

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
September 29, 2026

Justin Greene, Chair – District 1
Adam Johnson, Vice Chair – District 4
Camilla Bustamante – District 3
Hank Hughes – District 5
Lisa Cacari Stone – District 2

SFC CLERK RECORDED 10/28/2026



Tuesday/September 29, 2026
Regular Board of County Commissioners Meeting
Hybrid In-Person and Virtual Meeting
Santa Fe County John Gaw Meem Historic Building
Commission Chambers, 2nd Floor
102 Grant Avenue, Santa Fe NM 87501

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1. Opening Business

- A. Call to Order** – The regular Board of County Commissioners meeting was called to order at 2:16 p.m. by Chair Justin Greene.
- B. Roll Call.** Roll was called by Rosangela Ortiz, Chief Deputy Bureau of Elections.

Members Present:

Commissioner Justin Greene, Chair
Commissioner Adam Johnson, Vice Chair
Commissioner Camilla Bustamante
Commissioner Hank Hughes

Members Excused:

Commissioner Lisa Cacari Stone

- C. Pledge of Allegiance.**
D. State Pledge.
E. Land Acknowledgement.

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The Pledge of Allegiance, State Pledge and Land Acknowledgment were led by Commissioner Chair Justin Greene.

- F. Moment of Reflection.** The moment of reflection was led by Herbert Foster from the Growth Management Department.

COMMISSIONER CHAIR JUSTIN GREENE: Thank you, Herbert. Before you sit, I do want to give our condolences to our fellow Commissioner Lisa Cacari Stone with the passing of her mother. That is why she's not here with us today. I know from speaking with Commissioner Cacari Stone over the past few weeks and months that her mother was near and dear to her, and I just hope that her memory is a blessing for all of us that have known her and Commissioner Cacari Stone's family. Thank you everybody.

- G. Approval of Agenda. (Action Item)**

CHAIR GREENE: Approval of the agenda. Are there any changes that we need to make? Nope? Excellent, alright hearing none, what's the pleasure of the Board?

COMMISSIONER ADAM JOHNSON: I'll move to approve the agenda?

CHAIR GREENE: Excellent.

COMMISSIONER CAMILLA BUSTAMANTE: Second.

CHAIR GREENE: We have a motion from Commissioner Johnson, a second from Commissioner Bustamante. All in favor, say aye. Any opposed? Hearing none, we've got an agenda.

Commissioner Johnson moved to approve the agenda as presented.

Commissioner Bustamante seconded. The motion passed by unanimous [4-0] voice vote.

- H. Years of Service Retirements, and New Hire Recognitions.** (County Manager's Office/Gregory S. Shaffer)

CHAIR GREENE: We've got Deputy Manager Cordova filling in for County Manager Shaffer.

LEANDRO CORDOVA (Deputy County Manager): Good afternoon, Mr. Chair, members of the Board. For September 2026, Santa Fe County recognizes seven employees celebrating milestone service anniversaries. In

August 2026, there were six retirements from County service and 10 new employees joined Santa Fe County. These recognitions reflect the County's commitment to honoring long-term service and supporting a strong dedicated workforce. So, our Service Anniversaries for September 2026, and I'm going to do my best to get all the names right, but I apologize if I don't. In our RECC Administration Division, Elisa Anaya, celebrating five years. In our County Clerks Department, Bureau of Elections, Cindy Benavidez, five years. Our Community Services, CSD Administration, Trever Carson, celebrating five years. Our Fire Department, Fire Regions, Justin Bobb, celebrating 10 years.

CHAIR GREENE: Nice.

MANAGER CORDOVA: In the Fire Department, Fire Admin, Cary Youts, celebrating 10 years, and in our Housing Department, Housing Section 8 Voucher Program, Rodney Martinez celebrating 15 years. Onto Employee Retirements, the lucky ones. In our County Sheriff's Department, Undersheriff Kenneth Johnson retired. Fire Department, Fire Administration, Daniel Meyer. Fire Department, Fire Regions, Kevin Kocharoff. Fire Department, Fire Regions, Stephen Vogel. Health and Human Services Department, Joseph Atilano and, in our Project and Facilities Management Department, Gia Black.

New Hires starting in August of 2026, in our Administrative Services Department Evelyn Paz, Health and Human Services Department, Rodney DeHerrera. In our Legal Department, Valerie Joe. County Clerks Department, Aaron Barela. Fire Department, Sandra Sanchez. Fire Department, Brennan Verges. Health and Human Services Department, Vanessa Martinez. Health and Human Services Department, Madeline Matich, and Project and Facilities Department, Christopher Herman, and in the County Sheriff's Office, Christian Thomas. So, please join me in welcoming and celebrating all the staff mentioned. Thank you.

CHAIR GREENE: Excellent. Thank you. Commissioners? Yeah, Commissioner Bustamante?

COMMISSIONER BUSTAMANTE: I just want to thank everyone who has met a milestone for their work and for those who are coming on board new for your commitment to excellence in working with Santa Fe County and our constituents. So, thank you very much for your good work.

CHAIR GREENE: Thank you, Commissioner Bustamante. Commissioner Johnson?

COMMISSIONER JOHNSON: Yeah, just briefly Chair. Echoing what Commissioner Bustamante said. Thank you to everyone, especially who's in this room and who is recognized today. We really appreciate your service. I say this all the time, we don't get the opportunity to meet every single County employee,

but it's just an amazing organic machine. So, I appreciate that. I do want to spotlight someone that I have worked with on multiple occasions, Undersheriff Johnson, and I appreciate his service to the County in that capacity. So, I wish him the best and all of the retirees in their future endeavors. Thank you.

CHAIR GREENE: Yeah. Commissioner Hughes?

COMMISSIONER HANK HUGHES: Yeah, I just want to say congratulations to everyone who retired and thanks to everyone who's continuing and who's starting. We appreciate all the service that people give.

CHAIR GREENE: Likewise. I was blessed over these past few years to work with, Undersheriff Johnson and with Danny Meyer and the other folks sure did amazing work over their career with us. It's pretty amazing to dedicate a career with Santa Fe County in a day and age when people don't do that so often. So, we really honor them for giving that commitment and, to the folks who have been here 5 and 10 and 15 years, thank you so much. Cindy, always great getting to know you and the folks in the Fire Department, some of you I've gotten to meet over the years and thank you very much and those of you who haven't met, hi guys, thank you. Moving on. What do we have next? Matters of Public Concern. Alright, here we are.

COMMISSIONER JOHNSON: Mr. Chair?

CHAIR GREENE: Sorry. Recognition Awards. I'm sorry. Yes, thank you very much.

I. Recognition of Employees for Awards, Accreditations, Recognitions, and Other Accomplishments. (County Manager's Office/Gregory S. Shaffer)

MANAGER CORDOVA: Thank you, Mr. Chair, members, of the Board. So, I get the pleasure of announcing our winner of the Million Step Challenge for 2026. This challenge ran from February 14, 2026 through July 4, 2026 with the goal of encouraging employees to be more physically active every day and to build lasting healthy habits. To reach the Statue of Liberty, participants aimed for one million steps over nearly five months. That's about 7,092 steps per day. We had 34 employees complete the challenge this year and together you achieved something truly remarkable. By the end of the challenge, participants logged a Countywide total of 40,821,559 steps. I had to look at that twice, wow. The equivalent of 20,411 miles walked together. That's an amazing achievement and it shows what we can accomplish when we support each other and take it one step at a time. Finally, I would like to extend a sincere thank you to the Board of County Commissioners for their support of this initiative and for continuing to promote employee health and wellness across the County. So,

without further ado let's announce the winner. In first place, Mr. Daniel Solis with an incredible 2,892,478 steps, and he's in our Public Safety Department. Second place Nathaniel Crail with 2,375 291 steps and he's in our Growth Management Department, and in third place, Alissa Petrosoniak, almost, with 1,669,555 steps, and they are in Corrections. So, congratulations to everyone who participated in the 2026 Step Challenge, and thank you for making every step count. Thank you.

CHAIR GREENE: Great job. I would say that they should step up here and get some more steps and come and take a bow but, that's all right. They're busy working right now. Thank you for the recognitions there. Alright, now we get to move on to Matters of Public Concern.

2. Matters of Public Concern

Subject to Three (3) Minutes or Other Time Limit Imposed by the Chair; Pre-Register at [Santa Fe County - Citizen Engagement](#).

CHAIR GREENE: Do we have anybody in the Chambers that would like to speak? Please come forward and introduce yourself if you'd like. Speak, pull the microphone down to your...

LETITIA LOVATO: Are people really that tall? Good afternoon, Commissioners and Board members. My name is Letitia Lovato and I am currently serving as the Board President for the Valle Vista Neighborhood. I am standing before you today to address a severe ongoing public health issue in our community. Extreme summer indoor heat during its peak heat waves, temperatures inside our homes can regularly exceed 110 degrees, especially when families are trying to cook meals for their children. This level of heat is not just uncomfortable, it is dangerous. It puts our vulnerable residents, our seniors, our neighbors with disabilities, and young children at risk of heat stroke and exhaustion. Under the County guidelines, window AC units are prohibited due to safety structural regulations. That leaves our families with no viable way to cool their homes, trapping them in unsafe conditions with zero relief. We are not asking for an unmanageable financial burden on the Housing Authority. Valle Vista already has rooftop solar infrastructure in place. Making us uniquely suited for permanent modern heat pumps by pairing our existing solar capacity with State funding like New Mexico HEAR Program, HUD Capital Funds and local climate grants, we can install cooling that protects the residents while keeping the operating costs low. Safe shelter requires safe indoor temperatures. Cooling in New Mexico summers is no longer a luxury, it is a basic safety requirement. I

urge the County to prioritize permanent rooftop heat pump upgrades in the upcoming Action Plan for the Valle Vista Neighborhood. Thank you for your time and leadership.

CHAIR GREENE: Thank you very much. Sorry about the heat, but, alright. Anybody else in the Chambers? Please, approach.

JAMES LEIPOLD: Mr. Chair, Commissioners my name is James Leipold and I'm here on behalf of the Spur Ranch Road Association Board of Directors to support the adoption of the revised Santa Fe County Road Acceptance Policy and to urge the County to designate Spur Ranch Road as a County maintained road. We submitted a draft application under the current policy earlier this year and never had any response or feedback from the County. We believe the new policy is greatly improved. The County has already designated the road a sub connector and Commissioner Hughes has stated in public comments that the County intends to take over the road. Spur Ranch is an old ranch road that was never designed to carry the ever increasing traffic it now handles, serving as a primary access road for more than 150 homes and new development continues with four new properties and a community solar farm built in the last year. Spur Ranch Road along with Compadres also serves as an important emergency egress for the Eldorado Community. Spur Ranch Road Association is a membership organization that coordinates the collection of voluntary dues from five HOAs and many unaffiliated homeowners, and coordinates road maintenance on Spur Ranch. There are no CCNRs that run with the Spur Ranch Road Association and the association has no leverage or legal authority to require payment of the voluntary dues, and we increasingly struggle to collect enough money to maintain the safety of the road. As I think you know, the road suffered a catastrophic blowout during the heavy rains last August closing the road for many months, disrupting basic services like mail delivery and emergency vehicle access. That event divided the HOAs and individuals who rely on the road and the dispute eventually involved state officials and even federal post office personnel became involved. Our ability to collect road association dues has diminished in the aftermath of that event and with the climate changing as it is, I think we can expect more serious weather events in the future that will challenge the integrity of the road. More recently, the development of the newest segment of the Rail Trail has brought added traffic to the road, both with construction and maintenance crews using the road for access and with cyclists who access the trail from Spur Ranch Road, parking on the side of our road. With the development of this segment of the Rail Trail, the County has, in effect, leveraged a private asset for public good. We will be submitting a new

application under the new policy if it is adopted today, and we urge the County to move quickly to adopt Spur Ranch Road under the new policy. Thank you.

CHAIR GREENE: Thank you very much. Is there anybody else in the Chambers that wishes to address the Board? Seeing none, let's go online. Daniel, what do we have?

DANIEL FRESQUEZ (Media Coordinator): Mr. Chair, we have two speakers raising their hands. Our first speaker is Chris Mechels.

CHAIR GREENE: Mr. Mechels, please take your three minutes again.

CHRIS MECHEL: Yes. Hello Chair and members of the Commission. Good day to you. I'm going to start out this, I have a number of procedural matters, some of them new and some of them old which I would like to address with you today. First off, I call your attention to the fact that you should not have approved your Agenda because it's incorrect. This is very common. None of you seem to take it seriously that your Agenda is specified or the Agenda Items are specified under your rules of order, and under your rules of order these items that are brought forward by the County Manager for his employees, should not be addressed when they are because the Agenda calls for immediate, after approving the Agenda that the next thing will be public comment. You just apparently don't take that serious because you just keep refusing to acknowledge that that's the fact and correcting your behavior. It just shows no respect for the rules of order, that's what's troubling about that.

The other procedural problem which goes on and on is that once again you're in violation of OMA. You're in violation of OMA because the next thing you're going to do on your Agenda is you're going to approve the minutes for August 20, 2026 and August 25, 2026. You should have approved that on September 8, 2026 because OMA requires that they be approved at the next meeting of the BCC. That was the 8th, it was not today. You refuse to address that violation of OMA, your County Attorney on the record says, "So sue us." He doesn't care about the law either. Troubling is that the Open Meetings Act really means so little to you and your vows to follow these rules mean so little to you. Another one which you keep ignoring is the Resolution Number 2013-120 which allows for the public to comment on Action Items. Your Chair consistently will not allow the public to comment on Action Items. The only thing he allows is public comment. Action Items are required under that Resolution. Your Chair and the Members refuse to give the public their due there.

The other thing what you're doing which is related to your failure to let the public speak is your Consent Agenda Item today, your number one Consent Agenda Item A is illegal in its origins because what happened is, back on August

25, 2026 is you had a presentation to the Board which you're not supposed to comment on. Your Chair led the presentation member through how he should present it and then you brought it as a Consent Agenda which allows no input from the public or the Board. This whole thing absolutely out of order. Anyway, please address these.

CHAIR GREENE: Thank you very much. I think people can speak some items in public comment. You said there was a second person.

MR. FRESQUEZ: Mr. Chair, our next speaker is Dave Alyassin.

CHAIR GREENE: Mr. Alyassin, please.

DAVE ALYASSIN: Hi there. Can you hear me okay?

CHAIR GREENE: Yes sir.

MR. ALYASSIN: Okay my name is Dave Alyassin and I have a very kind of a very specific personal agenda. So, it's not related to any group or anything like that, but I just want to thank the Board of County Commissioners for having me and giving me some time to speak about these things that I'm interested in, maybe getting some feedback if at all possible. I also want to just take a quick moment to thank Sara Smith, not sure exactly her position. I believe she's Executive Manager. She was the one that helped me get this arranged, this meeting, because I actually subscribed to the incorrect meeting so she was really kind and got me here. So, a number of months ago a family member of mine was pulled over for not stopping fully at a stop sign, and they were arrested and they were taken to the Adult Corrections Facility, and it was a traumatic experience for them and for me. The reason she was arrested was due to she had been in an auto accident previously. The Court documents or the Court dates were sent to an incorrect address. They were never received and then she was immediately arrested. So, I am interested to know, I actually contacted the mayor at the time, Mayor Webber, and asked about discretion of the officer and was told that the officer did not have discretion, that once the bench warrant was out, the arrest was imminent or had to happen. So, I'm really interested in addressing that at a level that maybe where a citizen such as myself can make some changes to a law like that and I really don't know where to start. So, here I am. This is actually my starting point. If somebody has some information they could send me, I think my email address is on file, and there were some issues that the Adult Correctional Facility also that I feel would be, our County and our community and New Mexico, would be better served if some of those issues were addressed. I don't think there's time for me, I have just a little under 30 seconds to speak, but yeah if there's any way that I could get any information on how to begin the process of requesting some changes in the statute for a couple of things like this, that would be great. Appreciate your time today. Thank you very much.

CHAIR GREENE: Thank you, Mr. Alyassin. Sorry for mispronouncing your name. Appreciate your input on this. I am working on some changes and some stuff, and I will see if we can reach out and get some more information from you. Thank you. Anybody else?

MR. FRESQUEZ: Mr. Chair, there are no other users online wishing to speak.

CHAIR GREENE: Wonderful. Anybody else in the Chambers that might have shown up late? Seeing none, we're going to move on. Alright, Approval of Meeting Minutes.

3. Approval of Meeting Minutes (Action Item)

A. Request Approval of the August 20, 2026, Board of County Commissioners Special Meeting Minutes.

CHAIR GREENE: We have meeting minutes from August 20, 2026 for the Special Meeting. Are there any changes from the Commission? I do have a question. There was a bunch of inaudible stuff. Was that a technical glitch? Do we know how, do we have anybody that is trying to parse that and find a way to make inaudible have a second set of ears?

MS. ORTIZ: Mr. Chair there is a new temporary vendor doing these minutes for us. They're taking the transcript from the Team's recording.

CHAIR GREENE: Mm hmm.

MS. ORTIZ: And doing their best to compile the minutes for us. It's also being double and triple checked by the Clerk's Office.

CHAIR GREENE: Okay.

MS. ORTIZ: So, yes, I think staff is doing their best to maintain as much integrity to the minutes.

CHAIR GREENE: Yep.

MS. ORTIZ: I think they hope to have less inaudibles.

CHAIR GREENE: Yes. More integrity, less inaudibles. Yes, thank you. Yeah, because whether it's AI or whether it's transcriptions, people sometimes can parse that and figure it out, and I know that Karen used to check with some people if she thought that there was a, you know, "Do you remember what you said here?" "Oh, yeah." So. Okay, great. Commissioners, what's the will of the Board?

COMMISSIONER JOHNSON: Chair, I'll move to approve the August 20, 2026 Board of County Commissioner Special Meeting minutes.

CHAIR GREENE: Excellent. We've got a motion from Commissioner Johnson.

COMMISSIONER HUGHES: Second.

CHAIR GREENE: A second from Commissioner Hughes. All in favor, say aye.

CHAIR GREENE: Any opposed? Hearing none, we have minutes from August 20, 2026.

**Commissioner Johnson moved to approve the minutes as presented.
Commissioner Hughes seconded. The motion passed by unanimous [4-0] voice vote.**

CHAIR GREENE: Moving on to approval of the August 25, 2026 Regular Board of County Commissioners meeting minutes.

B. Request Approval of the August 25, 2026, Board of County Commissioners Meeting Minutes

CHAIR GREENE: Were there any changes from staff or the Commission?

COMMISSIONER JOHNSON: Chair, if there are none, I will move to approve the minutes from the August 25, 2026 Board of County Commissioners meeting.

COMMISSIONER HUGHES: I'll second that too.

CHAIR GREENE: Excellent. We got a motion from Commissioner Johnson, a second from Commissioner Hughes. All in favor, say aye. Any opposed? Hearing none, we have minutes from the August 25, 2026 meeting. Moving on to the Consent Agenda.

**Commissioner Johnson moved to approve the minutes as presented.
Commissioner Hughes seconded. The motion passed by unanimous [4-0] voice vote.**

4. Consent Agenda (Action Items)

- A. Resolution Number 2026-122, A Resolution Requesting an Increase to the Economic Development Fund (224) in the Amount of \$161,000. (Community Development Department/Juan Torres and Finance Division/Yvonne S. Herrera)**

- B. Resolution Number 2026-123, A Resolution Adopting Local Government Road Fund Improvement Project Number L500657 for Pavement Preservation/Improvements of Blue Jay Drive and Camino De Avajo. (Public Works Department/Curt Temple and Finance Division/Yvonne S. Herrera)**
- C. ITEM WITHDRAWN**
- D. Resolution Number 2026-124, A Resolution Adopting Local Government Road Fund Improvement Project Number L500682 for Pavement Rehabilitation/Improvements of Paseo Real. (Public Works Department/Curt Temple and Finance Division/Yvonne S. Herrera)**
- E. Request (1) Approval of Agreement Number 2027-0026-RM with Universal Protection Services, LP dba Allied Universal Security Services in an Amount Not to Exceed \$263,080, Exclusive of NM GRT, for Security Services at County Facilities; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order. (Human Resources & Risk Management Division/Melinda Jagles-Moquino and Purchasing Division/Bill Taylor)**
- F. Request (1) Approval of Amendment Number 8 to Agreement Number 2022-0153-CSD with Las Cumbres, Increasing Compensation by \$200,000 to Provide Navigation and Flexible Funds to Low-Income Individuals Residing Within Santa Fe County for a Total Contract Sum of \$998,400, Inclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s). (Community Services Department/Jennifer N. Romero and Purchasing Division/Bill Taylor)**

CHAIR GREENE: What is the will of the Board? Anything?
Anybody want to pull anything?

COMMISSIONER HUGHES: I move to approve the Consent Agenda
as presented.

COMMISSIONER BUSTAMANTE: Second.

CHAIR GREENE: A motion from Commissioner Hughes, a second
from Commissioner Bustamante. All in favor, say aye. Any opposed? Hearing
none, great. We've got a bunch of resolutions.

