaps inappropriately in our jails and in our law enforcement community.

I think that as you've just stated the Sheriff has done a terrific job and we're very excited to continue to work with the Sheriff's Department. I've been honored to work with Director Sedillo and his staff and I think we have pro-actively addressed this through the development of our mobile crisis team, our funding of things like treatment and detox and what is now under construction and will soon become our crisis center.

So I wanted to point out those issues and say thank you to the Commissioner and to the Commission. You have always been generous with the Community Services Department and we hope we serve you well.

COMMISSIONER HANSEN: Thank you, Rachel. I feel like you are making the County look really great and I think the CONNECT program is really amazing. I want to ask Commissioner Moreno if he wants to say a few words also.

COMMISSIONER MORENO: Thank you for the opportunity. This is a really good thing that the County has done. When I started three years ago in this job it was a fantasy. There was a lot of planning, obviously, but it was a germ of an idea to have a place and services for the community that could be relied upon, especially when they're in stress. And to see this in the flesh, so to speak, I'm really excited to see how this project is going to unfold. I'm really happy being part of it. Thank you.

COMMISSIONER HANSEN: Thank you, Commissioner Moreno. And also I just want to read some of the therefores into the record that is stated in this resolution that we recognize the County disparities in healthcare and public safety and request that the County staff utilize resources, and budget for these purposes, continue to explore ways to further develop County programs and services for the benefit of all county residents in our community.

Continue, through the CONNECT program, to provide services to vulnerable populations, thus reducing the disparities that exist in accessing and utilizing quality health care services in our community; provide funding to Federally Qualified Healthcare Centers to serve low income, immigrant, and vulnerable populations in the County; explore a partnership, through the County Teen Court program with law enforcement to provide training to youth on law enforcement interactions; continue to provide behavioral health support to youth and their families in an effort to build resiliency factors and reduce negative outcomes in our community; continue with the implementation of a Behavioral Health Crisis Center to support individuals with behavioral health issues and to reduce the burden on law enforcement through the development of a dedicated entry and assessment process; and 6, explore with law enforcement the utilization of the Mobile Crisis Team in situations that involve individuals with behavioral health issues; and 7, continue to prioritize through the County's strategic plan, the development of a Youth Services Division to support early intervention services to assist high risk youth in addressing behavioral and other issues.

And so with that I ask that the County please pass this resolution and I move to approve this resolution that recognizes the County's effort to reduce disparities in healthcare and public safety.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen. Commissioner Moreno, would you like to second?

COMMISSIONER MORENO: I would, yes. I second the motion.

CHAIR ROYBAL: Thank you, Commissioner Moreno. So we do 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.**

**6. C. Resolution No. 2020-51, a Resolution to Protect and Enhance Pollinator Species and Their Habitat Throughout Santa Fe County (Commissioner Anna Hansen)**

CHAIR ROYBAL: And once again, this is sponsored by Commissioner Anna Hansen. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Chair Roybal. So once again, this, I believe falls in line with our Sustainability program and I have worked with my own staff, Sara Smith, who I could not do this job without, and Claudia Borchert, who also has worked on this and I believe she is on the line also, and what this is, it talks about how important pollinators are. I want to thank Jamie Aranda from PNM. I'm hoping they will come up with a public-private partnership that we can work on to educate people about how important pollinators are in our community, and especially in this time of climate change, and where the reduction of pesticides is so necessary for our pollinator sentient beings to continue living with us.

Also, in this resolution we talk about the Northern Rio Grande National Heritage Area, which I am the vice president of, through the Board of County Commissioners. We also have a pollinators species resolution that was brought forward at the Northern Rio Grande Heritage Area and that includes Taos and Rio Arriba County. And so I'm looking

forward to not only sharing this resolution with our congressional delegation and our state delegation but also with our fellow County Commissioners and northern New Mexico.

I want to know if – I know that Claudia is on the line and if she would like to say a few things about this resolution.

