

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

January 31, 2023

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:26 p.m. by Chair Anna Hansen in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

Commissioner Anna Hansen, Chair
Commissioner Hank Hughes, Vice Chair
Commissioner Anna Hamilton
Commissioner Camilla Bustamante
Commissioner Justin Greene

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Hansen and the Moment of Reflection by Jose Rodriguez of the Sheriff's Office.

1. **F. Approval of Agenda**

CHAIR HANSEN: Is there any changes from staff?

GREG SHAFFER (County Manager): Thank you, Madam Chair. I would just note for the record that the initial agenda for today's meeting was posted on Tuesday, January 24th at approximately 5:29 pm and that the amended agenda was posted on Friday, January 27th at approximately 5:21 pm, which was in excess of the 72 hours required by the Open Meetings Act.

With regard to changes, on Miscellaneous Action Items 6. C, packet material was updated for that item. We also added the following three additional items to the agenda. One was item 6. D which was request approval of amendment #4 to the collective

bargaining agreement between the Santa Fe County Deputy Sheriff's Association and the County of Santa Fe, and 6. D which was to request approval of amendment #3 to the collective bargaining unit agreement between Santa Fe County and AFSCME Local 1413-M and then item 10. C, which was a request a vote of support for the National Association of Counties resolution urging Congress to raise the debt ceiling. Those were the changes to the agenda, Madam Chair.

CHAIR HANSEN: So what's the pleasure of the Board?

COMMISSIONER GREENE: Move to approve as amended.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: I have a motion from Commissioner Greene, a second from Commissioner Hamilton.

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

1. G. Years of Service, Retirements, and New Hire Recognitions

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. This is one of three employee recognition related items on today's agenda. We'll start with the recognition of years of service and I want to combine several different lists that were included in your packet in order to break out when folks were meeting milestones and to specifically highlight the very significant milestones of 20 and 25 years.

Starting with those who have recognized five years of service with Santa Fe County, either in December or in January of this year, from the Fire Department we have Ernest Benavidez, Jessie Lynn Crawford, Noah Garcia, Anthony Gonzales, Jeffrey Harris, Christopher Kelly, Matthew Lovato, Lorenzo Medina, Garrett Mestas, Bradley Morrow, Mark Olshefski, Oscar Rivera Lozoya, Lemar Rogers, and Nicholas Wilding.

In addition, also marking five years with the County We have Abraham Maes in the County Clerk's Department, Alberto Hayes in the Public Works Department, Ian Burr in the Sheriff's Department, Christopher Padilla in our Projects and Facilities Management Department, Robert Ledlow, also in the Fire Department, and Danielle Rael also in the Fire Department.

In terms of those who've marked their ten-year anniversary in either December or in January of this year we have Melvin Perez Martinez in the Utilities Department, Matthew Narvaiz in the Health and Human Services Department. We also have Christopher Valencia in the Sheriff's Department marking ten years with the County.

In terms of 15-year anniversaries we have Dennis Gallegos. Again, Mr. Gallegos has 15 years of service with the County, and Arthur Portillo also 15 years with our Land Use Department.

In terms of 20-year milestones, those individuals are Martha Valdez, Jose Larrañaga, Phillip Montano, and Joseph Griego. And those are all individuals that marked 20 years of service with the County during calendar year 2022. So I would stop there unless the Board would like me to continue plowing on with recognition of retirements as well as our new hires.

CHAIR HANSEN: Thank you, Mr. Shaffer. Is there any comments from the Board? Otherwise, I want to say congratulations to all of the people who have served

five, ten, 15 and 20 years. That is astounding. We love that you are here at the County and that you have chosen to make your career here. It is incredibly important to us, especially the longevity to have that kind of knowledge here at the County and we are grateful. And with that I will turn it over to Mr. Shaffer to go on to the next retirements.

MANAGER SHAFFER: I did want to acknowledge those team members who retired from the County through the end of last year. They were Theresa Atencio in the Clerk's Department, Jared Mosher in the Sheriff's Department, Phillip Sanchez in the Fire Department, David Vigil in Public Works, Diolinda Roybal in Community Services, Paul Kavanaugh in the Land Use Department, Kathleen Ortiz in the County Attorney's Office, Vicki Lucero in the Land Use Department and Christopher Hyer in our Community Development Department.

And I will add into the list, because he happens to be present today and it's his last day, Gary L.J. Giron is retiring as our Public Works Department Director and this will be his last official act as a County employee.

Moving on to new hires, I'm pleased to report that we had a not insignificant number of new hires in November and December of last year. They were Desiree Dominguez in the County Treasurer's Department, Michael Carr in the Land Use Department, Ernesto Archuleta in the Project and Facilities Management Division, Xavier Boling in the Sheriff's Department, and Benjamin Wilson, also in the Sheriff's Department. We have Kenneth Sisneros in the County Manager's Office/IT Division, Christopher Beishel in the Fire Department, Zachary Enriquez in the Fire Department, Richard Kaminski in the Fire Department, Michele Pennington in the Fire Department, Anthony Aragon in the Health and Human Services Department, and finally Brandon Martinez in the Public Works Department. So again, that wraps it up in terms of retirements as well as new hires.

CHAIR HANSEN: Welcome to all of those who are the new hires. We are incredibly grateful you have joined Santa Fe County and we look forward to a long career with you.

1. H. Employee of the Quarter, Fourth Quarter 2022

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. I'm pleased to award the Employee of the Quarter to Ryonne Birnie-Visscher. He is an IT generalist II and was nominated for Employee of the Quarter based on his excellent customer service that he has provided. In particular, his supervisors wanted to recognize him for his work with the Sheriff's Office to assist with the replacement of outdated IT equipment and help the Office become more efficient. According to his supervisors, he's a reliable, knowledgeable and hardworking employee and approaches his work with a very positive attitude. So we do want to recognize Mr. Birnie-Visscher and ask Daniel Sanchez from the IT Department if he'd like to say anything further. We'd also like to invite his employee to come up and address the Board if you would care to. Thank you.

CHAIR HANSEN: Welcome, Daniel.

DANIEL SANCHEZ (IT Director): Thank you, Commission, Mr. Shaffer and Commissioners. Ryonne Visscher, he joined us a little over a year ago. He's stationed over at the Sheriff's Department. He's working with them hand in hand to get

their units up and available and ready for the Sheriff's deputies to have their vehicles, their lapel cameras, everything that they need in their place to do their job. So he's going to be on the scene helping that get forward. So we appreciate all he does for the team. It's always welcome to have somebody from IT receive Employee of the Quarter. So just thank you.

RYONNE BERNIE- VISSCHER (IT): Yes, thank you for my part too. I wanted to thank the IT team for welcoming me. I've been here about a year and the IT team has been very supportive, which is required to help out the Sheriff's Department. It's also been an honor to serve with the Sheriff's Department and they've been very kind to me there. So I just wanted to say thank you to the Sheriff's Department as a whole.

CHAIR HANSEN: Thank you for your service to Santa Fe County.

1. I. Recognition of Employees for Awards, Accreditations, Recognitions, and Other Accomplishments

MANAGER SHAFFER: Madam Chair and Commissioners, this next item Recognition of Employees for Awards, Accreditations, Recognitions and Other Accomplishments, it's a new agenda item. It reflects continued commitment by the Board of County Commissioners and County Management to recognize County employees and it reflects the accomplishments of the County employees and the services they provide to our constituents each and every day. It really should be viewed as complementary to rather than in competition with our existing recognition programs including the Employee of the Quarter program. And I think to sum it up we can never say thank you enough to our colleagues and our team members for what they do to move the County forward.

So I'm going to go through all of the individuals and offices that we want to recognize under this item today, and I'll ask for an assist from Commissioner Hughes since he was the ringleader, so to speak, of one of the events that we wanted to recognize.

I'm going to start with Jennifer LaBar Tapia and the Film Office. As almost everyone knows, *Moviemaker* magazine recently ranked Santa Fe the number one best place to live and work as a moviemaker in 2023 in the smaller cities and towns category. As Jen noted in the media that trumpeted that designation, a lot goes into that from tax incentives to sets and studios and human resources. But I think it's fair to say that the joint City-County Film Office and its director and only employee, Jennifer LaBar Tapia is instrumental to the success of the film industry in the city and county of Santa Fe. So we want to take a moment today to recognize her for her leadership of the Santa Fe Film Office and for Santa Fe being named the number one best place to live and work as a moviemaker by *Moviemaker* magazine in the smaller cities and towns category.

We want to also recognize the Finance Division and at the Finance Division's request, our Housing Authority Division's for the fact that we did submit the County's fiscal year 2022 audit on time to the State Auditor and our auditors expressed an unmodified opinion on the County's financial statements. Everything that we do has been made more challenging by the staffing challenges that the County and other governmental entities have faced over the last couple of years, and notwithstanding those challenges our Finance Division has continued to deliver on this core statutory mandate

by each year getting our audit in on time and by having a very long consecutive streak of unmodified opinions.

True to form in terms of how the Finance Division Director approaches her work, she insisted that we also recognize our Housing Authority Division because of the importance of its single federal single audit to the County's own audit as well as our ability to achieve an unmodified opinion.

Moving forward, we wanted to recognize the fact that our DWI Compliance program was recently reaccredited by the New Mexico Counties Adult Misdemeanor Compliance Accreditation Professional Standards Council. In addition to the program generally we were asked to specifically acknowledge JoAnne DeBaca for her incredible leadership in this huge project. By way of background the New Mexico Counties has multiple accreditation programs and as programs are meant to develop and ensure a system of uniform standards for various programs including the misdemeanor compliance program. And so this accreditation signifies that we hold ourselves to and have met the standards that have been established statewide for these programs and we want to again specifically acknowledge those efforts.

And then finally this last recognition I think really epitomizes what we hope to aspire to as a team at the County and it was folks answering the call to go above and beyond their minimum job duties, specifically in order to resolve a situation relative to a necessary easement for the Arroyo Hondo District Trail. Numerous County employees donated part of their Saturday to literally go door to door in the Turquoise Trail Subdivision attempting to obtain consent from property owners to the formal grant or acknowledgement of an easement for that trail and I believe Commissioner Hughes who was intimately involved in that effort wanted to read the names of the employees who answered that call to serve.

COMMISSIONER HUGHES: Thank you, Madam Chair and Manager Shaffer for setting it up. It was very cold Saturday morning in January when we went out and canvassed the Turquoise Trail neighborhood and I was so impressed that everybody came out and I'll read the names of those who showed up but first I'll note that we had 26 votes total that we go that day, 23 being yes for the trail and three no votes. I think Director Giron and I were responsible for a majority of those no votes, so don't send us out, obviously.

But anyway, thanks to these people: P.J. Griego, Ambra Baca, Lawrence Empresia, Isabel Ortiz, Laura Jagles, Robert Walton, Brandon Martinez, Miguel Romero, Paul Truman, Olivia Romo, Sara Smith, Celeste Sanchez, Laura Hernandez, Gary Clavio, Adeline Murthy, Ivan Trujillo, Gary Giron, and P.J. Montano. Thank you very much. And I guess – what do we do next? We do pictures next?

MANAGER SHAFFER: So what I would recommend, if you'd like to come down in order to take a picture of those recognized employees and divisions, we'll take them in the order that we processed them, starting with the Employee of the Quarter and Sara will hand out the certificates to the individuals as they're called up. But if each of the Commissioners want to come down to the front Daniel will make sure that we're getting good photos.

[Photographs were taken.]

CHAIR HANSEN: This is one of the favorite things to do is to recognize employees for all their great work and time that they offer to the County, and especially volunteer time like going out and getting easements. I know how difficult that is in my own district. And the Finance Department, we're so grateful to have a competent, strong leader at our Finance Department. Thank you very much for all the hard work there, Yvonne. Other Commissioners, please make comments.

COMMISSIONER BUSTAMANTE: Madam Chair, if I may, and Manager Shaffer. The way we spend our days is how we spend our lives, and when we look at those people who have retired and the cumulative number of years that people put in here, and so many names that I was familiar with. Absolutely gratitude, because to see a retirement list with the new hire list and knowing the good work that has moved on to their next phase in life – retirement isn't the end. And I just want to thank everyone for doing the good work, recognizing the people who in the course of their regular job, are getting really excellent things done. There are options out there. There are lots of vacancies all over this country and right now, I want to make it very clear that I'm so grateful and acknowledging that this County does great work and it's a great place to work. So thank you sincerely for all of the work that all of you have done.

CHAIR HANSEN: Thank you, Commissioner Bustamante. I couldn't agree more. Commissioner Greene.

COMMISSIONER GREENE: Thank you very much. And I'd like to welcome everybody that's new and all the folks that have put in the five, ten, fifteen and twenties. But I'd also like to give a shout-out to the retirees. It's an accomplishment to get to retire in this day and age and it's one of the things that Santa Fe County does offer and you can get there, piecing it together from all different parts of the state and different places, but it's great when you get to retire with us because this is a great place to retire from, so thank you very much.

I'd like to give a shout-out to Mr. Giron. It's been great to work with you for the last 30 days. That was wonderful and thank you. You're going out in style. And I'd also like to give a shout-out to Chris Hyer who I got to work with prior to my position here on the Commission. We served on the REDI-Net board together and we worked on economic development issues, and he will be sorely missed. But as I said, it's an accomplishment to retire so good for him. We'll see him again somewhere out in the community doing great work. So thank you very much, Chris, and thank you Gary.

CHAIR HANSEN: I also would like to acknowledge and welcome our two new Commissioners to their first official Board meeting. They got hired in November. We had a small Board meeting.

COMMISSIONER GREENE: This is the third one.

CHAIR HANSEN: Oh, yes. But you're still new to me, and we're happy to have you here, and since we're recognizing all of these new employees I think it's appropriate that we welcome you also.

COMMISSIONER GREENE: You can welcome us every meeting.

COMMISSIONER BUSTAMANTE: Thank you sincerely.

2. APPROVAL OF MEETING MINUTES: December 13, 2022

COMMISSIONER HAMILTON: Madam Chair, move to approve the meeting minutes.

COMMISSIONER HUGHES: And I'll second.

CHAIR HANSEN: Okay, we have a motion by Commissioner Hamilton and a second by Commissioner Hughes.

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

3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS

A. Resolution No. 2023-010, a Resolution Supporting Senate Bill 165, Enacting the Local Choice Energy Act

CHAIR HANSEN: This was actually introduced by myself, Commissioner Hansen and Commissioner Bustamante. And we are bringing this forward with a little background, and I don't know if you want to start, Commissioner Bustamante, or if you would like me to.

COMMISSIONER BUSTAMANTE: Please, Madam Chair, go ahead and start.

CHAIR HANSEN: I'm going to give you a little background. I know there are a number of people here who would like to speak about this and so I will as the Chair allow you to speak for two to three minutes, but first I want to do a little introduction.

Renewable energy and storage are among the cleanest sources of energy with which New Mexican residences and businesses can power its establishments to achieve better air quality and reduce greenhouse gas pollution. The Santa Fe County Board of County Commissioners adopted resolutions in support of greenhouse gas emission reductions and lead by example with respect to implementing cost effective waste reduction, recycling, and clean energy strategies in County operations.

Many state and local governments in New Mexico, including Santa Fe County, have already begun reducing their greenhouse gas emissions through implementing energy efficiency, waste reduction, recycling, water conservation, fleet efficiency, and renewable energy production in County facilities and operations. The Board wishes to encourage and work with the State of New Mexico, other counties, Native American Pueblos, Tribes, and Nations, and local governments to continue to prioritize the reduction of greenhouse gas emissions and allow them to have significant opportunities to provide incentives and resources to do so.

The proposed Local Choice Energy Act, LCEA, Senate Bill 165, 2023 Regular Session, would allow for expansion of renewable energy generation, municipal aggregation of energy demand, and procurement. The proposed LCEA is anticipated to stimulate local wealth creation, increase revenue for our communities and investments in our infrastructure, lower costs for high quality energy, give communities a choice in how they generate and purchase energy, support innovation and resiliency, and create jobs.

Finally, the proposed LCEA would enable counties and municipalities to leverage

unprecedented federal funds forthcoming from the federal Inflation Reduction Act of 2022 and the federal Justice40 initiative, Executive Order 14008, which aims to direct 40 percent of overall benefits of certain federal investments to disadvantaged communities by making it easier for them to create municipal utilities to manage micro-grid and renewable energy projects.