MS. ORTIZ: Yes. A is 2026-122, B is 2026-123, and D is 2026-124.

CHAIR GREENE: Excellent. Okay, great. We're moving on to Item
5, Consideration of Commissioner Proclamations, Resolutions, Recognitions and
Other Items. Item A is request approval of a Proclamation proclaiming
September 15, 2026 to October 15, 2026 as Hispanic Heritage Month honoring

the traditions of communities and Santa Fe County. Commissioner Bustamante, please.

5. Consideration of Commissioner Proclamations, Resolutions, Recognitions, and/or Other Items (Action Items)

A. Request Approval of a Proclamation Proclaiming September 15 to October 15, 2026, as "Hispanic Heritage Month - Honoring the Traditional Communities of Santa Fe County." (Commissioner Camilla Bustamante) (Packet Material Added)

COMMISSIONER BUSTAMANTE: Thank you, Chair. We're already 15 days into Hispanic Heritage Month with about 15 days left and, alongside of this particular resolution, I think it's important to note the contributions of Nina Otero-Warren who, in light of the jest to change the State's name and Nina Otero-Warren is on a quarter but Nina Otero-Warren also fought to ensure that we were not only a bilingual State but that Pueblos, Navajo, name them, were also encouraged to keep their language, and she fought the Federal Government requirement for assimilation, that cultural diversity mattered. So, in light of Hispanic Heritage Month, it's apropos, I think we ran into a timeline and used the Proclamation because it speaks to all of those who have contributed from what we will call Hispanic cultures recognizing that in that, there are plenty of non-Hispano, French etc., who came at that time. At this time, I would very much like for us to acknowledge the work of Nina Otero guarding against federal erasure, protecting economic and political franchise, ensuring that the Constitution and voting is bilingual in Spanish recognizing that if people were not able to keep the Spanish language, they would be blocked from employment, voting or being appointed to State and federal positions, and she worked to normalize bilingual governance. That being said, she was also the Inspector of the Indian Schools, again, condemning cultural destruction and demanding local cooperation with our native neighbors. So, in light of Hispanic Heritage Month and why some of this just falls apropos to our current day, for a woman who was born in the 1800s and for us to continue to have the conversation, I would like to, if I may make the motion and then anyone can say what they like. So, I would like to make the motion to accept the Proclamation for Hispanic Heritage Month.

CHAIR GREENE: Excellent. We have a motion from Commissioner Bustamante.

COMMISSIONER JOHNSON: I will second.

CHAIR GREENE: A second from Commissioner Johnson. Further discussion? Commissioner Johnson?

COMMISSIONER JOHNSON: Thank you, Commissioner

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Bustamante. This is an important Proclamation and recognition of Hispanic culture. As an Anglo, I have long appreciated what Hispano history has done for New Mexico, and it really was instrumental honestly in inspiring me to become a historian because I grew up in a place with such a rich heritage. You know, we learned that it as a tricultural City when we were kids. It's much more than that these days and we appreciate that, but so much of the foundation is based on what Hispanic people did and evolved in New Mexico. So, I really appreciate it and I think this is an important recognition, especially following on the heels of Fiestas, and I heartily support it. So, thank you for bringing it forward, and I also really appreciate that you recognize our traditional communities. You know, being a County Commissioner, you get the opportunity and I feel very lucky to have this, to really explore this very large County, size of other States on the east, and the traditional communities are really lifeblood. So, it's an honor to serve and it's important that we honor Hispanic traditions. So, thank you very much.

CHAIR GREENE: Thank you, Commissioner Johnson.

Commissioner Hughes?

COMMISSIONER HUGHES: Well, as a relative newcomer some 40 years ago, I very much appreciate the Hispanic culture. It was all new to me, but it was really exciting how rich it was. So, I appreciate you bringing forward this resolution. Thank you.

CHAIR GREENE: Thank you, Commissioner Hughes. For my part yes Thank you, Commissioner Bustamante. I will be honoring, in a couple weeks, somebody who I find near and dear that I'm honored to, that I think we're all honored to sit below his murals here, being Frederico Vigil, but this is a great start in our honoring Hispanic Heritage Month. You know, it is a complex heritage. It's a diverse community, and it's a great foundation of New Mexico and Santa Fe's communities and it is intermixed with our tribal communities, and it's definitely a major part of what makes us special. So, I appreciate you bringing this forward now, and anything else? No? Excellent. So, we have a motion from Commissioner Bustamante, a second from Commissioner Johnson proclaiming September 15, 2026 to October 15, 2026 as Hispanic Heritage Month. All in favor, say aye. Any opposed? Hearing none, we have a proclamation. Hear ye, hear ye. Thank you very much.

Commissioner Bustamante moved to approve a proclamation proclaiming September 15 to October 15, 2026, as "Hispanic Heritage Month – Honoring the Traditional Communities of Santa Fe County". Commissioner Johnson seconded. The motion passed by unanimous [4-0] voice vote.

CHAIR GREENE: Alright, moving on to Item B.

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B. Resolution Number 2026-125, A Resolution Adopting a Revised Santa Fe County Road Acceptance Policy and Repealing and Replacing Resolution Number 2021-061.
(Commissioner Hank Hughes and Commissioner Camilla Bustamante)

CHAIR GREENE: Thank you. We have a resolution adopting a revised Santa Fe County Road Acceptance Policy and repealing and replacing Resolution 2021-061. Commissioner Hank Hughes and Commissioner Camilla Bustamante. Commissioner Hughes, this I think is yours. You've been leading this for a while.

COMMISSIONER HUGHES: Yes, we've been working on this for about a year and with two Road Managers, but it's all agreed on these changes. The Policy that was passed in 2021, I don't think any of us paid enough attention to it. It basically made it impossible to request adoption of a road because of the expenses involved. This Resolution streamlines it and makes it possible not to pay for your own survey and your own environmental one on an entire road. Those are the main changes and there's a lot of other little changes throughout it, and so I think it's very important. I mean Spur Ranch Road is perhaps the one that encouraged me, but I know this is a growing County and we'll need to adopt roads as we grow. We can't accept a road that used to be a driveway to a ranch as a collector road. It needs to be improved, and there's other roads throughout and I know other people have come to me, so we'll need to slowly adopt the roads throughout the County, but anyway, that's why I'm bringing this forward.

CHAIR GREENE: Excellent. Commissioner Bustamante?

COMMISSIONER BUSTAMANTE: Yes, and I also want to thank Commissioner Hughes' lead on this as very much in District 3 the roads, especially on weeks like this, are all the topic, and we actually have County roads and private roads and places where it's going to be improved up to a certain point and then people are pulling their hair out and it's been prohibitive. It's been very, very difficult to what was required, bring the standards up to the County's adoptability requirements. So, I'm very happy to bring this forward so that we can actually ensure that our constituents have passable roads.

CHAIR GREENE: Wonderful. Commissioner Johnson?

COMMISSIONER JOHNSON: So, I support this first of all. Let's just start there, but I do have a couple of questions, maybe just one major one which is how do we establish a threshold? Maybe this is a question for Curt Temple or some other Public Works staff. As far as in layman's terms, I have multiple documents in front of me, but I guess I'm wondering what is the sort of metric or criteria that has been adjusted so that this streamlines it. I fully support streamlining it, I just want to be sure that I am able to convey that information to people in my district who also have troublesome roads so that we kind of set expectations at the right level.

CURT TEMPLE (Road Director): Chair Greene, Commissioner Johnson, Curt Temple, Road Director. One of the things we looked at was the average daily traffic on the roads and that'll establish the amount of traffic that's on a road for it to be either

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adopted or we pass on it based on the amount of traffic, what type of road it is, if it's going to be an artery, if it's going to be a small filler road. There's going to be different criteria on that.

COMMISSIONER JOHNSON: So, in other words, it reassesses the traffic along a particular roadway and assesses how important of a connector it is for the most amount of people? Is that accurate?

DIRECTOR TEMPLE: Yes, Commissioner.

COMMISSIONER JOHNSON: Yeah, I think this is a good step in the right direction, and I think as we go forward, we have newer policies than when we had prior developments that select private versus County maintained roads. It's important that we make sure that we, moving forward, avoid having road issues where there's disputes. There are certain expectations I think that members of the public have. Sometimes it's set and sometimes it's sort of just intuitive, other times it might be set by the seller, you know, this road is County-maintained when it's not. So, I'm just trying to underscore that we have coherent policies going forward for development so that we avoid adoptions because we should plan for the roads that we maintain. Obviously, that's part of your budget, but I think this is a step in the right direction. We all know about Spur Ranch and there's a number in District 3, I'm sure there are some in 1. There's certainly some in 4 that I am pleased to share this new information with. So, thank you Curt.

DIRECTOR TEMPLE: Thank you.

CHAIR GREENE: Thank you, Commissioner Johnson. Curt, before you go anywhere, you're the expert. So, I don't actually know of any in District 1 because that sort of has the most legacy roads of noncompliant stuff. There are some funky old roads up in Chimayo and the Pojoaque Basin. So, I guess my question goes to if a road would be sort of noncompliant because in an old road in Chimayo or in Nambé, but it has that volume, but it's not going to be a compliant road, but we have plenty of noncompliant roads. How would that be, is that still going to be eligible or we would just say, "Sorry," you know, "You missed your shot."?

DIRECTOR TEMPLE: Yes, it's eligible.

CHAIR GREENE: Yes, it would be eligible?

DIRECTOR TEMPLE: Yes.

CHAIR GREENE: So, a noncompliant road would be able to become compliant enough without being of the standard new subdivision sort of?

COMMISSIONER HUGHES: Or we could adopt it and then bring it into compliance.

DIRECTOR TEMPLE: Correct.

CHAIR GREENE: Would the requirement be that we expand the right-of-way to become compliant to adopt it?

DIRECTOR TEMPLE: Chair Greene, that is one of the things that now that the County will pay for the survey like you're saying, a lot of these roads up north, they may cut through people's land and there's never been a right-of-way. So, once again

when you get the survey done, then we're going to have to go in there, purchase the right-of-way unless it's donated. You know, there's all different ways that we can get the right-of-way, but yeah for it to be a County road, we're going to have to have the right-of-way. We cannot maintain on private land, so there will have to be a survey, we will have to turn it into a County right-of-way.

CHAIR GREENE: Sure. I understand that. I'm more concerned about if there is a right-of-way that is say 25 feet and a County standard is 32 feet. I'm just throwing numbers out there, would we not adopt a road because it was 25 feet but it's serviceable or we would have to go and buy or condemn or do whatever and have a lot of barriers in the process.

DIRECTOR TEMPLE: Chair Greene, there would be a requirement to at least get a 50-foot minimum right-of-way for a County road. There's a lot of roads, like we've talked about Rio en Medio, you know, that's a one lane road. The County's not going to take over one lane road because of the liability on that with two-way traffic on a one lane road is not very sustainable for the County.

CHAIR GREENE: Yet, 50 feet is a boulevard, right? So, that becomes like there are lots of operational roads at 26 feet right-of-ways. They're not ideal, they don't have bike lanes, they don't have sidewalks, but they allow cars to pass by each other, and I just think that this standard becomes sort of a brutalist standard for road adoption when in some traditional communities, we talk about traffic calming. Nothing slows people down like a 26-foot-wide right-of-way and nothing speeds people up like a 50-foot right-of-way.

DIRECTOR TEMPLE: Well, Chair Greene, one of the things this Resolution does also, it allows the Board of County Commissioners to make the ultimate decision. So, if there is a road that they feel that can be at a lower width then they can go against the recommendation of a 50 foot and accept.

CHAIR GREENE: Okay. Well, great.

COMMISSIONER HUGHES: Alright. I'll make a motion to adopt a Resolution revising Santa Fe County Road Acceptance Policy and repealing and replacing Resolution Number 2021-061.

COMMISSIONER BUSTAMANTE: Second.

CHAIR GREENE: We have a motion from Commissioner Hughes and a second from Commissioner Bustamante. All in favor, say aye. Any opposed? Hearing none, congratulations Commissioner Hughes.

COMMISSIONER HUGHES: Thank heavens.

CHAIR GREENE: As per arrangement.

COMMISSIONER HUGHES: A year's worth of work.

CHAIR GREENE: Years, yeah. That's, you know, good job.

MS. ORTIZ: Chair Greene?

CHAIR GREENE: Yes ma'am?

MS. ORTIZ: Resolution Number 2026-125.

CHAIR GREENE: 125. Spur Ranch Road will now be named County Road

125. Alright. I joked. Item C, a request for approval of a letter to the Upper Chama Soil and Water Conservation District expressing the Board of County Commissioners concern regarding the proposed uranium exploration and potential development of uranium mining operations in the Upper Chama Basin. Commissioner Bustamante?

C. Request Approval of a Letter to the Upper Chama Soil and Water Conservation District Expressing the Board of County Commissioners' Concerns Regarding the Proposed Uranium Exploration and the Potential Development of Uranium Mining Operations in the Upper Chama Basin. (Commissioner Camilla Bustamante)

COMMISSIONER BUSTAMANTE: Thank you. Thank you, Chair, thank you Commissioners. I had mentioned that I would be bringing this to the Commission after a meeting in Tierra Amarilla with the Senator Ben Ray Luján regarding the plans, the legal authority to actually do some uranium exploration in the area. One thing that I've started to realize is maybe every generation has to be told water is life. It seems sort of interesting to me that maybe a baby's born every day that's never heard water is life because we're having a potential to do something that would impact a lot of communities and, to say a lot, if you count from the Upper Chama through Tierra Amarilla through even some of the, frankly northern New Mexico College has property out there, there are villages and there's tribal land and when uranium mine exploration is done, people concern themselves with the analytes but specifically the uranium which would be, I believe a beta or an alpha emitter but it doesn't really matter, is the issue of the in-situ waste that's left behind. It requires using certain chemicals that, when the exploration is done, those chemicals are left where the test drilling was done. So, there is a huge impact and I think for anyone who's run the Chama River and actually taken a few day ride out there on a kayak or been out there with their dad, as I did as a little girl and playing in the river, it all goes to the lake, Abiquiu Lake, and everything and anything that we could possibly contaminate will be headed in that direction, but the story doesn't stop there. We also have the San Juan Chama interest. So, as much as this is very meaningful to communities, to people, their families, it's also something that Santa Fe County and others plan on using the San Juan Chama in the event of needing to bring in those water resources, which would have the potential to be, wouldn't matter how much money we put into having the San Juan Chama Diversion, the water has a potential to be contaminated if we don't support that interest. So, that's what this letter is about and we're telling the Upper Chama Soil and Water Conservation District, copying our Senators as well as our Congressional Representation, to please protect the Chama and don't do uranium mining in the Upper Chama.

CHAIR GREENE: Thank you, Commissioner Bustamante. Commissioners? Commissioner Johnson?

COMMISSIONER JOHNSON: Thank you, Commissioner Bustamante. Well said and I like the letter. I think that it's an important project to lean on this because you pointed out something that I think I would have gotten to down the line, but we are

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down the line of the San Juan Chama. So, I would have supported this, that point aside, but I think that's an important just notion that ecosystems are interconnected, especially in our modern day. We pipe water in from different communities and sometimes members of our citizenry don't necessarily digest that because just water comes out the tap. So, I appreciate this letter. I fully support it, and thank you for bringing it forward.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: Thank you. Commissioner Hughes?

COMMISSIONER HUGHES: Yeah, thank you for bringing this forward. The Chama River is very important for all those reasons you stated, but especially because I love to kayak on the Chama River.

CHAIR GREENE: Nice.

COMMISSIONER BUSTAMANTE: Me too.

CHAIR GREENE: Yes, and Commissioner Bustamante, thank you for bringing this forward. I want to mention that we did send a letter to the National Forest at a previous moment opposing the exploration. Is there a reason this is going to the Soil and Water Conservation District only, in this case?

COMMISSIONER BUSTAMANTE: No, they asked for one directly to them but it's not only.

CHAIR GREENE: Yes.

COMMISSIONER BUSTAMANTE: Again, there is a list of those who are copied in that interest.

CHAIR GREENE: Yep.

COMMISSIONER BUSTAMANTE: And the specific reason why it's going to them directly and then copy to the others is because they've asked for it.

CHAIR GREENE: Great. So, I see one of the goals of this is just raising awareness, right? One, this is opposition and also the fact that this water goes all the way down, joins the Rio Grande, and goes all the way to Brownsville, Texas. I wonder is there, I think in the letter that we did previously, we CC'd all Counties that touched the Rio Grande and the Chama all the way to Brownsville because at the end of the day, the ones that are in the backyard, get it. There are people and communities that may not politically align with us but understand the value of water and politically align with us that way that might be appreciative to understand that we are protecting their water as it goes down into Texas and into southern New Mexico. So, I'm wondering if we could add CCs to all of the Counties that touch the Rio Grande between here and Brownsville, Texas.

COMMISSIONER BUSTAMANTE: Chair Greene, as you wish. I would have absolutely no problem with that at all.

CHAIR GREENE: I would love to have all the Soil and Water Conservation Districts as well so that they know that if it's not on their radar they may not be being, this may not be brought to their attention, but that is an opportunity for us to say, "By the way, we're here protecting all the downstream."

COMMISSIONER BUSTAMANTE: I am amenable to adding anyone that you feel would benefit from being copied or what would strengthen the letter to the Soil and Water Conservation as well as to our federal representation.

CHAIR GREENE: Okay, so to that end, I would say if it was possible to send this letter to all counties that are adjacent to the Chama and the Rio Grande between here and Brownsville, Texas and to the federal delegations that touch those areas as well and the Soil and Water. So, that would be an adjustment, and we can sign that in the next few days. Is there a deadline for this?

COMMISSIONER BUSTAMANTE: No, we just need to get it there. I accept that as a friendly amendment to the letter to just add the counties that...

CHAIR GREENE: Counties, Soil and Water Districts and federal delegations that touch those waters.

COMMISSIONER BUSTAMANTE: Was that clear for the minutes? I'd like to make the motion to accept this letter with the friendly amendments of, I'm assuming the second.

CHAIR GREENE: Yes.

COMMISSIONER BUSTAMANTE: Okay.

CHAIR GREENE: Is that clear enough for everybody? That was my second. So, we have a, sorry? So, we are going to, the motion by Commissioner Bustamante with a friendly amendment and a second by Commissioner Greene, myself, saying that we will add to the CCs of this, all of the federal representatives and senators that are in from Texas and New Mexico that touch the Rio Grande and Chama as well as the Soil and Water Conservation or Irrigation Districts that are adjacent that take water from the Rio Grande and the counties that are adjacent to the Rio Grande. Thank you. We have a motion by Commissioner Bustamante as second by myself, Commissioner Greene. All in favor, say aye. Any opposed?

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: Hearing none, thank you.

Commissioner Bustamante moved to approve a letter to the Upper Chama Soil and Water Conservation District expressing the Board of County Commissioners' concerns regarding the proposed uranium exploration and the potential development of uranium mining operations in the Upper Chama Basin as amended to include additional recipients on the CC line. Commissioner Chair Greene seconded. The motion passed by unanimous [4-0] voice vote.

CHAIR GREENE: Thank you for bringing this forward.

COMMISSIONER BUSTAMANTE: Thank you all.

CHAIR GREENE: I think this is part of the megaphone that we have here. We're aware of this and we can get it out and speaking county to county, we can get some counties that might not think that this was important or didn't know, now realize that they were missing it.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: Thank you. Excellent. Item D, request for approval of a letter to the New Mexico Department of Transportation regarding drug and alcohol testing requirements for County-operated ambulance drivers. Commissioner Cacari Stone and Commissioner Johnson. Commissioner Johnson, please, take this away.

D. Request Approval of a Letter to the New Mexico Department of Transportation Regarding Drug and Alcohol Testing Requirements for County-Operated Ambulance Drivers. (Commissioners Lisa Cacari Stone and Adam F. Johnson)

COMMISSIONER JOHNSON: Thank you, Chair. So, in your packet, fellow Commissioners, there is a letter to David D. Quintana, the Acting Cabinet Secretary for NMDOT. The letter requests clarification on an area of ambiguity surrounding the off-duty use of medical cannabis, specifically, and I just want to underscore that the purpose of this is, of course, not too permit any ambulance driver or any County staff member to operate, especially in a first responder capacity, intoxicated. It is to allow for the use of medical cannabis or clarification surrounding the use of medical cannabis for off-duty officers. In particular, and something that is somewhat close to home for me, my dad who is a psychiatrist, worked for many years to help get medical use of cannabis for post-traumatic stress disorder or PTSD. As a psychiatrist, this was something that he saw regularly. Our firefighters have an extremely challenging job. We saw this most recently in two fires in Santa Fe County and countless others that these folks respond to. So, the request today is to send a letter so that the County is sort of legally in line with everything that NMDOT professes in its policies because there is ambiguity around this. Bernalillo County does have a policy that allows off-duty use of medical cannabis for this reason, and their firefighters according to their union officials have taken advantage of this and found relief from post-traumatic stress disorder and other ailments. So, there are two people in the Chambers that I'd like to invite up for some brief comments. The Santa Fe County Union President Eutimio Ortiz and Captain Jeremy Renda, who I want to acknowledge is someone who has worked diligently on this for many years, honestly, and he has done a lot of research. I also want to acknowledge Commissioner Cacari Stone who pushed this forward who isn't able to be here with us. County Manager Shaffer, who is also not here, but helped us with his sort of like zoomed out perspective on a policy vis-à-vis, the State Government and the County Attorney, who I think wrote a very clear letter that is relatively neutral in its presentation asking for clarification so that we might take another step forward. So, we're not voting on this today. We will have another stab at it once we receive clarification. So, I respectfully request that we send this letter so that we have more clarity, but I'd like to invite either Captain Renda or President Ortiz up in whatever order you'd like to speak just to hear some brief comments on your work on this. So, we have President Ortiz up here first.