CLAUDIA BORCHERT (Sustainability Manager): Good evening everyone. Or good afternoon actually, Commissioners. It's nice to see you. I look forward to the time when we might be able to see each other more in person. I just wanted to mention some of the reasons why protecting pollinators is so important, and one of them is that pollinators and humans are very closely linked. Insects pollinate 75 percent of the crops that eat, so it's hard to image a world without enough pollinators. The number of bugs, including pollinators has decreased, some of them precipitously. You may have noticed that simply by the number of bugs that we no longer have to clean off our windshield. Believe it or not, that is one of the ways that scientists have studied the decrease in bugs and the primary reason is loss of habitat.

So I really appreciate the Commissioner in inviting Sustainability to work with her on this resolution and we also look forward to working with other people. Many people and organizations throughout the county, throughout the state, are recognizing the need to protect pollinators and I look forward to working with them to figure out how we can best do that. Thank you all and take care.

COMMISSIONER HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. This is very important to bring forward and I imagine you're probably aware but any other people may not be. Just last week EPA was forced to authorize Sulfoxiflor, which is an insecticide that kills bees. It was judged in one of the appellate courts that they didn't have enough proof that it was detrimental to bees. The loss of pollinators is a critical ecosystem concern. And actually, depending on how – it's not hysterical; it's valid science that human sustainability, not green action, but our survival depends on having pollinators. It's estimated that we would survive one generation without them.

That's not a very long time, and so it is a very, very serious thing. I suspect as of EPA's forced action last week the threat to pollinators is much greater now. Alarmingly greater. So this may seem like a small action compared to the level of threat but every little bit is worthwhile.

COMMISSIONER HANSEN: Thank you, Commissioner Hamilton. So one of my heroines has always been Rachel Carson and her great book was *Silent Spring* that she wrote in the fifties and sixties with Stuart Udall at the Department of Interior. Who would have thought that we're still dealing with trying to protect our pollinator species but it is more important now than it has ever been. I want to read into the record the thefores from this resolution.

Now, therefore, be it resolved by the Board of County Commissioners of Santa Fe County as follows: All citizens are encouraged to take action, consistent with land use and other laws and regulations and private covenants, to make their property pollinator friendly, including, but not limited to, planting pollinator-friendly, regionally-appropriate plants and avoiding the use of all pesticides known to kill pollinators.

So that the Board may make at a future meeting an informed decision about the allocation of resources for various projects, Santa Fe County staff is directed to analyze, as part of the general strategic planning process or part of the Sustainable Land Development Code and Sustainable Growth Management Plan planning process, the human and other resources necessary to do or explore doing the following:

The identification of existing pockets of pollinator habitat on public and private lands; potential coordination and collaboration with partners invested in pollinator habitat protection and restoration, including potential strategic public-private partnerships; encouraging voluntary, collaborative, and locally-led pollinator habitat conservation, including planting pollinator gardens, building bee blocks, and eliminating the use of all neonicotinoid pesticides; developing and improving nectar corridors for pollinators by encouraging the planting of pollinator-friendly, regionally-appropriate plants, including: big-leaf lupine, milkweed, purple prairie clover, Oregon checkerbloom, tall-fringed bluebells, and white hedge nettles; providing educational opportunities for government and non-government entities to learn how to support pollinators and their habitats; initiating citizen science for tracking key populations of pollinator species and habitat, utilizing in Santa Fe County operations integrated pest management practices, with a goal of being pesticide-free, whenever possible; prioritizing the incorporation of native, pollinator-friendly landscaping in all newly landscaped County facilities; prioritizing the use of native, pollinator-friendly seeds or plants in the reclamation of any disturbed Santa Fe County owned or leased land; the potential inclusion in the SGMP of the goal to protect and enhance pollinator species and their habitat on public and private lands throughout Santa Fe County; developing proposed amendments to the SLDC that would further the goal of developing and protecting pollinators and their habitat.