So I think that there is many things that went into working on this resolution. As the chair of the Coalition of Sustainable Communities I really wanted to make sure that all the work that we had done on community solar and rooftop solar was covered and protected in this resolution. And so we worked together to make sure that this was covered in this resolution. Now I will turn it over to Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, thank you for the opportunity to both support and to co-sponsor this important opportunity. The issue with having choice and making sure that we have renewable resources time has come. We have long been in a situation where we really have really a monopoly and yes, there are regulatory measures that are in place to assure fairness and value. There are a lot of internal and external restrictions for ensuring that the way our energy is managed, both socially and independently, is fair and measurable. But there is not a choice for these resources in our communities.

And resilience is a huge opportunity here. Having community resilience, having opportunities for choice – I almost want to sound like I could go on. What does it really mean to be able to decide how and where your energy is coming from? Who is responsible for the oversight? How can we ensure that when things do go down everything is in place to ensure that it goes back up quickly? There are statements that with one entity running the energy show if you will, addressing those types of situation and those issues is much more viable.

But what we do know is that we're not going to be able to build on our resilience and assure full flexibility without having choice within those communities and there are measures throughout the country similar to this one that have actually been very strong and are working. This is a start. I can't say that this is necessarily something that is perfection but it is the beginning of something that needs to happen and people have said for a long time that in order to be more resilient, more responsive, assure fair price, it goes to the commercial market and it's time for the democratization of our energy and our resilience. So thank you for the opportunity to do this and that's all.

CHAIR HANSEN: Are there other comments from Commissioners?
Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. I want to speak in support of this because choice is definitely something that gives us an opportunity for competition, but this is not cutting the ties with our local energy provider. We have an energy provider. This is just supporting the opportunity for us to provide for our own in a format that we would like – if we can manage. So this is not cutting the ties in any form. This is just supporting a measure at the legislature.

There's also the opportunity to make unwise choices so this is a warning to ourselves if we do go down this route and do gain this opportunity that we do not do it unwisely and unprepared. It is not easy to start an electric utility locally and so we need to, if we're going to do it, it's going to take a lot of extra legwork and we need to be

careful with that.

I encourage us to work with our local energy provider. They reached out to me as an introductory conversation these past weeks to discuss the ways that we can work together and that's the way that this should happen. Our priority is to raise the bar and to make sure that they're more responsive to our community is our opportunity to advocate for our community's goals and our community's constituents. And so when we have those open chains of communication that's a great opportunity for us to do that.

And then we just have to be careful at the end of the day about the unintended consequences, so to be clear, this is just a resolution in support of this measure at the legislature. Choice is good but we have to be careful that we make the right choices. So thank you.

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I don't have much to add. You've all said it very eloquently. But I do think that this is a good idea. I especially want to thank all the people who contacted me in support or not of this measure and certainly our friends at PNM who I know have expressed concerns, but this is just our resolution supporting an idea at the state legislature. I think we also know that the bill that is currently before the state legislature will probably be amended many times before it becomes law and so we will have many opportunities to make it better than it is now, and then of course as Commissioner Greene said, once it gets to us we will have to be careful if we decide even to do this. But we have to be careful how we do it so that it's a benefit to the community that we're serving. So thank you.

CHAIR HANSEN: Thank you, Commissioner Hughes, and thank you, Commissioner Greene. Now I know there's a number of people who have asked to speak on behalf of this resolution or opposed to this resolution so I would like to see how many people are in the audience who would like to speak. Okay. Do they need to be sworn in, Deputy Clerk?

EVONNE GANZ (Deputy County Clerk): I don't think so, Madam Chair. County Attorney?

CHAIR HANSEN: This is only public comment. Okay. Fine. So if you would please – I will open public comment on this resolution at this point. So people who would like to speak in either opposition or in support please organize yourselves and start coming forward. I'll give you two to three minutes so please be respectful and do not repeat what others have said and we want to hear from all of you. So please come forward. Please state your name for the record.

SHARON ARGENBRIGHT: Thank you, Madam Chair and Commissioners. My name is Sharon Argenbright and I live in your district, Commissioner Hamilton. Thank you so much for inviting us. Community solar will benefit all of us in at least one way and multiple ways most likely. I have solar panels on my house. Some people who may enjoy having solar panels cannot enjoy this green lifestyle. Month after month I make more electricity than I use. This has been going on for almost ten years. My extra electricity goes to and stays with the electric company. It does not come back to me. I would like my extra electricity to go to someone in my community.

In addition to jobs and job security, stretching financial resources of the

community benefits all of us, makes us all more resilient which we will need. Community solar will promote decarbonization, less greenhouse gas period. Buying local promotes decarbonization. Local choice is buying local. We can do better than to stay dependent and continue to be exploited by the electric monopolies. Santa Fe County, can we make local choice happen? Will you provide the extra we need right now to enhance any possible climate restoration and improve our quality of life right now in the meantime. Thank you.

CHAIR HANSEN: Thank you, Sharon. Next, please.

SANTOS GRIEGO: Good afternoon, Madam Chair, Commissioners. My name is Santos Griego. I'm a representative with the International Brotherhood of Electrical Workers, Local Unit 611. I represent – we're here today to oppose the resolution to support Senate Bill 165 for reasons – we represent many members throughout New Mexico utilities, many of which are employed with the utility here in Santa Fe, in the county.

Now, as a 100-year bargaining unit there's some language that we're concerned about within the legislation that would negatively impact our members. Another reason concerning us as representatives is the language in regards to safety and the regulatory process of how this community choice is going to come together. Now, for the record, we are not anti-reduction of carbon emissions. If anything, our members have built many of the renewable energy transmission projects throughout the state and will continue to do so, so I want to let you know that. But it is our concern and we want to ensure that your voice, that whatever decision you make is the preponderance of the weight that you have with the legislature is enormous and we want to proceed with caution in regards to this Senate – and it's not horrible. We're very concerned about a lot of language that's not clear to us. And I hope – and one final point, Madam Chair, Commissioners, is the fact that this legislation hasn't seen any committees. This is the third week starting the legislative session. It hasn't been vetted through any of the committee process, so I just wanted to let you know that. Thank you for your time today and thank you very much.

CHAIR HANSEN: Thank you, Mr. Griego. Next.

MARTHA BURT: Commissioners, I'm Martha Burt. I have been working with Public Power New Mexico. I also work with the Municipal SOS Santa Fe. I am here to speak on behalf of this resolution and it sounds from your introductory remarks like I don't need to actually tell you anything because you've all got the arguments. What I do want to emphasize is the importance of local choice in this. At the moment we have no choice at all. Not only do we not have any choice but our local energy supplier has done everything in its power to reduce the opportunities in this state for us to go renewable, for us to lower rates, and for us basically to get the benefits of what was already a weakened Energy Transition Act from 2019.

So I very strongly encourage you. It is the resolutions of local government entities that will help us get this through the legislature. We can't wait for the legislature to kind of not get a read from around the state of the very great interest in this from smaller communities and larger communities. Bernalillo County has already passed this resolution. So have several very small communities from the southern part of the state.

So I'm very much in favor of you being very careful once you get to it, but you can't get to it without the legislation because it is the only thing that will enable you to

actually take any action on your own behalf and mine.

CHAIR HANSEN: Thank you, Ms. Burt. Next please.

PAUL GIBSON: Good afternoon, Madam Chair and Commissioners.

Thank you for the opportunity to speak in support of Local Choice Energy, SB 165. It is one of Retake our Democracy's highest priorities. We've been working with a coalition advancing this for a year. My name is Paul Gibson. I'm the co-founder of Retake our Democracy, a 4,500-member non-profit advocacy group that's statewide. Probably one-third our members come from this county, so they're your constituents.

We have a great opportunity in New Mexico but in order to achieve that opportunity to realize that opportunity we need to take action, and that action is simply to pass Local Choice Energy in the legislature.

New Mexico has 300 days a year of sun. Our monopoly, investor-owned utilities haven't gotten that message. El Paso Electric delivers five percent renewable, Excel delivers two percent solar, and PNM delivers ten percent solar. Those same utilities are doing all they can to stall community solar in the courts and at the PRC. In that context, why are they doing that? Profit. They make a good deal more money by using more expensive energy sources and so they choose profit over the benefit of their communities.

This isn't just a pipe dream, Local Choice Energy. It's operating in ten states, in 1,300 communities with millions of customers and those customers enjoy lower rates, more reliable service, and the profit that these IOUs go to the community instead of to Wall Street.

I'd like you to take one look at the Santa Fe water district and their experience. In the 1990s they divorced from PNM and decided to manage their own water. In that context they created progressive water rates so that low-income users had lower rates and low water users paid lower rates. That policy provided protection for low-income community members and it also drove a reduction in water use, two really good objectives. That's exactly the kind of thing a Local Choice Energy community could do. It could take the profit that was going to Wall Street and reinvest it in the county, and that could be done to just create lower rates for low-income residents, or it could be to weatherize low-income homes, or it could be to develop your own solar array and start generating your own energy.

This is a no-brainer. In short, this is a win-win for your constituents and a win for the planet and a message to the nation. Just transition can happen but we need to take action. This is the kind of action we need to take.

I also just want to go off message here completely. We sat over here during all of your accolades for your employees and I want to just tell you, you made a statement, you can tell what somebody's about by how they work or how they spend their time, something like that. Well, you spent a lot of time telling your workers that you care about them and I just want to commend you for it. I haven't seen that in too many meetings.

CHAIR HANSEN: Thank you, Paul. Next please.

MARK STRAND: Hello. My name is Mark Strand. I'm the secretary-treasurer of the State of New Mexico AFL-CIO. I stand in strong opposition to this. I have been a lineman for over 30. Almost 30 years, working putting up the wires, putting up the lines, making sure the power runs. I have a lot of concern about the safety of my fellow brothers, the guys out there working the lines, the ones keeping the lights on, the

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ones out there making sure that everyone stays safe in their home.

It takes a lot of training to make sure that we are qualified to do our job as a lineman out there on those lines, making sure that power flows to your houses. It concerns me that you might choose a choice on this and not have the qualified men to do the work. A transformer is a very dumb piece of equipment. It only knows to take 120 and convert it to 7,000 volts. There are a lot of people that aren't trained to work that type of voltage and it concerns me that we're putting lives in danger by passing this and not having qualified men out there in the field doing this work. Thank you.

CHAIR HANSEN: Thank you. Next.

DARRELL DEAGUERO: Thank you, Madam Chair, Commissioners. Thank you for your time today. My name is Darrell Deaguero. I represent the Laborers International Union of North American, Local 16. We represent laborers in construction across the State of New Mexico, West Texas, El Paso area, and the Navajo Nation. For all the reasons previously stated with my union brothers there, we also stand in opposition of this. What I will add to what Mr. Strand had touched on, the training portion of this really needs to be addressed and you're going to have qualified people to do that kind of work. We also do work in renewables, not only here in New Mexico but across the country as a craft, so we just stand in opposition to this. Thank you.

CHAIR HANSEN: Thank you very much. Next.

JONATHAN JUAREZ: Good afternoon, Madam Chair, members of the Commission. My name is Jonathan Juarez. I'm a policy lead with Youth United for Climate Crisis Action, based on the south side of Santa Fe. I'm also from the pueblos of Laguna and Isleta. So I'm here today to speak in support of this resolution. Local Choice Energy currently serves millions of Americans across over 1,000 communities in ten different states, and what we've seen in those states is by far and large rates goes down and service quality goes up. We also, in this legislation, currently being heard in the Senate there are protections for union workers and for workers that are currently in the process of transitioning. And that's extremely important because we all have to be a part of this process of transitioning and we can't be leaving our workers behind. Thank you very much.

CHAIR HANSEN: Thank you very much. Next. Is there anyone else in the audience who wants to speak?

DANIEL FRESQUEZ (Media Specialist): Madam Chair, we do have a few people on line who would like to speak as well.

CHAIR HANSEN: Okay. We'll go to them as soon as we finish in the chambers.

CARLOS LUCERO: Yes. Good afternoon, Madam Chair, members of the Commission. I'm Carlos Lucero with the Public Service Company of New Mexico. I'm here today to voice our concerns of Local Choice Energy and also Senate Bill 165 as well as this resolution before the Commission. New Mexico is now the national leader for energy policy because of the goals set forth in the Energy Transition Act or the ETA. Many stakeholders including Santa Fe County supported the efforts in the ETA because of the ambitious objectives to make New Mexico a carbon-free energy state.

PNM is currently providing its customers with over 55 percent carbon-free electricity as we stand today. We also are well on our way to achieve 100 percent by

2040 and over 40 percent renewables today as we speak, and we will meet our goals for the ETA and the requirements. Also, we have grid modernization bills in place that have been passed that have the attention of the entire country when it comes to emergent technologies to make the electric grid more reliable and resilient.

Senate Bill 165 or Local Choice Energy burdens customers with two bills, one from the electric utility which the utility will still have to maintain and operate the transmission, distribution, customer service, metering of the actual grid. Local Choice would only see the generation and more likely it would come out of state. The pricing is not regulated from the Local Choice and there is so much uncertainty on how these prices will be impacted.

Also, Local Choice would automatically enroll the utilities customers in the Local Choice whether they like it or not, and there will also be exit fees that can really burden or increase costs for our most vulnerable customers such as our limited and low-income, our seniors and our rural communities.

Overall, PNM believes there's a lot of uncertainty and inconsistent data that shows Local Choice Energy has led to cheaper, reliable and clean energy. For the reasons stated, PNM asks the Commission to reconsider its resolution to support Senate Bill 165. Thank you for your time.

CHAIR HANSEN: Thank you very much. Next.

ALYSHA SHAW: Madam Chair, Commissioners, thank you so much for considering this resolution. My name is Alysha Shaw and I am a resident of Santa Fe. I work with Public Power New Mexico, which is a grassroots, statewide coalition that's working to empower our communities to generate affordable, renewable energy that creates jobs and invests in local economies. As you know, we're working to get the Local Choice Energy Act passed at the legislature and we thank you for your consideration of a resolution in support of it.

Local Choice Energy is endorsed by more than 30 organizations across the state as well as a number of communities and that number grows every single day. Just last week the Bernalillo County Commission unanimously passed a resolution in support of it. As many have said, this is the law of the land in ten states. They call it community choice aggregation; we call it Local Choice Energy.

It's proven. We know it works. We know it's reliable. We know that communities have gone 100 percent renewable very quickly. We know that they have lowered bills significantly. And so what the law does, what the law would do is it would simply empower our communities to generate or purchase electricity. The electricity gets transmitted in partnership with the existing utility by them over their grid for the same terms, fees and conditions that they charge their customers. Customers of communities that choose to do this will always have the choice to keep their existing service or change it.

I have to say there were a lot of misconceptions that I would really like to correct with the time that I have. I do what to say that our coalition has had many conversations with many different labor unions over the last several months. We included an entire section within the bill specifically with language given to us by labor. We're still open to considering amendments that would make this a better bill for workers. I have certainly asked the IEBW for that and I haven't received any tangible amendments to that end. We

did discuss safety certification and want to include that in the bill but our drafter informed us that is the law of the land. Electrical workers must be trained and certified, so they didn't add that part.

We also want to clarify something. Transformers would not be operated by a Local Choice provider. They would be operated by the existing utility, as would all the grid. They would manage and administer the grid and the transmission and the modernization and they would still have paying customers paying them the exact same fees to do that.

There are not two bills; that is also not true. There would be one bill. And then out of state, the ten states that have done this, they don't have the renewable potential that New Mexico does. So we know – and a number of these communities have gone 100 percent renewable so we know that we can do this better. Across the country they've lowered bills ten to fifteen percent. Communities can set their own rates and do low income programs. It's about choice and creating choice and options for the communities and our needs. So thank you for considering this. We really appreciate it.

CHAIR HANSEN: Thank you, Alysha. Next. Daniel, I'm going to go to you. You said you have people on line who would like to speak?

MR. FRESQUEZ: Madam Chair, we do. We have Bob Alei. Bob, are you there? If you're talking you're muted but it doesn't even show up on the screen I do have one more person in the audience who just raised their hand who wants to speak, so maybe I will go to them while we figure out what's going on with people on line. I saw somebody raise their hand. Please come up.

HOLLY BEAUMONT: Good afternoon, Madam Chair, members of the Commission. I'm the Reverend Holly Beaumont. I'm the organizing director of Interfaith Worker Justice New Mexico, which is a statewide network of people of faith and people of conscience. We're in support of Local Choice Energy because we're excited about the possibility of returning autonomy to local communities so that they can make decisions for themselves about what are the best choices for providing energy and power to their community that also respects and acknowledges the future of the climate crisis.

