

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR BCC MEETING

December 15, 2025

Camilla Bustamante, Chair - District 3

Lisa Cacari Stone, Vice Chair - District 2

Justin Greene - District 1

Hank Hughes - District 5

Adam Johnson - District 4 [virtually]

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1. A. This regular meeting of the Santa Fe Board of County Commissioners Board was called to order at approximately 2:00 p.m. on the above-cited date by Chair Camilla Bustamante in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

B. Roll Call

Roll was called by Deputy County Clerk Jennifer Wilson and indicated the presence of a quorum as follows:

Members Present:

Commissioner Camilla Bustamante, Chair
 Commissioner Lisa Cacari Stone, Vice Chair
 Commissioner Justin Greene
 Commissioner Hank Hughes
 Commissioner Adam Johnson [virtually]

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. O'ga P'ogeh Owingeh Land Acknowledgement

F. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Bustamante. She acknowledged that this building and Santa Fe County as being in the original homeland of the Tewa people also known as O'ga P'ogeh Owingeh, "White Shell Watering Place." The Moment of Reflection was led by Shannon Coles of the Public Safety Division.

Chair Bustamante noted this was the 36th Board of County Commissioners' meeting for 2025 and the last one for 2025. Aside from the regular meetings, the Commission convened special meetings to discuss key County responsibilities including oversight of the County facilities, water resources and infrastructure issues, land use matters requiring extended public hearings, statutory tax actions and in-depth study session relating to the County's budget and strategic planning.

[Chair Bustamante read the agenda captions throughout the meeting.]

G. Approval of Agenda

CHAIR BUSTAMANTE: Manager Shaffer, do we have any changes to the agenda as provided?

GREG SHAFFER (County Manager): Chair Bustamante and Commissioners, there are no recommended changes as presented by staff. I would note that the initial agenda for today's meeting was posted on Tuesday, December 9th at approximately 8:20 p.m. and the final amended agenda in front of you for approval today was posted on Friday, December 12, 2025 at approximately 11:35 a.m. which is more than 72 hours before today's meeting as required by the Open Meeting Act. The only differences between the initial agenda and the amended agenda were the addition of Item 7E and 7F as well as items 3 through 5 under Matters from the County Attorney, 11A. And I note those matters just for the record, but again, Chair, there are no recommended changes to the agenda as recommended. Thank you.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. Do we have any other comments, questions concerns or a motion to approve the agenda as provided.

Upon motion by Commissioner Cacari Stone and second by Commissioner Greene, the agenda was unanimously [5-0] approved.

2. Matters of Public Concern

CHAIR BUSTAMANTE: Is there anyone in the chambers who would like to speak? Mr. Martinez or anyone else.

RALPH MARTINEZ: Good afternoon, Madam Chair, fellow Commissioners. My name is Ralph Martinez and I represent the Entrepreneurial Institute of Northern New Mexico. It's a non-profit that Chef Fernando Ruiz and I established with the help of – about two years ago. We go into the New Mexico State Penitentiary and we run pro skills and culinary courses for inmates that have eight months or less to the door. We do in the pro skills portion we give individuals the tools that they need to get a job and then in the culinary portion of the class we teach them how to do the job. It's such a great component, the two. Being blessed and being able to go in there and give these individuals these types of tools that they need. And coming from a background that I have of lived experience in drug addiction and the homelessness and incarceration, we begin to see a few different things that came to light and one of those things is housing when individuals get out of incarceration. And most importantly not only housing but a place where we can – where they can learn the skills that they need to not only build a career but build a life moving forward.

So I've been in halfway houses before. I've been to quite a few different halfway houses in my lived experience days. Chef Fernando Ruiz has also been to halfway houses. We have teammates like Ryan Dimas who teaches the pro skills portion curriculum who has gone through similar motions and halfway houses. Adam, back here and I think he wants to speak next, but he has gone through similar halfway house opportunities to better his life and move forward. So we know these establishments and we know the stigmatism that

comes behind them. So knowing that Santa Fe County doesn't have anything of that sort when it comes to transitional living or halfway house, and I use halfway house real loosely because we decided to work with a coalition of team members like everyone from EINNM and [inaudible] and [inaudible] and some other components – Malcolm who really advocates for veterans that are of certain ages that have fallen into incarceration that are looking to get out and he wants to be able to have a place to care for them and so we all got together and we're working at identifying a location where we might be able to look at a project as far as housing. What we just recently identified a place – we've had multiple meetings. We've had the Department of Corrections go in and take a look at it. It needs to be a place that is approved by them and we did go over the pros and cons but ultimately they're supportive of this location and they gave us the green light with some modifications that might need to be made.

And so I understand that we're entering this ICIP request a little late and our apologies for that. The opportunity didn't come until after the deadline unfortunately and –

CHAIR BUSTAMANTE: I'm sorry, Mr. Martinez, not everyone is aware of that because we received that email today. So there is really no – it's not necessary at this time to inform the Board about it. There will be an opportunity to do so with our management.

MR. MARTINEZ: Okay, okay, I was just trying to build the foundation for that. But we're looking at establishing this housing with a workforce development hub built in. This place that we're looking at would hold 20 people, 20 individuals which we would incept through a vetting process. And we would have – we've already talked with programs like the CDL program that is connected with Innovate Educate, the crane operators program, multiple trades programs, the culinary program in which we run and individuals would have an opportunity to get to this leadership living institute is how we're looking at it given the qualities that they're going to have when they leave. And getting individuals to identify where their passions are. Where's your passion? Oh –

CHAIR BUSTAMANTE: Mr. Martinez, your time is up, I'm sorry.

MR. MARTINEZ: Oh, okay. Thank you guys for listening.

CHAIR BUSTAMANTE: Mr. Griego.

ADAM JOHN GRIEGO: Thank for all so much for having me today. It's an immense pleasure to be here and an honor to speak before all of you here today. My name is Adam John Griego. I am an assisted impacted individual here in the community of Santa Fe, also the legislative liaison for the Entrepreneurial Institute of Northern New Mexico. I'm a member of the Justice Advisory Accountability Board to the American Civil Liberty Union here in New Mexico, a business owner, a proud grandfather, and parent.

I'm here in support today of our post-incarceration facility that Ralph brought you guys to light about. The location of the building is 1343 Rufina Circle here in Santa Fe, New Mexico. We're really excited to prepare individuals for not just opportunities for growth professionally but in creating futures for them, real futures. We've bridged the gap with the community college here in Santa Fe. We believe that we've created a very successful program lay-out for assisting individuals for job placement after educating them as well. Only somebody who has been through the system can understand the immense destabilization that occurs when you come out of a correctional facility and it's my absolute pleasure to be able to create opportunities for those individuals that will be re entering and

coming into our program through corrections.

We've also bridged the gap with our current Secretary of Corrections, Alisha Tafoya Lucero, she is fully in support of this program. When I had my first meeting with her a few months ago, our question of her, our ask was how can we help? And the two things she said were the public's perception and housing. We believe that we have found the perfect location with minimal enhancements to the interior that we can house individuals in and with or relationships here and our immediate community create a successful program in laying out a path in years to come for many individuals.

So I'm just here to introduce myself to the Commissioners and to everyone that's in this room and let you know that we're very excited to work here in the County of Santa on helping people realize truth and becoming stronger members of the community and taxpayers. That's critical to the infrastructure and we know that very much and I just can't tell you guys enough how much of a pleasure it is to be able to talk today.

CHAIR BUSTAMANTE: Thank you, Mr. Griego. Anyone else from the chambers that wants to speak during this public comment session? Sir, if you'll please approach the mic.

MALCOLM GISSEN: I'm sorry I'm late. I'm new in town and I was directed every which way but here.

CHAIR BUSTAMANTE: Okay, you have three minutes.

MR. GISSEN: I'm Malcolm Gissen and I want to talk about what we're trying to do in creating transitional housing for people coming out of prison. I moved here recently from San Francisco where I spent the last six years working to get elderly people released from prison. I visited six years ago with the Marin Shakespeare Company and I was so moved by the lifers in prison who were 50, 60, 70, 80 years old and in terrible health and needed to get out. In California we passed a compassionate release bill that would allow people to get out if they were in bad health. But the person in charge of the program who became a friend told me that the problem is there was no place to send them. No nursing home wanted somebody with a felony conviction staying in their place.

When we moved to Santa Fe 20 months ago I discovered the same thing existed here. People who are elderly can get out. People who are lifers can get out after serving 30 years if they petition the parole board but the parole board tells me, what do we do? There's no place to send them. We would like to create a place to send these folks here in Santa Fe provide all kinds of services including education, vocational training, provide all the help these folks need to get them after a year able to live in their own place with good jobs and healthy attitude.

We need help in funding this and that's why we're here. The state will save enormous amounts of money as we get people released from prison and more importantly what you do for those people, their families and their communities is remarkable. And the cases of the few people who are able to get out of prison, I've seen remarkable changes where they have a reason to live. Where they have a job. Where they have a place to live. Where they can get the services they need. We intend to do all of that with the help of and the state and private philanthropy. So we're asking for your assistance in getting this done. Thank you for listening.

CHAIR BUSTAMANTE: Thank you very much. Anyone else from the chambers? Anyone online?

DANIEL FRESQUEZ (Media Coordinator): Chair Bustamante, we have Chris Mechels online.

CHAIR BUSTAMANTE: Thank you.

CHRIS MECHELS: Okay, I'm unmuted. First I would like to say that my issue today is that you should not be approving the new salary increases as you have later on in your agenda. Your independent salary commission act which recommends these raises is totally irregular and even illegal. They have violated the Open Meeting Act. They have violated the Rules of Order Act as I pointed out in emails to the County Commissioner, the Chair of the Commission and to the County Manager, they should have cancelled that agenda item because it is highly irregular. It is illegal and it is certainly unethical because what it does is it claims to put forth – it's putting forth a resolution claiming that this was done as a transparent open process resulting in a very substantial raise for the County Commissioners themselves.

The whole thing, if you actually look at the raises that they've proposed for the County Commissioners, I'll stick to that, is they were – the required documentation has not been provided. They provide no support for the raises. They just present the raises as saying that they should be done but they have not required, as your resolution states, the support for those changes.

Well, I'll tell you, the reason for the changes is that one of the board members, an attorney who has Santa Fe County as his client, obvious conflict of interest, took the number of the salary of the County Clerk divided it in two and took that and presented that as a raise for the County Commissioners. I mean, this is hilarious. That's not a reason. That's a political – he then, when that didn't fly, he subtracted – he took a department head's salary and divided that by two. This is a joke. There is no rationale for this raise. If you actually look at the raises that they claim to have researched, your current salary is pretty much in line with all of the other county, Class A counties in the state except for San Juan which seems to be taking some kind of drugs. So I mean, because you haven't taken my advice to just cancel it and reschedule it, I hereby, I'm asking to speak to this issue when you consider it later in the agenda. This is totally within your capacity as the chair of the Commission to allow me to speak at that time. And if you don't, it's simple because you don't want to hear from the public. There has been no public input to this at all. It's totally an inside frame up. So let me speak at the later agenda item and let's discuss this further. Thank you.

CHAIR BUSTAMANTE: Thank you. And happy holidays to all of you.

MR. FRESQUEZ: Chair Bustamante, we do have Representative Tara Lujan raising her hand.

CHAIR BUSTAMANTE: Oh wonderful, yes. We were expecting you. Representative.

REPRESENTATIVE TARA LUJAN: Good afternoon, Commissioners, Chair. Representative Tara Lujan, I represent House District 48 here in the capital city. And I just want to first apologize for not making your event on Thursday. I had surgery that day and I'm still recovering so I'm at home reaching out to online today.

The reason why I'm reaching out to you is I wanted, and I talked to a couple folks about some of the capital outlay priorities that I am supporting of course and I just really really want to commend you and all of the work that you're doing with the youth behavioral health center and let you know that I'm a strong partner with you on that and will continue

to be as that grows and develops. And with that I'd like to say that as opportunities come before us, they don't always come at the right time sort of speak when we have agendas to prepare and things to do for our community especially here in Santa Fe, but I will say this, as a partner with you and working on capital projects, I'd like to give my support to those you heard earlier today, Ralph Martinez and Adam Griego and ENNM under efforts to capital project on Rufina Circle which is in my district and is a \$1.2 million capital project at this point and ask that we can get some support there from the County as a fiscal agent.

And I'd also like to lend my support to the late entry as well to Girls Inc. and their new establishment and just really highlight their 70 years of working through community leadership here in Santa Fe. Their project I also believe was in my district, House District 48, and I'd really like to emphasize that we need some help there in coming to the table a little bit late not for a lack for work but just the way sometimes things work through government as we all know.

And the third project would be Interfaith that are working towards a project just outside my district but here in the county and lend my support there as they're reaching – or they're looking to further the goals and agenda not just for the state but for the county and the city and all of our community as know there are important issues that are before us as elected officials here in Santa Fe.

And I just want to thank you again for the opportunity to speak and to highlight a couple of these opportunities that are coming our way and let you know that they have my strong support and also all of the work that you've done in the prioritization that you have worked on has a lot of strong support from myself and many of our delegation here in Santa Fe. So thank you for all of your hard work and I look forward to working with all of you. Thank you.

CHAIR BUSTAMANTE: Thank you, Representative Lujan. Anyone else? I do have a question for our attorney. We have had some requests today for items that have not been brought onto deadlines and it would require a meeting and it couldn't be voted on today because it's not noticed. But we have items that have been brought for our consideration which would require another meeting of the Board of County Commissioners; is that so?

WALKER BOYD (County Attorney): Chair Bustamante, certainly in order to take action in amending the Board's capital priorities, it would require another duly noticed meeting. The Open Meetings Act requires 72-hours notice to the public before the Board takes action on something. I would recommend in terms of discussing the items that have come up in public comment, that the Board express your views during items from the Commissioners but then further deliberation and action on amending the capital request would need to happen at either a special meeting or the first regular meeting in January.

CHAIR BUSTAMANTE: Thank you.

3. Approval of Meeting Minutes

A. Request Approval of the October 27, 2025, Board of County Commissioners Special Meeting Minutes

Commissioner Cacari Stone moved to approve the October 27, 2025 meeting minutes. Commissioner Hughes seconded and the motion passed by unanimous [5-0] voice vote.

B. Request Approval of the November 17, 2025, Board of County Commissioners Special Meeting Minutes

Commissioner Hughes moved to approve the November 17, 2025 meeting minutes. Commissioner Greene seconded and the motion passed by unanimous [5-0] voice vote.

C. Request Approval of the November 19, 2025, Board of County Commissioners Special Meeting Minutes

Commissioner Cacari Stone moved to approve the November 19, 2025 meeting minutes. Commissioner Greene seconded and the motion passed by unanimous [5-0] voice vote.

4. Consideration of Commissioner Proclamations, Resolutions, Recognitions and/or Other Items

A. Resolution No. 2025-144, a Resolution Establishing Rules of Order for Meetings of the Board of County Commissioners of Santa Fe County and for Bodies Under the Exclusive Authority of the Board; Repealing and Replacing Resolution No. 2009-02

ATTORNEY BOYD: Thank you, Chair Bustamante, as you said there are some fairly minor edits to the 2009 rules of order that are now before the Board for consideration. As the notes state, there may end up being more than three changes if you really parse it, but in any event, the main things at the outset to note is that instead of mentioning specific boards and committees, such as COLTPAC, the proposed resolution makes reference to all boards, committees, and commissions created and operating under the exclusive authority of the Board. So that ensures that as time passes and more committees are created or a committee is disbanded that doesn't require changes to the Board's Rules of Order.

There is a change to the agenda to the agenda of the regular Board of County Commissioners meeting to reflect what is current practice which is that matters of public concern will take place at the beginning of the meeting after the approval of the agenda and also there is a note in the proposed resolution that other items in the list of the regular Board of County Commissioners meeting agenda items can be moved around by the chair or can be taken in the order as the Board sees fit. There is no requirement that the Board follow those items in any specific order. Again, that provides more flexibility to the Board.

The last major – I don't want to call it a major change. But the last change, substantive change, is the requirement that staff be sworn in in quasi-judicial matters/proceedings, such as land use cases. That change is recommended because of a recent Court of Appeals decision where the Court of Appeals seems to suggest that in quasi-judicial matters all persons presenting evidence, including staff, are probably best sworn.

There are some other technical edits that I am happy to cover including an edit that makes reference to the Santa Fe County Code of Conduct instead of dealing with

conflicts of interest in the old resolution and those are the sort of -- changes and I'm happy to stand for any further questions.

CHAIR BUSTAMANTE: Do we have any questions for Attorney Boyd?
Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante. Thank you Attorney Boyd. I did review it and first of all, Chair Bustamante, I want to thank you for your service this year as our Chair. And it's clear that you've used your experience to help streamline and align and simplify in updating this resolution that really guides us. And I just wanted to make that comment and I'm in support of these changes, thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Any other comments, issues, concerns? If not, I'll hear a motion to approve.

COMMISSIONER GREENE: I'll second you if you would like to make the motion, if not I make a motion.

CHAIR BUSTAMANTE: I make a motion to approve the resolution establishing the Rules of Order Meetings of the Board of County Commissioners of Santa Fe County for 2025 and we are repealing and replacing Resolution No. 2009-02.

COMMISSIONER GREENE: And I will second that. Thank you.

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

[The County Clerk's Office provided resolution numbers throughout the meeting.]

5. Consent Agenda

- A. Resolution No. 2025-145, A Resolution Authorizing the Disposition of Fixed Assets Worth \$30,000 or Less in Accordance with State Statute.**
- B. Request Approval of Agreement No. 2026-0124-PW/TJ with the New Mexico Department of Transportation Regarding Roadway Lighting for the Cresta Ranch Apartment, LLP, Development (Raptor Road & NM-14)**
- C. Request (1) Approval of Memorandum of Agreement No. 2026-0185-FD with the New Mexico Health Care Authority for the County's Participation in the Ambulatory Supplemental Payment Program in Calendar Year 2026; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s)**

There were no questions and Commissioner Cacari Stone moved to approve the Consent Agenda as published. Commissioner Greene seconded and the motion passed by unanimous [5-0]

6. Appointments and Reappointments

A. Request Appointments to the DWI Planning Council

LEANNE RODRIGUEZ (Community Services Department): Good afternoon. My name is LeAnne Rodriguez and I am the program manager for the Santa

Fe County DWI Prevention Program.

I come before you today to request approval of four additional members to our DWI Planning Council. Those members are Traci Pepper, MADD New Mexico Program Director; Ginger McGuire, Clinical Services Supervisor, Presbyterian Medical Services; Mary Stramel, who is the Chair of the Board and Peer Support Worker for the Friendship Club as well as Stacy Martin, Chief Executive Officer, Santa Fe Recovery Center. Should these four be approved, their terms would run December 15, 2025 through December 15, 2027.