CHAIR GREENE: Please, do the honors, please. Thank you.

EUTIMIO ORTIZ (President of the Santa Fe County Firefighters Association): Mr. Chairman, Commissioners of the Board. My name is Eutimio Ortiz, I'm the President of Santa Fe County Firefighters Association Local 4366, and I represent 99 career firefighters in Santa Fe County. I want to speak briefly in support of the County sending a letter to the New Mexico Department of Transportation requesting clarification regarding medical cannabis and how the applicable transportation regulations affect firefighters and EMS personnel. First, I want to make one thing very clear, this is not about allowing firefighters to come to work impaired. We have a responsibility to the public, our patients, and to one another to report to work capable of performing our duties safely. The issue before us is different. It is about understanding exactly what the rules are for an employee who may legally use medical cannabis while off duty, but whose job duties include operating an ambulance. Our firefighters deserve to know what rules apply to them, the County deserves to know what requirements it is obligated to enforce, and both labor and management should be able to make decisions based on clear regulatory guidance rather than assumptions or competing interpretations. This is particularly important because consequences can affect an employee's career, the County's operations, and ultimately our ability to provide emergency services to the community. I respectfully ask the Commission to support sending this letter and requesting clear definitive guidance from New Mexico DOT. Thank you for your time and continued support for the career firefighters who serve Santa Fe County.

CHAIR GREENE: Thank you. Thank you for your representation and leadership for the community.

PRESIDENT ORTIZ: Thank you.

CHAIR GREENE: Yes.

COMMISSIONER JOHNSON: Next, we have Captain Jeremy Renda.

JEREMY RENDA (Firefighter Captain): Thank you Chair Greene, thank you Commissioners. I want to send my condolences to Commissioner Stone. We really are grateful for her leadership on this issue. As you may not know me, my name is Jeremy Renda, and I've served for 27 years with Santa Fe County. I am the longest serving Fire Officer in the department. I'm also a Local 4366 Board member and a Board member of the Firefighters for Plant Medicine. Local 4366 Fire Department members recognize that a zero-tolerance drug-free workplace is important to maintaining a safe working environment. At the same time, we recognize the documented benefits of medical cannabis, especially for those who are asked to witness the most challenging and traumatic scenes in our community. Participation in the New Mexico DOH Medical Cannabis Program would not compromise the zero-tolerance workplace environment that firefighters dutifully uphold now. We are committed to firefighter health and safety, and we take a safe and measured approach with the department to adopt meaningful and safe policies that allow firefighters to responsibly participate in NMDOH Medical Cannabis Program off duty. I support sending this letter to New Mexico DOT and I find it extremely important as their recent guidance regarding drug testing is

clearly flawed and not supported by law. In effect, they are insisting Santa Fe County violate federal drug testing regulations and continue to require USDOT type testing of employees that are not mandated to that testing, or they will remove the County's ability to bill for ambulance services. USDOT Regulations specifically state that an employer cannot and does not have the authority to perform USDOT testing on non-DOT mandated employees. Firefighters in Santa Fe County are non-mandated employees as we do not hold CDLs. New Mexico DOT is directly threatening the County's ability to provide emergency services or enforcing drug testing rules that do not apply to these fire department employees, all to block off-duty use of a legal and doctor prescribing medication. In my opinion, this puts this County at serious legal liability in enforcing that. Now, this seems like a lot. I understand this. If you look at the broad picture of federal prohibition of 50 years, it's easy to see where fear and political will to be tough on drugs has created an environment where we've made strict rules to protect the general public, but in New Mexico, it is recognized as a legal and beneficial medication used by a large section of the population. Firefighters are no different and responsible off-duty use can not only improve their lives, it will help them provide a better service to the community that they serve. Happier, healthier, and longer-serving employees will be a great financial benefit to the County and it will most definitely end up saving the County money. Healthy employees make better decisions, use less sick leave, and have lower health care costs. We only need to look as far as Bernalillo County to see the positive results in their change in drug testing policy that allows off-duty medical cannabis and that NMDOT does not follow through on their threats to revoke funding. Thank you again for your leadership on this issue, and we look forward to working together in the future.

COMMISSIONER JOHNSON: Thank you, Captain Renda, and Chair, if I may, I understand there may be questions on this. I am happy to answer them as best that I can, but also maybe flagging that we are not debating the merits of enacting this policy, we're seeking clarification on it so that we, down the line, can, but it's the intent of Commissioner Cacari Stone and I to plant this seed. We do intend to bring it forward if the clarification is the thumbs up, but I think that it's important to make sure that we're doing due diligence as far as not jeopardizing any relationship within MDOT funding streams, etc., and this letter will serve to, ideally, clarify that.

CHAIR GREENE: Excellent. Thank you, Commissioner Johnson. Thank you, Captain. Commissioners? Commissioner Hughes?

COMMISSIONER HUGHES: Yeah, I support this Commissioner Johnson. I think this makes sense and I think you're only asking for a clarification, so why not just pass the letter.

COMMISSIONER JOHNSON: Alright, thank you Commissioner Hughes.

CHAIR GREENE: Alright, Commissioner Bustamante?

COMMISSIONER BUSTAMANTE: As well, I completely concur. I think it's really good to get the clarification. A question that I've had that I don't really want to try to answer here, but someone can tell me someday off this schedule is even the

testing, if someone has it, it stays in the system, so if someone's not impaired but they still have it in their system, how would we ever get to that point and understanding that? So, it's just a question that I've had, but I'm sure you can test the impairment, so.

COMMISSIONER JOHNSON: Yeah. So, it is certainly something that I think we should table for now but briefly because we can bring this information forward again. You know one of the issues that I see in this is that alcohol use is allowed and those indicators leave the bloodstream with some relative speed, but someone may still be hungover, impaired in a certain way. You know, some of us have probably experienced that once or twice in our lives. So, it can really affect your duty, whereas cannabis indicators, I'm going to avoid the biological terms, indicators of cannabis use can stretch for weeks after. So, someone could be perfectly stone cold sober and still test positive. So, that, I think, is the next step is to really scientifically and legally understand how to monitor that and yeah, so, that's a conversation for another time. I just want to sort of point out there are inconsistencies because of traditions of alcohol use versus cannabis is relatively new acceptance in our sort of landscape of...

COMMISSIONER BUSTAMANTE: Thank you.

COMMISSIONER JOHNSON: Yeah.

COMMISSIONER BUSTAMANTE: Appreciate that.

CHAIR GREENE: Great. Thank you. I do appreciate this clarification but I at some edge worry that this might poke something that, if it's not being enforced currently in Bernalillo, is that going to suddenly either make it enforced in Bernalillo and then have to come down and sort of change it, or do we have any indication, have we just tried to sit down with the secretary to sort of do this offline?

COMMISSIONER JOHNSON: I don't want to speak for Manager Shaffer, but my understanding is that he has had some initial conversations to flag that this is coming down the pike, and those have been productive conversations. Again, I will not try to misrepresent him at all, and we have been encouraged to do this by Bernalillo County. So, I think it would help everyone's clarification. The letter at the end also seeks, recommends, Walker if you have a different word for this, but because you wrote this language, encourages the department to clarify for all departments because this may be a cascade, Bernalillo to Santa Fe to Doña Ana, what have you. It's our intention to understand this, under the current administration, there will be a Governor one way or the other with a new administration soon. So, getting the ball rolling on this is the major intent for it, but we have done, I would say, I'm channeling Commissioner Cacari Stone's due diligence terminology here to make sure that we're not rocking the boat too much and making sure that we are ensuring our own funding streams are maintained through this.

CHAIR GREENE: Yeah, ourselves and Bernalillo County, my concern just, and I do appreciate the baby steps of this and I actually kind of like this, but at the same time this could, to use your words, cascade backwards in the other direction, right? So, Bernalillo County or DOT could say, "Well is there a federal mandate that DOT was upholding in sort of, but not enforcing."?

COMMISSIONER JOHNSON: I appreciate that thought and I've had it myself. So, I think the idea is first of all we want to make sure that we're aligned with the State on whatever policies kind of ping pong back and forth, in this case down towards us, but if that were to be the case, there would be a different political fight that would happen within the legislature and lobbying the new Administration for a change in that policy. So, I think the step of clarification is the correct one because it doesn't jeopardize any sort of obligations that the County relies on from NMDOT and sort of the goodwill of the State, and I think that this is a respectful way forward but one that does take a significant step. Yeah. So, I hope that answered your question.

CHAIR GREENE: Yeah, I think so and if the powers that be, if the firefighters of Santa Fe County, if Bernalillo County has said please take this step, you know, let's see where it falls, so.

COMMISSIONER JOHNSON: Thank you, Chair. So, with that, I will make a motion to request approval of a letter to the New Mexico Department of Transportation regarding drug and alcohol testing requirements for County-operated ambulance drivers.

COMMISSIONER BUSTAMANTE: Second.

CHAIR GREENE: We have a motion from Commissioner Johnson, a second from Commissioner Bustamante. All in favor, say aye. Any opposed? Hearing none, let's see where it goes. Thank you, guys. Thank you for all you do all the time. Thank you.

Commissioner Johnson moved to approve a letter to the New Mexico Department of Transportation regarding drug and alcohol testing requirements for County-operated ambulance drivers. Commissioner Bustamante seconded. The motion passed by unanimous [4-0] voice vote.

COMMISSIONER JOHNSON: Yeah, absolutely. The fire department at the County is essential. So, thank you all for speaking and for your research. Really, they helped this along. I appreciate it, and I know Commissioner Cacari Stone does too. Sorry.

CHAIR GREENE: Yes, indeed. Thank you, Commissioner Cacari Stone in absentia. Item 6, Legacy Recognitions.

6. Legacy Recognitions (Action Items)

A. None.

CHAIR GREENE: Item 7, Appointments and Reappointments. Item A is request appointments and reappointments to the City of Santa Fe and Santa Fe County Advisory Council on Food Policy. Coy Maienza, please take it away.

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7. Appointments and Reappointments (Action Items)

A. Request Appointments and Reappointments to the Santa Fe City and County Advisory Council on Food Policy. (Community Services Department/Coy Maienza)

COY MAIENZA (Health Services Division Manager): Good afternoon, Chair and Commissioners. Coy Maienza, Health Services Division Manager within the Community Services Department. I am before you today to request the appointment of one new member and reappoint two members to the County-appointed positions on the Santa Fe City and County Advisory Council on Food Policy. The Santa Fe City and County Advisory Council on Food Policy was established in 2008 through Resolutions of the City and County Governing Bodies pursuant to Resolution Number 2008-5. The Food Policy Council consists of 13 members, including two members of the City of Santa Fe, two employees of Santa Fe County, and nine private sector members, four of whom are appointed by the County. Members serve three-year terms with no limitation on the number of consecutive terms. Our private sector members, today before you, requesting an appointment for Harrison Gibson. Vacancies were advertised through County press release and on the County website for 30 days. Our one viable application that we received was from Mr. Harrison Gibson who has participated in the Food Policy Council Meetings since the beginning of 2025. He has more than eight years of nonprofit operations management experience focused on food security and previously served as a Board member and officer of the Tarrant County Food Policy Council. He currently owns and operates a nonprofit food security consulting business and provides consulting services to Kitchen Angels. If Mr. Gibson is appointed, one County-appointed private sector position remains vacant. We've already posted for that second position so that a press release has gone out, and I believe that's posted on the County website as well.

The second request is the reappointment of members Dr. Sue Perry and Dr. Emigdio Ballon. They both currently serve as County-appointed members of Food Policy Council and are being recommended for reappointment to additional three-year terms. Dr. Perry has served on the Food Policy Council since 2010 and currently serves as co-chair. Dr. Ballon is a plant geneticist who has conducted research on the germination of various crops, including those indigenous to Northern New Mexico. He is an originating member of the Food Policy Council and has continued to provide a perspective representing our tribal communities. Recommended action is to consider the following appointments and reappointments to appoint Harrison Gibson as County appointed private-sector member for a three-year term beginning September 29, 2026 and ending September 28, 2029 and to reappoint Sue Perry and Emigdio Ballon as County-appointed members for additional three-year terms beginning September 29, 2026 and ending September 28th, 2029, and I will stand for questions.

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CHAIR GREENE: Thank you very much. Any questions from Commissioners?

COMMISSIONER BUSTAMANTE: I would just like to say something cool about Emigdio Ballon, who is a friend, but in the 1980s Emigdio's work in Bolivia, I believe it was, but he was instrumental in bringing quinoa to the United States. Like, the dude. Right? Is he here, let's sign stuff? Yeah, Emigdio, he just knows a lot about food and the natural benefits of eating healthy natural foods. So, I'm super excited to hear about Emigdio and I didn't know he was already on there, but, yeah, thank you.

CHAIR GREENE: Excellent. Yeah, Emigdio does great work in that plant space. Commissioners? No further? Alright, who wants to make the motion?

COMMISSIONER BUSTAMANTE: I would like to make the motion to accept both individuals who have been recommended for the Food Policy Council.

CHAIR GREENE: All three.

COMMISSIONER BUSTAMANTE: Sorry, three.

COMMISSIONER JOHNSON: I would like to second the motion.

CHAIR GREENE: Excellent. We got a motion from Commissioner Bustamante, a second from Commissioner Johnson. All in favor, say aye. Any opposed? Hearing none, excellent. Fill those spots. Thank you.

Commissioner Bustamante moved to approve to appoint Harrison Gibson as the private-sector member and reappoint Sue Perry and Emigdio Ballon as the County-appointed members for three-year terms beginning September 29, 2026, and ending September 28, 2029. Commissioner Johnson seconded. The motion passed by unanimous [4-0] voice vote.

CHAIR GREENE: Alrighty. Moving on to Miscellaneous Action Items. It is 3:30 p.m. Are we doing okay for another couple items?

COMMISSIONER JOHNSON: A couple more, yeah.

CHAIR GREENE: Alright. Alright. Item A, a Resolution delegating authority to the County Manager or designee to renew, approve, and execute documents necessary for the closing and completion of the Nueva Acequia Affordable Housing Development. Oh my God, here we are. Finally, this is great. Excellent. Congratulations, almost. Let's get this adopted. Here we are.

8. Miscellaneous Action Items

- A. Resolution Number 2026-126, A Resolution Delegating Authority to the County Manager, or Designee, to Review, Approve, and Execute Documents Necessary for the Closing and Completion of the Nueva Acequia Affordable Housing Development.**
(Community Development Department /Denise Benavidez)

DENISE BENAVIDEZ (Affordable Housing Administrator): Almost Chair. Thank you so much, Chair, Commissioners. Before I get started, I wanted to acknowledge somebody who's in Chambers with me today. My new partner, Brandon Delgado, is here with me today, and I don't think the Board knows that he's been brought on as the project manager. He'll play a large, huge role once we break down in managing the construction of the entire project. So, I just want to acknowledge Brandon today. He's been on several of the meetings and has played a role in wherever he's been needed, whether it be setting up a meeting, sending an email, and I really appreciate his assistance with that. So, he'll be taking over once construction starts and then I'll come back in for Lisa and project-based voucher execution. So, I just want to acknowledge Brandon today, my Public Works partner. I really appreciate his assistance. So, today the Community Development Department requests approval of the subject resolution delegating authority to the County Manager or designee to review, approve, and execute documents necessary for the closing and completion of the Nueva Acequia Affordable Housing Development. This includes documents the County signs on its own behalf and documents the County signs as the sole member of the County-owned limited liability companies that will serve as managing general partners of the Project partnerships. I'm not going to do too much background. I think Commissioners are well versed on the background, but I'm happy to answer any questions regarding the background of the project.

So, I'm going to go right into the financing and County obligations. Financing for each phase will include a bond loan from Housing New Mexico, a construction loan from Bridgewater Bank, a permanent loan from Cedar Rapids Bank and Trust Company, Housing New Mexico Loans, the County Developer Assistance Program loans. The County's direct obligations under the closing documents include the land lease, the County loan which will be subordinated to the construction loan, a potential guarantee by the County in favor of Housing New Mexico, and a pledge of the County's LLC's partnership interest to the construction lender as security for the construction loan itself.

Execution of the closing documents. Each partnership's general partners must adopt a Joint Written Action Agreement authorizing designated representatives to execute the financing documents on the partnership's behalf. That particular agreement has been drafted and is being reviewed currently by Legal. They may have already done redlines or it may already be approved. I know Walker has that in front of him. The Phase 4 alone involves more than 70 financing documents and closing the subject to deadlines by the lenders and Housing New Mexico. The subject resolution therefore authorizes the County Manager or his designee to review, approve, and execute these documents in two capacities, on behalf of the County itself and on behalf of the County as a sole member of each County's LLC. This includes signing the Joint Written Actions which will be conformed in the name of the County Manager as the County's authorized representative. Each document executed under this authority must meet three conditions. It must be approved as to form by the County Attorney's Office

or by contract counsel chosen by the County Attorney. It must be consistent with applicable County ordinances, regulations including Developer Assistance Program Regulations, and it must be consistent with Housing New Mexico's requirements including affordability restrictions and with the MOUs.

The Resolution also directs the County Manager or designee to update the BCC on the status of the Project and the closing process on request or as appropriate. Given the number and timing of these closing documents, and to allow the project to proceed efficiently towards closing and completion, staff recommends that the BCC delegate authority to the County Manager or designee to review, approve, and execute such documents subject to review and approval as to form by the County Attorney's Office or contract counsel. At this time, we recommend approval, and I stand for questions.

CHAIR GREENE: Thank you, Denise. Commissioners? Commissioner Johnson?

COMMISSIONER JOHNSON: Well, I think it's indicated by all that you just said, how complicated and how many work moving parts there are to this project. So, I want to appreciate your stewardship, the management's stewardship, all of your staff working hard for this project, which I know that we all look very much forward to. So, I don't have any questions. I just wanted to thank you for taming the beast. Thank you.

ADMINISTRATOR BENAVIDEZ: Thank you, Commissioner Johnson.

CHAIR GREENE: Commissioner Bustamante?

COMMISSIONER BUSTAMANTE: I will say this just looks like putting a bow on it. So, I'm really grateful for that effort because we've been working, we've been hearing about it, you all have been working very diligently on this. So, you're asking for someone to zip it up and I'm just so grateful for your efforts. Thank you.

ADMINISTRATOR BENAVIDEZ: Thank you so much Commissioner Bustamante.

CHAIR GREENE: Commissioner Hughes?

COMMISSIONER HUGHES: Yeah, I remember when I first came on the Board in 2020. I think it was Commissioner Hanson who said, "Well, Nueva Acequia ought to happen really soon now," and we're finally there. So, thank you for getting us there and obviously I support this.

ADMINISTRATOR BENAVIDEZ: Chair Greene, Commissioner Hughes, thank you so much. It's my understanding the project's been sitting out there for about 10 years or so. I know it's been my project for, I think two and a half. I've lost count as far as time, but we're almost there. We're getting closer. So, almost there.

CHAIR GREENE: Almost there. So, this is great. One of the first things That, when I was a new Commissioner three and a half years ago, was trying to get some legislative money and having legislators turn to us and say, "Why are you building a new Acequia?" It taught us that we needed lobbyists over at the Roundhouse and so this has knock-on effects. Not only are we going to be building some needed affordable units, it's focused a lot more on one bedrooms, which I really appreciate and it has taught us the value of actually having professional lobbyists, among other things, and

outsourcing and building our capacity in what essentially is a public-private partnership. So, this has done a lot and 10 years is a long time. Let's get these built and let's learn from this and do it again.

ADMINISTRATOR BENAVIDEZ: Absolutely.

CHAIR GREENE: Excellent. Commissioners, what is the will of the Body?

COMMISSIONER JOHNSON: I'll move, you go Commissioner Hughes.

COMMISSIONER HUGHES: I move to approve the Resolution delegating authority to the County Manager or designee to review, approve, and execute documents necessary for the closing and completion of Nueva Acequia Affordable Housing Development.

COMMISSIONER JOHNSON: I will second.

CHAIR GREENE: Excellent. We've got a motion from Commissioner Hughes, a second from Commissioner Johnson. All in favor, say aye. Any opposed? Hearing none, you've got authority.

Commissioner Hughes moved to adopt Resolution Number 2026-126, A Resolution Delegating Authority to the County Manager, or Designee, to Review, Approve, and Execute Documents Necessary for the Closing and Completion of the Nueva Acequia Affordable Housing Development. Commissioner Johnson seconded. The motion passed by unanimous [4-0] voice vote.