So we're excited about this and we are putting our full support behind it and working to get this passed and we're excited about the Santa Fe County Commission supporting it as well. Thank you.

CHAIR HANSEN: Thank you, Holly. I'm going to go back to Daniel. I see there's one more person in the audience who wants to speak.

PETE TRUJILLO: Thank you, members of the Commission, Madam Chair. Pete Trujillo, business manager of the International Brotherhood of Electrical Workers. We represent 2,800 electrical workers in the State of New Mexico. We work with licensing and enforcement and regulations throughout this state and right now our workers are being exploited because there is no licensing and regulation. People are getting hurt on the jobs. If there's not people out there to enforce and regulate this and it just goes out of control because there's no regulation, we're not going to be responsible for injuries of the people. Thank you, Madam Chair.

CHAIR HANSEN: Thank you very much for your comments. Daniel.

MR. FRESQUEZ: Madam Chair, I did see Bob did try to unmute but he's not coming through. I'm trying to troubleshoot. Would you like to go to the next speaker?

CHAIR HANSEN: Yes, please.

MR. FRESQUEZ: Melissa Troutman.

MELISSA TROUTMAN (via Webex): Hi. Thank you for having – just thank you. Good afternoon. My name is Melissa Troutman. I'm the Climate Advocate for Wildlife Guardians which is based here in Santa Fe and I'm also a part-time resident of Ruidoso, New Mexico. And I want to thank you for considering the resolution and encourage the Board to support the Local Choice Energy Act. Simply put, the power of choice, the power to choose for ourselves is a cornerstone of democracy, and yet when it comes to energy that power of choice is so often absent.

By passing the Local Choice Energy Act communities of course will gain that power of choice and be free to practice another tenet of democracy which is responsibility. Our choices come with consequences of course and the ability to choose clean energy enables us to practice responsible decision making about our energy use.

With regard to the laborers who have expressed concerns about safety I wholeheartedly agree that the people working on utility grids should be protected and prioritized as we democratize the energy system. I'm a little confused about how the Local Choice Energy Act would create unsafe conditions or fail to ensure proper worker training but I hope that as the Act moves through amendments that all of the workers' concerns will be addressed and that all safety and training programs will of course meet the highest professional standards.

So with that said I just want to again encourage you to support the Local Choice Energy Act which of course has many economic, environmental and social benefits besides creating a more democratic energy system. Thank you.

CHAIR HANSEN: Thank you, Melissa. Daniel, next

MR. FRESQUEZ: All right, Madam Chair. Let's go ahead and try Bob Alei again.

CHAIR HANSEN: Hi, Bob. Can you hear us? We do not hear you. Okay, Daniel, do you want to go to the next person?

MR. FRESQUEZ: Madam Chair, the next person is Laila Atalla.

LAILA ATALLA (via Webex): Good afternoon, Commissioners. My name is Laila Atalla and I'm president of District 4. I'm calling today in support of the Local Choice Energy Act. Because for me and my family, high utility bills and continued reliance on fossil fuels are ongoing concerns. The Local Choice Energy Act is an important step towards making affordable, renewable energy accessible to all of Santa Fe County residents. The Local Choice Energy Act will allow our community to join together to purchase and generate renewable electricity, transmit it using the existing grid and deliver it at affordable rates. The revenues can be reinvested locally to support energy efficiency programs, support low-income households and various other communities.

Local Choice Energy is a proven model that's been used in communities in ten other states with lower rates and accelerating transition to 100 percent carbon-free electricity. Here in New Mexico households served by municipal electrical utilities are already saving an average of 25 percent on renewable electric bills compared to customers of investor-owned utilities and unlike what one of the previous commenters from PNM said, there's always the choice to opt out if people do not want to participate

in that program.

So Santa Fe County residents deserve the right to choose clean, affordable, and reliable electricity for our community and to get there we need to let the legislators know that communities want control of their energy. Please support the Local Choice Energy Act today.

CHAIR HANSEN: Thank you very much. Daniel, next.

MR. FRESQUEZ: Madam Chair, the next speaker is Sofia Jenkins-Nieto.

SOFIA JENKINS-NIETO (via Webex): Good afternoon, Madam Chair and Commission. My name is Sofia Jenkins-Nieto. I'm the Environmental Justice Coordinator at Earth Care, which is a non-profit based on the south side of Santa Fe. Our focus is community development and economic and environmental justice. We are also part of the Public Power of New Mexico Coalition that Alysha mentioned earlier, and I wanted to emphasize what Alysha said previously and let you know we're always open to communicating and talking about the bill and there is a lot of information on our website, publicpowernm.org. I'm pretty there is, and there's fact sheets, FAQs, all of that stuff can be answered.

And I'm here to urge you to support Local Choice Energy in Santa Fe County. Local Choice Energy like others have said will give our communities the freedom to control our own energy futures and supplies. We will be able to reinvest energy dollars back into our communities as opposed to out of state shareholders. Additionally, Local Choice Energy is an important step in moving our energy economy to renewables. Community-owned electricity providers are accelerating the transition to renewable energy. All communities in the US that have achieved 100 percent renewable power are served by community-owned electricity providers. We ask that you lead with courage and embrace the transition to energy democracy that is so desperately needed. Thank you for passing this resolution and sending a clear mandate to our legislature that we need Local Choice Energy. Thank you.

CHAIR HANSEN: Thank you. Daniel, next.

MR. FRESQUEZ: Madam Chair, Bob Alei would like me to express his support for this resolution.

CHAIR HANSEN: Okay. Thank you very much.

MR. FRESQUEZ: And the next speaker is Zephyr Jaramillo.

ZEPHYR JARAMILLO (via Webex): Good afternoon, Chairwoman Hansen and Commissioners. My name is Zephyr Jaramillo and I come from the pueblos of Isleta and San Felipe. I am also a member, leader, and organizer with YUCCA. As was said earlier, YUCCA is a youth-led organization with thousands of members and supporters throughout central and northern New Mexico, including a large base here in Tewa territory here in Santa Fe County.

I'm here to speak on behalf of YUCCA members in Tewa territories in the Santa Fe County area in strong support of Local Choice Energy. New Mexico is a state with more 300 days of sunshine and right now only 6.4 percent of all of our electricity is generated by solar. Meanwhile we are facing catastrophic climate destruction fueled in part by New Mexico's outside contribution to global carbon emissions.

We all experienced the devastating fires of this last year and we have family members who were displaced, who lost their homes and lost their livelihoods and I'm

sure we're all still grieving the loss of our forests. We watch as we helplessly see droughts deepening and lengthening. But we're not helpless; we can take swift and meaningful action to reduce our emissions if our communities are given the power to decide for ourselves where our electricity comes from.

We know here in Santa Fe County the community has already chosen to transition to renewables. We just don't have the vehicle to allow us to achieve that vehicle, but Local Choice is that vehicle. So please support this resolution so that our lawmakers open up the doors to a renewable energy future. Thank you.

CHAIR HANSEN: Thank you, Zephyr. Okay, Daniel, next.

MR. FRESQUEZ: Madam Chair, this person signed up to speak virtually but I do not see them on the list. The name is Xavier Barraza.

CHAIR HANSEN: Okay. Are they online?

MR. FRESQUEZ: Madam Chair, I do not see them online.

CHAIR HANSEN: Okay. So I think we have exhausted our list of people who wanted to speak on Matters of Public Concern. Is there anyone else who wanted to speak before I close matters from the public, on this topic. Seeing none, I'm closing Matters from the Public and I will go back to the Commissioners. Does anyone have any other additional comments or what's the pleasure of the Board?

COMMISSIONER HAMILTON: Madam Chair, I don't want to pre-empt anybody who might want to do this but I'd like to make a motion to approve.

COMMISSIONER BUSTAMANTE: I'll second.

CHAIR HANSEN: Okay. So I have a motion from Commissioner Hamilton. I have a second from Commissioner Bustamante. Under discussion? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just wanted to encourage everybody who spoke today to get involved with the legislature. I'm sure there are ways to address the concerns that were expressed about safety and jobs as well as some of the other details. I read the bill last night and it seemed a little short for the immense amount of work that would be required if we do do this transition, so I think there are probably things that need to be added to the bill, so I am intending to vote in favor of the idea of Local Choice and hoping that the bill that does come out will actually get us there. Thank you.

CHAIR HANSEN: Thank you, Commissioner Hughes. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Probably the last comment I'd like to make towards this is sort of the challenge to the PNM folks out there that currently are going through this merger. You are our local choice but you're choosing to sell yourselves to a global organization. So this gives us a way out and gives us a way forward if it doesn't work out to the benefit of our community. So I challenge PNM to reach out to all of the communities that you serve and to be the best partner that you can be. You're the entrenched sole source right now. Nobody has to go create a utility to compete with you but if you perform and it's easier to go and continue with you, we'll be happy to work with you to continue along those paths. So thank you.

CHAIR HANSEN: Thank you, Commissioner Greene. Are there any other comments? Seeing none.

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

CHAIR HANSEN: I want to thank everybody who came and made public comment. I am grateful for the participation in democracy. It is incredibly important to hear from our constituents. So thank you for being here. We completely appreciate it.

[Deputy Clerk Ganz provided the resolution numbers throughout the meeting.]

4. CONSENT AGENDA

- A. Request Approval of County Health Care Assistance Claims in the Amount of \$30.68 (Community Services Department/Jennifer Romero)**
- B. Resolution No. 2023-___, a Resolution Requesting an Increase to the Healthcare Assistance Fund (223) in the Amount of \$1,386,301 (Finance Division/Yvonne S. Herrera and Community Services Department/Jennifer Romero) ISOLATED FOR DISCUSSION**
- C. Resolution No. 2023-011, a Resolution Requesting a Budget Increase to the General Fund (101) in the Amount of \$78,182 (Finance Division/Yvonne S. Herrera and Growth Management Department/Nate Crail)**
- D. Resolution No. 2023-012, a Resolution Accepting Grant #22-G3008 Received from the State of New Mexico, Department of Finance and Administration for Housing Site Upgrades in the Amount of \$835,000 (Finance Division/Yvonne S. Herrera).**
- E. Request (1) Approval of Amendment No. 3 to Agreement 2021-0113-FIN/CW Between Santa Fe County and CliftonLarsonAllen, LLP, Extending the Term and Increasing the Compensation an Additional \$100,000, for a Total Contract Sum of \$367,975.35, Inclusive of NM GRT; and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Orders (Purchasing Division/Bill Taylor and Finance Division/Yvonne S. Herrera)**
- F. Request (1) Authorization for the County Manager to Apply for a FEMA Assistance to Firefighters Grant and (2) Delegation of Signature Authority to the County Manager to Sign the Grant Agreement (Finance Division/Bill Taylor and Public Safety Department/Jacob Black)**
- G. Resolution No. 2023-013, Authorizing the County Manager to Waive Three (3) Day's Rental Fees for the Santa Fe County Fairgrounds and Negotiate a Temporary Use Lease Agreement with Parallel Studios for an Event to be held June 16-25, 2023 (Community Services Department/Rachel O'Connor)**
- H. Request Approval of a County Utility Line Extension and Delivery Agreement Between Santa Fe County and A Sound Look (Public Works Department/Michelle Hunter)**
- I. Request Approval of a County Utility Line Extension and Delivery**

- Agreement Between Santa Fe County and Manuel Najera (Public Works Department/Michelle Hunter)**
- J. Request Approval of a County Utility Line Extension and Delivery Agreement Between Santa Fe County and James Baumbach (Public Works Department/Michelle Hunter)**
- K. Request Approval of a County Utility Line Extension and Delivery Agreement Between Santa Fe County and Silvia Geiger (Public Works Department/Michelle Hunter)**

CHAIR HANSEN: Is there any item on the Consent Agenda that anyone would like to have pulled for further discussion? Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. I would like to pull, only for transparency purposes, item B, and it's not necessarily to pull it but just in full transparency, my wife serves on the board of the Food Depot. It's a great organization and deserves our support. She does not receive any remuneration or compensation for her service on the board but if it is something they feel I should recuse myself from this or if it needs to be pulled from Consent that is –

CHAIR HANSEN: Thank you, Commissioner Greene. We will pull from Consent. So then let's move forward. Can I have a motion to approve the Consent Agenda with item B being removed.

COMMISSIONER HUGHES: I'll make a motion to approve the Consent Agenda with the exception of item B.

COMMISSIONER GREENE: And I'll second it.

CHAIR HANSEN: Okay. I have a motion from Commissioner Hughes and a second by Commissioner Greene.

The motion to approve the Consent Agenda with the exception of item B passed by unanimous [5-0] voice vote.

- B. Resolution No. 2023-014, a Resolution Requesting an Increase to the Healthcare Assistance Fund (223) in the Amount of \$1,386,301 (Finance Division/Yvonne S. Herrera and Community Services Department/Jennifer Romero)**

COMMISSIONER HAMILTON: Madam Chair, move to approve item B.

COMMISSIONER HUGHES: I second.

The motion passed by unanimous [4-0] voice vote with Commissioner Greene abstaining.

COMMISSIONER GREENE: I'm abstaining but just until I get clarity on things like that. In the future we'll discuss this with the Attorney. Thank you.

5. APPOINTMENTS/REAPPOINTMENTS

A. Appointment of County Planning Commissioner Members to the Extraterritorial Land Use Commission (ELUC)

CHAIR HANSEN: Welcome, Jose. Nice to see you. The floor is yours.

JOSE LARRAÑAGA (Growth Management): Thank you, Madam Chair. Ordinance 2022-06 amended Chapter 3 of the Sustainable Land Development Code to add a new Section 3.7 to create the Extraterritorial Land Use Commission and give the BCC the authority to appoint members of the Planning Commission to the ELUC. The ELUC shall have the authority to carry out duties and make recommendations related to planning and planning jurisdiction, subdivisions, zoning and annexations as provided in NMSA 1978, Section 3-7-3 and 3-7-3.2 and 3-7-4, and as set forth in Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement.

On August 31, 2022 the Board appointed Charlie Gonzales, J.J. Gonzales, Frank Katz, Rhea Serna and Wendy Pierard to serve as members of ELUC with the two remaining Planning Commission members serving as the alternates. Frank Katz is no longer a Planning Commissioner as his term expired. Rhea Serna and J.J. Gonzales were reappointed to the Planning Commission would continue their two-year term on ELUC. The current Planning Commission members are Carl Trujillo, Charlie Gonzales, J.J. Gonzales, Erik Aaboe, Rhea Serna, Steve Krenz and Wendy Pierard.

Recommended action: Staff recommends the appointment of Erik Aaboe to ELUC to continue the previous two-year term to expire August 30, 2024 and Carl Trujillo and Steve Krenz to serve as alternates on ELUC. That's asking you to appoint Erik Aaboe and Carl Trujillo.

CHAIR HANSEN: Thank you very much, Jose. What's the pleasure of the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes. I would like to make a motion to that effect, to do the appointments as recommended.

CHAIR HANSEN: Okay. So I have a second?

COMMISSIONER BUSTAMANTE: Second.

CHAIR HANSEN: I have a motion from Commissioner Hamilton and a second from Commissioner Bustamante to appoint Erik Aaboe to the ELUC for the two-year term, and Carl Trujillo and Steve Krenz to serve as alternates.

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

CHAIR HANSEN: The Finance Division Director, Yvonne Herrera. Welcome.

YVONNE HERRERA (Finance Director): Madam Chair, Commissioners, good afternoon. We are here, myself and members of REDW who are online, are here to present the results of the 2022 audit and request the Commission approve and accept the audit as required by 2-2-2 NMSA and the State Audit Act. And with that, Madam Chair, I'll turn it over to REDW. Steve. Steve or John, are you on? Maybe not, Madam Chair.

CHAIR HANSEN: Okay, I don't hear anything from Daniel and I don't

hear anything from Steve or the other name you mentioned. So we'll go on for right now and see if they join us.

MS. HERRERA: Madam Chair, the results of the audit was an unqualified opinion, but forgive me. It's been a while since I've had to actually present from an auditor's perspective.

MANAGER SHAFFER: Madam Chair, if I could, we might want to take a short break and perhaps we could see if we could get the independent public auditors on board. I do think they're supposed to present the matter.

CHAIR HANSEN: I think that is an appropriate manner and maybe we'll just go on to item B and hopefully they'll return or show up. Okay. Thank you.

[Continued on page 23.]

6. B. Resolution No. 2023-015, a Resolution Adopting the Transportation Advisory Committee 2023 Work Plan

CHAIR HANSEN: Growth Management Brett Clavio and Public Works Department Ivan Trujillo.