In order to emphasize the importance of protecting pollinator species and their habitat and encourage a collaborated, coordinated, regional, statewide, and national action, the County Manager is directed to forward this Resolution to New Mexico's Senators and Representatives in Congress, the New Mexico Governor, State Senators and Representatives in the New Mexico Legislature representing Santa Fe County, other elected officials representing political subdivisions wholly or partially within the boundaries of Santa Fe County, the Northern Rio Grande National Heritage Area, and the New Mexico Counties' Executive Board of Directors.

And also, when you go to your local nurseries ask them what are the pollinator friendly plants that really work in this community. Agua Fria Plants of the Southwest, Newman's, all of our nurseries, ask them, especially local nurseries, how can I do this? How can I encourage more planting for pollinators to grow? And one of the most important pollinators for northern New Mexico is the bumblebee. Bumble bees really like high elevation, and so encouraging their population is really important.

I know I've probably taken a little bit more time with that I am asking for a motion to please approve this resolution and I see Commissioner Hamilton has her hand up.

COMMISSIONER HAMILTON: First of all, I think you already made the motion, but I actually have a question. Because all the things encouraging actions make senses to me but there are a couple of things here I'd like some clarification on. It's directing the County to initiate citizen science about tracking populations. What level of

effort are we talking about in terms of expending County resources to actually go out and do technical studies on where pollinators are located? And the other one has to do with – there are a few others similar to that. And the reason I’m asking the question is all the other encouragements make a lot of sense but we’re in a critical budget crisis now.

Some of these seem pretty broad directions of County staff that I’m not sure we can sustain right at the moment.

COMMISSIONER HANSEN: And that is why it says under number 2, so that the Board may at a future meeting make an informed decision about allocating of resources for various projects. Because I recognize that we are in a critical time financially right now. But I have been waiting and waiting to bring this resolution forward and I feel that this is necessary for human survival and part of the reason we are in this COVID-19 situation is because of the deterioration of the climate and our lack of response and respect for human life. So I feel very strongly. I do completely understand that the County has limited resources at this time and that is specifically why I said at a future time we could talk about allocating of resources, under number 2.

COMMISSIONER HAMILTON: Okay, so first of all, your technical support for it, the statement of the critical nature of this kind of issue is totally supported. It’s totally justified. My concern is that the way I read this is that it’s actually directing all these activities currently. That staff is directed to analyze as part of the plan, the human and other resources – ah. You’re not directing the studies. You’re directing an analysis of what it would take to do them.

COMMISSIONER HANSEN: Yes.

COMMISSIONER HAMILTON: Okay, I see where you’re going there. Thank you. I think you already made a motion.

COMMISSIONER HANSEN: And you seconded, I believe. Thank you.

CHAIR ROYBAL: Yes, I did hear you. So we have a motion from Commissioner Hansen and a second from Commissioner Hamilton. Under discussion, is there anything else under discussion? Do you have any comments, Commissioner Garcia?

MANAGER MILLER: He stepped away.

CHAIR ROYBAL: Commissioner Moreno, did you have any comments?

COMMISSIONER MORENO: No. I support the bees.

CHAIR ROYBAL: So we have a motion and a second.

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

CHAIR ROYBAL: I do feel that Commissioner Hamilton brought some good issues up and I know our County Manager and our strategic planning team will look at how resources will be allocated in the future so I think that this is a resolution with great benefits and this is something that we need to keep in mind as we move forward. So thank you for the resolution.

9. **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**

CHAIR ROYBAL: I wanted to ask if any Commissioners had questions on the reports that were provided by staff. If not, I don't see any other items after we come out of executive session.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I wanted to thank the Planning Department for all of the great work they are doing in Growth Management. I, of course, also want to recognize and thank Community Services for their update along with Human Resources, Finance and Public Safety and Public Works. I really appreciate all of the updates and being able to know everything that is going on and all the things that the staff is doing. So I want to say thank you to all the staff for all your hard work and especially during this very, very difficult time of COVID-19 and for your persistence and hard work. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Is there any other questions or comments for any of the other Commissioners regarding questions from monthly reports from our staff? If there's nothing else we can probably let staff go and go into executive session.