Santa Fe County Resolution No. 1997-87 established the original DWI Planning Council allows for nine members to sit on our council. We had five members who were previously approved on November 10th so these four remaining would round out our council. And I stand for any questions.

CHAIR BUSTAMANTE: Thank you. Do we have any questions?
Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante. Ms. Rodriguez, I just want to thank you for your leadership and I looked at the letters and the resumes, excellent candidates and I fully support them. Thank you.

MS. RODRIGUEZ: Thank you so much. I appreciate it.

CHAIR BUSTAMANTE: Thank you, Commissioner. Anyone else?
Commissioner Greene.

COMMISSIONER GREENE: Thank you. Just a quick question about the terms. Do they alternate? Do we have some that are on a obviously they're all two-year terms, but we approved some in November. Do they expire in a year and these go for two years or are we always doing nine potential renewals in a single year?

MS. RODRIGUEZ: Yes, every member runs for a term of two years. We do initially request applications to fill all nine roles. Our previous council expired October 31st. Our first round of media release and request for interest only had five response. So because we didn't get a full response, we went out for a second media release and now have four additional community members that are seeking appointment. The nice thing is when we do have terms that overlap, now we see our full council won't expire all at one time. So, this actually works out really well where we have some members – if we do need to await appointment in the future once that two-year terms – we won't have to have a whole council that expired all at one time.

COMMISSIONER GREENE: So, there are five that are going to sunset
in –

MS. RODRIGUEZ: November 10, 2027.

COMMISSIONER GREENE: And then there's four that are going to
sunset –

MS. RODRIGUEZ: December 15, 2027 should we receive approval
today.

COMMISSIONER GREENE: There's not much overlap, but okay. I don't know if there's a process that we can work on to either find out if some of them can be a term just so they alternate so whoever the first group is maybe they sunset in November or December of 2026 and then they can re-up so that we have real one-year known continuity instead of one month which I don't know if there's real continuity in that. So, I

don't know what the administrative cleanup of that is, but it'd be great to see that.

MS. RODRIGUEZ: Yes, that's something we could look into in the future. Thank you, sir.

COMMISSIONER GREENE: Thank you. With that, I'll make the motion to accept the appointments and for the four members stated in the memo.

CHAIR BUSTAMANTE: Okay. And we have a motion from Commissioner Greene. I did want to say something. Were there any other comments? I want to say that this is a stellar group. You've got some people who have been committed and dedicated for quite some time. So, thank you for that. It actually speaks to the good work that the County is doing. So, we have a motion by Commissioner Greene. Do we have a second?

COMMISSIONER CACARI STONE: I second the motion.

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

7. Miscellaneous Action Items

A. Resolution No. 2025-146, a Resolution to Provide for the Salaries of Elected Santa Fe County Officials.

CLIFFORD REES: Let me start again. Madam Chair and members of the Commission, my name is Clifford Rees and I'm the chair of the Independent Salary Commission you created by enacting Santa Fe County Resolution number 2025-054 on May 13th of this year. For the record, I am a retired state government attorney, spent 25 years as an attorney for four state agencies, and I'm currently on contract with the New Mexico Office of Superintendent of Insurance as an administrative law judge. I have with me several of the members of the commission. I think at least one needs no introduction. Vice Chair Christopher Graeser and former County Commissioner Anna Hamilton. I got it right this time. And two members of the Commission are not here today as far as I know, former assessor Gus Martinez and Ms. Laura Liswood, who is a former member of the State Personnel Board, all qualified under the resolution that brought us together. And I want to thank each of them for working on a very short time frame to present the report and recommendation that we have submitted to you on a timely manner. I also want to thank the staff of the Santa Fe County, staff who were assigned to work with us. They also probably need no introduction, but I do want to mention them for the record. County Attorney Walker Boyd, Human Services Director, Valerie Park, Sara Smith, who provided invaluable assistance to me to make sure that the report was in the proper frame, proper form, and also to Gabe Bustos who helped us with technical aspects.

Madam Chair, I could present an overview of the report, but it occurs to me that it was intentionally designed to be brief and to the point. That you may not need that overview and we'd be glad at your discretion to either have a brief overview or stand for questions, if there are specific questions, we're at your pleasure, Madam Chair.

CHAIR BUSTAMANTE: Thank you, Chair Rees. I believe we're amendable to a brief overview given the interest in this in the public. So I would be grateful for that.

MR. REES: Very good. So we only met three times. We basically had the

month of November to meet and so we were appointed October 28, 2025. And we met November 7th, 14th, and 21st with staff, with public notice and with public comment as part of our agendas. We then used basically the last week of November to draft the report and submit it by December 1st which was the resolution deadline to you. So hopefully you've had an opportunity to review what we have proposed here.

We looked at several principles. I think the basic principle was we did comparative salary comparisons. We focused on the other four Class A counties. Now that's gone through a bit of transformation because of Article 10 Section 1 of the New Mexico Constitution which was amended by the 2024 legislature approved by the voters at the November 2024 general election which led to your appointment of this commission.

The Department of Finance and Administration local government division has historically been tasked with designating who the Class A counties are. And so just to be clear and we will refer to that in a minute, we're one of five Class A counties. It's based on the valuation of property and population. There are two categories of Class B counties and there's the unique Class H county which is Los Alamos. So those are not really relevant to us for our discussion we felt. We felt we wanted to focus on the other four which are Bernalillo County, Sandoval County, Doña Ana County and San Juan County.

We had I would say lively discussions and I have my colleagues here to help fill in the details. We decided for purposes of expediency that we would take the 10 elected officials who we were asked to make recommendations for and put them into two I think fairly obvious categories. One we called Group A, not to be confused with a county. Group A is you the five commissioners who are currently serving. Group B who were what I call the non-commissioner countywide elected officials and you know who they are and for the record they are the County Clerk, the County Treasurer, County Assessor, the Sheriff and the Probate Judge. So I'm not sure how much detail you'd like. We did ask Ms. Park to provide us with comparative salary information for the Class A counties and that's reflected in the report as Exhibit A. Two grids. The first grid has the five Class A counties has the current salaries for their commissioners and for the five non-commissioner elected officials. We looked at the full-time equivalents and the budgets for each of the counties. Exhibit B has a second grid and that was developed at the request of our commission to look at how much the deputies were being paid in each of the departments. We understand that because of the unique way perhaps that salaries are awarded or are designated that it's possible for the deputies to be earning more than the elected officials that they work for. We want to take that into consideration as well as the comparison with the other counties. I frankly was a little bit surprised looking at the county salaries to see who in ranking them approximately in terms of who pays the most, who pays the least. We are in the middle I would say of the five counties and we were aware of that as we engaged in our deliberations.

We also have Exhibit B attached to our report that looked at the number of employees that the current managers supervise because we felt that was a consideration. We also looked at the applicable legal provisions in terms of how to implement any recommendations, knowing that the Constitution of New Mexico, Article 4, Section 27, prohibits increases or decreases during the term of office of an official. And we determined through the good offices of the County Attorney that that also applied to the

elected non-commissioners as well.

So what you see is in terms of our recommendations is I'll call it staggered effective dates for any increase or decrease any increase that you might recommend. And we did that in narrative form in the body of our report and I've also just for my own information if you have questions done it in graph chart form to make it simple. And so for your information, we felt it made sense to use public records to list the current salaries of the 10 officials. What we recommend for each official. You'll notice some we did not recommend an increase, for most of the others we did. What percentage of increase that was, how much that was. Having come from a state government background, I'm interested in fiscal impact and we wanted to give you an approximation just in terms of salary of how much it would cost the County budget since you are the appropriators to adopt in full our recommendations. We did not factor in the other parts of the salary that include the benefits that go with employment with a public body. So our fiscal impact was strictly related to salary.

We could go through each one at this point if you would like or again be glad to stand for questions and I would invite my fellow commissioners if there's anything that I missed that we'd like to add. We also looked at the market. We were considering looking at other counties outside of New Mexico. We decided not to do that. Although just for my own curiosity, I did a little bit of that, but we did not include that in the report. We kept it strictly to New Mexico data and Class A data and with the focus of course on Santa Fe County and how much is being paid.

So, Madam Chair, again, I'll make you the offer to stand for questions or we can go through each category.

CHAIR BUSTAMANTE: Commissioner Cacari Stone, I think we'll go for questions.

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante, Attorneys Rees and Graeser and former Commissioner Hamilton. We appreciate your service and how expedient you all were with the working committee to produce this report. It's very impressive.

I do have a question around – it seems like there's such wide variation with the Class As when I look at your tables. How do you account for that variation and why is San Juan in your opinion such an outlier especially for commissioners? I mean we're public servants. It's supposed to be part-time and we know that, former commissioner Hamilton knows that it's not. But, you know, I just want to be sure. I know the Assessor and the Sheriff certainly their salaries here in Santa Fe County have been much lower than the rest of the officials. So, I'm happy to see parity for them. But what's that variation in your opinion as a result of.

MR. REES: Yes, thank you for that question. We debated that as well. We Speculated about that. I'm hesitant to speculate any further, but I'd be glad to share that knowing that it was not something that we thought about going to each county, if we had more time, and asking for a history of how did their salaries come to be. I will let you know that, as many of you know, I spent a lot of time at the state legislature and I was talking to the lobbyists for Bernalillo County and I asked him that question and what were they doing to implement this new constitutional amendment that brought us here to this report today. And he did not give me any history, but he did indicate what their

process is. It's somewhat similar to ours. Rather than appointing an independent salary commission, they're using their existing board of code of conduct and a consultant. We use the good offices of Ms. Park in the Human Resources Department here and I think they had a consultant working on it. We speculate that it's about economics and about the shape of the budgets of these various counties. I'm not exactly sure. As a historian before I was an attorney, I love legislative history and unfortunately New Mexico doesn't have statutory legislative history. I try to fill that in when I work at the legislature. So, we can only guess and I would guess it has to do with economics. Of course, politics comes into play here. Let's not pretend that it doesn't. And so I can't give you a definitive answer. I was impressed by San Juan County and their salaries and I assumed it had to do with the oil and gas revenues that the county is able to bring in their gross receipts tax. But certainly, as you know, we are just in the first two months of a two-year term. And at the end of our report, we listed future – we sort of parking loted, if you will, future areas that we would like to explore, including the fact that we could we could appoint two more members. We didn't have time for that either. We thought we would go with what we have in the five people, excluding myself perhaps, but the other four members did a great job. And so we felt that we had the expertise to prepare a report that we could present to you and justify.

So, the short answer to your question, Commissioner Cacari Stone, is, we're not sure yet, but we'd be glad to look into that in our next report to you.

COMMISSIONER CACARI STONE: Thank you. That's my main question. I do want to get to you saying a bit more about your recommendations, but I'll defer to the other Commissioners for questions before we get to that. Thank you,

CHAIR BUSTAMANTE: Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair,, let me know if you ever cannot hear me and sorry that I'm virtual today. Thank you, Chair Rees and thank you to the other members of the commission.

I think I'm interested to know about the history of the current salaries and how they were set, noting, you know, that the Treasurer and the Clerk have higher salaries than the Sheriff. And how did that come about? And when was the last time we discussed this? I know that the Commission before I came into office did level set the salaries for the Commission and I believe that was only for the County Commission. I see my predecessor at the podium. Hello, Commissioner. Good to see you. So yeah, what's the history of when those salaries were set?

ANNA HAMILTON: Happy to be here on the other side of the microphone. So if I'm not mistaken the legacy of salaries for commissioners is that they were set by the legislature and whenever a new salary was set whoever was elected after that salary was set, received that salary when they started. And as you know commission seats are staggered by two years. When a raise was implemented through the legislature whoever is already serving is stuck with the old salary until they get to run again and if they're reelected they get the new salary or whoever takes their seat gets the new salary. And so there's a two-year stagger in implementing the most recent salary. And that has now been overtaken by events, but as Chair Rees mentioned at the beginning that limitation of not changing an elected salary in the middle of their term that still reflects that staggered process and that legacy. Did that answer your question?

COMMISSIONER JOHNSON: That did. And that reminded me that there was a referendum on this that was also passed for elected officials being able to set their own salaries.

MR. REES: Madam Chair and Commissioner Johnson, part of my work at the legislature was I spent nine years as committee staff for the Senate Public Affairs Committee, which typically would hear the bills before they went to Senate Finance Committee because of the fiscal impact of adjustments to county salaries. And believe me, those debates were spirited. And I got to know the different classes. What the legislature had set, I think until now, were caps where the salary shall not exceed \$39,000 for Class A county commissioners, for instance. So, that left some discretion, as I understood it, for the county commissioners to adjust those salaries within those caps set by the legislature.

Now, with the enactment of the amendment to the New Mexico Constitution, devolving that power back to the county commissioners for these 10 elected officials, there's a question in my mind, and then we certainly have had a discussion with your County Attorney about whether those provisions are still valid, those statutory provisions in terms of setting caps are still valid. If you ask my opinion, for what it's worth, I'm not your counsel, you have very able counsel over at the table, I think they're probably preempted. They've been probably been – those caps have probably been replaced, removed, although they haven't been officially repealed. And so that allows you and the other counties, all the other 32 counties to set the amount of salary however you wish to do that process through your own enactment. You know, legislators have to appropriate state funds. You have to appropriate county funds. There's no way around that in my opinion. And so that's why we're bringing these recommendations to you. You have the final say. The safeguard is that they won't become effective immediately. It would either be, if you are reelected in your next term or your successor, if you are term limited, would receive the increase. And that's why the increases are staggered, including for the non commissioners. I hope that's not too long, but I want to give you a little bit of background.

COMMISSIONER JOHNSON: No, thank you. I understand. And I guess I have more questions about San Juan, but we're not here to discuss San Juan County. We're here to discuss Santa Fe County and its salaries. I think that it is a shame that the legislature is an unpaid body. They do great work. Representative Lujan was here before. So, you know, it is important to recognize public service and the work that elected officials do. So I think that you have proposed quite reasonable increases. Speaking only as a County Commissioner, it seems we're not trying to cash in on a job like this. We're public servants. And I think the increase is reasonable given the cost of living in Santa Fe.

MS. HAMILTON: Something I just wanted to add that Chair Rees has already alluded to is that we got information on what department heads in the County make and there were a couple of reasons for that. When in the previous term the salaries of the Clerk and the Treasurer were raised. The argument had to do with reflecting fairness in elected officials who ran offices of comparable size to what the deputy, you know, the paid the senior staff at the County made. And that that works in both directions. I don't know if you've looked into Chair Rees or somebody might look into I

suspect that that principle is probably not applied and or being considered in San Juan County. So they may be making quite a bit more which was something we thought was an important consideration.

COMMISSIONER JOHNSON: Thank you. No more questions, Madam Chair.

CHAIR BUSTAMANTE: Thank you. Are there any additional questions?

COMMISSIONER GREENE: Madam Chair.

CHAIR BUSTAMANTE: Commissioner Greene .

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Cliff, and thank you, Commissioner, and thank you, Chris. This has been great that you snapped to it very quick and amazing. A couple questions: one, was there any consideration for COLAs or automatic sort of, you know, increases over somebody's term? They start out at 142 and then they have whatever the COLA that is released to staff at Santa Fe County be automatically put in or is that precluded by the way this is set up?

MR. REES: So, Madam Chair, Commissioner Greene , we did talk about the legal applicable legal provisions, New Mexico legal authorities that apply to salary increases for elected officials. I have an opinion certainly I'll defer to your County Attorney, but the way we wrote this was that there would not be COLAs during a term for these elected officials. That the constitution probably bars that, Article 4 Section 27. But that's my opinion. I certainly defer to your County Attorney.

ATTORNEY BOYD: It's no surprise. I do not disagree with Chair Rees on that point. The Constitution clearly prohibits a salary from being increased or decreased during the term of office. And so it would prohibit a kind of conditional increase whether it's based on cost of living or some other as yet unknown fact. And so as someone who observed the Independent Salary Commission's proceedings and the members can certainly disagree, it was my perception that they took into account that fact in reaching the recommended numbers that are now before you understanding that those numbers would remain unchanged over a term of office and only would be revisited upon the issuance of a new set of recommendations in the next odd number year.

COMMISSIONER GREENE: Or when the next person took office.

ATTORNEY BOYD: Yes, Chair Bustamante and Commissioner Greene, yes. The recommendations issued by this body would need to be adopted by you all and then of course it would only become effective upon the beginning of a new term of office for the office's occupant.

COMMISSIONER GREENE: And let me ask something related to that. Based on the new term of office, you know, we work on a four-year cycle, but every so often somebody doesn't fulfill their term and somebody comes in is appointed by the governor to fill a vacancy. Does that person get the new rate or does it get the previous occupants rate?

MR. REES: Again, I'll defer to Walker. My take is that the increase would apply to a new occupant of the office if they took office because of either resignation or death of the previous occupant of the office because they did not vote during their term on this increase if that's in fact would you adopt.

COMMISSIONER GREENE: Okay. So, you just mentioned something

about somebody not voting on this. Now, we're all voting on potentially two of us up here voting about our own raises. Should we not vote on this?

MR. REES: So, again, I'll give you my legal opinion. It's hard for me to take that hat off. We have something in the law called a rule of necessity. You're the only ones that can appropriate money. And under the current legal setup, as I understand it, you're the only ones that can set the salary. If all of you recused yourself from a vote, because potentially at some point in the future you might get an increase, who would be able to vote? How would how would it become the law of the county? So, the way it is set up in the Constitution of New Mexico is it would not happen during your current term because there's no guarantee that any elected official will be back for another term once your current term once your current term expires. That's my take on it.

COMMISSIONER GREENE: I guess last year there was, we did vote on some things that were people were, but I think Commissioner Hughes didn't vote, so that was that was fine. There were some outstanding items that you mentioned that were like to be determined. Now it says that we are required or you are required to put this before us and we are required to vote on odd number years. So if you had any remaining items to work on, you could work on them next year, but they would not be, you know, even though this they wouldn't necessarily come into effect for – they could if you worked on them next year, but they wouldn't be able to go into effect by this resolution until the next odd number year or so. Are you sort of punting for two years and just saying we'll come revisit this in another odd number year or do you think you're going to work on this next year with the potential to bring it forward for the whenever is allowable?

MR. REES: I'll speak for myself again. We were all appointed on October 28th to two-year terms. So I'm going to propose to the commissioners, I haven't talked to them yet, that we reconvene after the 30-day legislative session when I know some of us, including myself, will be pretty busy, and pick up the work where we left off. On page five, the last page of the report, we listed future recommendations for consideration. And those were just things that came up that we decided to put aside that didn't directly relate to the immediate task of making recommendations before the end of this year. So in terms of odd and even numbered years, that's just the way the resolution is written but I anticipate that we will meet, I think we have we required to meet at least twice in public meeting annually. How many times we'll meet in 2026, I can't predict, but we'll continue to do the work and address and explore some of the issues that you've raised that we also thought about and additional issues and we've listed several of them there in the bullets on the last page. And we're open to any other suggestions you may have that you might want us to explore.