BRETT CLAVIO (Transportation Manager): This item is to request BCC approval of the Transportation Advisory Committee 2023 work plan and meeting schedule per Resolution 2015-13. Approval will allow the Transportation Advisory Committee to meet and conduct business this year per the work plan. The Advisory Committee met last year November 16th and voted to recommend the BCC approve this 2023 work plan as per requirements of Resolution 2015-13.

Resolution 2015-13 created the TAC which replaced the previous committee which was called the Road Advisory Committee, and it states that the committee shall adopt and present to the BCC for approval an annual work plan.

Again, the TAC met November 16th and approved the work plan. We did talk it over, Ivan and I, with the committee members, and the committee did vote unanimously to approve the plan. At this time staff would also like to recognize our committee chairman, Mr. John Nitzel, who is here, and the rest of our committee members for their outstanding attendance, participation, professionalism and conviviality. It really makes working with them a whole lot better and they're very knowledgeable as well.

So in essences, what the tasks are for the 2023 work plan is number one, road acceptance proposals. Number two, other right-of-way administrative duties. Number three, Santa Fe County road improvement policies. Number four, the transportation plan development. Number five, transportation finance review. Number six, transportation project prioritization. Number seven, other tasks as assigned by the BCC. Number eight is this work plan. And number nine is the annual road map of County-maintained roads.

So again, the 2023 work plan can be amended as needed to include additional tasks as directed by the BCC. TAC does meet quarterly, and additional meetings may be scheduled as needed. At this time staff recommends approval of the Transportation Advisory Committee 2023 work plan and new schedule. With that I stand for any questions on this item.

IVAN TRUJILLO (Public Works): We stand for questions.

CHAIR HANSEN: Thank you very much and I want to thank the chairman Nitzel for being here. I appreciate that. I also appreciate the volunteer time that everyone takes to serve on the TAC. We are lucky to have a community that is full of volunteers who are willing to help the County and for that I am grateful. And with that I would like to know if there are any comments or questions from the Board.
Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, guys, and thank you to the volunteers. Questions about this are what are the – how does this interface with the MPO? I guess the first question. And then also with the RTD planning for transportation? Is this sort of a clearinghouse for filtering things up into those groups?

MR. CLAVIO: Madam Chair, members of the Commission, that's an excellent question. We're kind of separate organizations. The Transportation Advisory Committee here is really here to look after Santa Fe County interests. The Santa Fe Metropolitan Organization is a composite of Santa Fe County, Santa Fe City and Tesuque Pueblo, in conjunction with the New Mexico DOT. We do all try to work in harmony and sometimes we do invite members of the Metropolitan Planning Organization to our meetings. Sometimes they present items to the committee, but it's just an informal association but we do very much work in collaboration with the MPO.

COMMISSIONER GREENE: Thank you. And if, as a new member of the MPO, if the TAC has recommendations that can filter up into the MPO, where those are roads in the county but they may be state roads or city roads or roads of concern, I'd appreciate that advice because you guys are the experts in that field, so any time you have comments. One of the things that's coming up is the MPO is coming with a request for projects and even if it's a state road or if it's a city road that's not related to the County, and especially for the County roads that you have recommends to add to the MPO list, please reach out to me and I'll listen. I'd like to hear what you have to say.

MR. CLAVIO: Thank you.

CHAIR HANSEN: Thank you, Commissioner Greene. Also I want to just add that like the Arroyo Hondo Trail, it was something that went through the MPO to get funding also. So it also includes trails and other venues for transportation. Yes, the more we can look at ways to use the MPO and find money to improve the County roads and trails and walkways, I'm all for it.

COMMISSIONER GREENE: Another comment.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. So given that there's a lot of federal money coming down, and state money that's coming down over the next few years I really encourage you to look ambitiously at road and trail and recreation projects that can be added to an MPO or added to an infrastructure or public works program over the next few years. And I'm happy to work with you to solicit ideas from our Commission, from our community, but then filter them through your hard work to get them prioritized and figure out whether we can actually go get the money, get it built, and the feasibility and financing of these things. So don't be bashful. Please reach out. Thank you.

CHAIR HANSEN: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you. I was just going to say this looks like a lot of work and I move for approval.

COMMISSIONER GREENE: I'll second.

CHAIR HANSEN: Okay. So I have a motion from Commissioner Hughes and a second from Commissioner Greene.

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

6. MISCELLANEOUS ACTION ITEMS

A. Resolution No. 2023-016, a Resolution Acknowledging and Approving the FY2022 Audit (cont.)

CHAIR HANSEN: We will now go back to Mr. Montoya because somebody said he was now available. So let's see if that's true. Daniel or Laura, is Mr. Montoya, Steve Montoya available?

STEVE MONTOYA: Madam Chair, can you hear me okay?

CHAIR HANSEN: Yes, we can, Steve. Thank you.

MR. MONTOYA: Okay. Well, thank you, Madam Chair and apologies. We were trying to unmute ourselves but it wasn't allowing us to unmute ourselves.

CHAIR HANSEN: We would love to see you in person.

MR. MONTOYA: That's what I was thinking. We should have just been out there. But yes, we apologize for the technical difficulty there and thank you for allowing us some time to present the audit results for Santa Fe County for this fiscal year ending June 30, 2022. So we're going to be presenting – we had a presentation. Would we be able to present that through this screen? Do we have the capabilities of doing that?

CHAIR HANSEN: I believe that we can do that. Do we have the presentation? I believe we have the presentation ready to put up. I saw it on BoardDocs earlier, I believe.

MR. MONTOYA: We have it in power point if you would like us to bring it up.

MR. FRESQUEZ: Madam Chair, yes. They can share the power point.

MR. MONTOYA: Would you like us to present it? Thank you, sir.

JON ROTHWEILER: Can everyone see what I'm presenting?

CHAIR HANSEN: Yes. Please go forward, Jon and Steve.

MR. MONTOYA: Thank you, Madam Chair. So we're here to present our audit results. First I wanted to thank the Commission for the time and I also wanted to thank just the County staff for assisting with our audit this year. Similar to previous years, there's a lot of time and effort that goes into the audit, both from the Finance team at the County, the program staff, and then also on our team. Our team puts about 900 hours into the audit each year.

And so we start the audit in July and pretty much go out through December on the audit. The County also prepares the annual comprehensive financial report, and that includes a great deal of financial information about Santa Fe County. It's about 300 pages so it's definitely comprehensive and there's a lot of good information that you'd like to read up on about the activities for Santa Fe County during this past fiscal year.

Management prepares that annual comprehensive financial report and it's again been appreciated to kind of work with them throughout that process and the review of the report.

So this slide here, this page is our engagement team that Jon is showing and I really appreciate our team for doing the audit. Jon, he's the manager and team lead for the engagement, so he actually indicates the signature of the report. I'm the concurring reviewer so I'm responsible for the overall quality of the financial reports and team and help Jon with any of the technical matters of the audit. And then we also have Ethan, who is the senior and in charge of staff on the audit. And I know he really dedicates a lot of time to the audit and so I appreciate all of his time. And then we also have Alexis who is another senior with us and Alejandra who is not an associate of the engagement.

And so Jon is going to kind of take the next several slides and kind of go over the purpose and going over a little bit more of the scope of the audit and continue with the audit results.

MR. ROTHWEILER: All right. Thank you, Steve and then thank you, Madam Chair and members of the Commission. Again, thank you for the opportunity to present the results of the County's fiscal year 2022 financial statement audits. And again I want to reiterate Steve's points, just a big thanks to Yvonne and Jessica and Sam and the rest of the County's team. They put up with a lot from us as far as questions, phone calls, emails, so again, it's a very collaborative process. We really want to thank them for their portion of the audit.

With respect to the purpose of this presentation, it's really to present our audit reports to the governing body of Santa Fe County in accordance with the New Mexico State Audit Rule in a meeting held in accordance with the Open Meetings Act. With respect to the scope of the audit, we do kind of two separate audits but it's done concurrently. So first is the financial statement audit for fiscal year 2022 as presented in the annual comprehensive financial report, as well as we do a federal compliance audit on the County's major federal programs. So those are kind of the two pieces that we're auditing with respect to the audit itself.

As for the status of our audits, we have completed the financial statement audit and the federal award audits for the year ending June 2022. Our audit was performed or conducted in accordance with several different sets of standards, including the US Generally Accepted Auditing Standards, Government Auditing Standards, as well as the uniform guidance that applies to the single audits, and then also the requirements of the New Mexico State Audit Rule.

Now, the overall objective as with any audit is to obtain reasonable but not absolute assurance as to whether the financial statements are free from material misstatements, whether those are due from fraud or error. And just to kind of clarify, we don't provide absolute assurance simply because of the cost/benefit, reporting deadlines, things like that. We simply can't look at every single transaction, every source document, every year-end balance, but the procedures that we do perform allow us to obtain that reasonable assurance to provide.

With respect to the audit results and the status of the audit. So again, we have completed the County's FY 22 audit and we have issued unmodified opinions on both the financial statements and the major federal program compliance. So just to kind of quickly

clarify here, an unmodified opinion is also kind of a clean opinion, and it's the best opinion that us as independent auditors can provide over a set of financial statements.

Additionally, the Office of the State Auditor has reviewed and approved the County's financial statements and those are currently available to the public on the OSA's website.

In any audit it's not uncommon to have any sort of deficiencies in internal controls. The professional standards do require that we communicate deficiencies in internal controls to management and those charged with governance. This chart really is showing that under the professional standards there's really three different levels or three different categories of deficiencies that we come across as auditor. On the top there is a deficiency in internal control. This is really kind of like your low level control deficiency where we don't think this has a pervasive or a material impact on the financial statements, and so this is something that we can verbally talk with management about, but we also have the opportunity to put that in writing and also communicate that to management as well as those charged with governance.

More severe than a control deficiency is what we call a significant deficiency. And so this is something that we feel merits the attention of those charged with governance. And so this is more elevated than a control deficiency, but it's not as severe as the next category which is a material weakness. So this would be something where potentially we actually found a material misstatement of financials where we thought there was a likelihood that the financial statements could be materially misstated. So those are basically the three levels that under the professional standards that we have to evaluate in the time we come across any type of deficiencies.

For the next slide here we're happy to report that there were no material weaknesses identified in the audit, so that's always a great thing when we're able to report that. However, there was one significant deficiency that we did identify throughout the course of the audit which was reported as finding 2022-001 titled financial reporting. Now right here is kind of a summarized, high level description of what that significant deficiency of a financial reporting function was. We did go through a much more detailed description with the Audit Committee, but essentially during the course of our audit we identified errors in the County's annual comprehensive financial report for the year ending June 30, 2022, that essentially required corrections by the County management.

So this was kind of a combination of control deficiencies that in the aggregate, in our judgment arose to a significant deficiency. But because management was able to correct those errors we were still able to provide a modified opinion.

What I'll do next is I'll turn it over to Ethan to take us through the results of the single audits, any OSA findings, and then the status of prior year findings and then any questions or concerns that we can address. Thank you.

ETHAN LOYA: Thank you, Jon. Madam Chair, Commissioners, again, thank you for the time that you've given to us to present this to you. So on this slide I'll go ahead and go over our single audit, which for anybody who doesn't know a single audit is the audit of federal major programs that the County participates in. So what we do is we will ensure that the County is in compliance with the uniform guidance, AKA the federal governing guidance over what are allowable expenditures under the federal programs and also review the County's controls over that compliance.

So here on this slide you can see the first program, listing #14. [inaudible], which is the Public and Indian Housing program, which is administered under the County's Housing Authority, and the second program, the Corona Virus State and Local Fiscal Recovery fund, which is actually part of the American Rescue Plan Act, ARPA, which was rolled out to assist due to the pandemic.

So during the testing of these two major programs we did come across one uniform guidance finding, here identified as finding #2022-002 over an allowable cost, and so I'll quickly go over this. It has to do with the Public and Indian Housing program so we came across an unallowable cost in which the program charged an expenditure of bad debt for uncollectible accounts, which under the cost principles is unallowed. The County was able to subsequently correct this and it wasn't significant enough for us to modify our opinion. As we've told you, [inaudible] but still a control deficiency that is required to be reported on financial statements.

And so this next slide, so these next two items right here are also findings. These are control deficiencies or findings under the New Mexico State Statutes. So this first finding, 2022-003, collateralization. So the state statute requires that in this case the County to have collateralized You have collateralized in an amount of at least half, amounting to half of the balance not covered by deposit insurance, so if a bank or credit union NCUA. And so there were four deposit accounts and either banks or credit unions that the bank did not have sufficient collateralization for.

And the second finding, 2022-004, cash receipts, also, again, another New Mexico State Statute under the Public Money Act it is required that public monies that are received in cash or check by the County are deposited by the end of the next subsequent business day to the State Treasurer's Office. And during our testing we came across three instances in which the County did not deposit that cash or check to the State Treasurer by the end of the next succeeding business day. That is it on this slide.

And so next, a quick snapshot on findings that we had for the fiscal year 2021 financial statement and single audits. As we can see we have five findings during the 2021 audit and if you see all the way to the right, we say uncorrected or corrected, so we can see that three of the prior year findings were cleared or corrected by the County and two are still here, so the ones that we just communicated to you, so progress being made here.

And with that, that's the end of our presentation and in an effort to thank Yvonne a just a little bit more, again, thank you, Yvonne, thank you to the County and to the Finance team. It was filed in time with the State's deadline so I just appreciate all the effort that everyone's put in. Thank you. And now we'll open it up to any questions that anybody may have.

CHAIR HANSEN: Thank you, Ethan, Jon and Steven, for your presentation. Are there any questions from the Board? Commissioner Hughes.

COMMISSIONER HUGHES: Madam Chair, thank you. I'm not sure – this is not necessarily a question for the auditors so I'm not sure if it's appropriate. I wanted to hear from Yvonne how we're going to approach the findings but I think she's going to do that anyway, right? So I may be just jumping ahead.

MS. HERRERA: Madam Chair, Commissioner Hughes, we always try really hard to prevent the findings and some of the findings were – all of the findings

were – well, finding #2022-001 is the finding that was repeated and that was related to some errors that were discovered during the audit process and as REDW mentioned we were able to correct all those so that they didn't have an impact on the financial statements. The Finance Division still has a couple of key positions that are vacant which does take away some resources from the financial process, but our hope is that now that we do have our Deputy Director position filled and the County financial reporting position filled that they will be able to work through the prepping for the audit, preparing the financial statements and then allowing me as Finance Director to do the overall review to try to catch most of those errors at that time instead of during the audit process.

As far as the finding for the unallowable costs on the Public Housing grant, we did include unallowable costs as part of grant expenditures but we were lucky enough to not have actually submitted those to HUD, so we were never reimbursed by HUD. So we'll make the adjustments in the system to reflect that those costs won't be granulated and we've changed our process so that when we go to look at the allowable costs for the grant that certain transactions, certain adjustments that we do each year, in this case it was an adjustment to increase the allowance for doubtful accounts will not be included when we analyze those expenditures that are grant related versus non-grant-related.

The other – the final two related to collateralization and to the cash receipts, these two are unfortunately ones that we are unable to fully clear. We actually did a significant improvement from – was it 21 or was it 20, guys, that we had like ten accounts that were over – that were under-collateralized? I think that was the most significant that the County's had. So the number of accounts have gone down. The Finance Division is continually working with the Treasurer's Office to monitor the accounts to see which ones we need to look at and try to bring down specifically related to CDs. CDs are insured by the FDIC insurance up to \$250,000. Anything above that is considered uncollateralized by state statute. So we'll continue to work with the Treasurer's Office to ensure that the CD's are purchased at a lower dollar threshold such as \$240,000, some level that will give us assurance that if the CD appreciates or the far market value exceeds the \$250,000, that we have room – that \$250,000 threshold to ensure that we are fully collateralized. So our hope is that as of June 30, 2023 we'll actually be able to clear that finding, the collateralization finding.

And then as far as the cash receipts goes, this one kind of pops on and off. It was cleared during 2021. It did pop up again for 2022 with three items that were not deposited at the bank within the 24 hours. Again, we'll continue to work with the Treasurer's Office to look at the procedures to ensure that we don't have any gaps and I do believe that the one gap that we have across the board or with the work of the Audit Committee we find that we're really good about having processes in place and procedures, but we're not so good about making sure that they're document so that the staff have some kind of reference to go back to if there's any questions.