MANAGER MILLER: Mr. Chair, I think that is so. I think Greg will want to read the caption for you for making a motion for going into executive session. Additionally, I just want to remind you that executive session is in another venue. We have to leave this web meeting, go to your calendar, click on your executive session Webex meeting, but this meeting will not close because we do have one item – when we come out of executive session we have to come back to this meeting to vote on that item.

CHAIR ROYBAL: Okay. Thank you, Manager Miller.

8. **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. Disposition of Open Space Property**
- 2. Joint Powers Agreement Dispute**
- 3. BCC Case #19-5241 Dollar General Store BCC Appeal**

CHAIR ROYBAL: Can you give us a summary of what we're going into executive session for, Attorney Shaffer.

MR. SHAFFER: Yes. Thank you, Mr. Chair and Commissioners. We'll be going into executive session in order to discuss pending or threatened litigation in which Santa Fe County is or may become a participant allowed by Section 10-15-1-H(7) NMSA 1978, as well as the discussion of the purchase, acquisition or disposal of real property or water rights as allowed by Section 10-15-1-H(8) NMSA 1978. And then finally deliberations with regard to administrative adjudicatory proceedings also as allowed under the Open Meetings Act. And the specific items to be discussed are the disposition of open space property, a joint powers agreement dispute, and BCC Case #19-5241, the Dollar General Store BCC appeal.

CHAIR ROYBAL: Okay. Thank you, Attorney Shaffer. I'll entertain a motion to go into executive session.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I move we go into executive session to discuss the items as delineated by the County Attorney.

CHAIR ROYBAL: Okay. Do I hear a second?

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: Okay, we have a motion from Commissioner Hamilton and a second from Commissioner Moreno.

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

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

[The Commission met in closed session from 6:07 to 8:25 p.m.]

COMMISSIONER HAMILTON: Mr. Chair, I move we come out of executive session where we only discussed the matters as described by Attorney Shaffer.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion and a second to come out of executive session.

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

**8. B. Settlement Agreement Between Santa Fe County and City of Santa Fe**

COMMISSIONER HANSEN: Now that we're out of executive session I would like to make a motion to approve the settlement agreement between the County and the City of Santa Fe.

CHAIR ROYBAL: We have a motion from Commissioner Hansen. Do I hear a second?

COMMISSIONER HAMILTON: I second.

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

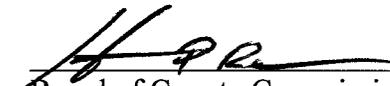
**The motion passed by unanimous [5-0] roll call vote.**

**10. CONCLUDING BUSINESS**

- A. Announcements
- B. Adjournment

Upon motion by Commissioner Hamilton and second by Commissioner Hansen, and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 8:26 p.m.

Approved by:

  
 Board of County Commissioners  
 Henry Roybal, Chair



ATTEST TO:

  
 GERALDINE SALAZAR  
 SANTA FE COUNTY CLERK



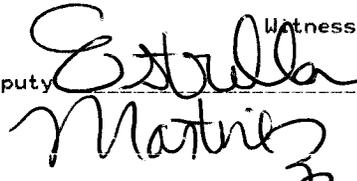
Respectfully submitted:

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

COUNTY OF SANTA FE )  
 STATE OF NEW MEXICO ) ss

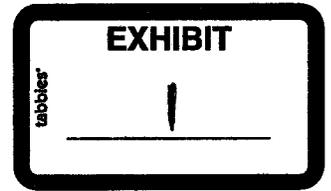
BCC MINUTES  
 PAGES: 52

I Hereby Certify That This Instrument Was Filed for Record On The 11TH Day Of August, 2020 at 11:56:43 AM And Was Duly Recorded as Instrument # 1924551 Of The Records Of Santa Fe County

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

SFC CLERK RECORDED 08/11/2020

**5th SUPPLEMENT TO ADDENDUM  
TO MASTER AGREEMENT AND  
SCHEDULE NM2016-001.01 FOR  
LICENSED SOFTWARE, HARDWARE AND SERVICES  
BY MANATRON, INC.**



THIS 5th SUPPLEMENT TO ADDENDUM TO MASTER AGREEMENT AND SCHEDULE FOR LICENSED SOFTWARE HARDWARE AND SERVICES is made and entered into this \_\_\_ day of \_\_\_\_\_, 2020 by and between the **County of Santa Fe**, hereinafter the "County" or "Customer", and **Manatron, Inc.**, whose principal address is 510 E. Milham Avenue, Portage, Michigan 49002, hereinafter "Manatron".