COMMISSIONER GREENE: Thank you. And then I you know, I don't know how we managed to get the numbers so right that you didn't have a change to the Clerk and the Treasurer, but just for our own edification, we hit it right and we didn't even need a salary commission. No, just kidding. So, thank you for doing your great work here. Really appreciate what you've come forward with and your thoughtful report.

MR. REES: Thank you.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you. I'm just looking at our options here. Several of you are lawyers, I'm deferring to also Attorney Boyd. Are there

other options? Could we vote on all the other positions but our own? And is there another strategy or option for someone else to vote on our salaries? I'm just speaking on behalf of the public, right? The public always questions, and they should, are you voting on your own salary increases? And it always raises eyebrows. And we want to be transparent and we want to be clear around not just voting in our own interest. So we want to vote in the interest of the other elected officials, the Sheriff and the Assessor. We want to make sure there's parity with our full-time high paid management positions and other electeds. But are there other options legally where we wouldn't have to vote on our own salaries?

ATTORNEY BOYD: Chair Bustamante and Commissioner Cacari Stone, when the Board considered and adopted resolution 2025-54 back in May, the option was presented of the board adopting an ordinance that would create essentially the same body, but that body would then issue, in essence, binding decisions about elected officials. And my recollection of the discussion there was that that would be a similar – that that course would present its own set of problems in the sense that the Board would not be exercising the responsibility it has under the Constitution to set elected salary officials and would instead be delegating it to a different body that's that isn't elected and doesn't answer to the voters. So I think that's my recollection for why the Board ultimately chose this route which is a set of recommendations that you all retain the discretion to accept or reject in whole or in part.

But I guess I would finally reiterate the point that Chair Rees has made and that has been made several times already which is that this does not affect your current salary in your current term of office. There will need to be an election before any salary that you adopt becomes effective for your position and again this is about the office itself that you hold not your position in that office.

COMMISSIONER CACARI STONE: Thank you.

MR. REES: And if I could just add to that in terms of the history, I've spent the last three and a half years doing a deep dive into legislative salary and other aspects of legislative modernization. I went back all the way to the original New Mexico Constitution, which was not 1912, it was 1850. And I found about five different ways that this could be done. I won't go through all of them, but the ones relevant to your question would be to create an independent salary commission that either recommends, which is what you had asked us to do, or establishes, as a matter of law, those salaries. You chose to ask us to recommend. Also you could have delegated that authority to an existing commission which is another way that the legislature could actually create salary for themselves to by amending the constitution.

So I was aware certainly of the various options. I think this one that that you had in your Resolution 2025-054 is a very reasonable one because ultimately the legal responsibility rests with you.

COMMISSIONER CACARI STONE: Thank you. And I appreciate that you're independent experts. And yes, I do understand with clarification that we're voting on the future position, not our current salaries.

I do want to say as a public servant, I'm here to serve and I didn't do it for salaries. I also understand that we want to create some sort of incentive. So, we have a diverse pool of elected commissioners and elected officials. Sometimes when we require people to work full-time because they're at the stage of their career where they're not retired and

we give them an incentive, it makes it very hard for them to serve the public in the best way possible. I'm very honored and blessed to have retired in July 1st and have had this window of opportunity to be able to put a lot of time into this plus to get a stipend or this incentive that we receive. But we see with the state legislature, we're one of the few to the only as volunteer legislators. And that also creates a pool where we automatically eliminate younger cohorts who are still building their careers, who still have families or still are trying to build a mortgage and build assets. And that's counter to what we try to do for our community. So, I just want to say, I appreciate your deep thought because we want to incentivize it enough where a person could still work, get some sort of incentive or just work part-time and get some sort of pay for their groceries and things like that.

Also, I want to acknowledge that being in this position and being successful, the incentive should not just be money. We need more incentive for training and to go to conferences so we can stay modernized and up-to-date with the national dialogue be bringing best practices to our communities. So far Santa Fe County has supported us to go to National Association of Counties to the New Mexico Counties legislative form. So I just want to say training, having a full-time liaison these are things that make us successful as commissioners beyond salary. But I just want to mention that and we're not just spending taxpayers' dollars, we're trying to invest in our own personal development when we get to go to trainings. We also stay connected statewide. What's happening with trends like the insurance cost on home insurance because of fires and climate change. So I want to thank you for your service and I just want for the public record to recognize the importance of beyond salaries what makes us successful. Thank you.

CHAIR BUSTAMANTE: Thank you commissioner. Manager Shaffer.

MANAGER SHAFFER: Thank you, Chair Bustamante. I did just want to note one factual difference that was at play last December when Commissioner Hughes recused himself from considering the resolution that set County Commissioner salary that would have directly impacted the rate of pay that he would receive upon taking office on January 1st. And as you all recall, the timing of the constitutional amendment was such that that was unavoidable. And that was my understanding of why he recused himself. As Chair Rees mentioned, all of you are in a different situation now because the action you take doesn't result in you receiving more money or not you still have to make the independent decision of whether to run for reelection and then also have to win that election. So I just wanted to highlight that difference because again, Commissioner Hughes was sitting in a different place than you are now. Thank you.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. Commissioner Hughes.

COMMISSIONER HUGHES: Yeah, I just wanted to say since I'm the only person not affected by this in any way, I can't run for reelection. I would like to make the motion to approve the salaries recommended by them. If you're ready to vote on that.

COMMISSIONER CACARI STONE: Second.

CHAIR BUSTAMANTE: I believe that we're -- I have a motion. I believe we're ready to vote. I do want to thank the committee for working on this. I also want to address the request for public comment at this time. I understand that your meetings are noticed appropriately. They are open to the public. If there are any questions, issues or

concerns, they can be discussed at that time and then during public comment. At the beginning of this meeting, a person can come informed and prepared to speak. So, we are not taking public comment at this time. This is an action item and there was an opportunity for the community for the public to actually participate. So I very, very much want to thank you for that good word work.

We have a motion from Commissioner Hughes, a second from Commissioner Johnson. All in favor?

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

CHAIR BUSTAMANTE: Motion carries. Thank you very much.

MR. REES: Thank you, Madam Chair and members of the Commission.

B. Request Delegation of Authority to the County Manager to (1) Negotiate and Execute Agreement No. 2026-023-PSD with Global for the New Jail Management System, JailTracker; and (2) Sign the Purchase Order(s).

CHAIR BUSTAMANTE: We have Warden Williams.

WARDEN DEREK WILLIAMS: Afternoon, Madam Chair, Commissioners. Jailhouse Management System is the database that stores and maintains all the information related to individuals entrusted into our custody, classification, charges, bonds, etc. For the last several years, we've had Securus as their jail house management system in place, otherwise known as XJEL. That contract is and the database is at end of life. We went through a thorough RFP process and the panel selected a company by the name of Global Jail Tracker to be awarded the contract to replace the Jail House Management system from Securus.

We're here today to request the Board give the County Manager the authority to go ahead and negotiate and execute that contract and also sign the purchase agreement for that contract to continue for another four years. Thank you.

CHAIR BUSTAMANTE: Thank you. Are you open for questions?

WARDEN WILLIAMS: Yes, ma'am. Of course.

CHAIR BUSTAMANTE: Do we have any questions for the Warden? Commissioner Greene.

COMMISSIONER GREENE: Thank you Warden and Deputy Warden and to the team too that went through this. I was happy to see that this seems like it's going to mesh well with our ERP system and that was in the memo and I see you nodding. So that that's a good modernization that tracks with some of the other modernizations that we're doing here.

I guess one of my questions that I didn't see in the memo is how does this does this work with medical records and you know HIPAA requirements and things like that in that space so that we can really track those aspects or maybe we can't track but the appropriate people can actually track because maybe those are HIPAA protected.

WARDEN WILLIAMS: Yeah, I'll let the Deputy jump into that.

DEPUTY WARDEN WADE ELLIS: Madam Chair and Commissioners, yes, the goal of the system is to incorporate all our systems that we utilize within the jail. There will be some kind of information sharing between Sapphire and the jail management system. But due to HIPAA and things like that, we are keeping those in separate systems. They will communicate back and forth and share relevant information that can be pushed to the other system, but all HIPAA information such as treatment and things like that will still remain in our EMR.

COMMISSIONER GREENE: And then I guess related to that in the HIPAA sort of space and if somebody is in our system here in Santa Fe County but has been in systems in other places and they have medical issues in other places, do we share information in a way that can, you know, somebody may not want to tell us that they're they've got hepatitis or something or have a substance use disorder, but there is information at other facilities that might speed up their better treatment?

MR. ELLIS: Anytime there's a transfer between facility and facility, a medical packet does travel with the individual, letting the new medical agents understand the treatment plan that was currently put in place for that. Likewise, we do reach out to other counties when new individuals come in on intakes to verify any treatment plans that they might disclose to us during that intake process.

COMMISSIONER GREENE: Okay, great. Thank you very much.

CHAIR BUSTAMANTE: Thank you, Commissioner. I have a question. Does this new system communicator work with CONNECT? In other words, if they get out and the CONNECT system is I'm not remembering the actual maker of the tool – with the UniteUS platform that actually follows an individual if they are in need of any other services within the community? Does this speak to that or is this very independent and it stays within the judicial system?

MR. ECOMMISSIONER CACARI STONEIS: Currently right now our re-entry team has been trained in the CONNECT system and they actually enter those individuals through like a case management type of process when they prepare them to get out for anyone that requests services. We won't be logging those in the JMS necessarily. It will be directly inputted into the CONNECT system.

CHAIR BUSTAMANTE: So the JMS doesn't have a natural input with the UniteUS system that they're two totally different. They can't be integrated in a way to provide a record a full more comprehensive record for the individual.

WARDEN WILLIAMS: Madam Chair, that's correct. It's not an automated process. It's a manual process that the case management and re-entry staff conduct.

CHAIR BUSTAMANTE: Okay. Thank you. Other comments, questions, or concerns? Commissioner.

COMMISSIONER HUGHES: I have the same question as Commissioner Greene, so it's already answered.

CHAIR BUSTAMANTE: Okay, anyone else?

MR. ELLIS: Madam Chair, just to add to the question that you asked earlier. The system that we are going with is a very robust system, hopefully, we could be moving towards like paper lists and things like that within the facility. And they have been very open to building that agreement to get mutual sharing and looking into the

CONNECT process is something we can look further into with this system.

CHAIR BUSTAMANTE: Thank you,

COMMISSIONER GREENE: Madam Chair. I'll make the motion to approve items 7B, request delegation of authority to the County Manager to negotiate and execute agreement 2026-023 PSD with Global for the new jail management system called Jail Tracker and to sign the purchase orders.

COMMISSIONER CACARI STONE: Second.

CHAIR BUSTAMANTE: We have a motion from Commissioner Greene, a second from Commissioner Cacari Stone.

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

CHAIR BUSTAMANTE: All right. Thank you. We will take a break now until 5 minutes after.

[The Commission recessed from 3:20 to 3:38]

C. Resolution No. 2025-147, a Resolution Granting the County Manager Authority to Negotiate and Execute Amendment No. 6 and All Future Amendments to Lease Agreement No. 2010-0447-CSD/PL Between Santa Fe County and Santa Fe Mountain Center, Inc., for the Lease of Property Located at 1160 Parkway Drive in Santa Fe, NM.

CHAIR BUSTAMANTE: And here we are with Michele Caskey.

MICHELE CASKEY (Public Works): Thank you, Madam Chair and Commissioners. We're here today to talk about Mountain Center. Since 2009, the County has been leasing a County-owned building, a 3,700 square-foot County-owned building to the Mountain Center to provide youth and adult counseling and adventure therapy. And per the conditions of the lease, every five years we need to review the market rate rent on the building and make adjustments to the lease by amendment. And that's what we're here to do today.

In a recent appraisal, the market rate rent has gone up \$20,000 annually. So again, it's been a big jump. Now this lease provides for the Mountain Center to pay as in-kind services. So they report to us quarterly the amount of hours of services that they provide and account for any other reimbursements they're getting from other agencies. Because of this they're able to quarterly account for any increases to provide the services to the public as well. And Christian Sommer from Mountain Center is here to with some remarks about Mountain Center and then we will stand for your questions.

CHAIR BUSTAMANTE: Thank you and thank you for being here Christian. I can't say anything bad about the Mountain Center. I can't say enough about how good the Mountain Center is and people that I know who've really benefited from what you all do there like from way back in the day and people who are very successful now in our community. So, thank you. Are there any questions for Michele or Christian from Mountain Center? You want to say anything?

CHRISTIAN SOMMER: Sure I just would, I guess I'd like to express my

gratitude at the long-standing partnership that the Mountain Center has with the with Santa Fe County. You know through the work that we do that we're able to do at this facility at this that we're in question, we reach a you know a ton of youth and adults as well as work with County staff in training and we're able to provide a just a lot of services and it's been a incredible and really fruitful partnership and so definitely want to just appreciate the work that everybody at the County does and the support that we get from you all. So yeah, really grateful.

CHAIR BUSTAMANTE: Thank you, Christian. Commissioner Greene.

COMMISSIONER GREENE: I just thank you for the work that you do. It's great to see this monthly service report or quarterly and annual service report. It helps us sort of quantify your impact on the community and for those that are not necessarily hearing this it's in our packet here and it shows that you have a significant impact in our community and I really appreciate that because it takes a village and you're a key stakeholder in that and thank you.

MR. SOMMER: Thank you, Commissioner.

CHAIR BUSTAMANTE: Thank you. And along those lines, I think I also want to appreciate that you work with both men and women and non-binary altogether. So, everyone is supported where some really focus on one and/or the other of any of the three, which I appreciate your inclusiveness.

MR. SOMMER: Yeah, absolutely. Our genders and sexualities alliance is actually housed in this building which supports youth all over the state of New Mexico and in Santa Fe as well.

CHAIR BUSTAMANTE: It's so important, very grateful, very vulnerable population. So the work that you do is life changing, sincerely. Anyone else? Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante. It's Christian, right?

MR. SOMMER: That's right. Yeah.

COMMISSIONER CACARI STONE: And thank you, Michele. You've always done tremendous work. I appreciate everything you did last week for the site visit there. I just want to add besides the impact report you have here with the numbers. I worked on a DWI program for men, men of color who had over five DWIs, some of them up to 15, and some of them were from Sandoval and from Santa Fe County. This was in the late 90s when Skye was the executive director. And I want to say the impact is also the story of how people's lives are changed on top of the numbers. And I know you probably have a lot of stories and I welcome you telling more of those stories when you come to us like this as well and statements. I want to share, most of these men suffered grave intergenerational and historical trauma. Many were from the pueblos, many were Chicano, Latino men, many who have been the victims of violence themselves and perpetrated violence. And when we were able through the Mountain Center to do Temazcals and sweat lodges and traditional healings and let nature heal men, the sunglasses came off and the tears came out and the healing started. And I want to just say those kind of stories. That's just my little tiny end of one glimpse and I'm sure there's hundreds. So, thank you.

MR. SOMMER: Thank you very much, Commissioner.

CHAIR BUSTAMANTE: Thank you, Commissioner. Anyone else? I'm not hearing anything. Do we have a motion?

COMMISSIONER GREENE: I move to approve the lease and granting County Manager authority to negotiate and execute amendment number six and all future amendments to lease agreement number 2010. Good job. Longtime lease numbers 2010-0447-CSD/PL between Santa Fe County and the Santa Fe Mountain Center, Inc.

COMMISSIONER HUGHES: And I second.

CHAIR BUSTAMANTE: We have a motion from Commissioner Greene, a second from Commissioner Hughes.

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

D. Request Authorization for the County Manager to Enter Into a Floating Commercial Subscription Agreement with US Solar

JACQUELINE BEAM (Sustainability Manager): Thank you, Madam Chair, Commissioners. Jacqueline Beam, sustainability manager with the Community Development Department. And thank you for the opportunity to bring this proposal forward for your consideration. I am accompanied by Connor McCarthy and Carla Melendez from US Solar and just to give a brief summary on this proposal, US Solar is developing several community solar projects, 17.05 megawatts of photovoltaic arrays within the PNM service territory in New Mexico. Up to 55 percent of each of these projects capacities will be designated for low-income households and those households will receive up to 28 percent discount on their utility bills in the form of bill credits. Santa Fe County has the opportunity to subscribe as an anchor tenant and receive 10 percent fixed which is a fixed percentage discount on the County's utility bills for participating County facilities. The estimated savings would be 36,201 in year 1 and approximately \$1,260,192 over the 25-year lifetime of the project.

And additionally, I want to mention that 70 low-income households participating in our CEED or HERR programs which are the low income remodel/rehab programs that we have through the County at this point in time in state, would also receive discounted subscriptions. The community solar project owner, US Solar, is also the subscription provider, which streamlines our customer service and billing processes for the county, and all subscribers for anchor tenancy are capped at 10 percent savings. However, US Solar is the provider chosen for the County subscription due to this organization providing the most optimum match of availability of offerings for energy usage which is needed by the County and for the agreement to carve out 70 low-income community subscriptions for CEED and HERR participants.

And with that, I will step aside and let Connor provide his presentation for you.

CONNOR MCCARTHY: Thank you. Thank you for the introduction as well. Afternoon, County Commissioners, first, thank you for giving me the opportunity to talk with you this afternoon. What I'm going to be diving into, as Jacqueline noted, is a community solar proposal and I also want to make sure this is open for questions, comments, so please just jump in as you guys see fit.[A slide show ensued.]

So, what we're going to be covering today, I'll share some background about, my

company, our company here at US Solar, our partner, Sol Luna Solar, provide some background on the framework and policy on how this program was commenced in New Mexico, and then walk into kind of the customized details as it relates to, you know, County locations and really your energy load as a whole.

So diving in, US Solar we're a developer owner operator and management company for these sort of projects. You can see kind of pictured on the map there of the US. We operate kind of on a national scale here. We do community solar development. That's really our bread and butter. So when New Mexico kicked this off, this was something we leaned into really about four or five years before policy was passed, so we've been kind of in from the beginning. We work with a lot of folks. We work with low-income residents all the way to, you know, Walmarts, Cargills to cities and school districts between. So, we do this across the board, multiple states. And then you can see a little bit of scope, you know, in terms of gigawatts of capacity, clean energy produced.

So Luna Solar, this is hopefully a familiar name. This is a New Mexico based entity. They're our 50/50 partner on these projects. So really we're kind of bringing our experience from a national scale doing the development O&M integration with the utility and kind of long-term invoicing and customer management and utilizing some of their skills for their instate experience. So actually you can kind of see they're out of Dixon, New Mexico, so just a little bit north of here. And you know they've worked with -- you know actually the City of Santa Fe here, excuse me, the County other large institutions but that is our partner.