I think the other area that we tend to need some improvement on is doing independent reviews internally and not waiting for the audit to discover that we had deposits or issues like this, so I'll try to catch them during the year instead of during the audit process. And while I would like to guarantee that we won't get a finding, we're all human and I think that we'll continue to always be improving our processes. As long as we continue to look at processes to make sure that we're keeping up with risks that the

on time and be done with that for this year but what it just means is we just start the next year. So thank you once again, Yvonne.

MR. MONTOYA: Thank you, Madam Chair.

**6. C. Request Approval of the Water Policy Advisory Committee's
Calendar Year 2023 Work Plan and Meeting Calendar**

CHAIR HANSEN: Hi, Michelle. Welcome.

MICHELLE HUNTER (Utilities): Thank you, Madam Chair. What I've included in the packet is the work plan for 2023 and the calendar for 2023 for WPAC meetings. It's remarkably similar to last year because we are still working on the same initiatives that we were working on last year. As you know, Anjali, my predecessor left the County in early 2022 and I didn't start until mid-2022 so we had a little bit of catch-up to do, the WPAC and me, and we're just getting going again. So that's why it's quite similar to last year.

CHAIR HANSEN: And how often do you meet?

MS. HUNTER: We meet once a month, the second Thursday of the month.

CHAIR HANSEN: So are there any comments from the Board?
Commissioner Hamilton.

COMMISSIONER HAMILTON: I just want to reiterate, first of all, there was a lot of good stuff done despite the fact of having a gap and you seemed to come up to speed although I've missed a couple of meetings lately. Really quickly, I want to pitch that your group, the WPAC, does a really important, useful, valuable work, and I think this is a very reasonable work plan. This might be a time – there still are some vacant positions on WPAC and you might want to pitch, it might be useful if we could all really assist you in filling those positions.

MS. HUNTER: Thank you. Yes, I have a couple of applicants. I need to start working through the process to get them appointed.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Two questions about how this organization operates. One having to do with mutual domestics. Is there some way that you do either assistance or work with them to check the quality of their systems and all of these organizations. I understand that maybe not working with people with their individual wells or at least small, very small common wells, but then these sort of larger but not quite regional systems, do you interface with them at all?

MS. HUNTER: Chairwoman and Commissioner Greene, we actually do interact with them but it tends to be during the time that they understand that their system is likely failing and that it's time to try and figure out a more regional situation. And so we are working with several of the mutual domestics that are attempting to transition into making sure that their infrastructure is what we need it to be in order for them to connect to the County.

COMMISSIONER GREENE: Okay. Great. If there can be some pro-active actions to reach out to each one of them and just to tell them that you're a resource out there. A lot of these are relatively amateurly run and they don't know that you're out

there. And so I think that having some sort of outreach program if you don't already have one would help them know that you're a technical resource before it's too late.

The second question I have is how is this working with the Pojoaque Valley Regional Water System that is coming on line and what marketing, what are you doing to sort of get people to encourage them to hook up, give them updates, progress, budgets, water quality, expectations – all the things that this Board can do to help them until we actually have an operational program up there?

MS. HUNTER: Madam Chair, Commissioner, we do talk about the Pojoaque Basin Regional Water Authority at every meeting. Generally it's more of an update kind of discussion. I will make sure that at this coming up meeting, which I would encourage you to attend if you like – I can send you the link –

COMMISSIONER GREENE: Be careful what you wish for.

MS. HUNTER: But we discuss what you have just requested.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. I just want to mention that there can be confusion. The WPAC is the Water Policy Advisory Committee. They're volunteers that year to year does develop – addresses technical, and I'm using that term broadly, issues that the County in particular the Utilities Department needs advice on. And so yes, our Utilities people reach out to mutual domestics, but it's not the Water Policy Advisory Committee's job in any way to do that or to provide them technical support. They are an advisory group to the County. And so some of your questions are fairly complex because obviously our Utilities Department does that kind of marketing outreach for the County to the Pojoaque Valley system, but the WPAC, what they did was behind the scenes a few years ago when some issues were generated, to generate information that the Utilities Department and the County used in their development of that program.

So the WPAC itself is not a technical resource in that regard. It's multi—faceted.

COMMISSIONER GREENE: I'm just trying to make sure that they know that all the resources at the mutual domestics are there and that when trouble spots are coming down the patch that they don't feel abandoned and that we're aware of as much of what's happening in their mutual domestic systems.

COMMISSIONER HAMILTON: I get it. I ran a mutual domestic for 14 years. They can't reach out to the WPAC. That was what I was trying to say. They can reach out to the County and they can reach out to the state, depending on what they need and they can reach out to RCCA, blah, blah, blah, blah, blah. But WPAC is an indirect source of assistance through the County Utility.

CHAIR HANSEN: Thank you both, Commissioner Hamilton and Commissioner Greene, but also there's a bill in the legislature right now introduced by Peter Wirth about regionalizing all the water systems and having to do with the mutual domestics and being able to be available to them. And so if that's something that we care about I would suggest that Commissioner Greene and others work with Senator Wirth on making sure that this bill is passed and that we have a way from the state to help the mutual domestics because they fall under – they're all separate at the moment and what I believe that Senator Wirth is trying to do is create a broader collective.

COMMISSIONER HAMILTON: And it's actually Senator Wirth and

Susan Herrera have done a huge amount of work on that it could be a very important thing.

CHAIR HANSEN: So I just we all pay attention to that bill. So with that, could I please have a motion to approve unless there's any other questions.

COMMISSIONER HAMILTON: I make a motion to approve.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HANSEN: So I have a motion from Commissioner Hamilton and a second from Commissioner Bustamante.

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

6. D. Request Approval of Amendment No. 4 to Collective Bargaining Agreement Between the Santa Fe County Deputy Sheriff's Association, a Subsidiary of the New Mexico Coalition of Public Safety Officers/NMCPSO, and the County of Santa Fe

CHAIR HANSEN: I believe that is – I have Adan Mendoza there but I also see Rachel Brown, our Assistant County Attorney. Is Sheriff Mendoza online? Okay. Sheriff Mendoza, are you available?

ADAN MENDOZA (County Sheriff via Webex): Yes, Madam Chair.

CHAIR HANSEN: Nice to see you.

SHERIFF MENDOZA: Madam Chair and Commission, thank you for giving me a few minutes just to talk in support of amendment #4. This is an amendment that's going to do several things. As many of you know, the legislature and the Governor allocated approximately \$50 million for law enforcement across the state in the last legislative session. That money was put out to departments to retain and recruit law enforcement individuals from throughout the state of New Mexico.

Although we weren't the recipient on the first round of monies that were allotted we were recipient on the second round. During that second round we were allotted \$112,500. That money, we went to work coming up with a plan to try to retain and recruit law enforcement officers for the Santa Fe County Sheriff's Office. So again, this does several things. It allows us to use some of this money to retain are most valuable resources and that's the deputies that work for Santa Fe County that have been here, that have weathered the storm through low numbers of officers on the streets.

We have been recruiting through COVID and to reward them for all the hard work and their commitment to Santa Fe County. The other thing that it will do is we put together, working with County staff and I want to thank all of County staff to include the Legal, HR, and the Manager's Office for coming together to come up with a comprehensive hiring package for officers that wish to make Santa Fe County their career. And that is going to be in the frame of hiring bonus and also a new bucket to allow officers to take leave as soon as they come into the office if necessary.

So I think that's going to do wonders for recruitment and retention for our officers to ensure that we have the deputies to respond to public safety emergencies throughout Santa Fe County. And I know that the County Commission and the County take public safety very seriously and so I would ask for your support in approval of this amendment

so we can get these packages off the ground to maintain our deputies.

And what you will also see in this amendment is the collaboration with the collective bargaining unit which is in agreement with the plan that we've come together to help the Sheriff's Office and the recruitment and retention of deputies. Thank you.

CHAIR HANSEN: Thank you, Sheriff Mendoza. Are there any questions from the Board?

COMMISSIONER HUGHES: Madam Chair, I make a motion to approve the amendment.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Hughes, a second from Commissioner Hamilton. Under discussion.

COMMISSIONER BUSTAMANTE: I do have a question. So Sheriff Mendoza, Madam Chair, after the 13 pay periods, is there any type of limit? Can someone go out and then come back in and then go out? Or is that just a one-time benefit in that regard?

SHERIFF MENDOZA: Madam Chair, Commissioner, it depends on which one you're talking about. This is a one-time retention percentage that's given to deputies that are currently working at the Sheriff's Office and there is a commitment they will continue working, I believe for a year after receiving that percentage. And the same goes for the actual recruitment percentages. They would get a certain percentage up front and then work for a certain amount of time with the Sheriff's Office and once they've reached that timeframe they would receive their second percentage.

This will be helpful. There is some money up front but there's also commitment from our employees to work for Santa Fe County for a certain amount.

COMMISSIONER BUSTAMANTE: Madam Chair, Sheriff Mendoza, thank you.

CHAIR HANSEN: Okay. Any other comments or questions under discussion?

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

6. E. Request Approval of Amendment No. 3 to Collective Bargaining Agreement Between Santa Fe County, New Mexico and the American Federation of State, County, and Municipal Employees, New Mexico Council 18 (Local 1413-M)

CHAIR HANSEN: I see Rachel Brown at the podium. Welcome, Rachel.

RACHEL BROWN (Deputy County Attorney): Thank you Madam Chair and Commissioners. Before you now is amendment #3 to the AFSCME 1413-M bargaining agreement. That is the bargaining agreement for our nurses, our physician's assistants, our dental assistant and our pharmacy techs. There is one misstatement in the memo and that is that they have not received any COLAs to date since this contract went into effect. In fact the contract went into effect in August of 2021 and there was a COLA in January of 2022, a two percent COLA. There was also a three percent COLA in July of 2022.

However, the contract doesn't provide for any further COLAS from now through August 1, 2025. And so this amendment would address that issue and ensure that we have good recruitment and retention opportunities for this bargaining unit by giving the 1.5 percent COLA that was given to non-bargaining unit members at the beginning of this month to this bargaining unit at the next full pay period, and also ensuring that should be give future COLAs to our non-bargaining unit employees this bargaining unit would receive the same benefit in a COLA applied against their pay scale. And with that I would stand for questions.

CHAIR HANSEN: Are there any questions from the Board?

COMMISSIONER HUGHES: Madam Chair.

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: I don't have any questions; I just think it's great that we can offer these incentives to our staff. And I move for approval.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: I have a motion from Commissioner Hughes, a second from Commissioner Hamilton. I too would agree it's great. We need to retain the nurses and anything we can do is really important. Is there any other comments from anybody? With that we have a motion.

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

7. PRESENTATIONS

A. **Presentation on Santa Fe Community College (SFCC) Professional Readiness and Technical Experience for Careers (PROTEC) Program**

CHAIR HANSEN: Nice to see you Kris. Nice to see you, Paul, Welcome.

PAUL OLAFSON (Community Development): Thank you, Commissioners. With me today is Kris Swedin who is the dean of continuing education and contract training at the Santa Fe Community College and she has a presentation outlining the PROTEC program that the County has been supporting for several years. So that I would turn it over to Dean Swedin.

KRIS SWEDIN: Thank you. Thank you so much for letting me have this chance to come and talk to you about a program that this County helped to invent when Commissioner Bustamante was a dean at Santa Fe Community College. The program started in 2017. We call it Professional Readiness and Technical Experience for Careers. We call it PROTEC for short and it's a chance for people who are unemployed, underemployed, re-entering the career force, trying to skill up for a new position to come and have accelerated short-term technical training. It has wraparound services, so we work with New Mexico Workforce Solutions and Workforce Connection to help people with résumés, interview skills, how to actually search for a job and some of those skills so that we can then place people in paid internships, which the County has allowed us to do with this funding.

Many times people get places, actually, after they've had a chance to do 80 hours on the job. So it's a very nice program for people to test out what they are hoping to do next and we have had a lot of success with the program.

Partly what we're doing is building, so we start with basic skills. We have digital literacy that we help people with so we teach them some of their internet skills that they might be lacking, Gmail, some of these things that a lot of businesses require people to do these days. How to do basic web design and Word and some of those skills so that they can prepare their résumés and be work ready.

In addition we've worked on communication, critical thinking and teamwork skills, and the other thing that we do is we're building these stackable credentials. We've worked with employers and industry sectors to create a series of digital badges so that we can show employers the actual skills that people have learned in our program, and many times those match the résumé skills that these employers are working for.

We do award digital badges as well and we do give industry certifications for successful completion of these programs. So for instance, OSHA safety training, fiber optic technician certifications from the International Fiber Optic Association, so that people can take those skills to their jobs.

We've had lots and lots of community employer support over the years. We ask employers what kind of skills they want. We refresh these discussions with employers regularly so we can update our curriculum. In the last year we've had some pretty impressive results. We had 62 students complete the fiber optic technician program. We've had 18 people complete the film and television production assistant program, where they actually got placed on productions. We have tech for business, so that's the whole Microsoft suite so that people can be administrative assistant or office ready, and then our safety programs. We've also added a safety program to the film and television production assistant training, which has been very interesting to local productions.

We have a number of programs that we would propose to do in 2023 should we have the opportunity to continue working on this program with the County, and this is the pathway. So we start with intensive training. It's usually 30 to 40 hours. It might happen in one week boot camp style. It might happen over a series of a month or two months, and then we have the workforce training skills with the résumé and so on, and then they get their paid internships so that they can actually test out their skills on the job.

And I think why it's different, this deep work with employers coupled together with the opportunity for students to test their skills in the real world environment. We have very supportive classrooms and we have some wonderful alumni that sent me this information. So Aaron, for instance, was in the first class. He went on to get a BA from Northern. He started a production company. He created a film, and now he's working at the Indian Affairs Department here at the State of New Mexico.

So we have other people, Kira Jones. She was a little bit stalled in her career. She actually got to work on some production assistance, some films and TV shows, and now she's in high demand actually, in that arena.

And then Tricia Ware again, she was unemployed, trying to figure out what to do next, and so through this program she had the opportunity to work at LANL as an intern and they kept her on.

So I can answer any questions you have and I'm happy to do it.

CHAIR HANSEN: Thank you, Kris. I think this is a really important program. Comments? I see Commissioner Bustamante wants to say a few words.

COMMISSIONER BUSTAMANTE: Madam Chair, Kris Swedin, I am so

excited about how much you've grown. I'm thrilled with this program. I saw it in its inception, the first meeting that was sort of loose ends, and I'm so proud of the good work that you and the college continue to do in this respect. And I want to just sort of plant the seed, maybe it's an opportunity with the EPA training, which I will share with everyone has been substantially funded for getting people into all of those types of EPA jobs. But if there is opportunity in the future for any properties that may need remediation, in collaboration with the County in doing a work-based learning type of opportunity to remediate any of the sites that might benefit from it. I don't know of any right off the top superfund type of locations. I right away think of the Airport Road Everline building but it's still owned by Everline; it is not a County building, but I do see opportunity for integrating that wonderful program and you have an amazing training team there in helping do things in the community that maybe we could find ways to support and get funded to remediate some of these sites that can't really be occupied or used, given their contamination. But mostly I just want to thank you for your continued good work and I'm glad that you're dean. So thank you so much, Kris.

MS. SWEDIN: Thank you.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Kris, thank you very much. So who funds you besides Santa Fe County and what is your total budget?

MS. SWEDIN: At this point Santa Fe County has been the solo funder. We are working – now I will say that we did have some private pay customers as a result of being able to develop the curriculum using the County money. And so this program has been focused on County residents, so you have to live in the county in order to take the training in this program. Luna County hired us actually to do fiber optic technician training last summer, so we have expanded out. And the other thing that's interesting is with our recent applications we have two programs happening in February. One is the film production assistant training. It has 200 applications, 100 of them from Santa Fe County, 100 from around the state, and the fiber optic technician training program we have 99 applications. At this point 25 of those people are from Santa Fe County. So we know there's a lot of demand and more interest than we've had funding. We are talking to the State of New Mexico. We did get money from the state for a boot camp last year which we did 3-D printing with Sarah Boisvert from the Fab Lab Hub. So we are constantly looking for other funding opportunities to put together with the County.

The Workforce Connection folks of course have their staff work with us and then Santa Fe Community College adds some staffing as well to bring this together.

COMMISSIONER GREENE: Specifically I asked – I'm wondering if there's a way to work with our major employers, whether it's everything from hospitality training and getting something with the Hospitality Association to get a program for that. Whether it's Los Alamos National Laboratories, which is probably picking up half the fiber optic people, right? Or the hospitals, right? And just creating programs – it's a great program curriculum to get them into the system and if they're going to be the beneficiaries of this they can help with the curriculum and paying for it and I encourage us all to work with them to get you as much as you need.