ADMINISTRATOR BENAVIDEZ: Thank you.

CHAIR GREENE: Now, you need some money. So, here we are. Resolution authorizing the allocation of \$1.2 million dollars in Developer Assistance Program Funds to support Gap Financing for the Nueva Acequia Affordable Housing Development.

- B. Resolution Number 2026-127, A Resolution Authorizing the Allocation of \$1,200,000 in Developer Assistance Program Funds to Support Gap Financing for the Nueva Acequia Affordable Housing Development.** (Community Development Department/Denise Benavidez)

ADMINISTRATOR BENAVIDEZ: Thank you, Chair Green, Commissioners. The Community Development Department requests approval of the subject resolution authorizing the allocation of Developer Assistance Program Funds of \$1.2 million to close the remaining financing gap for the Nueva Acequia Affordable Housing Development. I will go through a little bit about what caused the gap, although currently today it may not be that large. However, those numbers are still being worked on. To allow the project to continue progressing toward closing while seeking County approval of additional Gap Funding, the Developer executed a \$1 million General Partner Note as temporary financing after a previously anticipated funding source fell through, and the reason for that was that there were additional funding sources that

had been approved through Housing New Mexico. However, it required subordination to the Finance Authority and that was something Housing New Mexico could not do. So, those funding sources fell through, and there was yet another funding source that also fell through, however, we felt that we could make up those funding sources and then see what we had left at the end, and of course, as you all have heard, the other big deal was the Tax Credit Valuation. Originally, we started the project, we were at about 93 cents on the dollar. We landed up closing closer to 73 cents on the dollar. So, that of course did not help us. The market just didn't cooperate with us. However, we do have a huge capital stack. I'm going to go over that with you briefly here. If you have any questions regarding the financial stack, funding sources, they are here for you. Those funding sources are still subject to change, and the reason for that is because there's still a lot of the loan entities involved in the development that are still seeking approvals for the loan amounts that they requested through their Committees or Boards. So, the final numbers were close. I did give County Manager some numbers that were closer on the 5% and on the 4% last week. However, nothing's final until we receive every single approval from the other entities that are working together on this project, and at that point, then the budget will be created so that we can move forward to hopefully a groundbreaking soon. With that, I stand for your questions.

CHAIR GREENE: Thank you, Denise. Commissioners? Commissioner Hughes?

COMMISSIONER HUGHES: I think we ought to give you the money before it gets even more expensive.

ADMINISTRATOR BENAVIDEZ: Exactly.

COMMISSIONER HUGHES: So, and I, of course, called Izzy to try and understand the things that stood in the way from them helping us more, but I appreciate it only costs us a million dollars to move ahead.

ADMINISTRATOR BENAVIDEZ: Thank you so much, Commissioner Hughes. As of today, we may have to extend the closing a bit. We don't know yet. We did have to extend some of the funding sources just for transparency for the Board. Those funding sources were some of the State Funding and, of course, that State Funding costs us money daily for extending it. So, we don't want to put that closing date out too far. We did have to file extensions for the 9% and 4% through Federal Home Loan Bank for the funding that they allocated to us. Those have been approved, both those extensions. So, we're in pretty good shape so far.

CHAIR GREENE: Fabulous. Do we know when, so closing is not going to be next week?

COMMISSIONER BUSTAMANTE: October 14, 2026. So, what we had planned, Chair Greene, was that we would go for a bond sale on the 30th and then thereafter two weeks later, we would try to close. As of today's meeting, there's still some entities that are still working towards approvals on their documentation, and there's just so much involved. So, at this time, we may need to extend further than that. Hopefully not too much further.

CHAIR GREENE: Groundbreaking, more or less?

COMMISSIONER BUSTAMANTE: Let me tell you. I spoke to the Governor's office yesterday. I had a phone call hoping that we could have a groundbreaking sometime in November or sometime before Governor leaves office. So, we have told her that we're going to do our best to see what we can do to have a groundbreaking before the end of December.

CHAIR GREENE: Great. There's another person that leaves office.

ADMINISTRATOR BENAVIDEZ: Absolutely.

CHAIR GREENE: December 31, 2026, too. So, great.

ADMINISTRATOR BENAVIDEZ: Yes.

CHAIR GREENE: Thank you. Commissioners, what is the will of the Board? Are there any other comments or questions, or? No?

COMMISSIONER HUGHES: I move for approval of the Resolution authorizing the allocation of \$1,200,000 in Developer Assistance Program Funds to support Gap Financing for the Nueva Acequia Affordable Housing Development.

COMMISSIONER JOHNSON: Second.

CHAIR GREENE: We have a motion from Commissioner Hughes, a second from Commissioner Johnson. All in favor, say aye. Any opposed?

ADMINISTRATOR BENAVIDEZ: Thank you.

CHAIR GREENE: Hearing none, go spend some money, build some affordable houses. Congratulations.

Commissioner Hughes moved to adopt Resolution Number 2026-127, A Resolution Authorizing the Allocation of \$1,200,000 in Developer Assistance Program Funds to Support Gap Financing for the Nueva Acequia Affordable Housing Development. Commissioner Johnson seconded. The motion passed by unanimous [4-0] voice vote.

CHAIR GREENE: Now you're over the fifth. Well, sell some bonds.

MS. ORTIZ: Chair Green, I have two Resolution Numbers.

CHAIR GREENE: Oops, sorry about that. Thank you.

MS. ORTIZ: So, A, 2026-126 and B, 2026-127.

CHAIR GREENE: Fabulous. Thank you, Rosangela.

CHAIR GREENE: Okay, Item C, another Resolution amending the composition of the Governing Body of the Esencia Public Improvement District and approving the Appointment of Directors to the Governing Body pursuant to the Public Improvement District Act, NMSA 1987, Sections 5-11-1 to -27, 2001 as amended through 2019 and County Resolution Number 2026-028 and repealing all actions inconsistent with this Resolution. Juan Torres, take it away please.

C. Resolution Number 2026-128, A Resolution Amending the Composition of the Governing Body of the Esencia Public Improvement District; Approving the

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Appointment of Directors to the Governing Body, Pursuant to the Public Improvement District Act, NMSA 1987, §§ 5-11-1 to -27 (2001, As Amended through 2019) and County Resolution Number 2026-028; and Repealing all Actions Inconsistent with this Resolution. (Community Development Department/Juan Torres)

JUAN TORRES (Economic Development Manager): Mr. Chair, members of the Council, the subject resolution appoints the initial Board of Directors for the Esencia Public Improvement District in accordance with the amended governance structure. The proposed Public Improvement District Board is comprised as follows: The District Board shall be composed of two members nominated by the County, which members shall initially be Deputy County Manager Leandro Cordova and Public Works Department Director Brian Snyder. Deputy County Manager Cordova and Director Snyder are recommended due to their financial, management, and public works experience and three members nominated by the Petitioner and consented to by the Governing Body of which members shall initially be Rico Gallegos, Garrett Price and Scott Stefan. Garrett Price, Rico Gallegos and Deputy County Manager Leandro Cordova shall serve six-year terms. Scott Stefan and Public Works Department Director, Brian Snyder, shall serve four-year terms. Pursuant to 5-11-6.A of the Act, Garret Price is appointed to be Clerk of the District and Rico Gallegos is appointed to be Treasurer of the District. The District shall hold elections of two members of the District Board following the expiration of their initial terms in conformance with the Act. The Governing Body retains authority to require a review and corrective action if the District conditions materially deviate from formation assumptions. The Governing Body may consider establishing a dedicated Public Improvement District governance structure for ongoing oversight and accountability.

On February 10, 2026, the Board of County Commissioners adopted Resolution No. 2026-028 approving the application and petition of Esencia Holdings, LLC and Santa Fe Land Development Partners, LLC for formation of the Esencia Public Improvement District pursuant to the Public Improvement District Act, NMSA 1978, Section 5-11-1 to Section 27, 2001 as amended through 2019, Santa Fe County Sustainable Land Development Code, and the Santa Fe County Public Improvement District Policy and Application Procedures. Resolution No. 2026-028 also established the governance structures for the District, that's under Exhibit D in your packet. The County's official 2026 records likewise identify Resolution Number 2026-028 as the Esencia PID Formation Resolution.

On July 13, 2026, the BCC adopted Ordinance No. 2026-07 amending Section 12.7.4 of the SLDC regarding the governance of Public Improvement Districts. The Amendment provides for an initial five-member PID Board of Directors and establishes requirements regarding the composition, initial term of the Board, that is under Exhibit C in your packet. The proposed Resolution amends Section 7 of Resolution 2026-028 to conform the governance structure of the Esencia PID to the amended SLDC and

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appoints the initial members of the District Board of Directors. Staff requests approval of the Resolution and stands for questions.

CHAIR GREENE: Thank you, Juan. Commissioners?

COMMISSIONER BUSTAMANTE: All I can say is I'm really grateful that you're going to set this up and there won't be a PID right here.

CHAIR GREENE: Yes.

COMMISSIONER BUSTAMANTE: That's all. Thank you.

CHAIR GREENE: Likewise. Commissioners? Ultimately, just as a question, this doesn't stay with this team. It's once the facilities are all built out and the homes are sold, then the PID goes to the residents, correct?

MANAGER TORRES: Mr. Chair, Commissioners, the District shall hold elections of members of the District following the expiration of their initial terms in conformance with the Act. So, after the initial six-year term and four-year term, then the District will elect officials from the community and other entities.

CHAIR GREENE: Okay, so Leandro's stuck with this for six years? Okay, well, hey, you know, we got some clarity. You have some clarity. We know where you're going to be. Excellent. Okay. Great. Commissioners, what is the will of the Board?

COMMISSIONER BUSTAMANTE: So moved.

COMMISSIONER JOHNSON: Second.

CHAIR GREENE: We got a motion from Commissioner Bustamante, a second from Commissioner Johnson. All in favor, say aye. Any opposed? Hearing none, great job. Thank you.

Commissioner Bustamante moved to adopt Resolution Number 2026-128, A Resolution Amending the Composition of the Governing Body of the Esencia Public Improvement District; Approving the Appointment of Directors to the Governing Body, Pursuant to the Public Improvement District Act, NMSA 1987, §§ 5-11-1 to -27 (2001, As Amended through 2019) and County Resolution Number 2026-028; and Repealing all Actions Inconsistent with this Resolution.. Commissioner Johnson seconded.

CHAIR GREENE: Thanks for taking our guidance and moving this along the way. This is the first time for a lot of things in this. So, great job.

MEMBER TRUJILLO: Thank you.

MS. ORTIZ: Chair?

CHAIR GREENE: Resolution number, yeah.

MS. ORTIZ: Resolution number 2026-128.

CHAIR GREENE: Excellent. Thank you very much. One more? Okay. Resolution requesting a budget increase, Item D, resolution requesting a budget increase in various funds in the amount of \$4,765, 606 to carry forward the fiscal year 2026 encumbrance balances into 2027. Thank you very much Ms. Herrera.

D. Resolution Number 2026-129, A Resolution Requesting a Budget Increase in Various Funds in the Amount of \$4,765,606 to Carry Forward the FY2026 Encumbrance Balances into FY2027. (Finance Division/Yvonne S. Herrera)

YVONNE HERRERA (Accounting and Financial Reporting Manager): With that, I'll stand for any questions.

CHAIR GREENE: Okay, easy.

MANAGER HERRERA: These are just purchased orders that departments have requested to move forward into the next year. The work being done under them unfortunately wasn't completed before June 30, 2026, and because it was obviously June 30, 2026, June 30, 2026 is after our budget cycle, they didn't get an opportunity to include those in their budget request. So, we're asking for the rollover and the budget to support it.

CHAIR GREENE: Sounds pretty standard. Thank you very much.
Commissioners?

COMMISSIONER JOHNSON: Move to approve.

COMMISSIONER HUGHES: Second.

CHAIR GREENE: Thank you very much. We got a motion from Commissioner Johnson, a second from Commissioner Hughes. Nothing easier than that. All in favor, say aye. Any opposed? Hearing none?

Commissioner Johnson moved to adopt Resolution Number 2026-129, A Resolution Requesting a Budget Increase in Various Funds in the Amount of \$4,765,606 to Carry Forward the FY2026 Encumbrance Balances into FY2027. Commissioner Hughes seconded. The motion passed by unanimous [4-0] voice vote.

CHAIR GREENE: You've got more money.

MANAGER HERRERA: Thank you.

CHAIR GREENE: For next year. Excellent. So, we are, we said one more or do you want to keep going? Keep going, keep going.

MS. ORTIZ: Chair, one resolution number.

CHAIR GREENE: Oh, sure.

MS. ORTIZ: Yes, D is Resolution 2026-129.

CHAIR GREENE: Excellent. Okay. So, we're going to keep going. One more and because it's Nate Crail, he's going to take steps because he is runner up. If he had only just taken a few more steps every day. Welcome. We have Item E, a request authorization to publish title and general summary of an ordinance amending Santa Fe County Zoning Map, SLD Zoning Map to amending Ordinance Number 2015-12 as amended, to amend the zoning for two contiguous parcels at 124 and 125 Camino Capilla Vieja from a combination of Traditional Community and Rural Fringe and Rural

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Residential to entirely Traditional Community. Nate, please, tell us why this is a great idea.

E. Request Authorization to Publish Title and General Summary of Ordinance Number 2026-____, An Ordinance Amending the Santa Fe County Zoning Map (SLDC Zoning Map) by Amending Ordinance Number 2015-12, as Amended, to Amend the Zoning for Two Contiguous Parcels at 124 and 126 Camino Capilla Vieja from a Combination of Traditional Community (TC), Rural Fringe (RUR-F), and Rural Residential (RUR-R) to Entirely Traditional Community. (Growth Management Department/Nate Crail)

NATE CRAIL (Senior Community Planner): Good afternoon, Chair and Commission. So, this agenda item is merely a procedural step to hold a quasi-judicial public hearing. The Staff recommendation is for the second meeting in October, October 27, 2026. This Agenda Item is not to take a position on the merits of the application, merely just a procedural step. Per SLDC Section 1.15.4, any zoning map amendment brought forward by an owner/applicant is considered a quasi-judicial public hearing. As stated in the caption for this item, the proposed zoning map amendment requires an ordinance amendment to the SLDC Zoning Map and because that is an ordinance, if the Board chooses to approve that application, we would need to approve an ordinance amendment for the SLDC Zoning Map, yep.

CHAIR GREENE: Alright, this is in District 3, correct?

COMMISSIONER BUSTAMANTE: Yes. So, I'm understanding, all we're voting on in this moment is to publish title and general summary. That's it.

CHAIR GREENE: Great, and has there been public outreach beyond just the notice of us publishing?

PLANNER CRAIL: Yeah. Chair, so this will be the third public hearing about this application. There was already a Planning Commission and Hearing Officer public hearing about this item and their recommended orders are in the packet as well, but again, this item is just about the published title and general summary of the ordinance.

CHAIR GREENE: Okay, great. Commissioners?

COMMISSIONER JOHNSON: I wanted to know, Commissioner Bustamante, how was your feeling about this ordinance?

COMMISSIONER BUSTAMANTE: I feel good about publishing title.

COMMISSIONER HUGHES: Okay.

COMMISSIONER BUSTAMANTE: I otherwise have no sense of how it'll play out at this point.

CHAIR GREENE: Well. That's...

COMMISSIONER BUSTAMANTE: Well, that, I have no problem with that, this moving forward the way it is, yeah. I will say in this interest, it has been sort of controversial, but I think that's why we want to get this published and see how much

people may or may not have changed their minds or express their concerns and so on. So, the details are yet to come.

CHAIR GREENE: Yes. Okay. Further?

COMMISSIONER BUSTAMANTE: I would like to make the motion to authorize the publishing of title and general summary of this Ordinance Number 2026 that will amend Santa Fe County Zoning Map.

COMMISSIONER JOHNSON: Second.

CHAIR GREENE: Okay, we have a motion from Commissioner Bustamante, a second from Commissioner Johnson. All in favor, say aye. Any opposed? Hearing none, take out an ad, published title.

Commissioner Bustamante moved to authorize the publication of title and general summary of Ordinance Number 2026-____, An Ordinance Amending Ordinance Number 2015-12, as Amended, to Amend the Zoning for Two Contiguous Parcels at 124 and 126 Camino Capilla Vieja from a Combination of Traditional Community (TC), Rural Fringe (RUR-F), and Rural Residential (RUR-R) to Entirely Traditional Community. Commissioner Johnson seconded.

PLANNER CRAIL: Thank you.

COMMISSIONER HUGHES: Now we take a break.

CHAIR GREENE: Okay, now we'll take a break. Excellent. It is now 3:56 p.m. Let's take a nine-minute break and come back at 4:05 p.m.

[Break from 03:56 PM – 4:06 PM]

CHAIR GREENE: We're back and we have under Miscellaneous Action Items, we have Item F, request for approval of Amendment Number 1 to the Collective Bargaining Agreement between Santa Fe County and the New Mexico Coalition of Public Safety Officers. We have Rachel Brown and Valerie Park. Please, do the honors and Director Lujan. Thank you.

F. Request Approval of the Amendment Number 1 to Collective Bargaining Agreement Between Santa Fe County and the New Mexico Coalition of Public Safety Officers (Regional Emergency Communication Center – RECC). (County Attorney's Office/Rachel Brown and Human Resources and Risk Management Division/Valerie Aghaei Park) (Item Added)

VALERIE PARK (Human Resources Risk Management Division Director): Good afternoon, Chair and Commissioners. Thank you. We're bringing forward this Amendment, which is a slight modification to the provisions determining how bargaining unit employees are placed on the pay scale. This slight change would promote broader skill development across positions throughout and encourage cross-

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training and movement among the various administrative positions within the Bargaining Unit, the Team Leader, the NCIC Coordinator, the Emergency Communication Systems Coordinator, Training Coordinator, and the Quality Assurance Specialists. So, if an employee in one of those positions is hired into another position, the way it's worded right now, they would have to start over on the step scale for pay. We want to basically be able to allow them to be credited for their time in that other administrative position and be able to make a slight modification to the job descriptions which the union has agreed to, to be able to ensure that we have the cross-training function at RECC that will support their 24/7 operations and have backup and some bench depth, and I stand for any questions.

CHAIR GREENE: Sounds reasonable. Commissioners? Yes ma'am.

COMMISSIONER BUSTAMANTE: I just want to make sure that everything that we're doing addresses relatively recent concerns and issues regarding, and I know that it went to the legislature and it didn't get through there, but I have been made aware of some very significant studies that show that people that work 911 stations fall into the same category as emergency responders. It is as traumatic, if not more, because they don't have the ability to follow through on the whole subject. They get very dramatic calls and I understand that there is a movement at least now and across other states, and I'm not saying that we're addressing this here, but I want to make sure that what we're doing at our level acknowledges the trauma that's experienced by people who take those calls. It's been very, very significant and interesting as to what those issues are, and I don't know if you've had that conversation. I recognize that right now the State of New Mexico is not recognizing the first responders and I think it's accurate to say the first responders and the impact that being at the other end of that line has on their quality of life and trauma.

DIRECTOR PARK: Thank you, Chair and Commissioner Bustamante. No, that's not what we're addressing at this moment, but that doesn't mean that we are not welcome and open to considering that in the future.

COMMISSIONER BUSTAMANTE: I just wanted to make sure that it's definitely a part of the conversation and to whatever end we would familiarize ourselves with what's happening nationally to advocate to those individuals in our RECC so that they can have the benefits as responders do for early retirement, etc.

DIRECTOR PARK: Yes, thank you.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: Thank you, Commissioner Bustamante. Commissioners? Hearing none, what is the will of the Body?

COMMISSIONER BUSTAMANTE: I'd like to make a motion for this. I move to move this forward.

CHAIR GREENE: Okay.

COMMISSIONER BUSTAMANTE: If we read it, have to move forward.

CHAIR GREENE: We got you. We already read it, so, okay. So, we got a motion from Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: To approve the Collective Bargaining Agreement. Thank you.

CHAIR GREENE: Amendment Number 1, yes ma'am.

COMMISSIONER HUGHES: I'll second it.

CHAIR GREENE: We have a motion from Commissioner Bustamante, a second from Commissioners Hughes. All in favor, say aye. Any opposed? Hearing none, thank you very much. Thanks for all the work you guys do.

DIRECTOR PARK: Thank you very much.

**Commissioner Bustamante moved to approve Amendment Number 1 to Collective Bargaining Agreement Between Santa Fe County and the New Mexico Coalition of Public Safety Officers (Regional Emergency Communication Center – RECC).
Commissioner Hughes seconded. The motion passed by unanimous [4-0] voice vote.**

CHAIR GREENE: Please send our love to the team down there. Now, the presentations you've been waiting for, a presentation of an update and findings to date of the Santa Fe County Utility Feasibility Study. Deputy County Manager Leandro Cordova. Here we are.