So as we look at kind of the framework this is a summarized overview of kind of the policy set in place. 2021 is when this act was officially passed. That is the implementation saying, Hey, us as the state of New Mexico, we're going to lean in and do this and we're going to, you know, allow the development of community solar. And really at the end of the day, what this does is it gives residents, business owners, entities the choice to source power from a clean energy project while still being connected to their service provider. So, this is for all three investor own utilities, PNM, El Paso Electric, and SPS. Today I'm going to be focused on the PNM given the service territory here. And really 2023 after policy was placed, they issued an RFP. And this is the state where any developer that has a project can elect to submit and you need to be awarded to proceed forward. And that's to proceed forward with development efforts, conversations with folks in the community. And I'm proud to share that that we actually have the largest portfolio of projects awarded and with that process, it's, you know, stating how we're going to interact with the community. As Jacqueline noted, we placed a large emphasis on low-income and also providing that highest discount to that subset of the population.

So from a subscription standpoint what the kind of rules and framework are you need to be in the same service territory as where the project is being developed. So whether you're 2 miles from a project in PNM service territory or 300 you can still tie into that project and receive the benefits. Every site needs to have a minim of 10 individuals or entities as part of it and no one entity can absorb more than 40 percent power of an individual site. And so this is for diversification. So a big business doesn't just absorb the power, reap the benefits and kind of allows everyone to take part.

Part of this policy as I noted, there's a large emphasis on low income. So the state had came out and said any project being developed needs to have a 30 percent of that

capacity going to low income. We got to choose how the discount went and that's kind of where we made that stand to say, Hey, we're going to do 55 percent of all project capacity going to low income and also offering that that discount there.

At the bottom you can see kind of a program cap. So, when this RFP was issued, there was 200 megawatts across the three utilities there, PNM being the largest, and so you can kind of just see those are sites, you know, those 200 megawatts are what's available to proceed forward now and today. And the state is talking about a 2.0 version of this but you know this is what is approved and available now.

So what you're looking at here is a picture of where our seven sites are located. So sites one through five are in PNM. And that is where again you as a County could subscribe into to really any of those sites knowing again apologies you're a little bit north of Albuquerque here so it's not quite pictured but again in terms of relation all you need to be part is within the same service territory.

So to get into really kind of the high level basis of kind of how this works, I'd say you know what we did is we looked back at your historical electric consumption and each account, each address would receive a share in the project capacity. You keep numbers round and simple here, let's say you know this building needed \$1,000 per month is your average PNM electric bill. My goal is to provide you with enough credits to offset that bill where if I provide you \$1,000 in credits, you would turn around and pay my business back \$900 where you would net that \$100 savings. So really kind of how the three of us work together, I build, own, develop, and front all the costs with these projects. I put that power right onto PNM's electric grid, and then I tell PNM which accounts are essentially subscribed to this project and they will deliver those credits directly on your electric bill so that there's no changes to your infrastructure. You know, again, this is all off-site solar.

Diving into this next slide. I'll just take a moment to pause before kind of I get into kind of the economics as it relates to the County. Is there any questions at this point?

CHAIR BUSTAMANTE: Do we have any questions? Commissioner Greene.

COMMISSIONER GREENE: I'll take the opportunity. So, first off, I want to say I appreciate the incentive in making like a systemic opportunity for folks to take advantage of it, but in that maybe my assumptions, let's verify if I'm right about this, is this, anybody can subscribe to this?

MR. MCCARTHY: So how the state has it set up from a commercial standpoint there's a focus on public entities, religious institutions, nonprofits, tribal as a commercial side. So any for-profit business can also elect to take part, but it's only their small commercial account meters. So that's where you can't get a big for-profit commercial entity absorbing a large share. So they kind of wanted to leave that carve out.

COMMISSIONER GREENE: What is that? What size service is that is the limit?

MR. MCCARTHY: So, it's how PNM categorizes it's small power 2A on your electric bill. And that's really I would say an electric bill that is no greater than about \$4,000 a month is really after you get past that point, it pushes you into a different category of electric consumption and meter classification.

COMMISSIONER GREENE: So 400 amp or 480 amp service is a small enough you know a small commercial project, you know, I mean Santa Fe in general

Santa Fe County doesn't have very many large commercial it's not a big industrial area. Most of our folks could take advantage of this.

MR. MCCARTHY: Correct. Speaking to it from a residential side there's really kind of two options. If you check a box as low income, you're below the median income of your county area, that's where you can you can dive in and receive that 28 percent discount. If you're a household owner and you don't check that box, you can still subscribe. You'd be at a 10 percent discount rate. So, they can still participate. It's just more which category do you fall under.

COMMISSIONER GREENE: And then commercial, as long as you are not one of those large big commercials.

MR. MCCARTHY: So if you're if you kind of check those boxes early on of, you know, municipal, nonprofit, religious, your meter classification doesn't matter. All meters are acceptable. But if you're a for-profit entity, it's just the small commercial meters are accepted into the program.

COMMISSIONER GREENE: And how many, you know, you showed that capacity of 200 megawatts, how many homes is that correspond to?

MR. MCCARTHY: Yeah, so let's say one a one megawatt project can typically power 200 to 250 homes. So if we times that by 2x if all the projects or excuse me 200 if all the projects went residential that's the really kind of the impact that can be had. And so with you know the 55 percent of capacity we're doing across 30 megawatts that's the other two service territories as well, we're looking at somewhere in the realm of, I'd say, 1,500 to 2,000 households electing into this program and kind of receiving those benefits.

COMMISSIONER GREENE: Great. I'll probably have more questions, but this is promising. Thank you.

CHAIR BUSTAMANTE: Thank you. Does this apply also to mutual domestics and acequias and traditional communities?

MR. MCCARTHY: It does as long as you fall under PNM service territory. So a lot of other regions that are cooperative or other municipals, this program isn't available. So it's just who's serviced by PNM.

CHAIR BUSTAMANTE: Thank you, Commissioner Hughes.

COMMISSIONER HUGHES: Yeah, thank you. So how much electricity would Santa Fe County buy from this project?

MR. MCCARTHY: That is what we'll be diving into right here. It's a little over 5 million kilowatt hours across a multitude of counts.

COMMISSIONER HUGHES: That's what we would buy, 5 million kilowatts?

MR. MCCARTHY: Yeah. So, I'm going to j p into this slide because I think this will address kind of that question as a as a bigger picture. If that's all right?

COMMISSIONER HUGHES: Yeah, and then is it the same every year or because why does it go year 1, year 5, year 25 or so different?

MR. MCCARTHY: Yep. So, our projects are operational for 25 years. So the agreement we have with this policy and framework with the State of New Mexico is I can build and produce power for 25 years. That's also my agreement with the utility PNM itself. So what we're looking for from a subscription standpoint is really a partnership

throughout the life of the term.

COMMISSIONER HUGHES: Okay. So you're providing more electricity in year 25.

MR. MCCARTHY: Correct. Well, the electricity will be the same volume each year, but what this is representing, you know, 36,000 is year 1 savings. Year 5 is the last 5 years combined. So that's cumulative. And then if you elected to stay in the project for the full 25 years that's where you know about 1.2 million in electricity savings would be provided as a whole.

COMMISSIONER HUGHES: Oh, it's not annual savings. It's cumulative savings.

MR. MCCARTHY: I mean, it's actually on a monthly basis. So, it does boil down in a monthly basis on a per electric bill. So, going back to that example, if one account here needed \$1,000, I gave you \$1,000 for the credits. You turned around and pay my business back \$900. That's where you'd save \$100 at this one location in this one month. So, we're talking about 80 locations or 80 different facilities here, accounts that would each have their own individual share size. Some accounts are saving five bucks a month, some are saving \$1,000 a month. It's dependent on the electricity load.

COMMISSIONER HUGHES: Okay. And are we the only, I forget, are we the only project like this or are you doing with multiple counties and cities?

MR. MCCARTHY: So project-wise, we're building five projects in PNM. As a county, you can subscribe to any one of those five projects as long as capacity is still available. So that's kind of one concept to say I'm also speaking with other counties, pueblos cities, towns in this same realm, kind of what I'm walking through today. I'm also kind of sharing this option and really how it works, it's a first come/first serve where by electing to sign up and enroll in this program, you reserve capacity in the project. So, I noted 55 percent of all my project capacity is going to low income. That only leaves me with 45 percent capacity I can offer out to commercial accounts. So of that 45 percent capacity, one notion Hidalgo County they signed up with us at their last board meeting officially here so they have reserved their capacity in this project and now my capacity shrank a little bit. I still have enough capacity but you sign up for advance and once these projects are energized all the capacity is accounted for and the energy is flowing directly to those accounts.

COMMISSIONER HUGHES: Okay. Then what so what percentage are we accounting for?

MR. MCCARTHY: So between all of your accounts, I would spread it across likely two different projects because you'd be pushing that threshold of being a 40 percent single-user on a project. So you'd be spread across two projects really about 20 percent and 25 percent of all capacity would go to you know these 80 some accounts.

COMMISSIONER HUGHES: Okay. Now you can go into your slide unless someone else has questions.

CHAIR BUSTAMANTE: Are there any further questions? I have one. So, how is this different from a neighbor because I was told that PNM did not allow a user or someone who's actually using solar to allow their neighbor who if they have, we'll call, excess capability to draw more power that they are not allowed to say share or charge or somehow give it to their neighbor. How is that? How does this happen with US

Solar if that is something that's not doable? Do you see what I'm saying?

MR. MCCARTHY: Yes. No, that that it's a really good question. So before policy was available 2021, there was no ability to, you know, build a project at an off-site location and allow multiple people or entities to tap in. That was not available. So it's called net metering where you individually as a homeowner as a business make that investment, get a grant whatever the process may be and you put solar on that location, that location where the solar is being produced has to utilize that power and anything excess that's where you have that two-way meter flows onto the grid and you get that credit back. So that concept that you initiated there. So that is traditional net metering.

This is community solar. This is kind of that I don't want to say brand new about 15, 20 states in the US have rolled this out. Some 2010 when it kind of first started and it's just kind of taken a momentum of end of the day this just gives people the option of choice to say you know I can't negotiate my PNM bill. It's just you just pay what you have. So this just gives people the option to say hey PNM's still my provider. I would like to elect to join a community solar project and then it's essentially signing up with a subscription and you reserve that capacity. So that's what the State of New Mexico wanted to open up to their residents and businesses as an option. And so that's really kind of the difference of net metering to community solar.

CHAIR BUSTAMANTE: Wow.

COMMISSIONER GREENE: So you say a fixed 10 percent discount off the bill credit rate. Is that a moving target? Like so your capex is based on what you develop now. So are we offering a locked in price for power forever?

MR. MCCARTHY: So what I can guarantee is you'll always receive 10 percent off of the credits that are applied to your electric bill. I can't control what that credit value is. The credit value is dictated really I mean it follows your electricity prices. So every four months it is subject to change with PNM. So PNM does a calculation every four months and said hey we have power line upgrades there are supply we have a higher demand cost. The same concepts they do to change electricity bills and peak demand. All those attributes that make up your electric bill are the same components that make up the calculation to determine what is the value for a community solar credit. So they submit that to the state of New Mexico Public Regulatory Commission oversees that and say hey PNM your logic is accurate. You can take this rate and go forward or you know you need to go back to the table here and factor this attribute as part of your calculation to determine what the value of community solar is worth.

COMMISSIONER GREENE: So is solar power assessed at the PRC level because the PRC is who's doing this. There's generation and there's transmission. Your generation is fixed based on an amortization of the a capex expenditure to build this. So your power generation is the same for 25 life in theory.

MR. MCCARTHY: Yep.

COMMISSIONER GREENE: Your transmission is subject to PNM. So does the PRC break that into the same logic as well? So we, if we subscribe to this, don't have to take on generation risk but we have to take on transmission risk.

MR. MCCARTHY: So generation so really I'm building this project this asset yes I have a capex that cost me to do it operate and maintain it for 25 years. We

know what the bill credit rate is today. It is it is live. It is posted. It is public and what we're doing is we're forecasting out what electricity prices is going to be in six months, a year, five years, 10 years and that is a forecast. So we are looking at this and I'll next slide I'll be diving into it more of historical trends for the price electricity is about 4 percent . When I built this out, I baked in about a 2.5 percent escalator on the price of electricity, also following that bill credit rate and that bill credit rate with a 2.5 percent escalator is really how I look at it, how I make myself whole in the back end. So again, when at the end of the day, when I produce a project like this, I push all that energy onto PNM's electric grid, they don't pay me a dime. I'm upgrading power lines, substations, all those components. That doesn't come out of ratepayers' pockets. That's just my pockets. Once that energy is on the electric grid, again, I tell PNM which accounts need it based off of their share in the project, give you \$100 worth of credits, you pay me back that \$90. That \$90 is where I start paying myself back, make myself whole, and then also can make a return as well.

COMMISSIONER GREENE: But if there's a big spike in the price of power, there's no – you take you get this is all the benefit of that.

MR. MCCARTHY: If the state of New Mexico or if PNM's power jumped 10 percent next year, the community solar bill credit rate will follow that same trend. If PNM said, Hey, your power is going to drop 10 percent. That community solar credit is going to be 10 percent less than it is. So, I'm going to take the hit if it goes down as well. We're factoring an assumption of 2.5 percent escalation for electricity prices, but candidly, we're married. if you were to subscribe, we're married together in the concept of those bill credit rates are just going to follow electricity trends. All I'm guaranteeing is you're going to be paying me 10 percent less than the credit value I provide.

COMMISSIONER GREENE: Just for our own thing, if we put solar on our building, we don't take on that risk. We capex it. We amortize it. We go for grants, we do whatever. This is just an added program in this and an added option for those buildings that we can't do and for those margins, but we do have some added risk in it. So, thank you.

MR. MCCARTHY: Correct. Yes. And so any more questions before I kind of dive into some of the County specifics here?

CHAIR BUSTAMANTE: No, if you can please continue your presentation. Thank you.

MR. MCCARTHY: So, we looked at you can see the, you know, kind of three accounts broken down. as a County, you guys have been one of the most proactive I've seen across the state and actually a lot of other states as well in terms of your initiatives of you've done a lot of rooftop solar, you're part of a solar direct program. You're doing a lot of initiatives. And so when Jacqueline and myself and the rest of her team looked at this, we looked at, hey, what accounts can we capitalize on to get the remaining benefit? So you we were not subscribing accounts that already have you know excess power generation from a solar facility. So all that has been taken into consideration when we put this together. So you can see we have 18 solar direct accounts included -- or excuse me accounts that didn't have solar direct. We have 61 that were part of this existing program and then there's two accounts with the Housing Authority that we're actually by being a housing authority, we can push a 28 percent discount on those

two accounts. So, we can provide a little bit more benefit there. But when I'm walking through these figures, I'm kind of using 10 percent because that's going to be the bulk of the load. As noted, so, again, this is fixed 10 percent. This is all off-site, so no changes. And then again, there's no capital expenditure on your guys' end. And just if you look at the back the graph depicted on the right that shows really the production of electricity in relation to credits flowing to your account and payments back to my business. So summertime you can see it's at highest volume. Winter time it tails off a little bit. I may only be providing 60 percent of the bill covered with credits you know during those winter months.

So, this next slide, there's a lot of data here. I'm going to hit it, kind of run down kind of what these attributes mean and kind of can open it up at this point. So, we're looking at 5.7 million kilowatt hours of power across all the accounts included with this. So, if we look at the top figure, I'm just going to kind of walk through the inputs that make up this information to kind of paint the picture on how 1.26 million of savings over 25 years comes into play. So, we're looking at the total subscribed capacity there at 5.7 million. We're assuming 100 percent subscription of that power. The PNM build credit rate, that is the currently approved rate and that is across multiple different meter types. So, small power, general power, residential, they're all different build credit rate values and so this is an aggregate based off of your sum and data here. Again, noted that's that fixed 10 percent discount. When we look at the right side, degradation, we factor half a percent of degradation on our modules each year for the full 25 years. REX, the renewable energy credits that come with doing solar that goes all back to PNM. So that's not something I can provide and/or can share. Escalation, I noted that earlier, 2.5 percent for the bill credit value. And then there is an admin cost administrative cost rider and that is PNM's cost to implement this program for staff members and really kind of building up their software.

So I'm going to run down column one and hopefully that can paint the picture for the rest of the data here. So that top figure that is the subscribed capacity. The next line item below that that's the bill credit rate itself. One in parenthesis that is what you would pay back to my business. So again that's the price per kilowatt hour which is just 10 percent less than the build credit. Annual credits supplied that'll be \$483,000 across all the accounts. You would then pay my business \$435,000 for that power we provided. So you can kind of see the kind of delta difference there of 800s of a cent 8.5 there. That administrative cost. So the implementation of this program so that other PNM residents that don't elect to take part in community solar aren't affected by the implementation of this that is a cost that would be added to your electric bill. And so when I take all these components to, you know, what would you get in credits to paying my business to having that admin cost rider that's where you net out \$36,000 in savings in year one. And you can kind of see the trend year 2, three, four, five. And then I summarized the next set of years in blocks of five.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante.

Just have a question. The last two rows, the annual savings and the cumulative savings, are you adding across the row horizontally?

MR. MCCARTHY: Yes.

COMMISSIONER CACARI STONE: If that's the case, shouldn't the total cumulative be just over 3 million?

MR. MCCARTHY: So when you're looking at the so the whole the bottom row 36,000 if you take 36,201 plus 37,223 that equals 73,424. And so it takes that year savings, adds it to the cumulative component. So you can kind of see it more clear in years one through five in.

COMMISSIONER CACARI STONE: So you're going across then down. Because I was just adding across the rows. I was just clarifying.

MR. MCCARTHY: So if you take year's one estimated annual savings plus year's two estimated annual savings, you get that figure below of 73,424.

COMMISSIONER CACARI STONE: Oh, got it. Okay. So then we're doing the same down over down over. Okay. So it shouldn't be over 3 million.

MR. MCCARTHY: The depiction of 1.26 is cumulative for all the accounts here.

COMMISSIONER CACARI STONE: Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Okay.

MR. MCCARTHY: So kind of last piece a higher note, as I'm speaking with you guys, you know, a County and electric consumption like you have, we look at your load like an anchor tenant. You are candidly providing the bulk of consistent power so that we can provide that option to low-income households where low income there's a lot of churn. It's, you know, someone's a renter and they move next year and we're replacing them in the project and there's a lot of allocation adjustments. As an anchor tenant, we're looking at as you as a long-term partner, you know, with the goal of being in the project for the long haul here. We do a lot of partnership work. Again, we've kind of noted that. I know time is tight, but that is something that we're looking at and again looking at offsetting 70 households here with the economic development department.

So to kind of conclude, just to hit these at a high level, Jacqueline and myself and her staff, we've reviewed, you guys do meet the economic and program qualifications. What I just walked through was the economic proposal here, number two. Number three is really the disclosure diligence which is I would say more it's more for households just to kind of make sure there's no bad actors in terms of, you know, the roll out of this program. So that's a state provided document that I share and then the subscription agreement that is the US Solar kind of contract that would be to source power from this project.