**WHEREAS**, pursuant to a sole source determination by the Santa Fe County Procurement Manager, the services by Manatron are procured for the provision of licensed software, hardware, services and support services to the Santa Fe County Assessor; and

**WHEREAS**, in 2016, Manatron, (formerly TRTA Gov.) and the County entered into an ADDENDUM TO MASTER AGREEMENT AND SCHEDULE NM2016-001.01 FOR LICENSED SOFTWARE HARDWARE AND SERVICES (the Addendum); and

**WHEREAS**, the Addendum pertained to TRTA Gov.'s Schedule No. NM2016.001.01 for a term of one year from June 30, 2016 to June 30, 2017. By the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> Supplement to Addendum to Master Agreement and Schedule, the term of the Master Agreement was extended to June 30, 2020; and

**WHEREAS**, TRTA Gov. was acquired by N. Harris Computer Corporation. The current business entity is known as Manatron, Inc.; and

**WHEREAS**, the Santa Fe County Assessor wishes to continue to benefit from Manatron's services and products for another year and Manatron has offered the attached Schedule No. NM2016-001-01-2020-2021 that provides for the continuation of services from July 1, 2020 to June 30, 2021.

**NOW THEREFORE**, it is mutually agreed between the parties that the following provisions shall be incorporated into the Addendum as if fully set forth therein:

Page 7, 15.1 **Term of Agreement** is supplemented by inserting the following at the end of 15.1:

By the 5th Supplement to this Addendum and for purpose of providing services and Customer's payment of fees under this Agreement, the Term of the services described in Schedule No. NM2016-001-01-2020-2021 shall be one year commencing on July 1, 2020 and shall expire on June 30, 2021.

15.2 Term of Maintenance & Support Services is supplemented by inserting the following as 15.3:

**15.3 Term of Maintenance & Support Services.** As provided in this 5th Supplement to Addendum, Support Services for Software and Third-Party Software shall commence on July 1, 2020 and shall continue through June 30, 2021

SFC CLERK RECORDED 08/11/2020

("Software Support Services"). At any time during the term of the Agreement, the Agreement is subject to early termination or termination for lack of appropriations in accordance with Section 16.2 of this Agreement. Customer shall notify Manatron 90 days prior to the expiration date of the term of this Agreement.

**II. Addendum to Schedule No. NM2016-001-01-2020-2021.**

**Term of Support Services Schedule** is supplemented by inserting the following:

By the 5th Supplement to Addendum Support Services under Schedule No. NM2016-001-01-2020-2021 shall commence on July 1, 2020 and shall continue for until June 30, 2021. The Support Services Schedule under this Schedule will not automatically renew.

**Support Services Fees:** For the Term of this Agreement, Customer shall pay Manatron for Software Support Services and Annual Fees an amount not-to-exceed \$102,861.00, exclusive of gross receipt tax. An End User License Agreement (EULA) fee, will be accessed and provided to the Customer when it is available.

All other provisions of the **ADDENDUM TO MASTER AGREEMENT AND SCHEDULE NM2016-001.01 FOR LICENSED SOFTWARE, HARDWARE AND SERVICES** not specifically amended by the Addendum, 1<sup>st</sup> Supplement, 2<sup>nd</sup> Supplement, 3<sup>rd</sup> Supplement, 4<sup>th</sup> Supplement and this 5<sup>th</sup> Supplement to Addendum shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties have executed this 5th<sup>t</sup> Supplement as of the date of last signature by the parties hereto.