MS. SWEDIN: Commissioner Greene, thank you. I appreciate that and I'm going to work with Paul to see if we can also get some more funding and as we go

through the state legislative session we'll see what happens as well, in addition to looking for federal funding. So, Commissioner Bustamante mentioned the EPA job training program we have. That is funded by the US EPA, and that program is a five-week intensive boot camp. At the end of it people have 12 industry certifications including things like HAZWOPER 40, hazardous transportation, OSHA 30, etc, so that they are work ready immediately upon completing that program.

MR. OLAFSON: If I might, I just wanted to mention that we are bringing forward a contract extension amendment. That will be before you at the next meeting, February 14th. And that's using some County monies as well.

CHAIR HANSEN: Thank you, Paul. I also – I have supported this program from the beginning. I think more workforce development is always a good thing. The better we train our community the more jobs we can provide. But I also would really like to encourage workforce development and project management because project management is something that we are always in need of and I know there are programs out there that people take online, but at the same time maybe this might be an avenue for you to help people get more jobs at the County.

MS. SWEDIN: I would like to do that. We are having trouble finding instructors, as you might imagine, since they get to make big money out in the world right now. But we'll continue to work on that.

COMMISSIONER GREENE: Sorry. Along those lines, I wonder if there's a chance to work with the Sheriff's Department, just sort of entry level recruitment for public safety officers and to get our trainers that are at the Public Safety Department to come in and do maybe a program like that, because we have high vacancies there.

CHAIR HANSEN: We have the police academy that Sheriff Mendoza actually is on the board of. But thank you. Any other comments or questions? Thank you, Kris, very much. It's a wonderful program. Thank you for giving the presentation. We appreciate it very much.

MS. SWEDIN: Thank you for your support.

7. B. Presentation on Santa Fe County Earth Day Event 2023

CHAIR HANSEN: Caitlin Weber and Jacqueline Beam.

CAITLIN WEBER (Sustainability Specialist): Good afternoon, Madam Chair and members of the Board. I'm here today to talk to you about our plans for the 2023 Earth Day event. So the goal of the Santa Fe County Earth day events is to engage County staff and community members in implementing sustainable practices, to preserve natural resources for current and future generations. And we really appreciate the support that we've received from the Board of County Commissioners, community partners and other County departments on these events over the years.

So the events have really evolved over time. In 2019 Sustainability staff distributed educational materials at an Earth Day event. In 2021 Sustainability worked with Public Works and the Watershed Association to carry out a series of community planting events throughout the county, and in 2022 Sustainability staff worked with Public Works, the Housing Authority, a contractor and community groups to carry out a

similar series of events.

This year we are planning to host a single larger Earth Day event at the Santa Fe County Fairgrounds off of Rodeo Road. The site was recommended to us by staff in Public Works. The fairgrounds is a central gathering place in our community. It serves as a polling location during election season, hosts the Santa Fe County Fair, houses the Santa Fe Extension Office. There's also a master gardener group that maintains several demonstration gardens onsite.

And in addition to being a valued gathering space the fairgrounds is also home to extensive paved parking areas and large buildings – an animal barn exhibit hall and other structures. And so impervious surfaces like these parking areas and rooftops that you can see on the image here, they generate runoff as rain and snow melt move across them. And so for this year's event, we plan to install green stormwater infrastructure at this site, and I'll talk a little bit more about what that is.

So runoff can wash pollutants such as pet waste, motor oil and litter into waterways as it moves across impervious surfaces, and it's considered a significant threat to water quality in the United States. However, properly managed runoff can also serve as an important water source in Santa Fe County's dry climate. In addition, to protect waterways the County is required to manage pollution from runoff under its federal National Pollution Discharge Elimination System's Small Municipal Separate Storm Sewer System Permit. So under this permit, the County is required to maintain a stormwater management program and report annually on that program.

So traditionally, gray infrastructure, things like pipes, curbs, gutters, storm drains, were designed to move stormwater off the landscape. Green stormwater infrastructure on the other hand serves to treat and infiltrate runoff in place. So the two photos on the right here are showing two rain gardens in Santa Fe. One is off Aspen Drive and then the other one is downtown. And these rain gardens are both harvesting water from the surrounding impervious surfaces. So in the case of the top photo it's harvesting water that's running off of that parking area and on the bottom photo it's harvesting water that's coming off of East Alameda. And these gardens are allowing the water to infiltrate into the soil and then supporting trees and other vegetation.

And so this graphic from the Nature Conservancy illustrates how these gardens work. Water enters the garden from adjacent impervious surfaces, whether it be rooftops or pavement, and then the garden acts as a kind of sponge, absorbing the water. This serves as a sort of natural filtration system to remove pollutants and then rain gardens can also support trees and other vegetation with minimal irrigation, and this provides a water-wise way to cool our communities and provide habitat for pollinators and wildlife.

So the Earth Day rain garden is planned for the location circled in red, which is next to the arena and the sandbox at the fairgrounds. The garden will harvest water from the rooftop of the arena, the exhibit hall and then adjacent paved areas. And this will help to increase water infiltration which will allow the area to support vegetation with minimal irrigation. The nearby sandbox will be retained and incorporated into the design.

So we are planning this year's event for April 22, 2023. We intend to have excavation, kind of the heavy lifting for the garden done by a contractor prior to the event, and then during the event we plan to have tabling and other educational activities, as well as a presentation on how rain gardens work. Participants will also have the

opportunity to help with planting and other tasks to put the finishing touches on the garden.

So we're really excited about the immediate and future benefits of this project. The event and completed fairgrounds garden will serve to increase awareness of sustainable landscaping practices in our dry climate, and then the garden will also serve as an important pilot project to inform the expanded use of green infrastructure in the county.

In the future we would like to explore creating a plan to expand green infrastructure in the county and this plan would then be used to inform future Earth Day projects and County projects.

So I would like to thank everyone who has contributed to the project so far. The Santa Fe County Extension Office, master gardeners who provided input on the project and who have offered to help care for the new garden, Public Works who identified the fairgrounds as a site with potential for rainwater harvesting. Public Works is also contributing funding for the garden, Community Services, who's helped us to coordinate logistics and connect with partners for those projects, Leandro Cordova, Sara Smith, the Commissioners' liaisons and others in the County Manager's Office who've been helping with event logistics, and then Growth Management staff who will be reviewing the garden plan to ensure that it's in compliance with County requirements, and also rainwater harvesting experts who've shared their ideas for this project.

This project is a really large undertaking. We expect that our list of collaborators will only continue to grow. We look forward to working with the Board of County Commissioners, County staff, local experts and the community on this project. And with that I'd like to turn it over to Jacqueline Beam to say a few words.

JACQUELINE BEAM (Sustainability): Madam Chair, Commissioners, I just want to take this moment to thank Caitlin for all of her hard work. This has been a beloved tradition that is growing and evolving and I think that green stormwater infrastructure is such an excellent idea because it really covers and intersects so many different areas, like the MS4, also our need and concerns about drought and water harvesting and shade, so I encourage us all to think about this going forward in all of our facilities and raise this opportunity to make that plug also. But that's all I have for now for this event and I think it will be a lovely shared experience this year and I look forward to seeing how it continues to evolve in the future. And with that staff stands for questions.

CHAIR HANSEN: Thank you, Caitlin and thank you, Jacqueline.
Questions? Commissioner Hamilton.

COMMISSIONER HAMILTON: I just think it's a fabulous idea. I think it's fabulous because like you said, it's such a useful idea in a mixed developed area to urban even to rural. But doing this sort of thing as mitigation to the problems that are generated through development that also intersects with being able to mitigate drought and that sort of thing. So it's just a great idea. And it occurs to me that lots of people are going to want to know how to do this, so I hope that that's something that they can get from participating and seeing this.

CHAIR HANSEN: Are there any other comments? Commissioner
Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just want to

thank you for the presentation and say I think it's a great idea to do one big event. It was fun doing the little ones over the last couple years in each district but I know that was a lot of work. And so I look forward to participating in this one.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you very much. It was fun to take part in the Earth Day this past year. That was great out in Santa Cruz, and I drove by those trees the other day and even though they did have leaves on them they looked healthy. It looked like they survived, so that's great.

I'm wondering if you're working in a way to make these easier with Growth Management and to sort of create boilerplate details for people's landscaping plans on how they could incorporate one with just when people are doing a new portal or some minor upgrades or some paving things, that they could easily incorporate one without sort of the headaches of the landscape designer and some best practices that are easy to just staple on some plans and be acceptable by the County.

MS. WEBER: Commissioner Greene, Madam Chair, as part of this event one of the things that we're planning to include are presentations on rainwater harvesting, gardening practices in general to help this become an educational event.

MS. BEAM: Yes, and Madam Chair and Commissioner Greene, what you're referring to is more educational material, in working with Growth Management, and that is certainly something that we all endeavor to do in the Sustainability Office is to reach more deeply into these systems and embed ourselves. I think I called it a virus, which was probably a bad work to use but it's a good virus that we would like to move towards as we continue to grow our office and our division. That is by all means an area that we're headed towards.

CHAIR HANSEN: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, thank you. Bravo. I think it's great. I can't get the smile off my face. I think it's going to be a demonstration. It's going to be something that – I think it's brilliant. Thank you, sincerely.

CHAIR HANSEN: Thank you, everybody. I also think it's a great idea. I had the pleasure of working with Melissa McDonald in early days on the rain garden on West Alameda and so I have had other experiences with rain gardens and I think we also put one out on Constellation Drive in the early days of my Commission seat. I think this is a good project and I especially think it's important for the MS4 permit, which is something I care very deeply about. The more we're in compliance with that, the better quality our water is and good quality of water is incredibly important. So this is a natural way to improve the quality of water. So thank you.

And with that, thank you very much, Caitlin. Thank you, Jacqueline. Thank you, Paul. Enjoy getting it together. And what date are we going to be doing this on?

MS. BEAM: Madam Chair, April 22nd.

CHAIR HANSEN: Oh, yah.

MS. BEAM: And there will be breakfast served, I believe.

CHAIR HANSEN: Okay. Everybody put that on your calendar and get ready to go out there and work and make this beautiful.

MS. WEBER: Thank you, Commissioners.

CHAIR HANSEN: Thank you.

8. MATTERS OF PUBLIC CONCERN

CHAIR HANSEN: I do believe we have some people here who would like to speak on Matters of Public Concern and there may be people online also. So who in the audience would like to speak on Matters of Public Concern? Okay, I see two. Please come forward. I will open Matters of Public Concern.

CHRIS LESLIE-CURTIS: Greetings. Good afternoon. My name is Chris Leslie-Curtis and I am president of the Santa Fe Short-Term Rental Alliance that supports and advocates for short-term rental hosts in the city and county of Santa Fe. Part of our organization's mission is to advocate for responsible hosting and reasonable regulation development. We have involved ourselves in the County's short-term ordinance development by providing past public testimony and public comment along the way.

We are now in the application process and many of our members and other STR owners across the country are expressing difficulty with this process. We understood that it was the goal of the County to register and license all existing short-term rental owners and non-owner properties in a move to gather data to fully understand the dynamics of the short-term market in the county. We requested a simple application process that would be fairly easy to navigate and we gave public testimony on the ordinance to achieve this goal. In the ordinance it states that at a minimum the application process shall include – and then we have a list of requirements as quoted in the ordinance.

Well, the problem here is as people have gone down the road and tried to compile the list they've run into all sorts of other issues as they work to get their short-term rental permit. These issues are long and I actually have some documentation from many of our members that they have submitted to me as president of the STR from grassroots groups and I'm hoping that they will submit these in writing to you as well.

But today we have some other constituents of yours that are here to kind of point out their story and what they're going through. The issues are rather long and some of these issues apply to after the fact developmental permits being required, having to change addresses to comply with the requirement of the 911 form and although those may be reasonable in some situations, we've been told that the County doesn't even have the staff and to go out and to put out the red address signs to change people's addresses.

We also have found that the emergency personnel that are handling the 911 form of the application are overwhelmed, the staff granting appointments are overwhelmed, and people are stating that it takes days to get a phone call back and that at one time a staff member stated to just call back later to get an appointment because they were completely booked and could not schedule them at this time.

All this and the majority of short-term rental hosts have not even started to apply for their permit. By March 15th these hosts are supposed to put a permit number on their listing if they use a platform. I respectfully ask the Commissioners to consider an extension of the March 15th deadline to allow all parties involved in the permitting process to work through some of these very difficult issues. So that is just my request is to consider an extension of the March 15th deadline for the STR permit process.

CHAIR HANSEN: Thank you very much. Next.

DEBORAH TOMPKINS: Good afternoon, Madam Chair and

Commissioners. My name is Deborah Tompkins. My wife and I have been Airbnb hosts in Santa Fe County for six years. When this Commission initially proposed regulating short-term rental units last fall I was very much in favor of this idea. I still am, mostly because I want the County to benefit from the taxes that Airbnb has been collecting from my guests all these years. It's my understanding that those taxes, 8.5 percent on every booking, are being sent to the City of Santa Fe rather than the County. That isn't right.

So on January 3rd I downloaded the short-term rental's business registration checklist that was posted on the County website. I was surprised by the number of documents required just to apply for a business license but I eagerly went ahead with the process. I soon learned that what should be a simple licensing process is actually a confusing, time-consuming and quite expensive permitting process. For example, the STR license application requires hosts to submit site plans and floor plans. I was told by a County employee in the Land Use Office that we have to hire a professional drafter to create these plans. I got three bids to create the plans ranging from \$7,500 to nearly \$20,000. This is far beyond our ability to pay, especially in a short period of time.

Another example: When I went to the 911 office to get the required 911 address form, the staff there changed the address of our primary address because the property has two driveways. Our Airbnb remains #29 and our main house is now #31.

Then I was told by a different County employee in the Land Use Office that we are not allowed to have two driveways. He said, "You have to abandon and revegetate one of the driveways because accessory dwelling units must use the same driveway as your primary residence." That would force either our guests or us to park on the street which violates the very same STR ordinance. So I suppose we'll have to go back to the 911 office and change my house number yet again.

Every document we request takes up to 15 business days or three weeks for the County to respond. Many of us are being told they can't even get an appointment to review their applications until late February, and once the applications are submitted the STR license also takes another 15 business days to process, another three weeks. According to one report I read there are between 500 and 800 short-term rentals in Santa Fe County. There is no way all of us can physically have all of our paperwork approved by March 15th.

I am sympathetic to all the County employees who are underwater trying to assist hosts like me in processing these applications given the March 15th deadline. I fully support the necessity of offering safe spaces for guests in our accommodations, but to do this, I respectfully ask that the Commission extend the March 15th deadline and take a long, hard look in how the County is implementing the STR registration business license. If the process remains as it is I expect most hosts in the county will drop out and not get a license at all. This could potentially result in massive loss of tax revenue for the County. Thank you.

CHAIR HANSEN: Is there anyone else in the audience who wishes to speak on Matters of Public Concern? If not, Daniel, do you have anyone online who wishes to speak on Matters of Public Concern.

MR. FRESQUEZ: Madam Chair, I do not see anybody online that's indicating that they would like to speak under Matters of Public Concern.

CHAIR HANSEN: Okay, so in general we cannot comment on Matters

from the Public but I would like to encourage you to stay around when the Commission has item #10, when Commission's Issues and Comments come up, which is an opportunity for us to discuss things. But in the meantime I'm going to close Matters of Public Concern.

9. MATTERS FROM THE COUNTY MANAGER
A. Miscellaneous and COVID-19 Updates

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. I will be brief. Relative to COVID-19 related matters, the current statewide COVID public health emergency is set to expire this Friday, so we're anxiously looking forward to seeing what our government does relative to the statewide COVID public health emergency.

Secondly, I'd mentioned – acknowledged that Gary Giron is retiring effective today and also acknowledge that Brian Snyder has been offered and accepted the position as our Public Works Department Director. I look forward to continuing to work with Brian in his new capacity as he continues to build upon the foundation that Gary and other team members helped lay at Public Works.

And then with regard to the topic from Matters of Public Concern, I've asked the Growth Management Department, separate from those comments, to provide the Board with a presentation at its next meeting concerning the short-term rental business registration and licensing process to include information on applications submitted, timelines for processing them, and also some of the real issues that have been encountered relative to unpermitted development, unpermitted dwelling units which I think is part of what has been communicated to Commissioners. So again, I've asked the Growth Management Department to put together a presentation for the Board so that you can have a more complete perspective if you will on what the actual process is and what some of the challenges are that have been identified. That's it for my updates. Thank you.