CHAIR BUSTAMANTE: Thank you. Are you done?

MR. MCCARTHY: That is it. Yep. Thank you.

CHAIR BUSTAMANTE: Any further questions, Commissioner Greene?

COMMISSIONER GREENE: Are you building – so I saw that you have the REC credits that you're not taking advantage of because you're not eligible to them for them within the PNM they get the credits. Are you working with the tribes to sort of work around that? I know that if you build and partner with tribes to build on tribal land, you or the tribe is eligible to the REC credits, but you may have the capacity to sort of do the building and the investment and all of that. So, have you started looking at that?

MR. MCCARTHY: We've looked into that, candidly, there's six tribes in the state that fall underneath one of the three investor own utilities. And so we don't have

the seven projects I've highlighted here. Those are a mix of private land to state land that we're developing. So that REC value I don't have. We can't offer it. And that's where PNM just absorbs that themselves with the roll out.

COMMISSIONER GREENE: Would you want to try to work with tribes? Is that something that you just haven't gotten to and it's been too complicated or what whatever the reason is?

MR. MCCARTHY: So, we are right now I mean we work with other Native American communities in different states for this similar concept. Actually doing the construction development on their land itself. I know the Pueblo of Tesuque, I was just with their governor and County staff this morning as we're going through this process as well. And if we wanted to do that as kind of a phase two with the program you know we're looking at that right now but candidly that's three years from now before I could come and say hey I have a project on tribal land but that also makes needs to make sure I get awarded through the RFP even to be able to present it. So I would say that 2.0 is three years out assuming we get awarded to kind of develop that next round and part of our next round does have some tribal locations built into that.

COMMISSIONER GREENE: Great. Well, thanks for looking at that.

CHAIR BUSTAMANTE: Thank you, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. Thanks, Mr. McCarthy. So if I understand correctly, there are five gardens that you will be building in PNM's grid. And is it hypothetically if you were to build more, are we sort of – how does that change our relationship or is this a contract that would be within those five? I mean, we could also hypothesize one goes offline for some reason; how would that change the relationship between your company and the County?

MR. MCCARTHY: Yep, so each project so again with your larger load we're looking at dividing your load across two different projects of those five. So by subscribing to that there would be an individual agreement for each project itself. And so each project itself would deliver capacity to the accounts that we included and to your other kind of notion of what if power goes down. So if anytime, you know, there could be times where a set of modules say force majeure, a tornado comes through and wipes out a stack of those modules if we're not producing power essentially what happens is if we're not producing power for over a two week span we're going to reach out to you and say hey on this month you may not receive your full electric credits that have typically flown. here's the situation which is going on, and it is our responsibility and our cost to get that asset back up and running. And I would say we are candidly the most incentivized party to get that thing back up and humming because anytime we sit we have lease payments, we have made our upgrades etc etc as part of that cost.

COMMISSIONER JOHNSON: Okay, yeah, thanks for those answers. I think this is a really interesting project and I learned something new about community solar. So, I appreciate the presentation.

MR. MCCARTHY: Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I just was ready to make a motion if we're there, Chair.

CHAIR BUSTAMANTE: Are there any further questions? Otherwise, Commissioner Cacari Stone is prepared to make a motion. We have something from Manager Shaffer.

MANAGER SHAFFER: Yes, Thank you very much, Chair Bustamante and Commissioners and I just want to you know underscore per the comment that was just made is that you know the motion could should include authorization to enter into multiple agreements per the farms that you're building. So that's my understanding and that wasn't clearly captioned in the in the caption but I want to clarify that that we could end up having two or more subscription agreements but they won't in total exceed the parameters that were set forth in the presentation. If I got that wrong, Jacqueline, please correct me.

MS. BEAM: That's correct.

MR. MCCARTHY: Yep. That's right.

CHAIR BUSTAMANTE: Are you amendable to that inclusion of multiple subscriptions, Commissioner Cacari Stone?

COMMISSIONER CACARI STONE: Yes. I'd like to make a motion to authorize the County Manager to enter into a floating commercial subscription agreement with US Solar that may include up to multiple subscriptions. Thank you.

COMMISSIONER HUGHES: And I second.

CHAIR BUSTAMANTE: We have a motion from Commissioner Cacari Stone, a second from Commissioner Hughes.

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

CHAIR BUSTAMANTE: Thank you.

MS. BEAM: And thank you Commissioners. I just want to state big thank you to Will Donahoo who's not here who kind of started this whole process and Elizabeth Houghton and Jonathan Butler, our director, who's moved all of us in the right direction to make it over the line. So thank you.

CHAIR BUSTAMANTE: Thank you. It's very interesting. Thank you.

E. Request Approval of the Agreement Between the County of Santa Fe and the New Mexico Coalition of Public Safety Officers

COMMISSIONER GREENE: This will be Valerie and Rachel Brown.

RACHEL BROWN (Deputy County Manager): Good afternoon, Madam Chair and Commissioners. We're pleased to be before you today with a draft collective bargaining agreement between the County and the New Mexico Coalition of Public Safety Officers representing the RECC bargaining unit employees. The group had a contract which expired on October 31st of this year and we have been working with new leadership in this bargaining unit to negotiate a new contract. We had a very dynamic and engaged negotiation which resulted in the agreement before you today.

I'll highlight a couple of the critical elements of the contract. The primary one being significant pay increases across the board for these bargaining unit employees. You'll see on the second page of the memo the average increases range from 4.4 percent

for some positions all the way up to 11.8 percent for other positions, and you'll also see that the wages that are proposed in the pay scale that's part of this agreement are better than or highly competitive with our neighbors. So you'll see a comparison between Santa Fe County, Rio Rancho, and Bernalillo County. And almost none of the positions and minimum and maximums are as competitive in these other organizations. You'll also see that this contract is going to be a four-year approximately four-year contract with one wage opener at the end of the first two years, which puts us in sync with our other bargaining units where we look at wages and the market value of those positions every couple of years. And so you'll also see that there is a matrix that describes all the details that we negotiated. I won't go into all of those details because there are many, but I think that this contract is significantly improved from prior years, including having a statutorily required grievance process that was referenced but not included in prior contracts that relied on existing contract provisions for non-bargaining unit employees. We now have one specific to this bargaining unit.

And with that, we stand for questions.

CHAIR BUSTAMANTE: Do we have any questions? Commissioner Greene.

COMMISSIONER GREENE: Thank you. I think staff, the very key staff needs, these sort of raises, so that's great. I appreciate looking at Bernalillo and these other counties, but I'm wondering since we're, you know, one arm talking to the other. We're talking about with regionalization and this study between the 911 system in Española and Rio Arriba County and Santa Fe County. How does this compare? And, you know, is this something that could negatively affect that or positively affect the regionalization study?

MS. BROWN: I wish I could answer that question. I'm not sure that I'm the right person to do that. I saw the comparisons that were provided for surrounding counties and I think were we to regionalize it would have significant impact on our contract and we'd have to revisit what's happening. But my understanding is that these rates are in excess of our neighbors.

COMMISSIONER GREENE: Okay. Roberto, do you have an answer to that? Because you may know and you may be taking part in this regionalization study.

ROBERTO LUJAN (RECC Director): Thank you, Madam Chair. Commissioner Greene, as far as comparison and salary, we compare to other regional dispatch centers. Española/Rio Arriba is not a regional dispatch center. So that comparison would be irrelevant to what we're looking at right now as far as compensating in accordance with similar-sized agencies.

COMMISSIONER GREENE: I mean, I would think that they're considered a regional. They do Rio Arriba, they do Española, they do tribes. Rio Rancho I would argue is probably just a city, maybe it's regional as well. But, I just want to know are we going to be significantly above or below their equivalent staff at the 911 center in Española?

MR. LUJAN: Thank you. Yes, we would be significantly above in comparison.

COMMISSIONER GREENE: Okay. And I don't need to hear it now, but it'd be great to hear that sometime in the future so I could confidently say that.

Specifically. Yes, thank you.

MR. LUJAN: Thank you.

MANAGER SHAFFER: And if I if I could add to that, Chair Bustamante, Commissioner Greene, I think the relevance for those ongoing or those discussions with Rio Arriba and 911, it really factors into the ever increasing cost associated with the facilities both from a human resources as well as from a technological perspective. And so I think it is directly relevant to those discussions about how do we get the highest level of service for all of our communities at the most efficient and effective cost for all the different partners. So I think it does play into those conversations but that's the way in which I would imagine it would shake out as we have those discussions with Rio Arriba County, Española and the other partners in that system.

I hope that provides a little bit more context.

COMMISSIONER GREENE: It is definitely a big picture, but it gets into individual pay scales like and so it's we're making decisions on people's lives and I get it that at some point we have to make decisions on big picture issues. So, thank you. I just want to have that at my fingertips. So thank you.

CHAIR BUSTAMANTE: Anyone else? Hearing no further questions. Do we have a motion?

COMMISSIONER GREENE: Sure. I'll do the honors. I make a motion to approve item 7E, a request for approval of the agreement between the County of Santa Fe and the New Mexico Coalition of Public Safety Officers, operating the RECC, and I guess that's all there is in this thing. So, I request approval.

COMMISSIONER HUGHES: Second.

CHAIR BUSTAMANTE: We have a motion from Commissioner Greene, a second from Commissioner Hughes. All in favor?

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

F. Resolution No. 2025-148, a Resolution Identifying Santa Fe County 2026 Legislative Priorities for Affordable Housing.

JONATHAN BUTLER (Community Development Department Director): Good afternoon, Madam Chair. I am pinch hitting for our team and you see me in a festive holiday sweater because our team is actually together celebrating and so I am filling in for those two persons to be able to present this resolution if that's okay.

CHAIR BUSTAMANTE: Thank you.

MR. BUTLER: Madam Chair, Commissioners, you all approved in your last meeting various resolutions regarding legislative request. This is the one for affordable housing. We are well aware that we had some supports for affordable housing included in what the recommendations were regarding capital improvements at your last meeting. This is largely supporting the affordable housing legislative priorities of 2026 which mirror in large part what was presented in 2025. Thanks to the support and the help of Commissioner Hughes, we have always worked to round these priorities out. And so with his support, we are offering these legislative priorities for 2026. I said they largely mirror 2025. There are two exceptions. The one exception is we have excluded

gap funding for Nueva Acequia, we have put in other requests that might anticipate any needs for that gap funding. And at the current time, the project is moving in a way that seems to align with all of the balances of funding being in place. So, we have excluded that one item. And the second item that has changed is just an increase in the amount of the recommendation of the funding for item number two, an increase in funding for the state Linkages program by \$20 million per year. And we have made that in consultation with Commissioner Hughes. Everything else you see before you is as it was presented and approved by you all for the 2025 legislative session. I'll stand for any questions. If I need to go into any detail, please let me know about what those recommendations are.

CHAIR BUSTAMANTE: Do we have any questions? Commissioner Greene.

COMMISSIONER GREENE: First off, I want to thank you for continuing to include the concept of strategic workforce housing for civic and first responder, medical and education workers. But I also I wonder, you know, our hands are tied here. And we talk about, you know the City did the mansion tax and, you know, that has a level of judicial risk, right. But it's my understanding that it it's going to be found unconstitutional given the state laws precluding taxation on that. I'm wondering if there's a potential to add something to this that says study alternative methods to allow jurisdictions such as cities and counties to raise money through property tax or other mechanisms to support affordable housing. And so I don't think it's just through a sales tax. I think it's through property tax. I think there should be other mechanisms that if Santa Fe County develops a program, we should be able to do it whether it's through property tax or sales tax or other mechanisms and to encourage the legislature to study that either through a memorial in this year so it can be developed in future years or through actual a bill that comes through if there's something in the pipeline this year.

So specific language would be study alternative methods to raise money through property taxes, allowing jurisdictions to raise monies through property taxes, sales taxes and other alternative mechanisms.

CHAIR BUSTAMANTE: Thank you. Is that it?

COMMISSIONER GREENE: Yes, ma'am.

CHAIR BUSTAMANTE: And are you asking for that to be a part of the legislative request?

COMMISSIONER GREENE: Yes, thank you.

CHAIR BUSTAMANTE: Thank you, Jonathan, any further questions or statements? Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante, Mr. Butler. This question is open to you and, of course, Commissioner Hughes obviously is in support of this. The 20 million for the Linkages, so, when we approve the legislative priority, and this is for my education only, I'm not questioning my support. Is this 20 million a year for Santa Fe County only or what? Statewide?

COMMISSIONER HUGHES: Statewide.

COMMISSIONER CACARI STONE: That's what I figured because I didn't think we had that much money. And then is that just in general of support because we didn't have that in there before? And where is the funding level now for Linkages statewide? How would it be different?

COMMISSIONER HUGHES: It's about 10 million statewide now. And we just want to ask for the maximum amount we can get.

COMMISSIONER CACARI STONE: Okay. And the how does that flow back to Santa Fe County if and when appropriated or approved? What percent do we get? How's that determined?

MR. BUTLER: Well, if you approve recommendations to essentially have the state include additional resources, they do a distribution process for those folks and those residents who may qualify. We use LifeLink here in Santa Fe County as the entity that is traditionally in the service provider space, that would then be assisting these additional resources for those persons who would then qualify based on those programmatic supports and then those resources would flow down. And so what we are asking your permission to do essentially is to say we are supporting that the state move forward in these statewide initiatives that to Commissioner Greene's standpoint, it would be some modifications of the ways in which they are attempting to leverage resources and do business. That's what we're attempting to support those agendas.

COMMISSIONER CACARI STONE: Okay. And this eventually would have a positive consequence for potentially more vouchers. So we could look at our long-term supportive housing for mentally ill folks.

COMMISSIONER HUGHES: Yeah, yeah. It makes the vouchers available.

MR. BUTLER: Yes, our request last year was for 5 million and to Commissioner Hughes's point, the state is already funded at about 10 million and we are looking for increases in those resources to be able to go and flow back into communities which would be ours as well.

COMMISSIONER CACARI STONE: Thank you for clarifying. Thank you.

CHAIR BUSTAMANTE: Thank you, Jonathan. Any further questions? Commissioner Johnson. Anyone? Hearing none, do I hear a motion.

COMMISSIONER HUGHES: I'll make a I'll make a motion to approve this resolution identifying Santa Fe County 2026 legislative priorities for affordable housing.

COMMISSIONER GREENE: And I'll second but –

CHAIR BUSTAMANTE: A motion from Commissioner Hughes. We have a second from Commissioner Greene.

COMMISSIONER GREENE: -- with the added language.

COMMISSIONER HUGHES: With Greene's additional wording.

COMMISSIONER GREENE: The additional awarding was to support studying alternative methods for jurisdictions to raise money including property tax and sales taxes for affordable housing.

COMMISSIONER HUGHES: Okay. Did we get that down somewhere?

COMMISSIONER GREENE: Yes, she got it. I have a nod over here.

ATTORNEY BOYD: Yes, we've written it down.

CHAIR BUSTAMANTE: All right. All in favor?

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

COMMISSIONER HUGHES: And I have a question, Jonathan, before you leave. I also notice we don't have a sustainability resolution, so we should do that next time, Jacqueline.

CHAIR BUSTAMANTE: Thank you, Commissioner. Thank you, Jonathan.

8. **Presentations** – None were presented.

9. **Matters from the County Manager**

MANAGER SHAFFER: Thank you, Chair Bustamante and Commissioners. I have three miscellaneous updates. First, as the Board knows, the New Mexico Health Care Authority has selected the County's Adult Detention Facility to participate in the Just Health Plus program which is a Medicaid re-entry demonstration program designed to improve health outcomes for individuals transitioning from incarceration back into the community. So this opportunity stems from the state's expansion of the Medicaid 11-15 waiver which now allows Medicaid covered re-entry and medication assisted treatment services for eligible individuals 30 to 90 days prior to release. So I just wanted to confirm for the Board that I did submit a notice of intent to participate so that we can continue moving forward towards that goal of providing an additional revenue stream but also obviously additional services for our justice-involved constituents to help them have better outcomes as they transition back into the community. That notice doesn't ultimately commit us to participate but it does allow us to continue moving forward towards that goal.

In addition, I wanted the Board to know that I believe we have now signed all agreements necessary for the US Postal Service to take possession of the future home of the Chimayo Post Office. That includes both a lease agreement with the United States Postal Service as well as a Commission agreement to pay the broker for lack of a better word that was utilized by USPS to locate a site, a commission for their services. So the Board had granted me authority relative to the lease and the commission agreement was within my general signature authority. The keys to the former Head Start facility as it is known will be given to USPS this Thursday and thereafter we would look to receive their you know renovation plans which are ultimately subject to approval by the County. So again I think we've done everything to put them in possession of that building which I understand will occur this Thursday.

Finally as the Board knows we have been approached by several entities to potentially serve as fiscal agents for capital outlay appropriations that they intend to seek from the legislature in the upcoming regular session. My intent given the number, number one, I'll apprise the full Board of all requests that we do receive. We'll ask for the information that's set forth in the existing County policy and we'll intend to you know evaluate all of those requests and bring them to the Board for consideration at its first meeting in January, unless we have some indication that suggests a quicker consideration is somehow necessary for them to continue through the process that they've already started by submitting capital outlay requests to the state. So to summarize, my intent is

to bring all such requests that we receive to the full Board of County Commissioners for consideration at its first meeting in January. Again, unless we have some indication that there's a reason why a special board meeting would be necessary for them to continue through the capital outlay process, in which case we'll try to coordinate that any such special meeting with the Board. Thank you, Chair.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer.

10. Matters from the County Commissioners and Other Elected Officials

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

CHAIR BUSTAMANTE: Okay. On to matters from the County Commissioners and other elected officials. Who would like to start? Commissioner Hughes.

COMMISSIONER HUGHES: Yeah, my message is happy holidays, everybody.

CHAIR BUSTAMANTE: Happy holidays, Commissioner Hughes.

COMMISSIONER HUGHES: Yep. And that's it.

CHAIR BUSTAMANTE: That's it.

COMMISSIONER GREENE: Excellent.

CHAIR BUSTAMANTE: All right. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I just want to recognize and celebrate a full year of being on the Commission and it the success of it and the great experience wouldn't have happened without my colleagues those of you who have served before me, us newbies, Commissioner Johnson and I. I also really want to thank the County management team, the County Manager, Attorney Boyd, the legal team, both the deputy managers, all of the units and teams that really make the County work, including Land Use, including Public Works, including Community Services, the list goes on. It's been a good year and I'm looking forward to serving in a few weeks in 2026.