9. Presentations

A. Presentation of an Update and Findings to Date from the Santa Fe County Utility Feasibility Study. (County Manager's Office/Leandro Cordova)

MANAGER CORDOVA: Mr. Chair, members of the Board, thank you. So, I won't be providing the entire presentation today. I'll run through the memo real quickly and then I'll turn it over to our consultants with HDR. So, just a reminder, this item is meant to provide an update on the Utility Feasibility Study being conducted by HDR Engineering. A quick background. As you know, November 10th last year, the Board did adopt Resolution 2025-124 directing the County Manager to investigate the feasibility of creating a publicly owned electric utility and directing staff to procure a contract to conduct the study. On May 12, 2026, the Board approved the agreement with HDR Engineering, and a kickoff meeting was held on June 24, 2026 with County staff to introduce the project and identify areas where staff support and coordination may be needed. In July, HDR prepared a High-Level Legal Screen Findings Memorandum which provides a preliminary statutory screening of potential legal pathways for County ownership and operation of electric utility facilities, and that's Exhibit D. HDR also met individually with Commissioners during July and August. On September 1, 2026, HDR hosted a charrette here at 102 Grant with organizations identified through the Commissioner meetings and staff discussions as potentially valuable participants in the project research. So, the project schedule has been extended beyond the timeline

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originally anticipated under the Agreement to allow additional time for completion of certain study tasks and deliverables. The presentation will provide the Board with an update on work completed to date, preliminary findings, outstanding deliverables, and the anticipated timeline for completion of the remaining deliverables. So, at this time, I'd like to introduce online Kate Bartelt who has been our main consultant, and she can introduce anyone else from her team that might be aiding her, but I want to make sure she's online. We are welcoming her, I believe, from Portland, traveling this week. We might have more rain than they do for a change. Can you hear us, Kate? Can you say something so we make sure we hear you?

CHAIR GREENE: She's muted.

KATE BARTELT (Project Manager): Commissioners and Board, can you hear me now?

CHAIR GREENE: Yes ma'am.

COMMISSIONER HUGHES: Yes.

LEAD BARTELT: Wonderful. Well, thank you so much for the opportunity to give you an update. As Leandro mentioned, my name is Kate Bartelt and I'm your Project Manager on this project. Next slide.

MANAGER CORDOVA: Oh, that's me. There we go.

MANAGER BARTELT: Thank you. So, today I just wanted to frame we're not here asking for any decisions by the Board, really just giving you an update on where we are, opportunity to ask questions about alignment. The next decision gate really will come later this year at the conclusion of this study. Next slide. So, just kind of frame where we're at with this Study. The purpose of this Utility Study is to really look at the feasibility of County-owned or locally controlled electric utility at very much a screening level. There's five lenses to our Study that you all have identified. Affordability, reliability, resilience, sustainability, governance, really with that lens of community benefits in mind as well. The question at this phase is really looking to answer what options merit further exploration. This is not detailed engineering or asset evaluation or acquisition planning, just really trying to showcase what options you have out there and what could those options bring for you. Next slide. So, what we're really looking to do is to see what, screen what some of those local controlled models look like for viability, compare benefits, risk and constraints, and identify the deeper analysis that would still be required for options to move forward. This is not that financial model, so we're really hoping to help give you a broad picture of where you can go. Next slide. So, what work is coming out of this study? There's really six key elements of this first study, these six work streams. One is that baseline. Where are you currently at with your utility context, infrastructure plans, renewable and resilience opportunities? Where does the County currently sit? Two, is that legal and governance options and we heard from some of the Commissioners that this was really important to understand. What could you legally do? What authority does the County have? What are those regulatory constraints, governance models and those thresholds? We do have a memo on that as Leandro mentioned, it was an attachment to the packet, and we'll go over some of

those high-level findings later in this presentation. Workstream three is really that financial screen. What are some of those cost drivers, affordability, risks, what does the model imply for you going forward? Number four, which was very important for this analysis was this charrette that we held on September 1, 2026 bringing together key stakeholders with some of you as Commissioners to really understand priorities, concerns, success criteria, and community values so those could be part of how the study is evaluated.

Then we will look at scenario evaluations. We're going to be looking at three scenarios to kind of give you some optionality here, bring those back to you and then kind of give you some decision roadmaps, some of those findings, some of those comparisons, really helping you understand where you want to be going next and what does that mean. So, next slide. So, this is the work completed to date that Leandro mentioned, and you can see we've gone through the September 1, 2026 with that County charette. So, next slide. Let's go over what was in that legal memo. This was really important to some of you all as Commissioners. Are there optionalities for moving forward? What we found is there are viable legal pathways for County control, County ownership, County leadership in this electric utility space, but the operating models really do matter, and looking at it, the preliminary screening indicates that the County as a Class A County, may have a plausible pathway to own and operate an electric utility facility directly or through various sorts of agreements. There's four statutes here that really help lay out what are the foundations of what you can and can't do regarding powers of the municipalities, looking at who actually can own and regulate a public utility, who has jurisdiction, and who can have raised revenue bonds for operating of these facilities and maintaining the facilities. So, what we found is that you actually have some statutes out there that expressly limit certain Class B Counties to water and sewer only. There are no restrictions regarding Class A not being able to do things. So, that's an important finding there. This is a very preliminary understanding. There is a lot of issues here yet to be resolved regarding service territory, acquisition, transmission and interconnect, wheeling and wholesale power, but what we have found is that there is legal pathways here, and we'll be keeping those in mind while we're looking at scenarios. So, those scenarios will be part of those legal pathways going forward. Next slide. So, as I mentioned, governance really matters for achieving those legal frameworks and so we looked at three different governance pathways. One, of a County-Owned Utility, two, a County-City Joint Powers to own a facility or own the operations and then three, a Public Power Authority. Really that option two of a City-County JPA is the leading option here because it combines the City's express municipal electrical utility authorization with the powers given to the County by being a Class A treatment. So, there is a very strong pathway for moving forward here. There is some legal certainty. There is some shared governance. You have Revenue Bond Authority here. This is definitely the most legally defensible and institutionally practiced Public Power Modeling currently identified.

Key constraints here is a GPA only allows, lets parties jointly exercise powers that they already hold. So, if a County or City doesn't hold those powers, you can't reinvent them under a new JPA. It does require the County and the City to work together. Now, if you want to look on the other side of that on option one of a County-owned utility, this is also viable that the highest County control, simple structure, there is no one single act that resolves all the utility powers. So, there could likely be some questions that would need to be resolved at a legislative level. Option three is that Public Power Authority or Special District which allows for dedicated governance, financing, independent bonding and platform for regional or multi-jurisdictional participation. So, that is also an option. At this point, our recommendation is that you carry all three models forward through this additional evaluation so that way we're looking at them in parallel and we're not limiting any of your County options as we're going forward. Then the next slide. So, what did we hear at the charrette that we held? By the way, charrette is a fancy public engagement term that means a workshop bringing together folks to brainstorm and think collaboratively. We heard from you all around priorities, what matters to you in this study. How should we evaluate these alternatives? Affordability led the conversation, wanting to make sure that we understood the rates, the impact on the rates and the long-term cost to customers and to your community. There were questions, of course, around legal and governance, what authority do you have, what is the County capacity to take on these opportunities? What is some of that financing and implementation risks? We had a very robust conversation about reliability and resiliency, understanding that you have critical facilities and vulnerable residents and how do we protect them in a future scenario, understanding that wildfires and outages exposures have been a repeated issue. Lots of conversations around regional partners. Who could come to the table for these solutions? Municipalities, Pueblos, utilities, community groups, really thinking beyond just County governance and a strong interest in a range of options and practical next steps that would deliver value even without full County ownership. So, just a real strong desire to move forward.

So, that has led us to take a look at what some of those scenarios could be like. So, next slide. So, scenarios under development right now and we really will identify three fully formed scenarios. So, this is kind of as an illustrative look at. We wanted to show you that there are still so many various pathways available for County consideration, really trying to understand what your goals are. So, on the left-hand side of the slide here, you're starting with very targeted actions leading up to more comprehensive ownership. So, what could that look like? So, under the targeted actions, you could have utility coordination. So, this could be continued to work with your existing utility, focus on County initiatives and where you could have maybe some opt-in programming. So, this is similar to what Ann Arbor, Michigan has done, for those of you that have heard those case studies. That next one is distributed energy. This really goes in parallel with where you're moving on some of your resiliency projects and looking at battery storage along with your solar facilities at County and community facilities. Maybe micro gridding, very similar to what's happening at the community

college. That third range right in the middle is that partnership structure. How could you think about where you could have a partnership, whether it's power supply, aggregation, special purpose, similar to what Kit Carson has done in their area. Then you can have partial local control. This could be everything from a geo-targeted area that you have full control of a system, to maybe you have control over solar generation. Then finally leading to that full County utility under that full comprehensive control, and that's where County or County/City, County and partners would own and acquire the full electric system. So, these scenarios and the thinking that came out of that charrette will really help us design those alternatives for you. Next slide.

So, as Leandro mentioned, that additional time that we're asking for here is really to help us ensure that we have the base information necessary to complete that analysis of Phase 1 and develop and compare those scenarios. As we started asking questions, there was a little bit more on legal screening, more stakeholders than we originally anticipated. So, this time is allowing us to be more thoughtful and integrated in the data and approach that we're giving to you. So. final slide here. The next slide, what does this roadmap look like from where you've been to a future Board decision on next steps? So, we are in the stage of analysis of really trying to take a look at those baseline technical financial analysis that's in progress, close to being done. Those scenarios, we're working towards them, and then that kind of next decision gate will be at a future meeting yet this year for you all on decide how do you want to proceed? What does Phase 2 look like? Where are those areas or partnerships do you want to further evaluate if you want to go further? But that will be up to you all at a future place. So, with that I'm happy to stand for any questions that you may have. Thank you for the opportunity.

MANAGER CORDOVA: Mr. Chair, I too will stand for any questions you might have of me or try to direct them back to Kate if they're too technical.

CHAIR GREENE: Fabulous. Commissioner Bustamante and Commissioner Johnson, this was your baby.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you, Kate, really appreciate it. I thought that the charette, as you mentioned, was quite helpful. We heard from a number of different folks. The community college was, I would say, an instrumental player as was Kit Carson. We had some folks from Public Power NM. We had staff members, we had City staff members present, specifically, in Facilities and Sustainability. That also helped us, I think, elaborate and imagine the JPA option. What I think, a takeaway that I want to share with the Commission and with anyone listening is that we are approaching this in a stepwise way very deliberately and trying to understand what's best for Santa Fe's community without overreaching, without reacting and sort of understanding what options are before us. So, I appreciate the phased approach because what I hope, Kate and maybe you can clarify this, is that when we get presented findings, we'll see sort of, you did call them scenarios, but sort of elaborated descriptions of what we might do. So, maybe it's a community center that has a solar array that also provides redundant connectivity power to an adjacent

neighborhood or what have you. That's something that the community college has put in action. So, from my perspective the affordability and the reliability, resilience, redundancy, all the R's are coming forward. I think it's really important for us to consider, especially as we think about issues that we hadn't thought about even years ago like data center electricity consumption, not to say nothing of water consumption, come to the fore. We have on our palette, on our plate the ability to have some measure of local control over energy distribution, energy production, energy distribution and making sure that we serve the citizens of Santa Fe first. So, I think a diversification of energy sources is a thing that we are, I personally, I won't speak for anyone else, but I personally am interested in. This is not intended to be a takeover of existing lines and things like that. It is intended, I think the parallel structure was something that emerged from that conversation that we are most interested in exploring at different scales. It could be something that we start quite small to test our abilities, but what gave me confidence in that meeting was that we have regional partners who are thoughtful. I'm speaking here specifically of the City and of the expertise of Kit Carson Electric. The Director's name is really escaping me right now.

CHAIR GREENE: Mr. Reyes.

COMMISSIONER JOHNSON: Mr. Reyes, thank you. Yeah, what are options are for the future, because we live in uncertain times as technology improves so rapidly that we want to be prepared. I've said this many times. Ten years from now what are our options on the table, if not before. So, thank you Kate. I look forward to seeing your final report and I think what I would hope the Commission is poised for at that moment is to have a conversation and maybe target the future study because if we all can agree on a sort of range of options to investigate in a more full-fledged investigation, then we will allow them to work as efficiently as possible to deliver that information. So, thank you Chair, I yield.

CHAIR GREENE: Thank you, very much Commissioner Johnson.
Commissioner Bustamante?

COMMISSIONER BUSTAMANTE: Thank you, Chair. Thank you, Commissioner Johnson. Thank you very much Kate. I really like the way that, I too was encouraged by the charrette, but I really like the way it's starting to get delivered and what we're looking at. You know, being a housing authority day as it is and we know temperatures are rising and we may need cooling, and when we look at those communities that we're essentially responsible for the housing and what it would mean to actually be able to not be beholden or stuck in a situation where everybody has cooling capability but it's now just taking us down to our knees on our ability to address the affordability issue, the resilience etc. So, I just see, Kate, I can't tell you how much I really like the way this is coming forward and I think that there are specific things such as our housing issues and everyone else in the communities frankly, that we can keep at the front of our minds in our ability to address those issues and concerns. So, that's all I would have to say and thank you.

CHAIR GREENE: Thanks. Commissioner Hughes? No? Okay. Thank you. I did appreciate the legal 10,000- or 30,000-foot analysis here and it kind of said that this is something that we can't do ourselves. Maybe you can find a way to sort of finesse this and I would sort of leave that to Walker, but it's not at that wholesale. If we wanted to go big, we'd have to get a key partner like the City. So, that leads me to a bunch of questions that I would want to hear, and I wish we had these now. Can we send a letter to the PRC? Why isn't there a determination from the PRC to say we can and can't do that, right? If we're Class A County and we think that it's "viable," that's a pretty noncommittal sort of situation and if it's ultimately going to be the PRC, great. Let's put a letter to them and say, "Can you pass judgment on this and tell us what we can and can't do." If it isn't the PRC, who is it? Is it the Attorney General? So, let's send the same letter to the Attorney General and say, "Mr. Attorney General, what do you think we can do and can't do?" Walker, you've got a sort of nuanced sort of perspective in this. Prepare that. You know, if you could prepare that letter to the PRC to say, "Santa Fe County is looking at this. Can we, or can't we? Tell us what we can and can't do." Additionally, the City of Santa Fe. If we are thinking that the City of Santa Fe could be a key partner in this, let's put this before them. We've had City-County meetings in the past few weeks. Let's bring this up and have this same presentation to them when we have the next meeting October 29, 2026 or prepare them at their own meeting, whether it's October 14, 2026 or October 28, 2026 before they meet with us, and it could become another subject for that collaborative conversation. I don't know that they know about this, maybe they do. I don't know that they're capable of dealing with this, although they run a much bigger utility than we do. So, maybe this is something that's right up their alley, they just didn't think of it. So, I think those three partners as it may be, the AG is a legal authority, PRC is a regulatory authority and the City of Santa Fe as a partner, those give us a lot of answers right there. Can we, or can't we? Do we have a partner that enables certain things that otherwise wouldn't be possible. So, those are things that I wish we kind of had thought about before this.

COMMISSIONER BUSTAMANTE: Chair Greene, if I may?

CHAIR GREENE: Yeah?

COMMISSIONER BUSTAMANTE: I did see the presentation to be comprehensive and did refer to the laws that exist, and we did have the City of Santa Fe in the charette. So, those things did happen and it's actually in the presentation with references to the legalities of it. I do believe that the consultant has done quite a bit of due diligence in looking at the allowances and the legalities per New Mexico State Law. I mean, I heard that in the presentation, so...

CHAIR GREENE: I heard, I heard...

COMMISSIONER BUSTAMANTE: I actually...

CHAIR GREENE: So, Kate, would you be able to definitively say that Santa Fe County could do this?

COMMISSIONER BUSTAMANTE: Legally.

CHAIR GREENE: Legally?

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MANAGER BARTELT: Commissioner Greene, this is Kate. No, HDR is not an attorney. We do not offer legal advice. We evaluated alternatives and pulled those pieces. So, we cannot offer that legal advice. We did work with your legal attorney to seek their input and approval on that memo.

CHAIR GREENE: So, then I'll bump it to Walker. Where are you with this? Would you prefer having the PRC or the Attorney General give you some backup or not?

WALKER BOYD (County Attorney): Chair Greene and Commissioners, so, a couple of things. One, the PRC generally does not regulate municipal or County run electric utilities. So, the answer that one could expect from the PRC is that we're not going to give you advice about what you can do since we're not going to be regulating you if you go down that route.

CHAIR GREENE: But would we be qualified to establish one under their, because municipal says that a City can do this.

ATTORNEY BOYD: Chair Greene, the County can generally exercise all the authorities that are specifically granted to municipalities unless the statutes clearly indicate that there's a legislative intent not to give the County that authority. So, yes, the County could, I believe, run an electric utility, but I think what the presenter is getting at and what I think the Board is focusing on here is feasibility questions. So, beyond whether it's legally possible for the County to run a utility, what does that utility look like? What is the rate base? What can the County do in furtherance of the creation of that utility? Can it condemn existing utility infrastructure? All of those questions go into what I understand the consultant to be studying. They have received my input on this and so again, there are certainly legal difficulties, but there's no bright line answer here. No, the County cannot operate a utility. Yes, the County can operate its utility. Again, you have to look at each question. Can the County do this in furtherance of its utility? Because I agree, ultimately, that the County can run a utility, but feasibility is the real question.

CHAIR GREENE: So, you're definitively saying that the County could do this? Could take over all utilities within the County? So, public power north to south, east to west? Or maybe then the question of what do you do with Jemez and all these other areas? I mean, it's a complex thing and one of the stage gate of this presentation was meant to be, can we legally do this? Not the small baby steps of this, which are completely viable, I get it, and I'm not against those either, but if we can't do the full picture, at this point we should say, "We can't do the full picture unless we get the City," or something like that.

COMMISSIONER JOHNSON: Chair? Having heard what Attorney Boyd just said and then asking him to definitively state, he said there's not a clear bright line. So, I wouldn't want, I'm not trying to corner the County Attorney in this presentation. So, I think that he has indicated that there are many paths forward. They need more thought when we have made more concrete decisions about which direction we want to go, if not a definitive path itself. So, I don't think we should put the attorney on the spot for definitively making a statement right now, because let's just be cautious like we did

with the letter to NMDOT. The point of this study is to take step-by-step processes, understanding what the landscape is legally and from a financial community input perspective, to say nothing of a host of other contributing factors to what we ultimately choose, right? The citizens of Santa Fe may resoundingly not want the full-fledged option, and we need to know that information as well. So, in response to sending a letter to the PRC, I think that was answered by the attorney. I don't see that we are at a stage where we send a letter to the City that says, "Would you consider this?" I mean, I think we would want to have something a little bit more concrete to, and a timeframe, so that they could better understand what they're potentially agreeing to. I would hesitate to get out in front of something and say, "Hey, join us in this." "Okay, what are the details?" "Well, we're working it out." They're not going to say yes to that.

CHAIR GREENE: I would disagree. I would say that I would want to be engaged early on to say, "We don't know," but this enables some decisions. I would want to say, "You made so many." I wouldn't want to come to them and say, "We've made these decisions. Do you want to join up?" I would say, "We're thinking about this. Having you as a partner enables this."

COMMISSIONER JOHNSON: I would take an intermediary step where we don't want to say we have made all these decisions. You guys can join us if you want. In fact, we need you to, but rather, also on the other hand, not come and say, not close a door before it's ready to be closed because they're just sort of like, it doesn't seem like you've worked this out so now we are making conclusions before we have all the relevant information.

COMMISSIONER BUSTAMANTE: Exactly. If I may Chair Greene and Commissioner Johnson, right now we're really looking at the viability of specific models. I think bringing in someone, any entity, and again the utilities, people from the City were in the meeting, but to say, "We're looking for partners right now and we're still just looking at viability at its most basic level," is premature because at that point you have partners and we might say, "Nope, we're going to go it alone," if that's what would come of it, but we're not there yet. We don't have those answers and I believe this is the process, not that I wish you had already had it, but this is the process to get it in those bigger picture ways, specifically how and who and if we would actually have collaboration with any external entities, but it depends. We're not there yet. We don't have those answers yet.

COMMISSIONER JOHNSON: Chair, if I may add one additional point to provide a contrasting dynamic. Another model that was shared was, I think you called it parallel, Kate, I forget exactly what the word was. I couldn't write it down in time, where we work with the existing utility provider, Ann Arbor as a model, where there are commercial businesses that are sort of locally rooted and provide redundancy and contributions in a parallel way. Microgrids would work in this capacity as well. So, we wouldn't go to PNM, which provides power to most of Northern New Mexico. We're not ready to have those conversations with them yet by the same token. We're also not at the stage where we have already made our decisions and then we hear what they

say. Yeah, that's why I'm sort of advocating for this intermediary path and not opposed to sending a letter to the PRC. It's more, as Attorney Boyd, who has much more expertise in this area said, you know, it seems unlikely that they would have a response to that that would be satisfactory for us moving in one direction or another.