**SANTA FE COUNTY**

\_\_\_\_\_  
Henry Roybal, Chair  
Santa Fe Board of County Commissioners

**ATTESTATION:**

\_\_\_\_\_  
Geraldine Salazar  
Santa Fe County Clerk

\_\_\_\_\_  
Date

SFC CLERK RECORDED 08/11/2020

Approved as to form:

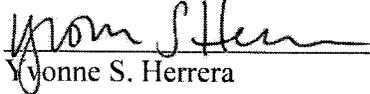
Roberta D. Joe for G.S.S.

Gregory S. Shaffer  
Santa Fe County Attorney

June 30, 2020

Date

Finance Division:

  
Yvonne S. Herrera

Finance Director

6/30/2020

Date

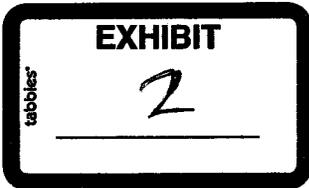
**Manatron, Inc.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print name and title

SFC CLERK RECORDED 08/11/2020



SCHEDULES FOR MASTER AGREEMENT FOR LICENSED SOFTWARE, HARDWARE, AND SERVICES

The attached Schedules numbered NM2016.001.01-2020-2021 are made and entered into pursuant to, and subject to the terms and conditions of, a certain Master Agreement for Licensed Software, Hardware, and Services No. NM2016.001 between Manatron, Inc. and the undersigned Customer (the "Agreement").

Table with 2 columns: 'By and Between' and 'And'. It lists contact information for MANATRON, INC. and SANTA FE COUNTY, NEW MEXICO.

The parties have executed these Schedules as of the dates set forth below their respective signatures.

Signature lines for AUMENTUM TECHNOLOGIES and SANTA FE COUNTY, NEW MEXICO. Includes fields for By, Its, Date, and Witnessed.

Approved as to form by Roberta D. Joe, Assistant County Attorney for G.S.S., Santa Fe County Attorney Date: June 29, 2020

SIGNATURE PAGE

Handwritten signature of the Santa Fe County Finance Director.

Santa Fe County Finance Director 6/29/2020

Date: June 8, 2020



SFC CLERK RECORDED 08/11/2020

**SOFTWARE SCHEDULE FOR SANTA FE COUNTY, NEW MEXICO**

Schedule No. NM2016.001.01-2019-2020 to the Master Agreement for Licensed Software, Hardware, and Services. This Schedule is made and entered into pursuant to, and subject to the terms and conditions of, a certain Master Agreement for Licensed Software, Hardware, and Services No. NM2016.001 between Aumentum Tech and the undersigned Customer (the "Agreement").

| SOFTWARE                         |          |                   |             |        |
|----------------------------------|----------|-------------------|-------------|--------|
| Software Description             | Quantity | Unit Price        | Total Price | Office |
| ProVal Plus                      |          | Existing Software |             |        |
| Ascend Assessment Administration |          |                   |             |        |
| Ascend Personal Property         |          |                   |             |        |
| MVP Manufactured/Mobile Homes    |          |                   |             |        |
| Parcel Builder                   |          |                   |             |        |
| <b>Total Software Fees:</b>      |          |                   | \$ -        |        |

**SOFTWARE USE RESTRICTIONS:** Site license(s).

Notwithstanding the foregoing, Aumentum Tech is aware that the Customer currently maintains all land valuation and tax billing processes via SunGard I Public Sector Application Software. Aumentum Tech warrants that software and services relating to interfaces to and from SunGard I land and tax applications will preserve and maintain the integrity of the Customer's land valuation and tax processes. For the purposes of this document, Aumentum Tech shall not be responsible for any programmatic changes required to maintain the integrity of the land valuation and tax process where the integrity is corrupted by changes to the SunGard system. Aumentum Tech also warrants that the GIS software products which are being provided through this agreement are compatible with Aumentum Tech, Microsoft SQL Server, and ESRI software in order to preserve the integrity of processes provided by these systems, provided, however, that this warranty shall not apply to changes that may occur to Sungard's database structure.