And based on that, it has been a busy week, but I just want to give some highlights that really anticipate positive energy for a new year. And part of those highlights in the last week are around behavioral health and youth. I was able to sponsor my first leadership platicon. And I thank the Community Services and Michele for taking us over to the new soon to be multicultural youth center there on Rodeo Park area and we had about I believe Olivia was pulling the final numbers. We had 24 guests and these were subject matter experts as they relate to the populations in District 2. So, I want to emphasize that and really serving youth that are lower income, immigrant, Spanish speaking, Hispanic, higher risk, but also that's where the fastest growing is also the southside and intergenerational families. And of the 24, I want to highlight, we did collect note cards and there's so much energy and excitement around this new center and we really want to build on that. Senator Trujillo came. Some of the other legislators sent representatives, Szczepanski as well as I believe Lujan sent a representative in behalf of her because she had some health surgery. But folks are really excited about having – and they recommended a wellness room, holistic programming, arts and music and dance that

the space really center youth. Everyone wants to continue to center youth and their input in designing the space, making it cozy, safe for de-escalation, bringing in families, space for grieving, peer-to-peer mentoring programs, a GED program, legal services and inclusion of youth that speak other languages, including Spanish, and youth that are Dreamers, having healing spaces that are culturally centered like sweat lodges, transportation resources. Much of this input our community services team have already gotten in the last year. So, I just really want to highlight that positive energy and also Senator Trujillo, we share the same overlay districts and population so I was able to speak at her town hall along with the District Attorney and others. And I want to put a shout out to our Uplift Program through the connector and through Community Services. There was some success stories happening there and I was also able to join an HRA dialogue with one or two of the other Commissioners. We had to rotate. I want to thank everyone for a positive legislative reception. It was my first one, so I went last year, but just as an interloper, but the beautiful greeneries and poinsettias around the room really reflect the hard work of the County management team and our liaisons.

And there's quite a bit of other things that happen here at the end of the year, but I'm excited to serve as the vice president and vice chair of the Northern Rio Grande Heritage Area and we're working on programming with our housing team and many others. So again, just thank you to everyone. I'm looking forward to the Las Posadas Southside on Thursday. I'll be volunteering. They're expecting about 2,500 to 3,000 people. And if you haven't gone, it's phenomenal. It's a great family event. There's free food, tamales, there are activities, and there's a clown for the kids. There's a parade, a light parade, and the City of Santa Fe is a big contributor. So, I hope next year the County, that we can collaborate a little bit more. So, thanks.

CHAIR BUSTAMANTE: Thank you, Commissioner. That sounds like a lot of fun. Commissioner Fulton Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. I'm going to echo Commissioner Hughes's sentiment. Happy holidays to everyone at the County. Happy holidays to my colleagues on the Commission.

I've had a very busy week, although not with County business. I had an event, the Guadalupe Street Winter Walk, which was a great success for businesses along that corridor. There were tons of people out from 3 to 7 doing some holiday shopping and rediscovery along that corridor. It was a great event. I'm very happy it's over. Also, I worked very hard to pull that off and it took it out of me and I got sick. So, thanks to everyone who came out and stay tuned for more in the future and I look forward to seeing you all in 2026. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. I'll go ahead and then you can do it. The only thing I have, except that I want to make sure that we wish everyone a happy holidays, happy new year, is I would like to in the upcoming year address an ordinance for illegal dumping. We have a situation where the ordinance reads that a person is guilty until proven innocent unless they can prove that a piece of mail or something that has their name and address on it was not put there by them which leaves the burden on the accused. Meanwhile, if we have mailboxes that are being broken into and mail is stolen, and we have no record of how that was taken and people aren't aware that someone may or may not have taken their mail, that needs to somehow be rectified in

identifying or making putting some due diligence in working with our postal service and saying, you know, have you had other reports of stolen mail or any reports of stolen mail? As well as, if there is evidence of two addresses, then they're both equally identified in a particular call.

So those two issues as well as the effort to contact a person before there is a warrant out for their arrest. So right now the practice is to put a note on the door but if the note blows off or it's not there and in this particular case the person never saw the note but if there's a notice then there should be some type of record of maybe three attempts to get a hold of the accused and with a picture of the note on the door a phone call and or maybe two attempts whatever it is we can look at that, but something that shows that there was additional effort before a person is not only accused, but then there's a warrant out for their arrest. That can cause a lot of angst in a person's life, especially if they feel that their reputation defunct and messed up as a result of being accused of illegal dumping. So, that is a problem and I'm very aware that all of those issues became reality for someone. So, let's see what we can do in the new year.

Otherwise, it's all been a very good year and I'm really grateful for everyone's cooperation and help. Thank you. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. First off, Commissioner Johnson, I'm sorry I didn't see you out at your street festival on Saturday, but it was amazing. Great job there. Congratulations. And I hope that Santa Fe County can support this even though we have a Commissioner that is somebody that leads it. It is a great community event.

I took part in a Caja del Rio preservation meeting with some leaders from the community, from the Agua Fria Village, from La Cienega, from the area around and with Senator Heinrich's office. That was very informative and I look forward to some great legislation coming out of that in the next year and I hope that Santa Fe County can be in support of that.

I too took part of that rotating attendance for the HRA meeting last week. That was very informative as well and I think there's some good stuff that might come out of that as well.

Last Friday was Pojoaque's feast day and I want to thank the pueblo for hosting that and putting that on. It was beautiful as usual. I attended the holiday party for the staff, Santa Fe County staff on Saturday and appreciate the invitation that they extend to the Commissioners and it was great to be there with everybody. Staff did a great job with the legislative dinner and I appreciate that as well.

I do want to make two very specific sets of thank yous to staff that stepped up in these last two weeks for things that popped up that were urgent. And so, one was on a Friday afternoon. I received a phone call from a constituent up in Tesuque, driving on Bishop's Lodge, and a tree had fallen across the road, blocking traffic and on a pretty blind curve, right? Super dangerous. And I was able to – we my team, myself were able to contact Ryan Ward and, he was able to dispatch somebody out there very quickly. I got there first and started ripping branches out of the road, but Lloyd Martinez and I cleared the tree in record time. It was great. Yeah, it was we got it done before really traffic started for rush hour and it was fun to go work out there. It was a beautiful day. It was great to do some work, physical work out there to clear the road. So Lloyd Martinez

deserves a big shout out for being the first one out there and the rest of the staff that showed up shortly thereafter made a difference and kept people safe out there.

Second, we received a few emails and texts from a constituent up in Española who had some complaints about some trash that was improperly disposed of in our Santa Fe County Housing Authority property up in Santa Cruz. And Director Ricketts was attentive to this and tried to get Española to address it within the regular hours of Espanola's trash pickup, but that didn't work. So failing that, she assigned one of her staff members, Mr. Chris Sandoval, to go up there and take care of it on last Friday evening. And so this was something that couldn't wait because it would have sat there all weekend and it would have been just a mess. And so it was really appreciated that we took the initiative towards the end of the day to clean it up and to keep the dogs out of it, to keep the bears out of it, to keep the coyotes out of it, whatever was going to happen with the trash and to clean up our own community. And so I want to send out that appreciation to Director Ricketts and Mr. Sandoval for doing that. Thank you very much everybody. Happy Chanukah, they've probably just lit the candles out on the plaza right now for the second day of Chanukah. I was out there yesterday for the first night of Chanukah and happy holidays, happy new year, merry Christmas, whatever you celebrate may it be joyous with your friends and family. Cheers.

CHAIR BUSTAMANTE: Thank you, Commissioner. I was hoping you were going to say we chopped up the wood and we delivered them to a family in need in record time. But, I was holding on. It's okay. It's all right.

COMMISSIONER GREENE: I don't know what they did with the wood that they cleared. The County did pull some off of there. Maybe we can –

CHAIR BUSTAMANTE: Just don't tell me that a rollout vehicle came and they took it to the dump. Onward ho.

B. Other Elected Officials Issue and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations - None were presented

MANAGER SHAFFER: Chair Bustamante, sorry to interject, but it is 5:00 and I would defer to the Board whether you want to go through the items that were listed for public hearing as we do have applicants and staff here, but I did want to just note the hour and again defer to the wishes of the Board whether you wanted to hear those items before executive session or after. Thank you.

CHAIR BUSTAMANTE: I'll go with the interest of the Board. Do I have anyone's suggestion? Shall we hear – they're very quick items.

COMMISSIONER CACARI STONE: I think we should, yes, hear the community hearings, public hearing items.

CHAIR BUSTAMANTE: Very good. Okay.

COMMISSIONER GREENE: So, I totally agree. I would, a recommend just a five minute or 10-minute break. Two, if we could do the alcohol hearing first if they're ready to hear it, just to give the potential La Cienega folks enough time to know that that was coming faster than they might have expected.

CHAIR BUSTAMANTE: Sounds good. Let's take a let's take a break, a

10-minute break. Thank you.

[The meeting paused from 5:02 – 5:12]

CHAIR BUSTAMANTE: We are reconvening our meeting. The first item we have is a public hearing on the community plan, but as we understand that the public hearings because this particular request had been heard and approved, we don't anticipate it to go very long. So we're going to go ahead and start with number 13.

13. Public Hearing on Administrative Adjudicatory Matters

A. **Case No. 25-5250 Sterling Enterprises, LLC DBA Muse Fine Wine, Requests Approval of a Wholesaler Liquor License to be Located at 20 Bisbee Court. The Property is Within the Planned District Santa Fe Community College District and Zoned as an Employment Center Sub-District. The Site is Within Section 24, Township 16 North, Range 8 East, SDA-1 (Commission District 5).**

DOMINIC SISNEROS (Case Manager): Thank you. Good evening, Madam Chair. Commissioners, thank you. [Mr. Sisneros read the case caption.]

Sterling Enterprises LLC DBA Muse Fine Wine applicant seeks approval of a wholesaler beer and wine and spirits license with no premises consumption and no patio service. The business will be located at 10 Bisbee Court. The property is owned by Kimosabi LLC, leased to Fiasco Fine Wine LLC, the tenant, and sub leased to the applicant Sterling Enterprises LLC, DBI, DBA, Muse Fine Wine. The applicant previously obtained approval of a wholesaler liquor license in 2023 at 21 Bisbee Court. However, relocation of the new address requires issuance of a new liquor license and the applicant holds a current license at the existing 21 Bisbee Court, but they do have an application in for 20 Bisbee Court.

The zoning for the property is regulated by Ordinance 2016-9, the Sustainable Land Development Code, Section 8.10.3 governing the planning district, Santa Fe Community College District, and the site plan is within the employment center zone within the PD CCD. Section 8.10.3.19 CCD use matrix allows for the sale of beer, wine, and liquor for off- premises consumption and the use of a warehouse or storage facility as permitted uses. The CCD use matrix defines a permitted use as permitted by right within the zoning district. Permitted uses are subject to all other applicable standards of the SLDC.

Legal notice was published in compliance with the Liquor Control Act in *The Santa Fe New Mexican* on Friday, November 14, 2025 and Friday, November 28, 2025. A complete application was submitted on October 31, 2025, and the growth management staff reviewed the request for compliance with pertinent code requirements and finds the following facts to support this submittal. The SLDC CCD use matrix allows the sale of beer, wine, and liquor for off- premises consumption and the use of a warehouse for storage facility as a permitted use within the employment center subdistrict. The applicant has met the state of New Mexico requirements for noticing and the site is more than a 1,000 feet from the nearest church and from the nearest school.

Recommended action is approval for a wholesaler liquor license located at 20 Bisbee Court. This report and the exhibits listed below are hereby submitted as a part of the record. Thank you. And at this time, I stand for any questions.

CHAIR BUSTAMANTE: Thank you, Dominic. Do we have any questions for Dominic? Hearing none. Do we have a motion?

COMMISSIONER GREENE: We need a public hearing.

CHAIR BUSTAMANTE: Oh, I'm sorry. I'm sorry. I got so excited about the time. Is the applicant here to speak to this matter?

MR. SISNEROS: Madam Chair, Commissioners, the applicant is here.

CHAIR BUSTAMANTE: She does not wish to say anything? Okay. Is there anyone who would like to speak from the public? Anyone online? All right. Seeing none –

COMMISSIONER GREENE: Can I ask one question then?

CHAIR BUSTAMANTE: Okay, we have a question now from the Commissioner.

COMMISSIONER GREENE: Thank you, Madam Chair. So there are two wholesalers housing in one building. That is copacetic with the state ABC?

MR. SISNEROS: Yes, they made all the requirements that the Alcohol Beverage Control does allow.

COMMISSIONER GREENE: Okay. Because in the past I've heard that manufacturers cannot co-locate. So, I guess there's a different set of rules for wholesalers.

MR. SISNEROS: That is correct. And I believe there are requirements and the applicant, she did indicate that she will be enclosing her area of the area of where she's going to be storing her product and so she will be fencing that off closing that off within the structure.

COMMISSIONER GREENE: Fabulous. If nobody hears anything else, I'll make the motion to approve.

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: We have a motion to approve from Commissioner Greene, second from Commissioner Cacari Stone. All in favor?

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

12. Public Hearing on Community Plan

A. **Resolution No. 2025-, a Resolution Repealing and Replacing Resolution Nos. 2001-117 and 2015-123, the 2015 La Cienega and La Cieneguilla Community Plan Update, and Amending Resolution No. 2015-155, the Sustainable Growth Management Plan, to Adopt the 2025 La Cienega/La Cieneguilla Communities Plan.**

BRETT CLAVIO (Planning Manager): Good evening, Madam Chair, Commissioners, my name is Brett Clavio, planning manager, Santa Fe County. I'm here just to help introduce Joseph and Nate to you guys who did a lot of work on this community plan over the past year and a half along with the community. I want to thank everybody for their participation over these long grueling months. Also I wanted to just

identify that it was a very long process and that quite a bit of review had to take place.

And so I just want to let you guys know, for the record, that there were a few substantive changes added to the plan just to make it better and to make it easier to read. And I'll list those out for you right now. In the land use element we included a statement about 25 Entrada, La Cienega and the fact that it should needs to be rezoned to be consistent with its platted description. So that's long been envisioned as a commercial property and so our proposed future zoning is going to show it as such. That's on page 45. We also included a map 6, which is a future land use and zoning map, to visually reflect the community support for those rezonings to both the Tres Rios Ranch and the 25 Entrada, La Cienega property. That's on page 47. And lastly, we updated the public transit subsection to reflect some recent changes that have happened to NCRTD MyBlue in the La Cienega and La Cieneguilla areas. So if you guys don't know, now we have on demand transit in La Cienega ad La Cieneguilla. Information about the MyBlue service is on page 94 and page 95. And with that, I'll pass this over to Nate, who could talk about some of the non-substantive changes.

CHAIR BUSTAMANTE: Thank you, Brett.

NATE CRAIL (Planner): All right. Good evening, Chair and Commissioners. So just some of the non-substantive changes that were made within the past several days; we had some additional typos, we changed the front cover, one of the front cover images, we added some different wording that are described in the bullet points and this is on Exhibit H, we revised the Map 3 land grants map to include the La Cieneguilla historic area. W also added two zoomed-in versions of Map 4, existing land use map, on pages 40 and 41 because this is you know printed on an 8 by 11 page we saw that it was difficult to read some of the existing land use classifications. Amongst some other non-substantive revisions that we made was a brief statement about the community support for a park on the upland portion of the La Cieneguilla open space. We added some decibel sound levels to the legend of Map 15 airport area map. And then added the related page number and element to column 3 of the implementation matrix on page 133 through 135, as well as, we copied and pasted the relevant goal statements in each element chapter for readability, and those are all on the respective element chapters. So those are the summary of additional changes highlighted in Exhibit H.

And I had a just a brief slideshow just for some more background on this process. So, we're discussing the 2025 La Cienega-La Cieneguilla Communities plan. And just for some context about the exact planning area, so this is a map of the planning area that highlights the four different communities within the planning area. And just for a little bit of background, the planning area boundaries go all the way back to the original tradition historic community boundary that was adopted I think in the late 90s. And so this in red and then you can see it highlights La Cieneguilla, El Cajon, lower La Cienega and then upper La Cienega. The last community plan that we brought before you was the Village of La Bajada, which is just to the west of this planning area on the bottom of the La Bajada Hill. And then you can see the Santa Fe Regional Airport is to the north of the planning area.

So community plans they're all about vision, about the goals for a community. And this is a little graphic that we put, a predecessor put together about how the community plan relates to our general plan, the Sustainable Growth Management Plan as

well as the SLDC or Sustainable Land Development Code. And then how the plan relates to the overlay which is specifically SLDC section 9.8 and as you can see the you know as described in the resolution the community's plan is an amendment to the SGMP and then that informs potential changes to the SLODC but on the right hand side you can see that the community plan will lead to direct amendments to the La Cienega La Cieneguilla Community District Overlay which is again in SLDC Section 9.8 and I'll highlight this later on but a key thing is the plan sets the intentions and the goals and then throughout next year we'll have additional planning committee meetings about the overlay where we'll develop the specific codified language addressing some issues such as setbacks things like that and that will be an ordinance amendment within the SLDC.

So, just a bit of planning history and Chair Bustamante has been involved to some degree in some of these earlier plans that were before my time, but the first community plan for this area was in 2001. Some of our predecessor planners like Paul Olafson and Robert Griego were involved in that plan. The last plan that we were updating from was the 2015 community plan update and that's pictured to the right here. And then as I mentioned, in 2015 when the SLDC was adopted, the La Cienega-La Cieneguilla community overlay which implements the zoning and other codified standards was adopted around then too. And so for 2024, 2025 we adopted a resolution way back in January of 2024 through resolution 2024-013 and since then we've had more or less monthly meetings from March 2024 until this past summer. We met all on different specific topics. As you can see here, we just talked a lot about maps, and I'll have some maps to show you later on, but we really emphasized community mapping in this process. And then in terms of the more formal adoption process, we had two pre-application neighborhood meetings in the community in August and September. And then last month we presented the plan for recommendation to the Board of County Commissioners, we went before the Planning Commission in November and they recommended approval and then that this is the second and final public hearing before you today.

And so some key updates and findings from 2015. So what we found throughout the past year and a half is that many 2015 issues and conditions are still relevant today. When we had a water specific meeting, when we had a transportation specific meeting etc., what we found was you know road safety was an issue in 2015 it's still an issue today. Water quality and quantity was an issue back then it's still issue today. And granted, of course, there are new issues like PFAS, for example, but the broader themes and issues and conditions are really kind of there's been a through line from 2015 and to today.

And another thing that we changed is we revised the community's vision statement to really reflect that, this planning area is not just one community, it's multiple communities. It's La Cienega, it's La Cieneguilla, El Cano and really emphasize that it's a multi-community planning area and of course with this update we updated the data and some of the other current conditions like PFAS for example. The biggest substantive change I would say is we really dramatically changed the organization formatting of the plan to be consistent with our more recent plans as well as to add beautiful pictures and beautiful maps and make it more user friendly. With that, we have there's tons of great photos and I have a couple here later on. And then, as I mentioned before, we did community mapping where we had community members at our evening meetings draw

all over these maps being like maybe we need a roundabout here or we would like a bike trail along this area or things like that. or like you know for example for a key issues our key issues community map this area has crime issues for example and try to highlight some ways that aren't as formal, aren't you know specifically like zoned this or that but really kind of emphasize that beyond just the text that we write is showing that visually on a map to really highlight that.