CHAIR GREENE: I would think so. I appreciate that. You know, in good stakeholder management place, when you identify a key partner, like a City or a regulatory agency like the PRC or a lawyer that's going to step in and say, "You can or can't do this," you do what you can to reach out to them, right? Jemez Mountain, they should be at the table. PNM should be at the table. The PRC should be at the table. Just a moment of saying, "Before we get too far, can we do that?" The Attorney General, because they're the top law of the State. Sorry. I'm not in my mic. I'm looking sideways. Then, additionally, the City of Santa Fe, right? A presentation of this scale right now should say, "We don't think we can do this without the City."

COMMISSIONER BUSTAMANTE: With all due respect, I just think it's absolutely premature. We're not there yet. So, if we put all this in front of everybody the first day that this was published, with all due respect, Chair Greene, we had this room full of people who talked to us about don't do it, don't do it. We're not there yet. We don't want to start opening the doors for people who might not want to eat that particular meal, because we don't know what's being served yet. So, you know, it's our decision to know what's going to be on the menu.

CHAIR GREENE: But if you know that you can't have steak, you don't leave people to believe they might have steak and if steak is basically outlawed because the law says you can't eat steak, right now...

COMMISSIONER BUSTAMANTE: We don't even know if we're going to have steak. We're still working on it.

CHAIR GREENE: I understand. So, the goal of this presentation, if I remember correctly back in November of last year, we said that there was going to be at six months or less, actually, I think it was 90 days and we're at 10 months at this point, we were going to have a legal feasibility of whether we could do X, Y or Z and if Z is just outright not viable unless we get a partner like the City, we should start to have the City at the table just to say, "Oh, that is an enabling partner in this." Otherwise, we have to scale back our view and start to do these smaller things, which are completely viable, but we should be at this point saying the Public Regulation, the PRC has said you need to do X, Y, and Z. It's not an amorphous thing. The Attorney General should be giving us a determination or whoever we think is in this determination cloud should be giving us that. PNM, Jemez Mountain, all of these partners should be sitting at the table saying, "We oppose, we support, we think that there's a partnership here that we can do because we understand the goals of this community to do better resiliency, better environmental things," but to exclude people and only include the people that have a certain vision that we or whoever is leading this want at the table, that's not stakeholder management. That's excluding people that have real, really important views in this that can make this viable or not.

COMMISSIONER BUSTAMANTE: They may with the, Mr. Chair, but again we are still looking to see if there will be a place at the table for what we're barely looking at.

COMMISSIONER JOHNSON: To continue the metaphor and not to interrupt you, Commissioner Bustamante, and thank you, Chair. To continue the metaphor of the plate, we're designing the restaurant and we haven't fully fleshed out the menu and maybe steak is outlawed and so we're moving to chicken. I'll stop there because it's getting a little complicated and I'm getting hungry, but I hear your point. So, I'm not trying to dismiss it. I'm just saying, I see your point and I agree, but you don't want to invite someone to the restaurant without the menu.

CHAIR GREENE: The regulator that says you can't have a restaurant in that neighborhood will tell you right then, the PRC says you can't do that in that neighborhood.

COMMISSIONER JOHNSON: The presentation did provide some guidance on what the legal options are or likelihood is. So I would say that we have some general contours of understanding here.

COMMISSIONER BUSTAMANTE: Santa Fe Community College did not go to the PRC and the Attorney General.

CHAIR GREENE: They don't sell power to anybody but themselves. They're basically...

COMMISSIONER BUSTAMANTE: That's not true. That's not true.

CHAIR GREENE: Okay.

COMMISSIONER BUSTAMANTE: We have a neighborhood agreement That, if needed, they would be backed up by the Santa Fe Community College.

CHAIR GREENE: Okay.

COMMISSIONER BUSTAMANTE: But I interrupted, so I apologize.

CHAIR GREENE: No, no, no, that's fine.

COMMISSIONER BUSTAMANTE: Commissioner Hughes has his hand up for some time.

CHAIR GREENE: Yep.

COMMISSIONER HUGHES: Well, this all brings to mind a question I have for Kate, which is when do you imagine having a report for us of some more concrete information for us to work on?

MANAGER BARTELT: Commissioner Hughes, the goal is to have that for you in November.

COMMISSIONER HUGHES: Great. So, we'll have it in November. Thank you.

CHAIR GREENE: Can we ask that you get a determination letter from the PRC and from the Attorney General just to make sure that you're not offering steak to people that have a dietary restriction?

COMMISSIONER HUGHES: I see no one else wants that but you Commissioner Greene.

COMMISSIONER JOHNSON: Well, I think what I would say is that I'm not opposed to it, but I am opposed to doing something that is, as Attorney Boyd mentioned, going to just result in a sort of null effect. So, I would maybe request that we pipeline that through the legal office so that it is framed in such a way that is cogent and is representative of the County and the interests of the Board of County Commissioners and, if it is determined by that office that the effect is null, then we shouldn't do it. So, I would defer to Mr. Boyd.

COMMISSIONER BUSTAMANTE: Mm hmm.

CHAIR GREENE: No, I mean I would love to have the scope, right? You can go this far, but you can't go further. Right, and that's the, you know.

COMMISSIONER BUSTAMANTE: I would like to see us move forward on the scope that's been agreed upon with the consultant

CHAIR GREENE: That was to have a legal determination by now.

COMMISSIONER BUSTAMANTE: My concern is that we would actually halt things. We're waiting to hear from an AG that's tied up in a whole lot of other things. PRC, that really isn't going to tell us. They say, "Of course you can because you are authorized as any other municipality Class A County to do this." We can sit and wait for that, but my expectation for us to continue to move forward would be that we would see the contract that we have that's executed continue to move forward...

CHAIR GREENE: I'm not saying that...

COMMISSIONER BUSTAMANTE: ... and work with Commissioner Johnson's recommendation that we continue to move forward through our legal office, but it doesn't do anything to jeopardize the work that is being done or slow it down in any way shape or form for some way to detour and distract. That's what I see, that recommendation is distraction. We're talking about managing partners and potential collaborators with something we don't even know is a full operation. So, I think that we would allow our consultant and our contract to move forward as is and get the legal information that you want through our legal department.

CHAIR GREENE: Okay. I'm not necessarily addressing the consultant as the only source of this sort of space. They're a consultant. Obviously, they've told us that they're not lawyers, so I'm not going to ask them to do that job. I would think it's our attorneys that should be reaching out to the AG and to the PRC to say, "Hey, we're contemplating everything from A to Z, how far can we go? We're a Class A County, you know that. We have these complications. Can we have a sit down and a 30-minute meeting to discuss you can either A, B or C and don't go to Z." It just seems like that was what I was expecting, and we were supposed to have at the first stage gate of this, not 10 months into this, but actually three to six months into this.

COMMISSIONER BUSTAMANTE: So, let's acknowledge that and move on.

CHAIR GREENE: Yeah.

COMMISSIONER JOHNSON: So, if I can tie a bow on this, let's see if I'm able to. You know, Kate, you've heard our robust discussion and we have, am I going to be able to tie this bow? I think that you've heard some of the concerns from the

Commission about the legal landscape and so emphasizing the clarity of that in whatever appropriate pathways there are to enacting the scale of various scenarios seems appropriate for the final report. Does that make sense? So, some of these, if the scale is not one that would justify the PRC, we don't need to send a letter to the PRC in that capacity.

CHAIR GREENE: But you could get clarity from them to say, "This is the line that is not PRC." There's a spectrum and they know this space better than all of us combined. So, they could say, "You can do it all or you can do this much internally. You can do this much with PRC approval. You can do this when you get a partner like the City." Right? Here's the spectrum. We've put together in this presentation the spectrum. Where does the PRC step in on this and then where does, you know, and then you get another judgment call from the Attorney General. I want clarity to be able to move something forward instead of saying, "We've made some decisions," and now we find out that, oh, we offered you steak, but we 86'd that from the menu, and it's not available anymore.

COMMISSIONER BUSTAMANTE: Again.

CHAIR GREENE: Sorry.

COMMISSIONER BUSTAMANTE: We're not making decisions, so.

CHAIR GREENE: If we go any further, we're going to start to make decisions.

COMMISSIONER BUSTAMANTE: We're not doing that today.

COMMISSIONER JOHNSON: Well.

CHAIR GREENE: No, I know. I know.

COMMISSIONER JOHNSON: So, okay, here's a bow. I'll try again. I could see a, so we will receive a report. HDR, in their capacity will deliver to us what has been agreed upon and then there may be a step 1.5 that contemplates exactly what you're talking about in order to direct the Phase 2 Feasibility Study, which we would have to vote on in the future.

CHAIR GREENE: Right.

COMMISSIONER JOHNSON: So, you know, I think we have a diversity of opinions on this Board and I agree with Commissioner Bustamante that I would like to see the study in order to then zoom out again and understand what the next step is.

CHAIR GREENE: Yeah. I mean I would want as much clarity as possible. As Attorney Boyd said earlier when we were sitting, he goes, "I don't like options." Right? So, just to use, we're putting too many options and some of them may not be viable. So, you want to define what space you can work in before you start working on things that are not viable.

COMMISSIONER JOHNSON: I agree and then at the end of the study, this Board can have a discussion about what is removed from the menu for future study. Like, for instance, appropriation of an entire utility. That's not, we don't have the financial capacity, we don't have the infrastructural capacity. So, that would be

removed from the menu, but I do think we should move on. We're just going to keep enhancing this restaurant metaphor.

CHAIR GREENE: We're all hungry.

COMMISSIONER JOHNSON: Kate, I want to thank you for the presentation. I hope that this gives, just like the charette, you're getting feedback even as we sort of go back and forth, and now at least, among four Commissioners, have a better sense of what we want to see. Not the answers, we haven't predetermined those. I think the clarification areas have been elaborated. Thank you, Chair.

CHAIR GREENE: Thank you. Does Santa Fe Community College power a neighborhood there, or they're just a backup and they're interconnected and how does that work?

COMMISSIONER BUSTAMANTE: They're capable of it.

CHAIR GREENE: They're capable. Okay. Alright.

MANAGER CORDOVA: Thank you.

CHAIR GREENE: Thank you. There's a lot of good work in this. There's sort of a bright line of legal issues that I worry about that we're going to get people excited for and then they say, "Sorry." Nothing's worse than disappointment in this job.

MANAGER CORDOVA: Mr. Chair, also just quick second to thank Jacqueline Beam and the Sustainability Team for all of their work and efforts, and I believe HDR now has access to our brain so they can really start looking more at our usage and I think that will help really inform the final results. So, just wanted to mention that as well. Thank you, Kate.

CHAIR GREENE: Thank you, Kate. Thanks. Thank you, Leandro and thank you everybody involved. Alright. Excellent. Moving on to the next presentation. We have a presentation on the Living Wage Study and findings regarding Living Wage Harmonization with the City of Santa Fe. Juan, you're back.

B. Presentation of the Santa Fe County Living Wage Study and Findings Regarding Living Wage Harmonization with the City of Santa Fe. (Community Development Department/Juan Torres)

MANAGER TORRES: Mr. Chairman, Commissioners, we are presenting today a study and findings regarding the Living Wage Harmonization. At the June 30, 2026, Board of County Commissioners meeting, staff presented changes to the City of Santa Fe's Living Wage Ordinance adopted through the City, Ordinance Number 2025-21, which will end the existing parity between the City and County living wage requirements beginning in 2027. During that presentation, Reilly S. White, PhD, Associate Dean of Teaching and Learning Professor of Finance at Anderson School of Management, provided an overview of the economic study supporting the City's Ordinance. Based on the Board's discussion and feedback, the County commissioned additional analyses to better understand the localized economic impacts of potentially harmonizing the County's living wage with the City's, particularly in communities at or near the County

boundary. Dr. White will present his findings of that additional analyses and the resulting Santa Fe County Living Wage Study.

As a measure of background, based on the Board presentation, the additional analysis included seven tasks. Task one, review the proposed minimum wage adjustment, prior County and City analyses and relevant academic policy literature regarding minimum wage impacts. Task two, develop profiles for the principal communities potentially affected by the Policy, including Chimayo, Santa Cruz/Española Corridor, Edgewood and Glorieta. Task three was to conduct sample outreach and structured interviews with businesses and community stakeholders to document anticipated operational, workforce, and competitive impacts. Task four included analyzing the potential effects of the proposed wage increase on employment, business operations, labor markets, commuting patterns, and cross jurisdictional competition using existing economic research and available regional data. Task five included developing visualizations, maps and comprehensive frequently asked questions document addressing common questions regarding the proposed wage increase, anticipated economic impacts, methodology, and implications for businesses, employees and residents. Task six was to prepare a report summarizing findings, methodologies, stakeholder perspectives, and policy considerations, and Task seven is to present those findings and recommendations to the Santa Fe County Board of County Commissioners.

In December of 2025, the City of Santa Fe approved Ordinance Number 2025-21 to increase the City's base minimum wage to \$17.50 an hour beginning January 1, 2027, and establish a new formula for annual adjustments beginning March 1, 2028. Beginning January 1, 2027, the City's Ordinance will end the existing parity between the City and the County's living wage requirements unless the County chooses to modify its existing Ordinance. In 2014, Santa Fe County adopted Ordinance Number 2014-01 setting a living wage in the County of \$10.66 per hour beginning March 1, 2015, with an annual upward adjustment corresponding to the previous year's increase, if any, in the Consumer Price Index for the Western Region for Urban Wage Earners and Clerical Workers. Ordinance Number 2015-05 modified the base wage for tip employees to 30% of the living wage. The County's Ordinance established parity with the City's Living Wage Ordinance and annual adjustment process. The current living wage for both the City and the County is \$15.40 per hour as of March 1, 2026. City Ordinance Number 2025-21 severs this parity beginning in January 2027 by setting the base wage from \$15.40 to \$17.50 per hour and establishing a new process for calculating increases utilizing a new formula. That \$17.50 per hour would go into effect in March of 2027. It's worth noting that adopting the City's version of the Living Wage would not impact existing or future County employees, as the minimum salary of the lowest range applicable to any AFSCME 1782 and non-union positions is \$18.19 an hour, and anticipated rise in January. With that, I'll turn it over to Dr. Reilly to present his findings.

REILLY WHITE, PHD (Associate Dean of Teaching and Learning Professor of Finance at Anderson School of Management): Thank you so much Commissioners.

It's an absolute pleasure to be presenting in front of you today. I've got my colleague Francis Nichol, who has helped me with the report that we presented to you online as well. So, kind of back on scope for a second. We call this bridging the wage divide and I know everyone's hungry and eager to go. I'll try to make a lot of this economic stuff as brief but informative as possible. We focused on four communities, four very different communities. We focused on Edgewood, Chimayo, Glorieta, and the portion of Española that falls within, I can just yell to you. I'm sorry. I apologize. I could use my teaching voice. No, it's good. So, we got the portion of Española that is within Santa Fe County. So, in this, we were trying to solve this problem. What is the localized economic impact of harmonizing the County's living wage with the City's, especially in these communities that straddle the County's boundary? So, the first thing was to conduct profiles of these communities, then it was to listen, and so we sent out requests, we sent out interviews. We interviewed a number of different businesses in these areas. We asked what their opinion was around these issues, and then we modeled it and then we created a stress test to really provide an additional detail upon it.

CHAIR GREENE: Yes?

DR. WHITE: So, there is, in anything else, it comes out with minimum wage as any other economic project, policy or anything else, there is a mixture of benefits and drawbacks. Benefits, the most obvious one is higher wages for people who are the most vulnerable. The drawbacks are what are the costs for employers? What are the costs that we see in other aspects of the system? What are costs that may be indirectly associated with it, things like wage compression. So, in all, we find a few big factors that we're going to come back to. There are meaningful gains for people that need it the most. There is a modest aggregate cost, and I put aggregate here as an interesting situation. Your mileage may vary, your firm may vary in your experience with this. Anecdotally, we have two individual firms that we contacted in Glorieta. One said, "Oh, not a big deal for me, and I don't pay a lot of wages near the minimum wage." One said they paid a great number of wages near the minimum wage. There was a highly concentrated impact on their line of work and line of business. So, while a lot of this is aggregates and even for the individual towns in aggregates, there is of course individual businesses that will receive more of that burden than others. There is a small modeled effect, and we'll talk about what that means. We're going to go into some economic models, and I welcome any questions about them, and then we're going to look at economies in the sense of how they cross lines and how they dynamism kind of in imbedded into inter-county arrangements.

So, let's start with this. So, one of the things that people see when they see a harmonization problem is the wage increase itself looks significant, and it is. It's about a 13% increase. This 13% increase though doesn't represent the findings of the entirety of the workforce. People aren't right now in aggregate at the \$15.40 level. Workers are at \$16.50, workers are at \$17, workers are at \$17.25. All see benefits with the wage increases, but the benefits are distributed. So, we modeled this and we found that on

average the affected workers, now offer a wage of around \$16.45 or so on average. Then we went on an outreach, Santa Fe border communities. We contacted a number of firms that we targeted that would potentially hire minimum wage individuals. Francis Nichol did heroic work trying to get in contact with them. As it turns out, it's very hard to get people on the phone when you say you're interested in your economic opinions about something, but he persisted very valiantly. We had about in all, around a 40% response rate for firms representing about 230 employees around these different communities. In total, we ended up with a relatively significant amount of data that we were able to describe. A large number of firms had very few minimum wage workers, many of them did possess significant minimum wage workers. The problems that they saw and what employers told us, some aspects that were common, "Oh, most of our workers," like at the County level, "they're already above \$17.50." They had many workers at \$15.40 in a few places. Staffing was already hard to find. It was an article that was a repeated sentiment that we heard over and over again. We also found that workers clustered particularly in the \$16 to \$18 dollar level. Leads into the question of wage compression. So, if you're earning \$17.75 and the wage goes up to \$17.50 and you've worked there for a few years, it seems on the surface that you should also expect a raise or at least look to your firm to supply that and provide for that differential. Then the second thing, there's questions around labor, questions around markets. So, two businesses fundamentally that operate even within the same town can have vastly different experiences when it comes to engaging the question of what their effects might be.

So, the question is what are these effects typically? Where does one look for this and where does one find this? Economics literature is riddled with reports about this and so I turn to what's called a Meta-Study. It's a study of studies by Dube and Zipperer a couple years ago. They found on average that the elasticity on the effects on the job market is negative and it's -0.13. Now what does that mean? What does elasticity mean? So, we use this all the time in economics and finance to refer to how much one thing reacts to another thing and, in other words, if you have an elasticity of -0.13 and that's the median of 72 different published studies, that means a 10% increase in the wages of affected workers is associated with about a 1.3% decrease in employment among those affected workers. Now affected workers is a key component. So, how big is the size of the market of the affected workers in Santa Fe? That is the formula at the right. So, right now the average affected worker raise, and this has been modeled. So, we modeled that. Not only, the average worker isn't getting the full 13%, they're making about \$16.45, they're getting about a 6.4% raise who are affected. If we look at the employment elasticity number, then we multiply it by employment elasticity, then we get this response among affected workers. A -0.83% rate. Then we looked at the percentage of workers who were actually affected by this. So, it's not everybody in the County is earning minimum wage, it's actually around 7.6%, and the total covered-job equivalent is this seemingly really small number, -0.06%.

Covered-job equivalent. What does that mean? 0.6 equivalents per 1,000 covered jobs. What a great economically econometric term with very little practical application on day to day. In the essence of this term, we're showing that there will be about 0.6 job effects for every 100 cover jobs, 100 jobs in aggregate. So, if a town has 2,000 jobs, that's 1.2. Now cover jobs doesn't mean 0.6 layoffs. You don't get laid off 0.6 or 60% of the time for one person. Many things can fall into a pool of job effects. These could be things like reduced hours, reduced benefits, different opportunities available, might be spread over a number of workers rather than just merely one, but overall, the economic effects of this are surprisingly small. You might say, "That seems small from what I would imagine they would be," and this has been echoed very frequently in recent literature when a very popular and well-cited paper that came out in the last couple years call the job effects are ephemeral regarding minimum wage in particular, but that being said, taking the median and calling it a day isn't enough and so we stress tested it. We created a situation where we added additional tests to kind of, what would be the worst-case scenario? What happens if we used a moderate level of adverse consequences, and the elasticity was actually -0.25 and a stress case. What if it was actually incredibly high? We could imagine situations where that might be the case. A highly competitive economic region near a County boundary. So, we estimated these cases as well. We ran the math on that as well and you can see the expansion in the job per thousand job equivalents, 0.6 to 1.9. In other words, the job effects overall are very small even in aggregate. Now let's bring this back to the cost for employers. Now that's one angle of it is to look at the jobs. This is a cost. Employers will have to raise wages. Employer costs are higher than they would be than the benefits for employees because of things like payroll taxes and other things that go into the equation. So, we model four different communities with four very different economic profiles. We've estimated the number of directly affected workers proportionately that lie within the County boundary, and then we did this from census tract data, other data that we were able to describe and GIS stuff that we played around with to try to get at the nuance of this. Very challenging stuff, as it turns out, especially in cities like Española that straddle both counties.