9. B. First Session of the 56th Legislature: Updates and Potential Action to Express Support for or Opposition to Legislation that Has Been or May be Introduced [Exhibit 1: Legislative Report]

CHAIR HANSEN: Welcome, Hvtce. Nice to see you.

HVTCE MILLER (County Manager's Office): Good to see you, Madam Chair, Commissioners. I'm going to pass these out first, copies of the report in case you want to mark it up and just take your notes down as to questions regarding legislation.

CHAIR HANSEN: Okay. Thank you.

MR. MILLER: So what I would like to do today is just go over a brief synopsis of what's been occurring at the capitol since the start. I think this is the first time I've been here to the Commission meeting since this legislature started and I'd like to receive input from you as to how you'd like to see me utilize my efforts at the capitol and also look at other legislation that may be in purview of the County that I need to pay closer attention to and staff does as well.

So apparently we have 46 days remaining and on page 1, there's a listing there of

the session dates, and we close March 18th at noon. It gives the effective dates of legislation when they're signed into law. In this table it just goes over a brief summary of the amount of legislation that's been introduced so far and it looks like we're – actually I would say we're a little behind track. It should be more in the high 200s for both houses, but so far there's only been one bill passed and signed into law, and that was the House Bill 1 which is just the budget to pay all the workers and per diems for everything that's going on there, copy paper, what not, at the legislature.

Page 2, there's a listing of the dates that are in place for capital outlay requests, and I just want to make a caveat that these are days imposed or set forth by Legislative Council Services. So if things aren't going right and if things get behind of anything like that the legislators could so choose to alter these dates to manage unforeseen instances or questions that are involved regarding the capital outlay that's available.

And just a brief note, there's reported to be one billion dollars that's going to be taken out of general fund for capital outlay. So they're not going to use the severance tax bond capacity this year for capital outlay projects. It will just be general fund money. And so one of the issues at hand right now is how they're going to divide up this one billion dollars between the executive, the House and the Senate and just a quick note, if they were to divide it up three ways it would be approximately \$330 million to each of the houses – the executive, Senate and House, and what that calculates out to is around \$4.7 million for each House member and \$7.9 million for each Senate member.

And so that's still in discussion. A lot of projects wanting to get done and they want to make sure that they have the capacity to get projects completed, so there's still discussion going on with that, and they're trying to get this component of the budget squared away before they move on to the actual state operations budget. So that's still in the works right now.

I just wanted to add to that I think they are basically off to a slow start because there are a lot of new House members and there are some new Senate members and in the House there was a lot of change-over regarding committee selection, committee chairs, and so those new chairs are getting their processes set in place and they're finally getting to hear bills. House Energy and Natural Resources actually met on a Saturday because they see that their list is getting longer and longer, so they're trying to accommodate the backlog that has occurred since things weren't going as fast a start in the beginning, the first week.

The following pages are a list of the legislation that I am tracking, and the way that I have them listed is by the corresponding resolution that they apply to. So you can see there we have a bill for single-use plastics, quite a few for gun safety, homelessness on page 4. Also alcohol-related harms. Page 5, reduce greenhouse emissions. Page 6, the all encompassing legislative priorities resolution, the sustainability resolution, and quite a few resolutions. But actually that helps me out a lot to categorize the different pieces of legislation and see where they fit into the County's overall support or issues that are counter to the support that's provided by the County.

Page 8, community development. Page 9, the recent ICIP resolution that was passed with the new projects and project costs. And on page 10 is a list of – I believe it's 170 bills in there right now and they don't fit quite into any of the other resolutions but what has been going on in the Manager's Office and the direction of our County Manager

is sending these introduced bills on a daily basis to staff and to elected officials' office to get their input on these bills.

For the most part they don't have a dramatic impact and I just have them all listed here because you never know which way these legislative items are going to turn and they could gain momentum at any time and they could be changed at any time, so it's always a good idea to keep everything on the radar screen even if it's not moving right now.

With that I just wanted to make sure and offer my thanks to our County departments, our managers and directors who have all been very responsive and quick to the pieces of legislation that have been sent out and offering review for pieces of the legislation that I have provided them that I identify as having a potential effect on Santa Fe County.

There are two items that I would like to highlight which are included in this non-resolution conforming section that starts on page 10. On page 12 there's a House Bill 121 and this was actually heard today in House Environment and Natural Resources Committee and it did pass. There seems to be a lot of objection to this particular bill and the review that I have received from our Utilities Department is that what the bill does in essence is eliminates the transfer of water rights between districts and what you have to do is the legislation is passed is lease the water rights between districts. So according to our Utilities Department there's not a great amount of this occurring within Santa Fe County but if we were to do future use of water rights not in district, because of this new process that would be adopted it could hold things up substantially.

And so there was a lot of support from more of your local users – acequias, farmers, wanting to keep that water for certain in their own districts, and there was a lot of opposition from the government side based on the cumbersomeness that this new process would add to the use of water rights outside of the district. So just to put that on your radar screen, I think that we can delve into this more with the Utilities Department and perhaps bring back something in a future meeting if there are not any changes made to the legislation. Today the bill was passed as-is and there weren't any amendments made to it so it's still in the – I would say questionable state right now.

The other item I wanted to bring your attention to is on page 23 and this is Senate Joint Resolution 9, and this is a constitutional amendment to replace and repeal the Anti-Donation Clause. Review that I received from Legal is that there could be enforcing consequence of this inaction and that would be that community well being projects and disaster relief assistance could overburden some County staff since there would be an influx of requests coming in since the Anti-Donation Clause would no longer exist and we'd be open to assisting and helping different persons and parties within the county itself, so it's a potential issue and I think that we would have to monitor this as well. I don't know if – this hasn't moved currently but I believe there is that sentiment within the legislation post-pandemic seeing that government needed to extend beyond its bounds and reach individuals to provide them assistance in the best way they could. So I believe that this will potentially move forward.

With that, those are the two main items that I have identified now from staff comment, which have potential negative consequences to County operations currently. With that, I don't want to have to go through every single bill here, I just wanted to

highlight that within the report where there is more text provided, those are the pieces of legislation that are currently moving right now and they've passed a committee or they may have passed two committees already. So those with the longer text, those are items to keep an eye on and those are the ones that are moving right now.

With that right now I'll go ahead and answer any questions that you have.

CHAIR HANSEN: Are there any questions from the Board?

Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Not so much a question. I just wanted to let the Board and Hvtce know that I did meet with Senator Nancy Rodriguez today and she's going to introduce a bill to take out the sentence that disallows County Commissioners from serving on Housing Authority Boards. This is sort of late in the game to be getting a bill introduced and there's a backup of drafters so we'll see how far it goes, but if it gets introduced we'll definitely want to keep an eye on it because she'll need at least someone from the County at each hearing. And I'll intend to go if I'm available but if I'm not available we'll need to make sure somebody is there to support here. And I'm grateful to her for taking this on.

And then I think, looking at this list, I think there are some other bills that legislators are working on that haven't been introduced yet, so it is moving very slowly this year it seems. So I think there will be others coming up. Thank you very much for the report. This is very useful.

MR. MILLER: You're welcome, Madam Chair, Commissioner Hughes.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: So you also have listed here – you had said you're following all these. So everything that you have listed here are things that you're following? Because there are a couple of things here that are alarming and in a way I really hope you are following them so that we have some warning if they're actually gaining any momentum.

MR. MILLER: Madam Chair, Commissioner Hamilton, it's a 60-day session so they're going to introduce anything and everything that they can. And truth to be told, a lot of these things, they don't have the legs to go any further than introduction. The sponsor may not even take it to committee. It's more of a statement piece to just identify that they have an issue with this particular law or regulation that's currently in place and it may be statewide, but they are truly only looking to make that change for their particular part of the state.

So I agree that there are some things that are far-fetched on here but like I had mentioned earlier, it's best to keep an eye on them if they pop back up. You never know.

COMMISSIONER HAMILTON: Well, I'm actually – we can go through the ones that I think are alarming. I'm glad they're on the list to watch.

CHAIR HANSEN: Any other questions? Okay, I have comments. I've already mentioned this to Commissioner Hughes, but Secretary Kenney informed me that on the 7th and 8th he's going to be in front of the Appropriations Committee for funding for the NMED and I know that's something that's in our resolution that we support, so I hope that we will – I know Commissioner Hughes is going to try and be there but I hope that you will be there also in support of that.

So on the 7th it's in the House and on the 8th it's in the Senate, and he didn't have

the time. And then also on the 7th I believe the green bank fund is also coming up that I also believe we have supported on this Commission through our resolutions, so I hope that somebody will be there to listen to those because I will be in DC, so I cannot be in two places at the same time, as much as I would like to. I haven't manifested the ten directions yet. I'm sorry. I'm working on it.

So then I see that Senator Wirth – I see there is a motor vehicle prohibited loud muffler penalty bill. I don't know how this Commission stands on that but I have wanted to bring that forward, but I am in strong support of the penalties being raised. Living in the city that is obnoxious especially since the beginning of the pandemic it's gotten much worse, and so I haven't read this bill but it says motor vehicle prohibited loud muffler penalty. I know that Senator Wirth has also another bill that's being brought forward but I haven't seen either one, so could we please keep an eye out on those and find out what's happening.

Then I see that Representative McQueen has a radioactive waste and storage disposal task force change and I believe that this Commission has passed numerous resolutions with that concern.

There's also by McQueen a forest fire prevention change to the Forest Conservation Act. I don't know what that says but I would be interested in finding out what it says.

I've just skimmed this briefly in my few minutes here but there's also a bill by Senator Wirth, no firearms near a polling place, which I would support 100 percent and I'm sure our Clerk would also.

KATHARINE CLARK (County Clerk): I was hoping Senator Wirth might consider expanding it to not just polling sites but any place ballots are being tallied also. So that would include our absentee board locations, and wherever an election board is convened, essentially.

CHAIR HANSEN: Like warehouses, yes. So I mean I think that's reasonable. And then also bill SB-53, Steinborn has another bill on radioactive waste, storage and disposal. It looks like it's had some history already. It's reported do not pass, but do pass as substitute by Senate Conservation, so I'm hoping that that will get some traction. Anyhow, I can see that a lot of these bills have just been introduced and who knows exactly where they're standing at the moment.

But I think anything to do with muffler noise needs to be watched a little bit. It's a mixed blessing. Like the muffler noise, there needs to be some kind of raise in penalties. At the same time I respect people's right to have a car. Low riders, I love low riders, but that doesn't mean that they have to make them loud and the state law does say that muffler noise is not allowed. So, and this has been on the books for quite some time. It is not something new, it's just there is no enforcement. So maybe what some of these rules need are enforcement. If there isn't anybody else that has anything to say about these bills, thank you, Hvtce. I really appreciate you putting this together. It is so helpful and makes a huge difference for all of us.

MR. MILLER: You're very welcome, Madam Chair. And I've written down the items that you mentioned and I will get with your liaison and provide you the additional information that you need. If any of the other Commissioners aren't thinking about it right now but if it pops into your head you can work with your liaison and let me

know and I'll get you the information, anything that you need to know.

One of the complicated and confusing matters is the way in which different committees are taking public testimony now. Some of them are full-blown, everybody can speak. Some are limited in time, and some are only if you speak with the sponsor they can get you on to the Zoom call. So I need to clarify that for myself as well, of the different rules for the different committees, but if you need any of that information I can pass it along to you as well.

CHAIR HANSEN: Any other comments from anybody? Just the appropriations for NMED is important to me. They've been underfunded and to this Commission, we've supported that in our bills. They've been underfunded for way too long and we definitely need them to be able to have enforcement out there so that we can capture the release of methane and stop that from propagating, and many other of the things that the New Mexico Environment Department does for us. I had the opportunity to meet with Secretary Kenney this week before I go to Washington, and that was really to talk about our WIPP issues and the transportation of surplus plutonium through the county but I'll talk about that later. So thank you, and I see Madam Clerk has her hand raised and I will allow you to speak.

CLERK CLARK: Thank you, Madam Chair. I did want to say that as for Appropriations, the new chair appears to be assigning subcommittees to make decisions about where funding is going for agency requests. So it would be good if Hvtce could figure out which subcommittee is assigned, because it's easier to talk to three people than the whole. That would be my suggestion.

CHAIR HANSEN: Thank you. I appreciate that. I will be gone next week but I will be back by our next Board meeting on the 14th.

MR. MILLER: Thank you for that, Clerk Clark.

CLERK CLARK: Thank you.

10. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

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

CHAIR HANSEN: I'll start with Commissioner Hamilton.

COMMISSIONER HAMILTON: I assume this is going to come up and I just given public comment wanted to add my voice that even if it's regard to short-term rentals, even if it's only a matter of not having sufficient staff capacity, I think the idea of extending or at least considering the pros and cons, it just seems like extending the deadline would be a really valuable way of making things more fair. I don't think it changes – unless I can be shown how there would be a negative impact to the intent of why there were deadlines set. I'd like to see that considered. Because it just seems like it's a huge pressure and people who are legitimately trying to comply aren't able partly through no fault of their own. I just think giving consideration to this would be a really, really good idea.

And not only that, tomorrow is February 1st. So there's six weeks left. So we need

to consider that especially if this body has to act on it we need to see it soon.

CHAIR HANSEN: Commissioner Hamilton, that is part of the issue that Commissioner Hughes and I have had the opportunity to discuss is that by the time we changed an ordinance to go through the whole process it might not be able to change it until April 15th. So I do agree with you also and I think that we need to find a way to make that possible, because I think there are some serious issues with – our intent, I believe, for short-term rentals, was to make this a simple process and that was our intent from this Board. It was not to make it an onerous process. It was not to make it extremely difficult for people to get a short-term rental, and if the numbers are true of what I am hearing, that we only have 60 people registered, then there is something wrong with the process that has been created. So if we as a Commission wrote that then we need to look at what is happening with the process. Because it's a business license. It's supposed to be relatively straightforward. At least that was the intent of this Commission. Go ahead, Commissioner.

COMMISSIONER HAMILTON: I agree. That was the intent. I think that there are always going to be some problems but I also recognize that every time something gets brought to Land Use, if there's anything else they find they don't like, that becomes a retroactive thing that happens. There are two sides to that story too. Sometimes that's potentially important. I've had over the past years many instances of constituents where Land Use was wrong. Like, this wasn't permitted. Well, yes. Somebody bought the house – it's been a problem. And that also drags things on for months and months and months, and now it's happening here too. So the deadline is a problem.

CHAIR HANSEN: I would think a warranty deed was sufficient.

COMMISSIONER HAMILTON: There are so many specifics. This isn't the good time to discuss them, but yes, you are bringing up things that are potential problems.

CHAIR HANSEN: Yes. So I appreciate you bringing that up and this is the one opportunity that we do have as Commissioners, all five of us here, to have a discussion. We can't make any decisions but we can discuss certain things that we are – the number of emails that we have received on this is quite astounding and by that in itself shows that there is some problem happening. So if you're finished?

COMMISSIONER HAMILTON: Yes.

CHAIR HANSEN: Okay, I'm going to go to Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, thank you. One thing that I would like to understand better – and I understand that there was a consultant that was hired to assist with the short-term rentals. They were Host Compliance, and I do understand that they have billed the County to date in the order of \$116,000. And when we hear about these issues I'd like to see what they've done and how their efforts have actually been in alignment with the contract that they entered with the County. If we could get a presentation and some information provided. I'm very concerned that there was supposed to be some support for individuals who were going to be going through this process and we haven't to date heard anything about any type of support from any type of consultant that has already billed the County. So I ask respectfully for that to be on an upcoming agenda so that we can better understand what type of support people who are

working towards this end will receive. Thank you.

CHAIR HANSEN: Is that all you have?

COMMISSIONER BUSTAMANTE: That is the primary concern, and it's already been stated, the other issues. We understand this is a huge issue. But there was also a consultant that was supposed to provide some assistance to this end and it has not happened. So I won't really reiterate or say anything that I understand other people will want to say. I just think that getting into what the consulting entity has actually billed for and the type of support that's been provided has actually resulted in support to our constituents. So thank you.

CHAIR HANSEN: Okay. I'm going to go to Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I'll mention a couple littler things before I address the STRs a little bit. But February 7th I'm having a townhall meeting, Webex, it will be the first one of the year for me and we're going to feature a guest. Our guest will be the Treasurer Jennifer Manzanares to talk about Treasurer-type issues like whatever bill collection, I think, and explaining how the Treasurer's Office works. So we're hoping that will be a good time. 5:30, February 7th, and education for everybody. And of course I always invite people to bring whatever their concerns are to those.