And then one of the final things we did that we spent most of the summer and early fall working on was really making the implementation element or Section 3 actionable. And so, what we found, as I just said is many of the 2015 issues and conditions were still were still relevant. And, a lot of them, not much had been done. And so we really wanted to identify who these strategies and actions can address the goals that they're related to, but also really flesh out the implementation matrix that I'll highlight in a bit.

All right. So some key issues, and I'm sure you're aware of some of them, is, water resources and quality like PFAS, preserving and enhancing rural character, the ongoing preservation of traditional ag, road safety, the impacts of the airport, and then of course fire safety. And a lot of these as you know – just to reiterate, were key issues in 2015 as well.

And so the way the 2025 communities plan is organized into three big sections, context, elements, and then implementation. And so this is the community vision statement and we added some small things but really the biggest emphasis that the planning committee really wanted to emphasize here was highlighting that it's communities not just community and this is the overarching vision statement for the community plan and then within Section 3 we kind of operationalized that vision statement into I think about 14 different goals whether it's like water, governance, land use, etc. And so here is a small map that won't be that readable from this size but as I mentioned a bit earlier we created zoomed in versions of this on page 40 and 41 that are a lot easier to read but this just is highlights the existing land use and what we saw was that kind of the theme of this plan was a lot of the 2015 land uses were carried through to today in 2025. And that like looking at the demographic data especially, you saw dramatic demographic and economic changes from 2000 to 2010. But from 2010 to 2020, the demographics and the census data did not really reflect large significant changes that the planning area saw in the 90s and the 2000s.

And so here's an example of a digitized version of a community map and I think this is in the transportation element, but specifically you can see people drew on all over these like these large pieces of paper and we had our GIS plan planner, Valarie Rangel, digitize this and you can see, the blue dots are roundabout needed or flashing lights, a potential pedestrian bike path. And so this is really to go beyond just the text but help visualize what the community has identified as concerns around, for example, in this case traffic and safety. Here is another map of agriculture broken down with the agriculture crops and then also livestock and grazing as well as it maps out the ditches and this is found in our agriculture element and really just highlight that this is a traditionally irrigated community with multiple acequias and that's important to know preserve. And then here's one of the properties. This is a picture Joseph Scala took of Tres Rios Ranch which is at the it's called Tres Rios, it's where the Santa Fe River, the La Cieneguilla

Creek and I'm forgetting the third body of water. But it's right at the southern end of lower La Cienega and I think this image really highlights how you have the mesas at the top and a lot of those have petroglyphs on them. You have a working ranch below. You have water from the Santa Fe River from La Cienega and then you have the acequias here. And I think it kind of is a combination of all the different things that kind of highlight this planning area. And then here's another example of a map that we added about water connections. It's a big complicated topic of course, but that highlights where there's a lot of water connections in the Community College District and the Valle Vista area as well as the La Cienega Mutual Domestic Water Association, just kind of highlight like future water connections that will be down the road, 5, 10-plus years, 20 years from now.

And then here, as I mentioned earlier, is like kind of the implementation matrix. And so this image is slightly outdated from the one you see in the plan, but essentially the priorities are the same. And so these are community identified program and project priorities that we discussed over multiple planning committee meetings. And as you can see like the top project is extension of County waterlines in the upper La Cienega and La Cieneguilla area. And obviously that is just an initial idea, that type of project still needs to undergo feasibility, preliminary engineering reports, etc. And that's where we highlighted the time frame of 10-plus years and that this is a long-term vision and that kind of just to reiterate like the implementation matrix is not necessarily 2025 or 2026 wish list or capital list of for the community but is really a longer term vision where some of these projects will be able to be funded or implemented maybe next year the year after. But then some of these other projects are going to be much more complicated, involve much more stakeholders. And then the final thing I want to reiterate here is that this is the community identified projects and programs. And so a lot of these projects and programs still need to be fully vetted and like maybe there's another way that we can address water quality that maybe water lines isn't necessarily the only way we can solve the water resources issue in the community.

This is kind of a road map for potentially solving some of the key issues that the community has identified and as like the second priority for example is remediation planning specifically around PFAS and other emergent contaminants and the County has been undergoing a PFAS study in the La Cienega-La Cieneguilla area and it's definitely an ongoing issue. I mean the NMED is providing water filters and monitoring for folks especially in La Cienega, La Cieneguilla but that that's an evolving issue and so this highlights it's like a very important priority but it's an ongoing project that will have to be adaptable for and then the last thing is after implementation matrix in Section 3 we go to all the different goal strategies and actions and so in the slideshow I'm just showing the goal one for land use but there's 12 other goals with tons of other strategies and actions covering water, transportation, open space, resource, conservation all that I'm just highlighting land use as an example where in the coming year we'll have additional planning committee meetings where we'll develop appropriate amendments for SLDC Section 9.8 the La Cienega-La Cieneguilla community district overlay and we'll talk about amending things like the height standards or reducing the number of variance requests by amending the setback standards for example, and we'll have additional community meetings and eventually we'll come back to you after a bunch of other public

hearings but this kind of gives us a road map and focus on what those amendments will look like. And then yeah, that is my somewhat brief presentation. If I stand for any questions, concerns, comments. Thank you.

CHAIR BUSTAMANTE: Thank you, Nate. And I want to thank you all for your commitment and your time in going to La Cienega and working on this plan very much. Are there any questions at this time of Nate? No. Do we have anyone who would like to speak in favor of or to the plan in general? Okay. Well, if you can come forward and we'll set a timer for three minutes.

[Duly sworn, JJ Gonzales, testified as follows:]

JJ GONZALES: Yes, I understand I'm under oath. My name is JJ Gonzalez. I'm a resident of La Cienega, my address is 54 Entrada, La Cienega.

Thank you. I want to thank the County staff for helping us out with this plan. They did a lot of work on it. Joseph Scala and Nate Crail and also all the County staff that's in the Growth Management Department. Without them, we couldn't have done this. When we did the first community plan in 2001, it took us months and months to do it and we finally got it done. And the only thing I wanted to say was that we had a lot of committee members. We had about 60 members that participated in upgrading this plan, updating this plan. And most of them really didn't stay for all the sections of the plan but they all participated in one way or the other and the Planning Commission I think saw it fit that they could approve this.

We had, like Nate Crail mentioned, we had the implementation matrix and we had about 15 requests there and some are very serious requests. You know we have PFAS contamination. We wanted the County to maybe find a way to get us some funds to extend water lines to those affected areas. There's the Estrellas area rather racetrack. There's a lot of – there's 200 or 300 homes there. Some of them have the La Cienega watershed condition and one of the conditions is if there is ever a water line in that area that they have to connect to the County water system. And also we're impacted by all the area the development that outside the boundaries of our area because you know there's so many apartments being built and there's a lot of water used and I think there's about 1,100 wells that tap into the aquifer that feeds our acequias/our springs. And so our plan is just within that area, but we're affected by a development that is outside our area that we have no control over. And I'm asking the County maybe they can be stricter about approving some of those subdivisions and putting them on County water somehow.

And we do have the implementation matrix and our priorities were extending water lines to La Cieneguilla in the racetrack area, upper Cienega; remediation for the PFAS contamination that's affected by the National Guard project and also the wastewater treatment plant. We're just victims out there because we had no control over what they were doing. They were running water from the treatment plant for 60 years and it was very poorly managed. It was out of compliance most of the time. But now maybe they have a better plan. It's in the news a lot. So I think they're going to be able to do something about that and maybe clean up some of the water that goes through our community.

We had a emphasis on trying to preserve agriculture out there. That was one of the big emphasis because that's an agricultural community and we've been farming there for 300 years and all of a sudden we have a lack of water and it really affects our

agriculture and then when people can't irrigate their lands they turn it into mobile homes or houses or residential areas and that really cuts down on land available for sustaining some of the local families.

So again, I'd like to thank the County, thank the Commissioners for allowing us to do this and Nate Crail and Joseph Scala. They were very helpful and thank you very much.

CHAIR BUSTAMANTE: JJ, we need to thank you for the number of years that you've been the lead from the community on the planning process. So thank you for that.

MR. GONZALES: Yes. Thank you.

CHAIR BUSTAMANTE: Thank you. Next.

[Duly sworn, Alonso Gallegos, testified as follows:]

ALONSO GALLEGOS: My name is Alonso Gallegos. My address is, well, I have various addresses, but I reside in La Bajada Village, but I represent the Tres Rios Ranch in La Cienega. And I understand I'm under oath.

Thank you. Okay. Madam Chair, Commissioners, thank you for this opportunity to address you all. I echo what JJ Gonzales just said. I was a fellow committee member on this update. I was involved in the 2015. I was involved in the 2000. I was raised in La Cienega all my life. I'm a rancher, farmer.

I'm passionate to this plan on the aspect of the preservation of it. With the urban sprawl coming into the community. That's what we wanted to avoid. So that I can speak on behalf of probably 90, 95 percent of the community members that we'd like to preserve the cultural, the historical ranching aspect of the properties in La Cienega. And to do that, I'd request that you all really take a serious closer look at the TDR County program that that's in place. You all put a TDR bank for us to achieve our goals and passions of the community. We need that TDR program to get off the ground and be implemented so we can preserve these properties that we want to preserve in the community.

With that, I thank you and of course I echo what JJ said about the County staff. They were excellent and we appreciate you passing this plan as implemented.

CHAIR BUSTAMANTE: Thank you. Next.

[Duly sworn, Dolores Baca, testified as follows:]

DOLORES BACA: My name is Dolores Baca and my address is PO Box 284922, Santa Fe, New Mexico. And I understand I'm under oath. I hope I got that PO box right because I just got it. But I have resided in Santa Fe all my life.

So, Madam chairman, County Commissioners and staff, my name is again Dolores Baca, and I'd like to let you know that I support the plan that has been put together. I also have a place downstream in La Bajada and everything that's done upstream affects us downstream. So, I just like to support the plan and the people in the community. Thank you.

CHAIR BUSTAMANTE: Thank you, Dolores. Any questions from the Board? Anyone else wishing to speak? Anyone online?

MR. FREQUEZ: Chair Bustamante, there is no one online.

CHAIR BUSTAMANTE: I'm going to make a proposal and I think we can ask questions next time. This year was somewhat, I'm not going to use the word

awkward, maybe frustrating would be appropriate, in July of 2025, I started asking the LCVA and nudging along for some ICIP because there are goals in here and this is a very well-written plan. I can't tell you how grateful I am to the County staff and for the community members who stepped up to work on this. I too am a resident of La Cienega. But I was approached by Senator Stefanics last week and she said, Why aren't there any ICIP items for La Cienega? And I've been asking for them since July.

At this point, we know we will not have any of those specific ICIP items on the legislative agenda this year, but I would very much like to ask that we table this and it come back with five very specific what do you want to see done in the next five years? Because we have talked about them. Being a resident, a born and reared person, we've talked about them. People say they want them. We got an email last week that said, Can we please do these things? And it's too late. So, I think that the opportunity is right here to make sure that five things for the next five years, be it clean water for La Cieneguilla whatever the community puts as a priority. We have been hearing about the need for the TDR to help Alonzo have his property protected for agrarian purposes. What are the top five priorities for this community from the community?

So, my first objective of this conversation is to ask that we place it or table it, place it on the table is what I was going to say, but that just doesn't really work. But I think there's room for conversation. I don't want to necessarily keep the Board from having any questions and opportunity to discuss to learn more about the process and where the community stands. And I will say, in full disclosure, I have talked to people in the community about what I just proposed. So thank you for that. Commissioner Greene .

COMMISSIONER GREENE: Thank you, Madam Chair. I really appreciate this sort of very specific drill down into items that can be done whether they're really short-term or medium-term or long-term. And you know to the points that the constituents and the residents of La Cienega said, let's be specific. We see the slide #7 that has key issues, within those key issues, there are six of them; what one, two or three specific items in the short-term, medium-term and long-term can be done.

So, let me give you an example. First one is water resources and quality. We can talk long-term about bringing –

CHAIR BUSTAMANTE: I don't want to cut you short, but there is a whole page that is doing exactly what you say in the plan.

COMMISSIONER GREENE: So I saw maybe – maybe water resources is probably a bad example to start with because it seems like there's a whole page that talks about water resources.

CHAIR BUSTAMANTE: Well, there's a whole page that talks about short-term, long-term preservation of agricultural land. It has – and I don't, let me see if I have that up. I can tell you what page it's on. And I'm looking I kept hoping to glean a very specific action that we would take to the senator to be able to support this. But if we look at page, let me scroll there, it's a table and it says things like this is something we want to get done soon, later, long term, but nothing that's very specific to say, you know, identify a water source for those with contaminated wells. I mean, something that will help move things along without the objectives being as broad as they're written here. And I'm still, but go ahead.

CHAIR BUSTAMANTE: I mean those were sort of the things is like

what are those specific things that can be done whether it's an ordinance change into setbacks, very specific, to keep the rural character. A specific project that can deal with traffic issues and traffic calmings. Some things are on our table and then some are legislative at the legislator capital things but what are those very specific things and I would love to see that because I think that's one of the things that's been missing not only in this plan, but all the plans. And it's not only capital intensive. It's like how do we keep the rural character? That was something that came up in the Tesuque plan. And one of the things that worked there that I don't think is in here, I didn't see it specifically in here, is on these major transportation corridors like for Bishop's Lodge, Tesuque adopted a 25-foot setback for walls that keeps a rural character instead of feeling like you're in a canyon of walls. Now that could be controversial but it needs to be discussed and when you have the image of a rural road you have tree lined instead of wall lined.

CHAIR BUSTAMANTE: I appreciate that sincerely.

COMMISSIONER GREENE: Those are the specifics. That would be a Santa Fe County thing. Then a capital project is a roundabout and things like that.

CHAIR BUSTAMANTE: Exactly, so many of them are very doable. I appreciate that sincerely. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair. I just want to send appreciation to the community yourselves for your investment in maintaining in your cultural and agricultural landscapes and peoplescapes and to Nate and Joseph for your tremendous work on with Alexandra and her shop.

Just a quick question in terms of process and planning, as a Commission and perhaps this is to, I'm not sure if it's the County Manager or Alexandra, with this is there an opportunity for us as a Commission to actually put something forth in 2026 that links the plan to specific fundable action items? If we're looking at this, and Nate, I appreciate that there's you highlighted the new innovations like the community mapping, but is there an opportunity for us to make this, what Commissioner Bustamante is suggesting for La Cienega, La Cieneguilla communities that we have for all the community plans moving forward so we have parity. What can we do to make parity across all of this so it gets more actionable towards funding?

CHAIR BUSTAMANTE: Who would like to answer that? Alexandra.

ALEXANDRA LADD (Growth Management Department Director):

Madam Chair, members of the Commission, thank you for that question. I think that's a really important question. And as Nate talked about the plan, I think he was really making a great point that planning has evolved itself from being just a little oh, here's what's going on and this would be nice in the future to really looking at implementation as a very important piece of a plan.

So I think what I would say is that the community has expressed the priorities that are listed in that matrix. And it is the Board's next step when there is an opportunity to put in a capital outlay request or update our ICIP. the Board knows what the community's priorities are and can balance those a little bit against what the current feasibility is in front of us, emerging issues, you know, all the things that that tend to happen every year. One of the things that the community planners are committed to do is to meet annually with the planning group, and that means that during those meetings, the planning group can also update priorities as things change and new issues emerge.

I might defer to the County Manager in terms of timing because I'm not sure. I mean I think on the capital outlay the you know the ship has sailed so to speak for this year but that doesn't mean that – these ideas are queued up to be made actionable in future years for funding.

MANAGER SHAFFER: Chair Bustamante and Commissioners, I think what I heard the question to be is, how do we bring forward to the Board in a comprehensive way all of the priorities that had been identified over the various years through these various community planning efforts in terms of priority projects, what have you, and put that all in front of the Board at one time rather than looking at a plan or another. I think that's the question that I heard asked and I think that would be something that would fall to Ms. Ladd's team to go through all of the extent plans those that exist to really cull through what all of those projects are and then to have that discussion with the Board as we move forward with the next iteration of the ICIP as well as the next iteration of our own capital budget process. So I think that's how I would recommend we bring all of those forward for the Board to look across the county at all the communities that have done community planning to consider all of the different priorities that had been identified. If I heard your question right, that's how I would suggest we would do that.

COMMISSIONER CACARI STONE: Thank you, Ms. Ladd. Thank you, County Manager. And Chair Bustamante, is it something that could, since so much work's been put in, and this is your lived experience community as well as the community you represent, so I'll defer to you, but is there a possibility we could accept it tonight and then ask for an amended, looking at that implementation matrix as for an early 2026, an amended plan that looks more actionable towards what's fundable. We can use this as a model with Ms. Ladd's team as doing this for all the community organizations moving forward? Just a thought.

CHAIR BUSTAMANTE: Thank you, Commissioner. I don't think that it's prudent to approve it and then just ask for additions. I don't think it's very difficult because this is very well done to just ask for the page that has the five priorities, whatever it takes because they can be pulled from here. No, I really I'm sincere when I say I really looked for the actionable item to say, All right, Senator, let's go for this. But it's not in here. For example, and I'm and I'm going to just in full disclosure have worked on the community plan when we first started working on community plans as Nathan Crail mentioned. Analyze supplemental water and then a supplemental water line was put in. That's great, but it's still in the plan. And are there additional supplemental things we're supposed to do? What needs to happen that could be very explicit because in all honesty, I don't know where I'm going to be in five years, right? Anything could happen. We just looked at a road study and I drive that road and people are killed on certain parts of it. So, the thing is, how do we make sure that in this plan some of these things just look the same, as Nate mentioned, you know, very little had to really be changed, but what needs to get done. And five years for something very explicit is pretty general, right? And I say general, but explicit or within the five years there will be a additional water source to La Cieneguilla whatever the community identifies under these existing goals that are listed on page, I was trying to bring that up for Commissioner Greene, on page 91. Community parks, open space, and trails. We had \$300,000 back in, I think it was maybe the late 90s, I don't know. I think JJ could probably tell me better or the early 2000s, I don't recall, but

the fact was \$300,000 for us to have a new community center that was more central to La Cienega and La Cieneguilla. It didn't happen. It showed up on a list last week in an email saying, We have an idea for a community center that would include a park with a particular neighbor who wants to allow certain use of their particular land which is privately owned, publicly accessible land, etc., etc. These aren't new ideas. They're very simple to put it on a page and get her done. So that's my intent for this. You know, it's not I have no interest, and I'm sure that none of you do in dragging this out any further. I don't see a rewrite of anything here. I see a page that says five-year plan for this particular plan because it's supposed to be updated on a schedule, and if it gets done, so be it. Right? When we've addressed the transportation concerns, then it's gone.