As it turns out, you can get an estimate of the worker benefits in the center column and, on the right-hand side, you get the cost for the employer in red. So, the benefits per hundred jobs are about \$11,000 in Edgewood, \$21,000 in Glorieta, a high concentration of minimum wage workers in very particular industries, \$13,000 in Chimayo, and Española about \$15,500 dollars per 100 workers. On the other side, you have the cost per 100 workers, and you would take these values if you have 10 workers divided by 10 for a firm on average, you could divide by two for a firm of 50. The problem is these are aggregate and on average. If your firm has very few workers who are minimum wage employees rather, the impact will be significantly less. So, overall you've got four significant numbers that kind of describe what those effects might be, but overall, they are not deemed themselves to be an aggregate, highly significant to the businesses involved to the tune of, even if we look at the highest value, Glorieta,

around \$24,000 dollars extra per 100 workers. A significant number but divided through 100 different workers. So, the other thing to think about here is particularly when you look at these Cities that operate around the margin of these spaces. Economies don't often stop at borders, they extend far beyond them. So, when we think about a dynamic market, we look regionally, we look at Santa Fe, we look at Española, we look at Los Alamos and Albuquerque. We trade workers, we trade resources, and we trade economies in these places. So, covered workers. Things like where businesses are located, things like whether workers and customers care about these lines or not are important, but they're not always relevant. So, some may critique, especially on the boundary of Española within Santa Fe County and, in particular, if you're a low minimum wage, if you're a fast-food establishment on that border, you'll express concern that you'll have to pay workers additional money. We find that workers themselves move cross border, better workers move cross border for higher wages simultaneously. It is a tricky and fascinating web that lies in between this area and it's a fascinating thing. When I say the effects are small in aggregate, it doesn't mean that I'm saying it's small for everyone. So, for broader zip code benchmarks in general, looking at everything around a 0.3% to 0.6% modeled direct employer cost effect across the board, around these communities. That is different. If you pay everybody \$20+, your impact is nothing. If you pay half the staff at \$15.40, the impact is meaningful. So, it's very much individualized, but in aggregate, when we add up the number of those employees where they're located, it is relatively small.

So, five things to take away from this. It is real gains for low-wage employees and they also come with real costs for those employers. 13.6% is a large number. That's a large increase in value, but that's not actually what the average worker will probably, the workers at minimum wage will earn a 13% increase. Many workers lie in that area between \$15.40 and \$17.50. Most covered jobs are not directly affected, and aggregate employment effects are small, in fact, in the model. Finally, the impacts are concentrated and so while the number of firms who are highly concentrated is relatively few, they'll feel those impacts more. So, the economic impact is determined not simply by this \$2.10 difference between two competing wage floors, but it's fundamentally how workers actually receive that increase, how large that increase is, and which businesses employ them in the regional markets in which those businesses are competing with each other. There is support on both sides. So, in other facts, you have workers who, a few other notes to note about this, costs could also increase through passthroughs to hire costs for products and services. We reached out to an employer in Edgewood, and they felt that was the most likely outcome because it was already challenging to find labor. It was more likely that the costs for added wages would be passed on to higher product costs. Overall, this inflationary gesture is a fraction of the overall size of this because you can see it's a small percentage impact, but it's also notable to note this, that that may be the case in many circumstances. Questions from the Commissioners? Anyone with a question?

CHAIR GREENE: Okay. Commissioner Hughes?

COMMISSIONER HUGHES: Thank you for the presentation. I think Edgewood is a municipality, so it wouldn't be covered by this.

CHAIR GREENE: As is Española.

COMMISSIONER HUGHES: Yeah, as is Española, the City.

DR. WHITE: Right. The City itself. We looked at the businesses immediately adjacent to those boundaries.

COMMISSIONER HUGHES: So, are there, I guess that's my question, are there businesses adjacent to Edgewood?

DR. WHITE: There are. They are hard to find, and we had to look them, but there are, and I shouldn't say that actually because there are quite a few. Within the County boundaries themselves that exist in those areas, we double checked zoning maps and looked at a number of different factors to make those determinations.

COMMISSIONER HUGHES: Okay.

DR. WHITE: The locations specified here are used as anchor points. So, Edgewood vicinity, Glorieta vicinity, Chimayo vicinity, and we left it within a 15-mile radius to anticipate workers who might traverse cross border.

COMMISSIONER HUGHES: Glorieta isn't that close to the border, is it? I don't know. I guess some are close to San Miguel County.

DR. WHITE: Moderately close, where somebody might drive over the pass and see what opportunities lie elsewhere.

COMMISSIONER HUGHES: I suppose they might shop in Pecos or something like that. Alright. Thank you.

DR. WHITE: Of course.

COMMISSIONER HUGHES: Thank you. I enjoyed the presentation and it's very valuable information. Thank you.

CHAIR GREENE: Dr. White knows how to make economics fun.

DR. WHITE: Oh goodness.

CHAIR GREENE: That's right.

DR. WHITE: Economics is always fun, right?

CHAIR GREENE: Yeah, says Dr. White. Commissioner Johnson?

COMMISSIONER JOHNSON: Yeah. So, thank you. I agree with my colleagues that you do a great job presenting and you made it easy to follow. So, I really appreciate it because there's a lot being thrown at us. The minimum wage in San Miguel County appears just cursory source, to be \$12 an hour. So, it was helpful to hear about the adjacent community effects, for lack of a better word, wherein Glorieta is close to San Miguel County and Pecos might be the place that many people reside and you could, depending on what your business is, imagine relocating over a number of years if it made sense. So, that's something that I needed to digest. I appreciate your explanation of how, well now I don't have the presentation from me, I can bring it up, how an increase of say 13% doesn't actually sort of pencil out to that. Figuring out how the effects actually kind of map out onto our our population and the business landscape in the sort of peripheries of the County because most of these places affected are

adjacent to other places with lower minimum wages is important to consider. I guess, I'm not sure if I have a question. I did have a question that came immediately up, which was about Santa Cruz, which was about Glorieta and do you predict effects or is there a way to predict the effects of something like moving a business across a line if it's just a street that divides or something like that? I just gave an example of moving your business from Glorieta to Pecos, which is, I mean honestly, a half dozen miles. It's really, there's not a fast-food restaurant that I know of in Glorieta. So, how do we understand the impacts that that might have of business relocation, which would affect more workers potentially because then they could lower the minimum wage? Obviously, then it's out of our jurisdiction. I hope that question made sense. You're obviously very practiced in this language and I'm not.

DR. WHITE: Very much so, Commissioner. It makes perfect sense actually.

COMMISSIONER JOHNSON: Okay.

DR. WHITE: That's a huge factor as well. Let me zoom in a little bit. So, when you look at things like the movement of a business, one way to think of it is it is a highway with two lanes. There are good things that come your way, there are bad things that go out that way. Moving a business requires a lot of effort. It requires a movement of a fixed cost or potentially a fixed location into another location with potentially a different geographical niche. It is possible for these communities that straddle that border, but it is also an intensely, intensely complex question for the businesses operating in these spaces. An example is, so what happens in these areas when you raise wages on one side but keep them low on the other side? Now, there are two things. One is that the wages themselves. So, it does attract people. Offering higher wages attract more employees and they attract employees with higher levels of, and this is an interesting question, one way that we've measured employee efficacy is through productivity. So, how much people do in these capacities, and they found that another side effect of minimum wage is the employees are more productive when you raise them. Now that could be many reasons for that. It could be, as explored in the literature, there could be the manager because the employer is now more expensive to them, manages them better. They could be attracting workers who themselves are higher caliber or more dedicated, and the manager now has a greater ability to select these higher productive workers. On the other side, you bring up the real element of cost. Is it worth moving to the other side? Surprisingly, we did not hear from the businesses on that side, I'll defer to Francis if he's still on listening, I expected to hear more of that concern. "I'm going to pack up shop and go elsewhere," but the question was the nature of absorption and the businesses were saying, "This is a cost. I will absorb it either through, I have to pass on prices to higher wages. I don't have a solution to this now, but we can work something through it." It depends on the nature and the health of the firm.

COMMISSIONER JOHNSON: Okay.

DR. WHITE: So, surprisingly, it is a nonzero but relatively small effect where we see businesses say, "I'm going to set up shop somewhere else," because when businesses see it, the impact, it is two-sided. There are benefits and there are costs to this. The workers see benefits, they see benefits from the productivity of workers and the costs themselves then follow. The most complete study about this, and I'm going to quote. This is a study that was done, it was hosted on the Oxford site and the name of the author escapes me, but they had the most direct, they did a fascinatingly direct study where they matched business tax returns with individual tax returns across a slew of cities across the country that have raised minimum wage. So, they looked at how businesses did and how communities and how these individuals performed. We saw that when they matched all these, these people work at these businesses, we saw in this study, substantial growth in overall revenues, in overall profit margins for the businesses employing the higher wage workers. We saw greater returns to workers. On the other side of the equation though, we saw firms at the margin, firms that were already stressed out, that were engaged in costs and other issues and ready to throw in the towel because they've tried everything they can and for some reason it's not working. These businesses were vulnerable and a percent of those businesses were lost. So, the remaining companies were more productive and had higher revenues. The other companies that didn't remain, that were not successful in absorbing the increased costs did go out of business. So, again a relatively small effect, but not zero and that's a fantastic nuance actually that you focused on.

COMMISSIONER JOHNSON: Yeah, thank you for explaining that fantastic nuance as well. That's very helpful to understand the costs to moving. I suppose the thing that I would think of and I'm a big supporter of labor. I absolutely would like us to match this minimum wage, you know, level set. Briefly, because I think it's something that we need to contemplate. What are the effects on the business creation? Because I can see having a business, it costs a lot to move it, but what are the disincentives? How does it disincentivize business creation in Santa Cruz or Glorieta or that outside of Edgewood, or what have you?

DR. WHITE: Great question. So, businesses also look to labor as a resource too, as you note. In discussions around the question of labor, we're finding that in areas where especially one, I think a significant barrier, there are many barriers to why businesses choose to form, choose to locate in certain areas and not choose to locate in others. I think everyone in economic development in New Mexico is very attuned to the different parts of it and the details that lie there in that space in between and one of those challenges is always labor. Now labor is interesting. So, for businesses, in particular labor, is a significant resource and it commands a fair price. It's also very hard to get. For the jobs and entrepreneurial positions that people often think about and to be thorough on this across most sectors and indeed around 93% based on our calculations of the businesses that are currently operating in these areas, they are paying above that \$17.50 mark among those workers. They're paying that because labor is dear. Labor is costly. If you put a sign up and say for \$15 an hour, you can do

job X and you get no applicants, then it's likely you're below the fair price. At \$17, you may get a few applicants, at \$20 you may get more. The market is vast and it is bigger than, even where it lacks efficiency, it has a sorting mechanism within it to try to figure out and see the value of wages and the value of individuals who achieve those wages. When you press that question, the question, I think for most firms, and while much has been said, especially in aggregate, thinking about the Seattle increases, thinking about other places where firms said, "Oh, I don't know if I want to hire people there," or "I don't want to go there as much anymore," there is almost certainly other effects other than labor that are dictating that decision-making process at that high level. For individual entrepreneurs, commanding labor and understanding the cost of labor is a critical, critical cost function they have to figure out individually and this involves any entrepreneur, anyone who's ever started a business managing hours, negotiating taxes. It's daunting for most people anyway, but it is something that matches, that quickly people figure out how to match what the labor market is, what the labor market is out there. As we found out, labor markets extend beyond the boundaries of the County. So, people attracting higher wages will be like, "I can set up shop in Santa Fe County. I will pay a higher wage for this," but at the same time, if located on the border, they're likely going to attract a higher and a more in demand, a higher applicant pool than if they were offering a minimum wage across the border on the other side. Two sides.

COMMISSIONER JOHNSON: Alright. That really answered my question.

Thank you.

CHAIR GREENE: Can I, I'm going to get to you.

COMMISSIONER BUSTAMANTE: I learned a lot.

DR. WHITE: Thank you, Commissioner.

CHAIR GREENE: I did too, but I'm going to give a little Pecos, Glorieta example. Glorieta is a food desert. Pecos is not. Now, they're just down the road from each other, but there's a Dollar General and a Family Dollar in San Miguel County. So, to compare \$15.40 to \$17.50 is not necessarily the big, it's 13%, but the real answer is Dollar General made a decision to build, and they're the same company at this point, and they operate two in the same market. They decided to build two facilities in the time that Santa Fe County had the living wage, and San Miguel County did not. So, there are two examples of an investment, economic development. They're not going to move. They might close one out of consolidation, but they chose to build those and so the construction of a medium-sized box store, all those gross receipts and those jobs are in San Miguel County now. So, that's the example of making a business decision. The entrepreneur wants the flexibility. I can choose to pay somebody \$25 an hour if that's going to keep my staffing levels there, but I can make it work at \$12.50 an hour in San Miguel County or whatever that number is there. Same thing in my District up north. The Family Dollar or the Dollar General, whatever, is in Rio Arriba County. It's on Highway 76, is not in Santa Fe County. It's in Rio Arriba because Rio Arriba could pay, not the difference between \$15.40 and that, it was \$12 something and now that. So, there is an investment, economic development loss that a business leader, an

entrepreneur, a big corporation is going to make that decision based on that. Same thing is going to happen on the southern edge. People are going to locate further in Moriarty and not on the Santa Fe County side of that, even though it might be closer to Highway 40, to Interstate 40. Yet, I'm in support of this and I helped advocate for this at the City level in speaking to businesses on the South side. So, businesses in the north side of Santa Fe said, "Oh my God, don't worry. We've already got most of our people at \$18 bucks an hour, \$17.50 is not going to matter," but businesses on the south side said, "I can't do it. I'm at whatever, \$15 and going to \$17.50 is going to be too much." Then I asked them, I said, "Have you done the math?" So, I didn't look at it as a percentage. I said, "How many people do you have at \$15 an hour?" They said, "Well, I've got a 25-person business, and I've got five people below \$17.50." So, let's assume that they're all at \$15 and it's \$2.50. So, that's \$5,000 a month and that's five people. You're telling me you can't afford \$25,000 a year over your 25 people? Almost every business owner that I spoke to said, "Oh, is that it?" Right? So, of course those business owners probably didn't want to be mandated to do that, but when it was really quantified at the end of the day, they said, "Oh, I guess it's not as bad as I thought it was going to be." So, there was a level of quantifying it. Do the math for them and they get it.

In moving businesses, I look at which businesses can move, can choose to close, relocate and which can't. So, in my District, I look at Rancho de Chimayo. That's not moving, right? So, they're stuck wherever. Ten Thousand Waves, that's in my District in the County. That's not moving. Bishop's Lodge, that's not moving. Rancho Encantado, that's not moving. Now the Chimayo, the Española School District, now the Chimayo schools. Talking to the school districts and the larger employers there. So, the Chimayo school is under pressure to close. So, if this suddenly breaks the back of a school and says we're going to make them choose to close that school because the impact is \$25,000, \$100,000 and that becomes a concern of mine. The Pojoaque Valley School District, that's another area that is outside. They can't move. They've got a service to society and to our community and looking at those big employers would be an interesting conversation to have to say, how would this impact you all? They may say, "You know what? We only have five people at that rate. No problem." So, I throw those things out there. Quantifying that real cost for them and asking them what that would mean, especially for these government, like the school districts would be a big one to talk to. The medical providers. So, if it's a Presbyterian or it's a Christus St. Vincent's that has clinics in the north and they may decide that they don't want to open one in Santa Fe County, and they've decided that they're going to move to Los Alamos. That may not be good for, those are the key employers that I look at in this, bigger employers. The ones that are on tribal land, that's a completely out of this, right? So, you're seeing a lot of development happening in Pojoaque on tribal land, probably just for that purpose. So, to understand, the new Auto Zone in Pojoaque, what are they paying as compared to if they were just outside the line, 200 feet away? Anyway. I throw those out just to understand who those, you know, I'm less concerned about

Auto Zone as I am for the public schools and the medical providers that are up in the North or anywhere in the County.

DR. WHITE: I think those are fantastic examples, Commissioner Greene. If I may just respond very quickly to a couple of them too, and using first the Dollar Tree example as a good one. I think we take it, and even if Dollar Tree came out and said, "I moved here because of the wages were lower," the decision of a business to locate or not locate in a place is fundamentally multifaceted. So, I would challenge the business and say, "Show me the math," just as you did in that particular instance, I would say. As to say, "Are you moving here or is it the availability of land? Is it water? Is it other resources? Is it the zoning issues or other thing else that you might preside? Is it the perception of business friendliness in a particular County versus a different County?" I think it's complex. I think people point at this and say, "Well, it's labor," but the cost, in every generation of this, and the reason the job impact has been studied so extensively and has been studied so extensively to be relatively small is there, but you bring up some other very good points. So, we conducted our study with these border communities and the affiliated regions in mind, seeing them as perhaps most prone to all of these risks that businesses would go across the border. In the City of Santa Fe, and when I worked with the City on this initial project last year, the employers consulted were much more diverse, varied and, to your point, and without naming any of them, we did our best to preserve anonymity in this as well because I know that some business owners want that lease to be brought about stage and say, "Oh, that's," you know. "I didn't mean it that way." There was an extraordinary, as you note, larger businesses, many of the ones that we would consider fixtures or significant parts of the community from healthcare facilities to large leisure and hospitality companies, were very positive for it.

So, there was a more extensive work done at the City level looking at the City impacts in general, but I do want to reiterate those facts. Labor is one piece of the overall cost of the puzzle and it's likely for many people making decisions, especially at the margins, you're going to see these variables. Often when we look back and say, "Why did my business do well or why did my business not do well?" Some key policy changes always factor disproportionately in those discussions. So, it is a hard job that you all have in translating this. I included a Q&A for that very reason on the first few pages of the 60-page report. You don't have to go into the details about everything else in between it, but my hope is that those conversations will be useful as you engage your constituents, which, as a member of Santa Fe County, I am also one.

CHAIR GREENE: Excellent.

DR. WHITE: Thank you.

CHAIR GREENE: Can I ask you one last question?

DR. WHITE: Of course.

CHAIR GREENE: Because it falls in the border, but a different border. The border between employees and independent contractors. That seems to be the carve out where a lot of businesses are starting to do that. I work in an industry that chooses

to use employees instead of contractors, but every single one of my competitors uses contractors. That seems to be the space where when we regulate, regulate, regulate, whether it's at the State level, City level, or County level, we are missing the boat in protecting contractors. No minimum wage, no benefits, no health care, no workman's comp, anything. Everything is like you're on your own and that seems to be a place where City, County, and State need to really focus on leveling the playing field so people don't try to game the system that way.

DR. WHITE: I am enthusiastically supportive of a visionary approach here because there is not, as you noted, many good economic answers nor policies that address this very significant issue. Coming from seeing many of our students, many people falling into a role of taking contract work over regular work because it's the work that's available has only become more common. Gig work, a lot of things don't get measured well when we consider aggregate economic data and this data, we rely on to make our decisions, and one of those aspects is this type of contract arrangement work.

CHAIR GREENE: You know, just as a concept that I'll throw out there, imagine a gig tax per contract, 50 cents per contract. If it's \$100,000 contract as a law gig, 50 cents won't do anything, but if somebody, who's going to the micro gigs that is doing things for \$3 to \$5 per gig, 50 cents will actually go towards unemployment workman's comp, the things that the State pays for and fills the gap.

DR. WHITE: Yes, 100%. Absolutely.

CHAIR GREENE: Great. I appreciate that. Commissioners, anything else?

No?

COMMISSIONER HUGHES: I'd just like to point out that there is a Dollar General on the other side of Glorieta.

CHAIR GREENE: Yeah.

COMMISSIONER HUGHES: In Santa Fe County.

CHAIR GREENE: In Santa Fe County?

COMMISSIONER HUGHES: In Santa Fe County. It's in between Eldorado and Glorieta.

CHAIR GREENE: In between Eldorado and Glorieta, in Eldorado basically, on the other side of the road.

COMMISSIONER HUGHES: Yeah.

CHAIR GREENE: Yes, but the people who are in Pecos, that's capturing Eldorado. That's not capturing Glorieta.

COMMISSIONER HUGHES: No, I think everybody in Eldorado is boycotting. I think people from Pecos come over to it.

CHAIR GREENE: Maybe. There's two before they even get there.

COMMISSIONER HUGHES: Sorry, I'm getting hungry.

CHAIR GREENE: Yes, okay, okay. Professor White, thank you very much and Juan, thank you. Interesting. Do you have a plan on when something might come before us?

MANAGER TORRES: So, this is an informational item, and we'll take whatever feedback you're willing to share with us. I think, unless there's an overwhelming desire not to move forward, we'll work with Commissioner Hughes' staff to develop the initial Ordinance for title, general summary, etc., and that process is usually a 90-day period from presentation, public hearing, and completion. So, we'll start that as soon as possible.

COMMISSIONER HUGHES: Thank you. I look forward to working with you on that.

MANAGER TORRES: Thank you.