Notwithstanding the foregoing, Aumentum Tech warrants that the Third Party GIS Software provided by Aumentum Tech, will conform in all material respects to the functional specifications contained in its then-current Documentation for the term of this Agreement and any extensions thereto. Aumentum Tech agrees to correct or replace, at no charge, any nonconformity of which it receives notice during the warranty period with comparable Software acceptable to the Customer.

Date: June 8, 2020

SFC CLERK RECORDED 08/11/2020

**MAINTENANCE AND SUPPORT SERVICES (Collectively referred to as "Support Services") SCHEDULE FOR SANTA FE COUNTY, NM**  
 Schedule No. NM2016.001.01-2019-2020 to the Master Agreement for Licensed Software, Hardware, and Services. This Schedule is made and entered into pursuant to, and subject to the terms and conditions of, a certain Master Agreement for Licensed Software, Hardware, and Services No. NM2016.001 between Aumentum Tech and the undersigned Customer (the "Agreement").

| SOFTWARE SUPPORT SERVICES AND ANNUAL FEES |                      |        |
|---|----------------------|--------|
| Software Product                          | Annual Price         | Office |
| ProVal Plus                               | \$ 40,415.00         |        |
| Ascend Assessment Administration          | \$ 50,552.00         |        |
| Ascend Personal Property                  | Included             |        |
| Ascend Parcel Builder                     | \$ 10,051.00         |        |
| Escrow Fee                                | \$ 1,843.00          |        |
| <b>Total Annual Fees - Year #1</b>        | <b>\$ 102,861.00</b> |        |

**TERM OF SUPPORT SERVICES SCHEDULE:** Support Services under this Schedule shall commence July 1, 2020 and shall continue until June 30, 2021. This Support Services Schedule will not automatically renew.

No later than March 31, 2021 the Assessor should notify Aumentum Tech under Article 15 (TERM) and 15.2 (Software) of the Master Services Agreement that the agreement and all schedules will expire June 30, 2020 and the Assessor will not be renewing or extending the term. The Assessor will have to do another procurement pursuant to the Procurement Code for these services.

SFC CLERK RECORDED 08/11/2020

Date: June 8, 2020

**SUMMARY SCHEDULE FOR SANTA FE COUNTY, NEW MEXICO**

Schedule No. NM2016.001.01-2019-2020 to the Master Agreement for Licensed Software, Hardware, and Services. This Schedule is made and entered into pursuant to, and subject to the terms and conditions of, a certain Master Agreement for Licensed Software, Hardware, and Services No. NM2016.001 between Aumentum Tech and the undersigned Customer (the "Agreement").

Taxes: The fees set forth in this Agreement do not include any amounts for taxes. Unless Customer provides Aumentum Tech with proof of exemption therefrom, Customer shall pay all applicable taxes levied by any tax authority based upon this Agreement, the Software, Hardware, and/or any Professional Services performed by Aumentum Tech, excluding any taxes based upon Aumentum Tech's income. It shall be Customer's sole obligation to challenge the applicability of any tax. If Customer shall become subject to tax at any time following the execution of this Agreement, Aumentum Tech shall have the right to assess the tax liability applicable under this Agreement to Customer, and Customer agrees to pay Aumentum Tech for such tax liability within thirty (30) days of receiving written notice of such tax liability from Aumentum Tech.

| ONGOING FEES  |   |
|---|---|
| Description   | Annual Price  |
| SOFTWARE SUPPORT SERVICES AND ANNUAL FEES - 2019 - 2020 | \$ 102,861.00   |
| MARSHALL AND SWIFT USAGE FEE 2021                       | 2021 - TBD.<br>A Marshall & Swift End User License Agreement (EULA) will be provided to the County as soon as possible. |

**Payment Terms for Ongoing Fees:** Ongoing Fees are due and payable in advance of each annual term.

Date: June 8, 2020

SFC CLERK RECORDED 08/11/2020