The example that I gave to someone earlier, it might have even been Mr. Gonzales, was kids don't stop asking for something until they have it in their hands. I look at a lot of stuff in here that we just do a new plan, we ask for it, and then we decide, but we haven't gotten there yet, and we're not going to. I say La Cienega, La Cieneguilla need to be like little kids and say, I'm not going to stop complaining about the new toy I want until I have the toy. And I'm not saying anything we're asking for is a toy. We're talking about community safety, community health, roads, water, agricultural. I love the idea of how do people look at things. Then what does it mean? We have a setback. But let's do something. We don't stop asking for it till we have it in our hands. And if I were sitting in the community center, I'd say, let's get this done. All right. So, here we are. That's what I'm asking for,

COMMISSIONER GREENE: Madam Chair.

CHAIR BUSTAMANTE: Yes. Sorry, that was an answer to Commissioner Cacari Stones. Did you have anything further or did you want me to go with Commissioner Greene?

COMMISSIONER CACARI STONE: Well, I just I think that you just said, Let's move this forward. It's, you know, over 158 pages. It's so comprehensive. It's updated. It's like the whole enchilada and it's a great model. And is it really – I guess, I'm just trying to figure out process. We approve a plan and then as a BCC as the County Manager recommended he's saying that Ms. Ladd and her team would come forth at some point in the spring before the ICIP process and highlight actionable items from all our plans. That's what I heard and it seemed like it would fit both in moving forward tonight and also your request,

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: So, I get both of these sort of competing but aligned sort of things. Part of this has to do with it's the holidays and could we actually present 10, 5 capital projects and five legislative internal sort of things that might be able to be done internally at Santa Fe County within a month, right, by the next meeting. I think it's actually feasible. It's a question more for staff than it is for us to decide.

But I agree that this is very comprehensive and very well done. But I also agree it is missing those very specific things and I don't want to say that it is all capital. It's not. Some of it is really zoning and it's alluded to in this plan but be specific. What is it solving? So what are these key goals and intents that want to be addressed? Who handles it? Who takes the lead? What do we think the money scope is if it's a capital project?

What do we think the timeline if it's an ordinance change for setbacks or treeline streets or safety? It may not be able to be done in a month in terms of but it could be listed in a matrix of what it is? What it solves? Who's responsible and what a timeline is to get it done in a matrix and sort of how we solve these six key areas and how they get resolved.

CHAIR BUSTAMANTE: I appreciate that. I don't think that I'm not even asking that the community do the matrix.

COMMISSIONER GREENE: No, I mean Santa Fe staff. No, of course –

CHAIR BUSTAMANTE: Once we have the top five objectives actionable items and I don't think it's appropriate that staff walk away and decide what the top five actionable items are. It hasn't happened in 30 years with all due respect. That's how long. Yeah. So I'm asking and because when on page 93 and again this wasn't all written this year. This has been written over time, participated in its development, but all the way on page 93, any amendments to the plan will be made in accordance with SGMP and SLDC's Chapter 2. Let's just not go there. Let's ask to approve it with five top priorities; like that's it. Top five priorities that can be put on a matrix and we can identify. It is nothing makes me happier than when I ask Manager Shaffer, what can we do about repairing the road on Paseo Cde Baca and he says, we already have that money, it's internal. Nothing more pleasing than that and we're working on it. But this plan and the community need to get together to put those top five priorities for this plan. What is the plan for La Cienega? Because right now I see a plan and it's a sidewalk nobody walks on. It's been the plan. It's been the plan for a long time. So, let's put some rubber on those wheels and ride that plan. That's what I'm asking for. Yes, ma'am.

COMMISSIONER CACARI STONE: Yes, Chair Bustamante. Thank you. So I just want to be clear because I'm thinking about all the other community organizations and plans as we look forward and those in my district as well to best represent them. So on page 133 to 135 there's an implementation matrix that the public comments referred to and there's 12 priorities, 15 I'm sorry, 15. What would what are you asking for, and I just want to be real clear because I want to be sure we have parity across all other planning and other plans. What is it that you're asking for from the implementation matrix?

CHAIR BUSTAMANTE: Actionable items that can be completed in a 5-year period.

COMMISSIONER CACARI STONE: Okay. So, because again, I support you. I support the communities. For example, priority one, extension of Santa Fe County water lines in upper La Cienega and La Cieneguilla and potential partners, a 10-year long-term vision. What is it that would look different that you're asking for?

CHAIR BUSTAMANTE: They haven't put anything – so in the next – those have all been the same for the last easily 25 years.

COMMISSIONER CACARI STONE: Okay.

COMMISSIONER GREENE: So --

CHAIR BUSTAMANTE: Those are things we've been talking about since the '90s and then we did a plan and now it's been written down and they haven't changed. So which ones are we going to take action on in the next five years?

COMMISSIONER GREENE: So I think –

CHAIR BUSTAMANTE: Because we redo, we revisit the plan in five

years and then you take the next top priorities and knock them out so that we don't have the same thing that we're asking for year after year. I feel very badly for Mr. Gallegos who's been trying to get some attention to the TDR program. What does it take to say this is a high priority and this Commission, this entity, is going to work on it? These have been things on our list now for a long time and they haven't changed. Okay. We did get County water back in the 1990s along Highway 14, but since then not a whole lot anywhere else. And someone can correct me if I'm wrong. I wish Brian could look up and say, Yeah, we did. But I may not be aware of it. What I do know is we have La Cieneguilla in a bind right now. And nowhere was there anything in there to say what are we going to make sure is done right now. I would like to see five priorities from that list that you're referencing for the next five years and then anything else can be gravy.

So, I've made a motion and –

COMMISSIONER HUGHES: I'll second it.

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

MANAGER SHAFFER: Chair Bustamante, I'm sorry, just so it's clear for staff and for the record, what was the meeting at which you wanted these to come back? Is that the first meeting in January, the second meeting in January, just so it was clear and forgive me if you said it and I just didn't hear it.

CHAIR BUSTAMANTE: I would like to ask staff what's their comfort level. I don't see it as a heavy lift. I don't think anybody's rewriting anything. It's a page that highlights those. It's at staff's comfort level.

COMMISSIONER GREENE: No later than?

MS. LADD: Madam Chair, members of the Commission, I think one of the things I'm struggling with because you're right, the actual act of putting this together in a matrix is not a big deal, but we really need the community members to guide this priority setting and that takes time. As you know, we can't assume that community members can come together and have thoughtful discussions and go through this analysis by a certain date. That's what I'm uncomfortable with. I was really liking the idea that as part of the annual process of the planning group coming together they would be establishing as part of that would be the role of that process. I'm always a little uncomfortable when you codify or memorialize something that's very, very specific in a plan because things do change. So I would almost prefer that we codify the process so that there is this annual priority setting that the community itself is directing.

And then the other piece to that is because a lot of these projects require our partners in Public Works to have the resources and the capacity to fulfill them, that we would really want to make sure that staff was also involved so that we weren't creating a highly prioritized list that ends up going nowhere because I think that is super frustrating for the community.

CHAIR BUSTAMANTE: I'm not sure that we're seeing this the same way. This doesn't say there are five things for five years, right? And there are certain things that are already priorities given the situation, the PFAS situation. the community center has been a conversation now for a couple decades. So it's more about having them just stated. There will be a new community center, right? I mean, it's that general. And I would actually ask JJ Gonzales, if you can please come up and tell me if you think how

many meetings it would take and if it would be very difficult to sort out the top five priorities. And you know truth is, it's not like this plan is going to disintegrate or burn if we don't approve it tonight. It's not like we didn't approve it in 2025, therefore we are in jeopardy because it hasn't been addressed in a little while. So, how difficult do you think it would be to get the community to agree on five top priorities? The planning group that you've been working with?

MR. GONZALES: You know, that's a very good question. We have a diverse group of people over there and they might not want to participate, you know, in a lot of these updates and stuff. But we do have the implementation matrix. We have like 15 priorities and from those we can choose five.

CHAIR BUSTAMANTE: Exactly.

MR. GONZALES: You know, that is the things and we can do that with the La Cienega Valley Association. We can have a community meeting and we can certainly choose five of those. Now some of the things are not feasible. We have them on our list but, you know, like TDRs they've been on our list for 20 some years. In 2001 there was TDRs and it's still very, very slow movement on that.

CHAIR BUSTAMANTE: It was never implemented.

MR. GONZALES: So people have into the TDR bank they've committed the TDRs but they haven't been sold. There's a lot of push back on TDRs in some areas. So it would be probably a little bit difficult but we have the matrix and that is what was approved by most of the committee members that participate and there was about 60 committee members and that would be difficult to get a lot of those people back to approve that but on this matrix we can certainly with the Valley Association I think we can select at least five. But we want to make sure that whatever we can select is feasible. Now, we have a lot of things there, 15 priorities, but I don't know how many of those are feasible.

CHAIR BUSTAMANTE: Absolutely. And if you if you visit the most recent email from Andrea La Cruz Crawford and the list that she prepared for the 2026 legislative session, find the relationship with those already identified projects from that list, it won't be hard to say which ones do you want in order. Because next year we can do as Commissioner Greene has stated, take them to the legislature, but some of them we can do in-house. So, what would it take to get there from here, but that wouldn't necessarily be for you to identify. There's already stuff that can be done, some stuff that's already being worked on, but let's get there. I agree with you completely. That list is good, it's qualified and I believe that the LCVA can do it.

MR. GONZALES: Overall, we support this plan. Now, there's a little – the priorities well, you know, we've had priorities there for a long, long time, and it takes a very long time to get some of these funded. We've had projects funded by memorials with Liz Stefanics and Christine Chandler, Stephanie Garcia Richards, they've always helped us out. And it's just on the cycle that they have. Sometimes they have money available, sometimes they don't. This year their budget is kind of light, but we can do that.

CHAIR BUSTAMANTE: Meanwhile, I was asked by our senators, Where are our priorities for La Cienega? And nothing. So five they're there, we work on it. That's the goal because you're absolutely right. If they're there, then we know how we

will move forward on this.

MR. GONZALES: Well, we can we can get you five, but there's 15 that we've identified and some are more pressing than others. The PFAS situation is very pressing immediate for those people that are without water. And then water lines extension for some of the other areas. That's for the future. When they start developing the race track, they'll have water in that area closer to some of those lots. But thank you very much. We can we can do that.

CHAIR BUSTAMANTE: Thank you, JJ. Commissioner Greene.

COMMISSIONER GREENE: Just as a as a follow-up, not to make this too complicated, but there are very specific and expected next steps. So, what are those? Like for water, it's a PER. It's budgeting money for a PER to take one of these things. That is something the legislature pays for all the time. There is preliminary engineering, design, and right-of-way acquisition for a roundabout. That's a project number two, right? There's a specific project. We don't have – I mean there are eight of them in this plan. We can decide, we could put it broad enough to say, we don't know which one's going to get prioritized but we can start getting the money to say a PER for this that and the other thing. We need to start doing that process and collecting that money.

And I don't think that we have to get too out into – it's in here. We can do those things. Let's get some PER money for this.

CHAIR BUSTAMANTE: I agree completely.

COMMISSIONER GREENE: A water project and a road project.

CHAIR BUSTAMANTE: I completely agree. I think it would be substantial. It's already there. Pull it out. Let's get it done. I couldn't agree with you more. Commissioner Cacari Stone, I was about to take a vote.

COMMISSIONER CACARI STONE: Yeah, let's go move forward with the vote, but I think this conversation has opened the window of opportunity to move forward with what Ms. Ladd suggested. I agree. And we'll take a vote on what we need to vote on, but I'm going to ask that we as a Commission support, and I ask that Ms. Ladd and her team with the County management codify an annual process for the planning group; come back to us prior to the ICIP. But I think that's a really good idea and it's a good outcome to make this more systematic across all community organizations. So it's a great outcome tonight.

COMMISSIONER CACARI STONE: Thank you for that. I think it is going to be something that's going to help us tighten up our ICIP process as we've, you know, mulled over in the last several months. So, I have a second roll call vote, please.

The motion to table passed by unanimous [5-0] roll call vote as follows:

Commissioner Cacari Stone	Aye
Commissioner Greene	Aye
Commissioner Hughes	Aye
Commissioner Johnson	Aye
Chair Bustamante	Aye

CHAIR BUSTAMANTE: Thank you. I look forward to seeing the plan

with top priorities when you guys finish it.

MS. LADD: Madam Chair, members of the Commission, can you clarify what you just voted on? Did you vote not to approve the plan tonight?

CHAIR BUSTAMANTE: To table the plan until it comes back with five top priorities from the community that are actionable be it a PER, you know, not something as general as protect agriculture. Something that says how are you going to protect agriculture? Okay, does that make sense? Thank you. Thank you all. And thank everybody for listening, it's important. This is a precious community. I'm not just saying that because I live there or that even my eldest grandparents, my eldest ancestors are from there, including those who spoke Keres or Kerisan. That is what La Cienega means to me. It is my heart. So onward ho.

11. Matter from the County Attorney

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) *Clean Energy Coalition of Santa Fe v. Board of County Commissioners et al.*, D-101-CV-2025-03005; (3) Claims Involving Alleged Violations of Wage and Hour Laws; (4) Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations with AFSCME 1782; and (5) Law Firm Spencer Fane's Request for a Waiver of Conflict of Interest Concerning Spencer Fane's Representation of R & A Sena Enterprise, LLC, Related to An Application to Transfer Ownership of a New Mexico Liquor License No. DIS-000532.**

COMMISSIONER GREENE: Madam Chair, just as a as a matter, I don't know if we can do this, but there is potentially one action item, but there are some long discussions for the executive session. Are we able to go into a quick executive session right now, take care of the action items so we could release staff so that we could do the longer things that might not need an action at the end of the session?

ATTORNEY BOYD: Chair Bustamante, Commissioner Greene, there are likely two action items, but I agree that those are going to be shorter in terms of the

overall discussion. And so you could proceed, you could go into executive session on all the items, return from session, leave executive session, vote on the two items needing action, and then return to executive session and adjourn with the vote being to adjourn the meeting after.

CHAIR BUSTAMANTE: Yea, let's do that. I mean, the other ones with discussion may not take as long, but either way, we'll be able to free up staff.

COMMISSIONER CACARI STONE: Just so I'm clear, we're what are we taking care? We're doing two executive breakouts?

COMMISSIONER GREENE: We will do, we'll do two breakouts. We will go into executive session, but we will return from executive session midstream to take care of two votes, adjourn the meeting, potentially.

COMMISSIONER CACARI STONE: Which items are those?

COMMISSIONER GREENE: He will –

CHAIR BUSTAMANTE: If it's determined that we need to.

COMMISSIONER GREENE: Yes, that's right.

CHAIR BUSTAMANTE: We might decide it can happen.

ATTORNEY BOYD: Chair Bustamante, and Commissioner Greene and Commissioner Cacari Stone, I would just recommend that you all go into closed session on all five of the items and then in closed session, you'll be able to discuss leaving session to take action.

CHAIR BUSTAMANTE: Okay, sounds good. All right.

ATTORNEY BOYD: Chair Bustamante, Commissioners, I'm requesting a vote to enter executive session to discuss the matters set forth in agenda item 11A. The basis for entering close session is set forth in that agenda item and in particular item one would be limited personnel matters as allowed by section 10-15-1(H)(2) NMSA 1978 and the remaining four items would be attorney client privilege communications relating to in litigation that the County is or may become involved in.

CHAIR BUSTAMANTE: Can we have a motion.

COMMISSIONER GREENE: I will make that motion.

CHAIR BUSTAMANTE: Do we have a second.

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: We have a second. The motion from Commissioner Greene , a second from Commissioner Cacari Stone. May we have a roll call vote, please?

The motion to go into executive session passed by unanimous roll call [5-0] vote as follows:

Commissioner Cacari Stone	Aye
Commissioner Greene	Aye
Commissioner Hughes	Aye
Commissioner Johnson	Aye
Chair Bustamante	Aye

[The Commission met in executive session from 6:25 to 6:58.]

CHAIR BUSTAMANTE: Okay, we will reconvene the Board of County Commission meeting and come out of executive session.

COMMISSIONER GREENE: Madam Chair, I'd like to make a motion to request that we come out of executive session stating that no decisions were made and we only discussed the five items or actually four of the five items that were on our agenda.

CHAIR BUSTAMANTE: Motion by Commissioner Greene.

COMMISSIONER CACARI STONE: Second.

CHAIR BUSTAMANTE: Second from Commissioner Cacari Stone. All in favor?

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

B. Potential Action on Items Discussed in Executive Session

COMMISSIONER GREENE: So, Madam Chair, in regards to item five of the executive session, I move that we delegate authority to the County Attorney to sign and to waive a conflict of interest statement concerning Spencer Fane's representation of R&A Sena Enterprises LLC related to an application to transfer ownership of a New Mexico liquor license.

COMMISSIONER HUGHES: Second.

CHAIR BUSTAMANTE: We have a motion from Commissioner Greene. We have a second from Commissioner Hughes. All in favor?

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

COMMISSIONER GREENE: Thank you, Madam Chair. And in regards to item #3 in the executive session, I make a motion to delegate authority to the County Manager to enter into a settlement agreement resolving wage and hour violations with the US Department of Labor and to sign all documents needed to implement the settlement agreement.

CHAIR BUSTAMANTE: Do we have a second?

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: We have a motion from Commissioner Greene. We have a second from Commissioner Cacari Stone. All in favor?

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

COMMISSIONER GREENE: Madam Chair, I will make a motion requesting that we go back into executive session to hear item #1 for limited personnel issues as allowed by law, but that also that we adjourn our meeting because no further actions need to be taken today.

CHAIR BUSTAMANTE: We have a motion to go into executive session to discuss item one. There will be no action taken at that time and we will close this meeting now.

COMMISSIONER HUGHES: And I second that.

CHAIR BUSTAMANTE: So we have a motion for Commissioner Greene, a second for Commissioner Hughes.

The motion to go into executive session passed by unanimous roll call [5-0] vote as follows:

Commissioner Cacari Stone	Aye
Commissioner Greene	Aye
Commissioner Hughes	Aye
Commissioner Johnson	Aye
Chair Bustamante	Aye

14. Concluding Business

A. **Announcements** – None were offered.

B. **Adjournment**

This meeting was declared adjourned at 7:02 p.m.

Approved by:


Camilla Bustamante, Chair
Board of County Commissioners

ATTEST TO:



KATHARINE E. CLARK
SANTA FE COUNTY CLERK

Respectfully submitted:

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

COUNTY OF SANTA FE) BCC MINUTES
STATE OF NEW MEXICO) PAGES: 63
ss

I Hereby Certify That This Instrument Was Filed for
Record On The 28TH Day Of January, 2026 at 10:05:28 AM
And Was Duly Recorded as Instrument # 2075913
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy County Clerk, Santa Fe, NM