CHAIR GREENE: Great. Thank you. Alright. Sara, you just texted me something. Okay. Yep, speed it up. Okay. Here we are. Can we, County Manager, can we punt on, well not punt, but just delay Executive Session until after the Public Hearing since we have staff presenting Public Hearing? Is that okay with you guys? Is that what you were messaging me there, Sara?

SARA SMITH: Yes.

CHAIR GREENE: Yes. Is she ready?

SARA SMITH: Not quite yet.

CHAIR GREENE: Oh. Okay, well we can move on to Matters From the County Manager for a few minutes and then we can call in Olivia when it's time.

10. Matters from the County Manager

A. Miscellaneous Updates.

GREGORY SHAFFER (County Manager): Thank you Chair and Commissioners. I don't have much in the way of miscellaneous updates. I do you want to recognize the Public Works team who have been working diligently relative to County-maintained roads throughout the storms that we've been experiencing over the last several days and really don't have anything else of particular note that is worthy of taking up your time this evening. Thank you, Chair.

CHAIR GREENE: Great. Well, that was quick. Alright, we'll go to items from County Commissioners.

11. Matters from the County Commissioners and Other Elected Officials (Action/Non-Action Items)

A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)

CHAIR GREENE: Uh-oh, we lost Commissioner Hughes, but we'll catch him in a second. Commissioner Bustamante, do you have stuff to share?

COMMISSIONER BUSTAMANTE: Just similar to what the County Manager has stated. I have been receiving a lot of calls, texts, and emails regarding road issues. The good news is the County has been on top of them. Looking forward to hearing if there was any type of resolution over New Mexico 16, which apparently isn't New Mexico 16, it's more like Santo Domingo 16, if that makes sense. It was in the paper. Also working with Mutual Domestics and identifying a JPA for some work that the County had committed to collaborate on. We found the minutes, but we don't have a copy of the signed JPA, but specifically it has to do with upgrades to a Mutual Domestic in La Cienega and commitments in a Joint Powers Agreement to tie in to specific water lines. So, those have been with water leading the game of the day, meaning rain, that's it. Thanks.

CHAIR GREENE: Thank you very much. Commissioner Johnson?

COMMISSIONER JOHNSON: Yeah. Just underscoring, thank you to Public Works and folks working to, and I see an email about a line that people can call who are affected by, who are stranded due to road closures. I appreciate the County efforts on that and all who are involved. I don't have much. We had two of the City/County Joint Working Group meetings, one on boundaries and one on housing. I thought they went well. They had sort of initially established some initial milestones, and I think that's it for the day. I'm going to yield to Commissioner Hughes.

CHAIR GREENE: Commissioner Hughes, you're up.

COMMISSIONER HUGHES: Oh, thank you, Mr. Chair. I want to mention, yeah, there is flooding in my District as well as everybody else's. I think it's a problem. Over by Avenida del Sur, there's a complete mess. That road is a mess, and it's partly the fault of Esencia because they tricked us into allowing them to put up houses before the road was complete. We put the condition on that the road must be paved before they go vertical, however, in a subsequent, I guess, amendment to their thing, which we thought was about something else, but they slipped in that they could go vertical before the road was complete. So, now there's trucks carrying lumber up the dirt road that is really a mud road. So, I get calls even before the rains really started big, just a little bit of rain we had, I get calls every day from people in that District. Anyway, I don't know what we can do about that now, but we are going to have a public meeting sometime in October with the community to go over where we're at with all of that. On October 6, 2026, I'm having Hour With Hank Town Hall online. I imagine I'll get lots of questions at that meeting, both about Esencia and the rains we've had. On the good news, on October 8, 2026 there's a grand reopening of the re-use area at the Eldorado Transfer Center that's actually in District 4. So, that's exciting. They're happy about that. We haven't had meetings. I'm on the Homeless Committee with the City and the Senior and Child Care and those meetings are yet to come. Thank you. That's all.

CHAIR GREENE: Fabulous. So, when you have three weeks between County Commission meetings, you sort of have a lot of things that happen. So, first off,

had a great time at Fiestas and was there for the initial kickoff. Commissioner Cacari Stone and I were there greeting everybody, and County Manager Shaffer was there as well and we got to kick off Fiestas on the plaza. I attended the ACCE meeting, the Arts and Culture meeting on September 8, 2026 or so and discussed a little bit about where they go next and how they can potentially, because we have to reauthorize them and potentially tweak their mission a little bit. So, we discussed a little bit of that, and I plan on going to their meeting in a couple of weeks to discuss a little bit more of that before they come back with some recommendations on where they go with their group. Went to the WPAC meeting. That was great. There's a lot of really great folks that know water on that Board and that was an impressive group there. North Central had one of its quarterly meetings and that got moved online, and it's amazing when you move a meeting online, nobody sticks around and it was the fastest North Central meeting ever at about an hour and a half. I do want to thank Public Works for all the work up north on the roads. We've had a lot of flooding, as everybody has in the Chimayo and Santa Cruz Valley and in the Pojoaque area. County Road 84 has been a mess, partially because of rain, definitely, but also because of all the construction traffic that's been there. So, the combination of a lot heavier traffic and, in some cases, detours on to dirt roads has made the roads up there. So, I appreciate Public Works really working to keep things as clear and as safe as possible. There's definitely been some struggles up there.

I was part of the Tesuque Valley Community Association meeting a couple weeks ago. They had one of their Board meetings. They are also having their community picnic and barbecue this coming weekend. So, if you want to have a barbecue, come out and have some burgers and some good food, come out to the Tesuque Fire Department. I think that it's Saturday or Sunday of this week. I forget what it is. Went to Wine and Chile, to a couple events of that. I want to thank the County for sponsoring Wine and Chile and give a shout out to the community. They did a great job at the Wine and Chile group in scrambling to keep it in a safer place over at Midtown, and that worked pretty well. That was a good kick save. We had the City/County meeting on housing. It was a good organizational meeting, and I do want to send an appreciation to County Management for having us have a pre-meeting because a lot of the work gets done before these meetings. I recommend that we do the same thing before we have the meeting on October 29, 2026 that we have a little bit more pre-meeting. I recommend the City do that as well because there's a lot of internal stuff that can get prepped before that. I have an initiative that hopefully will either come as some County Policy that may not have to come before the Board or may become something of the Board where if you notice on social media, there have been photographs of mug shots that are posted sometimes within hours of somebody's arrest. Those are made available much too easy by our Public Safety and our Adult Detention Facility, partially because of a lack of agreement with our vendors that allow for easy scraping of these pictures. So, we're working with the Adult Detention Facility, the Public Defender's Office and the DA and the judges to find a right balance that might allow for some judicial review before a photograph is released but also understanding that there's

certain groups that need a photograph released as soon as possible. So, it's a nuanced area, but you may see something about that coming up.

Worked with the Tano Road Association to look at fire safety, infrastructure, construction, potentially getting a PER set up to get County water or some level of tanks set up along Tana Road. Tana Road has a number, as I'm sure many of you have, a number of folks that have had their fire insurance cancelled or the company's just removing themselves from the market. So, the concern is how can they have the right coverage to secure homeowner's insurance? Would like to talk to everybody about some sort of resolution to get some strategic planning into this space so that we can have homeowner's insurance. Working on an ADU Ordinance update. Would love to work with somebody on that and really focused on multi-generational housing and smaller units because as we've seen in our affordable housing space, we have a thousand people looking for smaller units and very few people looking for larger units. So, if we can solve this through ADUs, I think there's a great solution there. Also took part in the Northern Pueblo's Tribal Water Authority, which is one of the groups that is planning the Aamodt Settlement in Pojoaque Basin Regional Water System. I really appreciate they're including myself and Santa Fe County at the meetings as much as they do.

Also met with Secretary Nair of Workforce Solutions talking about housing at a State level and how the Office of Housing can interface with the County and maybe the City and the County in our housing collaboration to bring the State as a partner into this conversation. It was a busy couple weeks. Thanks. Yes, ma'am?

COMMISSIONER BUSTAMANTE: I apologize for interrupting. I thought I had signed up to be on the Housing Committee as well.

CHAIR GREENE: So, we have a quorum issue if you attend.

COMMISSIONER BUSTAMANTE: Oh.

CHAIR GREENE: So, you're an alternate.

COMMISSIONER BUSTAMANTE: Okay.

CHAIR GREENE: Yes. So.

COMMISSIONER BUSTAMANTE: Okay. I'm sorry, thank you.

CHAIR GREENE: Yeah.

COMMISSIONER BUSTAMANTE: I'm happy to know that. Then on the workforce issue, well I'll get to that later. Thank you. Sorry.

CHAIR GREENE: Okay, but if you have any other questions about that meeting, we can, we talked about potentially having a Housing Summit. We talked about potentially working on data together to get cleaning up our data because we've recognized that either there's gaps in our data or our data is old and then potentially working on a Regional Housing Report, specifically on affordable housing, but a really Comprehensive Housing Report, and I think our next meeting will be scheduled for another two or three weeks from now, will be an assessment of what they do in Affordable Housing and their plans and an assessment of what we do and we'll share what we are doing and what they're doing and that our staffs will report to each other.

COMMISSIONER BUSTAMANTE: Thank you, and if there's any way I can support you, even on that Summit, whatever you need, just let me know. Thanks.

CHAIR GREENE: Thank you. Yeah. Commissioners? Nope? Okay. Other officials?

B. Other Elected Officials Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)

CHAIR GREENE: Nothing from the Clerk's Office?

MS. ORTIZ: Yes, I guess. Good afternoon. So, just a reminder that next Tuesday, October 6, 2026, early voting begins. We do have a few sites that have been updated. So, we will also be using Midtown as an early vote site. That would be the Greer Garson Theater. La Farge is our newest election day site, and we will not be using the Los Cerrillos Senior Center. We'll definitely do a voter education campaign after this election and then change that after this election. So, if you are in the area, we welcome you to vote at our Clerk's Office, but maybe not the first day because I hear there's going to be lines out the door. So, thank you everyone for your support and all of our different departments for having this election be another success. Thank you.

CHAIR GREENE: Thank you, and is Pojoaque Middle School going to be a site or is it going to be the Pojoaque High School?

MS. ORTIZ: The middle school will be a site. The School Administrators are really happy about that. They prefer the middle school and not the high school.

CHAIR GREENE: Yep.

MS. ORTIZ: So, we are going to be using the El Rancho Senior Center as the high school replacement.

CHAIR GREENE: Fabulous. Thank you. Let's make sure that we get that out to the community up there. Any other elected officials online or in the room?

DANIEL E. FRESQUEZ: Mr. Chair, Treasurer Manzanares is online, but she's not indicating that she'd like to speak.

CHAIR GREENE: Alright. Well, thanks. Ms. Padilla, would you like to take the, do the honors for Commissioner Cacari Stone on this Ordinance?

13. Public Hearing(s) on Proposed Ordinance(s) - To Be Heard No Earlier than 5:00 P.M.

A. Ordinance Number 2026-08, An Ordinance Limiting the Use of County Property, Resources, and Records for Civil Immigration Enforcement (the "County Facilities and Community Trust Ordinance"). (Commissioner Lisa Cacari Stone)

SFC CLERK RECORDED 10/28/2026

OLIVIA PADILLA: Hello, Chair Greene and Board. Yes. As the District 2 Liaison, Commissioner Cacari Stone asked me to speak on her behalf regarding the County Facilities and Community Trust Ordinance. At the September 8, 2026, BCC meeting, Commissioner Cacari Stone, Contigo Attorneys Ivan Cornejo and Jessica Aguirre, and community activist Gina Auz emphasized the core purpose of this Ordinance, trust, safety and good government. When people trust their local governments, they are more likely to report crimes, seek help, cooperate with law enforcement, and access critical resources. When that trust breaks down, everybody in the community is less safe. Crimes go unreported, survivors of abuse and other vulnerable residents may remain silent because of their fear, because they fear that the contact with law enforcement could lead to immigration detention for themselves or a loved one. Commissioner Cacari Stone introduced the County Facilities and Community Trust Ordinance in response to heightened immigration enforcement activity. Last month in August, as many as 16 ICE arrests were reported by local advocates here in our community in Santa Fe. On a national level in August alone, ICE arrested nearly 51,000 people, a new single month record, as reported by the Department of Homeland Security in their official press release published on September 2, 2026. So, it's unsurprising that there is a palpable fear within our community. Let's not have our neighbors, our coworkers, our family, our friends, our people live in fear. No one in Santa Fe County should be afraid to call the sheriff, take a child to a doctor appointment, visit a senior center or access essential County services. The County Facilities and Community Trust Ordinance establishes clear rules for how County resources, personnel, facilities and records are used to serve our community. It restricts County employees from permitting civil immigration enforcement into non-public areas of County buildings. County property, staff's vehicles and funds will not be used for civil immigration enforcement. Health and other protected records will not be shared for civil immigration enforcement. When someone is due to be released from the County jail, the County will release them. The County will not keep them in jail just because ICE asks.

Ultimately, this Ordinance does not obstruct lawful federal authority. It will not prevent criminal investigations or prohibit compliance with a judge-signed warrant. It limits County support for civil immigration enforcement. To re-emphasize what Commissioner Cacari Stone stated last BCC regarding the Ordinance, public safety cannot mean safety for some and fear for others. When one of us is not safe, none of us are safe. This is what government closest to the people must do. Stand together, defend constitutional rights, and protect the dignity and well-being of every person in our community. Thank you.

CHAIR GREENE: Thank you very much, Olivia. Commissioners, any questions for staff before we go to a Public Hearing? No. You're the expert. You

shouldn't sit down. No, I'm just kidding. No, that's fine. Alright, this is a Public Hearing. Is there anybody online? Is there anybody in the Chambers here? I don't see anybody.

MR. FRESQUEZ: Mr. Chair, there are no members of the public online.

CHAIR GREENE: Wow. Alright. I was expecting a roomful. I was promised a roomful, not expecting. Okay. Okay, last call. Hearing none, we're going to close public hearing. Commissioners, any other questions? Commissioners?

COMMISSIONER JOHNSON: Thank you, Chair. I'll just briefly say we did discuss this robustly last time. Thank you, Olivia, for delivering the message from Commissioner Cacari Stone. It was well said, and I support this Ordinance.

CHAIR GREENE: Excellent. I'm intrigued to see, I too am in support of this and think that we should find ways to make sure that the application of this makes people safer. Right? It's how this is applied is definitely how people feel safe and are safer. Commissioner Hughes?

COMMISSIONER HUGHES: Well, if there's no other discussion, I'll move for approval of Ordinance Number 2026, an Ordinance limiting the use of County property, resources and records for civil immigration enforcement, the County's Facilities and Community Trust Ordinance. Obviously, I agree with this Ordinance.

CHAIR GREENE: Alright and did you have something to say? I didn't hear it.

COMMISSIONER BUSTAMANTE: Oh, I just want to say second.

CHAIR GREENE: Okay.

COMMISSIONER BUSTAMANTE: Second.

CHAIR GREENE: Yes. Excellent. So, we have a motion by Commissioner Hughes, a second by Commissioner Bustamante, and we all have Commissioner Cacari Stone in our thoughts. So, can I get a roll call vote?

Roll Call Vote

Commissioner Justin Greene, Chair	Yes
Commissioner Adam Johnson, Vice Chair	Yes
Commissioner Camilla Bustamante	Yes
Commissioner Hank Hughes	Yes
Commissioner Lisa Cacari Stone	Excused

Commissioner Hughes moved to adopt Ordinance Number 2026-08, An Ordinance Limiting the Use of County Property, Resources, and Records for Civil Immigration Enforcement (the "County Facilities and Community Trust Ordinance"). Commissioner Bustamante seconded. The motion passed by unanimous [4-0] voice vote.

CHAIR GREENE: We have an Ordinance. Let's get an Ordinance number.

SFC CLERK RECORDED 10/28/2026

MS. ORTIZ: It is 08, 2026-08.

CHAIR GREENE: 08, fabulous. Thank you very much. So, we've made it to Matters from the County Attorney. Good job Olivia.

ATTORNEY BOYD: Chair? Yes, very well-presented Olivia.

12. Matters from the County Attorney

During the course of an open meeting, the Board of County Commissioners (BCC) may go into Executive Session at any time to discuss any item on the agenda that falls within the enumerated exceptions to the open meetings requirement of the Open Meetings Act, upon a motion stating the authority and reason for closure (with reasonable specificity) and approval by a majority vote of a BCC quorum. NMSA 1978, §10-15-1(I). While the BCC has a practice of listing on its agendas for its open meetings specific items to be discussed during for Executive Session, the Open Meeting Act does not require executive sessions be listed on the agenda at all or that executive sessions be listed on the agenda multiple times for multiple executive sessions to occur (so long as the subject to be discussed in executive session is on the agenda). If a closed meeting is called when the BCC is not in an open meeting, the BCC will provide public notice stating the specific provision of the law authorizing the closed meeting and stating with reasonable specificity the subject to be discussed.

- A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, 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) Performance Evaluation of the County Manager; (2) Real Property Acquisition for Santa Fe Rail Trail, Segment 7; and (3) Real Property Acquisition or Condemnation for Santa Fe Rail Trail, Segment 6.**

ATTORNEY BOYD: Chair Greene and Commissioners, I have two items on the agenda for discussion in Executive Session, or three rather. One, performance evaluation of the County Manager. Two, real property acquisition for Santa Fe Rail Trail, Segment 7 and three, real property acquisition or condemnation for Santa Fe Rail Trail Segment 6. The latter two, well, the first item is subject to discussion in closed session pursuant to Section 10-15-1(H). One, limited personnel matters and the other two

items have to do with the purchase, acquisition or disposal of real property pursuant to 10-15-1(H)(8), New Mexico statutes annotated 1978. So, I would request a motion and to go into Executive Session

B. Potential Action on Items Discussed in Executive Session. (Action Item)

ATTORNEY BOYD: I would also state that I'm not seeking a decision from the Board on any of those matters. So, if it's the Board's pleasure, you could entertain a motion to adjourn following this Executive Session.

14. Informational Items/Reports

- A. Adult Detention August 2026 Monthly Report.
- B. Community Development Department August 2026 Monthly Report.
- C. Community Services Department August 2026 Monthly Report.
- D. Finance Division July 2026 Monthly Report.
- E. Fire Department August 2026 Monthly Report.
- F. Growth Management Department August 2026 Monthly Report.
- G. Human Resources and Risk Management Division August 2026 Monthly Report.
- H. Public Works Department August 2026 Monthly Report.
- I. RECC August 2026 Monthly Report.

15. Concluding Business

- A. Announcements.

None discussed.

- B. Adjournment. (Action Items)

CHAIR GREENE: I don't know. What do you want? What do you think staff? Want to go home? Alright. We do the will of the people here.

COMMISSIONER JOHNSON: So moved.

CHAIR GREENE: Okay. So, we have a motion to adjourn. Let me restate

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this. So, a motion to adjourn and go into Executive Session noting that no decisions will be made after this, and we will make that record on the record next time.

COMMISSIONER HUGHES: I'll second.

CHAIR GREENE: We have a second from Commissioner Hughes. Can I get a roll call vote, please?

COMMISSIONER BUSTAMANTE: Did we add that we would...

COMMISSIONER JOHNSON: Adjourn?

COMMISSIONER BUSTAMANTE: That it would end at that time?

CHAIR GREENE: Yeah.

COMMISSIONER JOHNSON: Yeah, we'll adjourn.

CHAIR GREENE: Yeah, we would adjourn and go into an Executive Session.

COMMISSIONER BUSTAMANTE: Oh, sweet. Okay, thank you.

CHAIR GREENE: Yes. Roll call, please.

MS. ORTIZ: Okay.

Roll Call Vote

Commissioner Justin Greene, Chair	Yes
Commissioner Adam Johnson, Vice Chair	Yes
Commissioner Camilla Bustamante	Yes
Commissioner Hank Hughes	Yes
Commissioner Lisa Cacari Stone	Excused

Commissioner Johnson moved to adjourn to Executive Session. Commissioner Hughes seconded. The motion passed by unanimous [4-0] voice vote.

CHAIR GREENE: This meeting is adjourned. We are going into Executive Session and we'll notate this in the following meeting. Thank you, everybody.

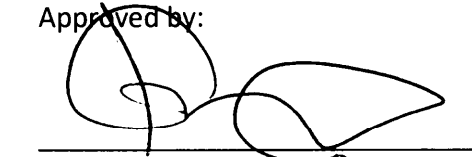
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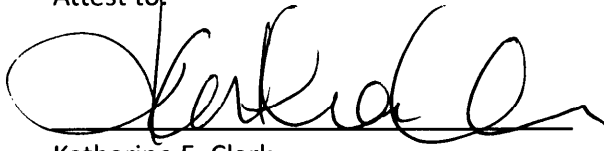
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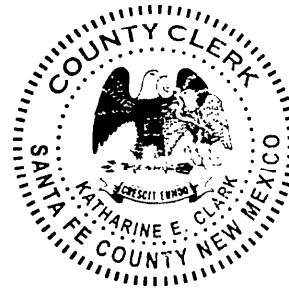
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Approved by:


Justin Greene, Chair
Board of County Commissioners

Attest to:


Katharine E. Clark
Santa Fe County Clerk



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
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