Another issue that is going to be really big for us, I think, when it starts happening, is the approval or not of solar projects in the county. There are going to be some very big ones and some medium size ones. In general, I think we all probably think that solar is a great idea but there are concerns that a lot of our constituents are bringing up, and so I think we will have to have a very systematic way of being sure we evaluate these projects fairly and consider the safety of our neighborhoods as well as the safety of the whole planet.

And along those lines, I think we've all gotten a request from the San Marcos Association to consider making solar projects development of county importance, I think it's called, and I don't know that that's the proper way to do it but I think it would be helpful for our Land Use Department to evaluate whether that's an appropriate way to look at or whether there's, under the existing way there's maybe specific things we need to look at for these solar projects to make sure we're doing our due diligence on it. And I see Commissioner Hamilton wants to make a comment on that, so go ahead.

CHAIR HANSEN: No. You have to let me do that.

COMMISSIONER HUGHES: Okay. I'm going to yield to the Chair to see if she wants to let Commissioner Hamilton comment.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Okay. I'm happy to do it any way you'd like. I actually meant to bring that up also. In the SLDC there are certain things, projects, activities of countywide concern because their impacts are potentially broad and I think that is something that's a reasonable change to pursue.

COMMISSIONER HUGHES: Okay. Great. Well, I think if we could get a report on that from our staff that would be helpful. Then I just want to add, in terms of the short-term rentals, I agree with the three other Commissioners who've commented on that that we need to find a way to extend the deadline, whether we can do that informally as Penny suggested to me in an email, whether we need to make a formal vote of the

Commission to do that, and again, I think on February 14th hopefully we can get a report on what direction we should go. I don't know if we could do some sort of emergency ordinance that could be quicker, if we were just changing the deadline or what we want to do. And I know, and also I just want to mention that Commissioner Hansen and I have requested a meeting with Penny this week if possible to sort of get an idea of what's she's thinking in terms of addressing this. And I also think some other points were brought up and perhaps that there are ways to simplify the application process. Because what we want is for everybody to get registered. We don't need to correct every other thing. We can do that later, perhaps. But thank you, Madam Chair. That's all I have for now.

CHAIR HANSEN: Thank you, Commissioner Hughes. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. A couple things. I'll get to short-term rentals in a second. But I attended the Food Depot's Souper Bowl this weekend. It was very tasty and it was sold out. It was great; they raised over \$80,000 to fight hunger in northern New Mexico. They do great work over there and I'm sorry I had to recuse myself from that vote but they do great work there.

To reiterate something that Hvtce mentioned earlier from the floor, the ICIP list requests for capital are due on Thursday. I think it's at noon, actually. So please be ready with that. There's a scramble around the Roundhouse to get your projects funded, and so Thursday is it. So really tomorrow is your only day to really work on it.

I'll be working on my first resolution to work on a project called a DOE collaboration center for the goal of sustainability. It's a project that came out of some conversations with LANL and Battelle and some of the communities nearby, and so please look for that in the next few weeks. I'll look for a co-sponsor if somebody is interested in talking about that.

I'm meeting with Tesuque Pueblo to talk about some economic development and wastewater and trash issues this week and hope to have some guidance from them as to what they want to partner with Santa Fe County with and where we can work together on these things.

I spoke with some folks, with Jordan over at Housing to talk about strategic housing, a concept where we would partner with other jurisdictions nearby – the school district, the City, maybe the hospital – to build housing for our key strategic workforce. These would be our deputies, our police, our firemen, our medical workers, and our teachers. The school district is already requesting a little over a million dollars to do this on their property for this year. They're requesting this as an ICIP appropriation. We may be able to do it from our own in-house affordable housing funds or some other appropriation that we have, but it is our key workforce that we need to figure out as a real critical issue here. It will go a long ways towards recruiting and retention.

I also would like to start discussing the concept of creating a Budget Committee, a subcommittee, and maybe reorganizing some of our committees. Keeping the Audit Committee, keeping the Investment Committee, but creating either a Finance Committee that oversees all of those, but that there would be a Budget Committee that we could help all of our operations present to us before it comes to the final budget negotiations.

Actually not last but most importantly I'm having, on February 7th from 6:00 to 8:00 pm at the Nambe Community Center my first meet and greet. We will be up there to

introduce myself to the community, let the community introduce their issues to me and get some concerns that we can act on. So that's going to be February 7th from 6:00 to 8:00 up in Nambe.

And then as I mentioned the MPO is soliciting projects. Those are going to be due February 17th. So that is after our next meeting but it takes some time to prep the applications for this so if there's some road project that you're interested in in your district or you know that some of your constituents want to talk about, I'm happy to help with that and to bring that to the MPO.

And then the short-term rentals, I don't know if the real issue is going to be changing the ordinance or creating a process that allows us to get people "registered" with a temporary permit and get them in line to have their issues addressed. A permit that doesn't guarantee that they will be accepted into this but it gives them a six-month sort of short-term solution that allows them to get in front of Land Use and gets them registered with a number that they can attribute their gross receipts and their lodgers tax to so that we can start to claim that lodgers tax and some other way. And I'm willing to talk to that either with staff or here at the Commission at a future date. But something needs to give in this and I'm sure everybody's getting lots of emails and this is not rolling out quite as well as we wished it did.

CHAIR HANSEN: Thank you. Thank you, all. I'll just start with short-term rentals. Yes. It is – it kind of makes me feel like Obamacare. Like something went wrong in the conversation from us to Land Use and that there wasn't an understanding that we were trying to make this a simple process, not an onerous process. And so I feel like there needs to be some clarity. I understand lots of different things can happen but one example, I spent over half an hour with one constituent on the phone and Land Use couldn't find their building permit. And so they didn't own the house before. The house was built in 2000. They didn't buy the house until 2015 and Land Use couldn't find the building permit, and so then they're stuck, because they don't have the building permit either because they bought the house. They have the warranty deed. They have the layout of the house. So I definitely think there's some situation happening that is – that we need to figure out how to be more flexible, more willing to work with our constituents. They are coming in. They are wanting to register. Let's help them figure out how to do that and get them on the train so to speak. Commissioner Greene.

COMMISSIONER GREENE: So to that point, when the City rolled out their short-term rental initial program, not the most recent version, they basically took what was the current state of your house and just said, look, if you're willing to have a fire inspection and have the Fire Marshal come to your house and they charged for it, right? They charged \$100-something as part of it, that that gave a certain certification and so whether it's a checklist that the Fire Marshal can go review, whether you're stacking firewood around your house, a different space, things that the County prioritizes, or whether you have working bathrooms or working heat or certain whatever the priorities are, that that sort of inspection could be part of some process that may not take 30 days. We only have like 45 days to get it done, but at least we could get people scheduled to do that and to take it out of the hands of Land Use and into some inspector.

CHAIR HANSEN: We will hear about this and we will continue to have this conversation as we go forward, but I don't think the intent of the Commission is

being met. Anyhow, I also want to share with everyone, on January 11th we had a townhall. Commissioner Greene attended with legislators also. Representative Tara Lujan, Representative Andrea Romero, and Representative Chandler and it was incredibly well attended. We had over 60 people there. It was packed, the Nancy Rodriguez Center and we covered many topics on both what we would offer.

Our CIP has been shared and sent to all of the legislators and so they know what we want. We have shared that with them many times. They will make the decision but they have our CIP and they know what's on it. So I think that that's one way.

This last week I also went out to the Buckman area with BLM and Game and Fish and the Forest Service to do a scoping project on a shooting range and what was happening. It was very enlightening to have Cochiti Pueblo also there. Jason Romero from Cochiti Pueblo was in attendance and we talked about the issues out in the Buckman area on the Caja del Rio and I also attended a meeting of a coalition of people working on protection of the Caja del Rio.

Also, Commissioner Hughes and I both attended a strategic vision planning session with DOE, Environmental Management, and they are open and willing to have more people attend these strategic vision plans if anyone has time. I think it is a worthwhile to express our concerns. I find it really interesting. I also went up to Los Alamos to testify and present our comments on the surplus plutonium. The surplus plutonium, moving it just from the Savannah River to WIPP will be over 25,000 trips. And when we talk about the fact of moving surplus plutonium and then we request that we want the waste removed from the hill and LANL and they tell me it's 200 trips and that's going to cost too much money, it was like a little bit of a misnomer when you're going to move and take up space at WIPP that was not intended for surplus plutonium.

So there is a tremendous amount of problems there. I will be meeting with Jill Hruby who is the Deputy Secretary for NNSA when I'm in Washington, DC, and I will of course express my concerns. As Secretary Kenney said to me people at DOE know who you are. And I think that is because I am willing to stand up for my constituents who are very concerned about this issue, and so is this entire Board willing to stand up and protect our citizens from unnecessary transportation of radioactive materials.

So that is all I have to say at the moment.

10. B. Elected Officials' Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations

CHAIR HANSEN: Madam Clerk.

CLERK CLARK: Thank you, Madam Chair. So I did want to mention on Friday on February 3rd from 9:00 am to 12:00 pm it looks like we'll be having a rapid hire event in our office to try to hire some entry level positions, so if you know of someone interested in working in the records, the recording departments, we have both the recording clerk or senior recording clerk and also an election administrative tech position is open. Again, that's Friday, February 3rd, 9:00 am to 12:00 pm.

I've been spending a lot of time at the legislature tracking several bills. There are many competing bills on things like open primary, changes to the Election Code, probate

law, notary law, so we're paying a lot of attention and some bills have yet to drop. I've heard through the grapevine they're coming, so people are seeing me a lot, especially the committees that relate to elections.

I did want to mention because our HR building has been given to the district attorney we are on the hunt for – if we can't move to the new warehouse by the November election we're going to need to find space for our Absentee Board to conduct their election. So we're on the hunt trying to find what would be appropriate for armed security to stay there 24 hours so they can guard our ballots during the absentee period. Thank you.

CHAIR HANSEN: Thank you, Madam Clerk. Is there any other elected officials online, Daniel?

MR. FRESQUEZ: Madam Chair, I do not see any other elected officials on Webex.

10. C. Request Vote of Support for National Association of Counties' Resolution Urging Congress to Raise the Debt Ceiling

CHAIR HANSEN: This is a request from me, a request to support the National Association of Counties' resolution urging Congress to raise the debt ceiling. A couple weeks ago I woke up in the middle of the night having nightmares about the debt ceiling so then I called NACo and I said can I bring forward a resolution, and I am part of the leadership of NACo, which is an advantage, being on a number of committees. So I worked with a number of people and NACo to write this resolution and the way resolutions work at NACo is that it's the issue and the proposed policy, the background after it gets passed out of committee falls away. But the background is there for you to use.

So the proposed issue is on January 19th Treasury Secretary Yellen announced that the debt limit has been reached and the US Department of the Treasury would be taking extraordinary measures to continue paying government obligations. The proposed policy is that the National Association of Counties, NACo, urges Congress to raise the debt ceiling to avoid a default on the federal debt. The US government always pays its debts.

There is one other resolution that I know of at NACo trying to make this a bipartisan issue and make it – attach spending to the budget. The reality is that spending is a budget issue, not a national debt issue. We have already spent that money so therefore I felt like I just wanted to let the Commission know and hope that you support my endeavor, which here we are out in the hinterlands, so to speak, a long ways away from Washington, DC but the effects of if we do not pay the national debt and do not raise the debt ceiling, the effect that it will have on all counties is extremely devastating to me and something that I am concerned about. So with that I will open up the floor for comments or ask for your support. Commissioner Hamilton.

COMMISSIONER HAMILTON: Are we allowed to comment or are you just looking for what our positions are for you to take back verbally? It is on the agenda. I strongly support – before anybody answers that I'm not allowed to speak, I'm very glad you brought that. It's really important. I would strongly anything. It's the most ridiculous,

irresponsible situation to be holding this sort of thing hostage. And as a matter of fact, the existence of a debt ceiling at all is an unnecessary, artificial concept. It's a ridiculous concept. It should actually be eliminated. It shouldn't just be raised. But that's a different discussion that nobody here really wants to listen to.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HUGHES: Same thing. I support this resolution.

Obviously we want the US government to act responsibly and pay their debts and not put the country in an unnecessary position. Would you like us to vote on the support?

CHAIR HANSEN: Yes.

COMMISSIONER HUGHES: Okay. I'll make a motion that we support the NACo resolution asking Congress to raise the debt ceiling.

COMMISSIONER GREENE: Second.

CHAIR HANSEN: Okay. Under discussion. I also want to state that I find it really interesting that there are only two representatives of NACo so far that I know of who have brought forward this emergency interim proposed resolution and the other one is from Colorado in a very conservative county and myself from a very blue county in New Mexico. We are the ones being concerned about this issue that is so frightening to me and I also want to give Nathan Schelble from Teresa Leger Fernandez' office who worked with me also on this resolution. I worked with Representative Leger Fernandez' office on a number of resolutions. I have another resolution that I did not bring forward which is just on support of the National Historic Preservation fund that she asked me to bring forward. And so I also have that resolution at NACo. But I felt this was important to have a discussion among my peers and my colleagues here. So with that, is there any other comments?

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

CHAIR HANSEN: Thank you very much. I appreciate your support. It gives me a little bit more support when I'm in NACo telling them that my entire Commission is behind me.

11. MATTERS FROM THE COUNTY ATTORNEY

- A. **Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in 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. Breach of Settlement Agreement and Related Agreements Concerning Annexation**
- 2. Acquisition of Real Property Interests for Arroyo Hondo District Trail**
- 3. Settlement and Replacement Water Rights Agreement with El Paisano, LLC**
- 4. Acquisition of Real Property Interests for the Santa Fe River Greenway Project**

CHAIR HANSEN: We will go to Matters from the County Attorney.

MR. YOUNG: Thank you, Madam Chair, Commissioners. For tonight's executive session I'd request we go into executive session to discuss 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. Those are specifically including breach of settlement agreement and related agreements concerning annexation; acquisition of Real Property Interests for Arroyo Hondo District Trail; settlement and replacement water rights agreement with El Paisano, LLC; and acquisition of real property interests for the Santa Fe River Greenway Project.

COMMISSIONER HAMILTON: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HAMILTON: I would move that we go into executive session to discuss the items just presented by the Attorney.

CHAIR HANSEN: I also want to – I feel neglectful. I did not find out if there was any questions on informational items. So does anybody have any questions on informational reports? Okay. So we have that motion. Do we –

COMMISSIONER HUGHES: Second.

CHAIR HANSEN: Motion made by Commissioner Hamilton, second by Commissioner Hughes. Roll call vote please.

The motion passed by unanimous roll call vote as follows:

Commissioner Bustamante	Aye
Commissioner Greene	Aye
Commissioner Hamilton	Aye
Commissioner Hughes	Aye
Commissioner Hansen	Aye

[The Commission met in executive session from 6:20 to 7:17.]

12. INFORMATIONAL ITEMS/REPORTS

A. Quarterly Report on Restricted Housing at County Correctional

Facilities Pursuant to Laws 2019, Chapter 194 (HB 364) (Corrections Department/Deputy Warden Robert Page)

- B. Community Development Department December 2022 Monthly Report**
- C. Community Services Department December 2022 Monthly Report**
- D. Finance Division November 2022 Monthly Report**
- E. Growth Management Department December 2022 Monthly Report**
- F. Human Resources Division December 2022 Monthly Report**
- G. Public Safety Department December 2022 Monthly Report**
- H. Public Works Department December 2022 Monthly Report**

There were no questions regarding these items. (See above.)

COMMISSIONER HUGHES: Can I move we come out of executive session?

COMMISSIONER HAMILTON: Madam Chair, I would move that come out of executive session and note that the only things that were discussed were things that were listed on the motion to go into session and no decisions were made.

COMMISSIONER HUGHES: And I'll second that.

CHAIR HANSEN: I have a motion from Commissioner Hamilton and a second from Commissioner Hughes.

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

11. B. Potential Action on Items Discussed in Executive Session

There were no items requiring discussion.

13. CONCLUDING BUSINESS

- A. Announcements**
- B. Adjournment**

Upon motion by Commissioner Hughes and second by Commissioner Greene, and with no further business to come before this body, Chair Hansen declared this meeting adjourned at 7:18 p.m.

Approved by:



Anna Hansen, 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

EXHIBIT
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tabbles

LEGISLATIVE REPORT
1/31/23

Santa Fe County

SEC CLERK RECORDED 03/13/2023

2023 Regular Session Dates

01/03/2023 to 01/13/2023 — Legislation may be prefiled

01/17/2023 — Opening day (noon)

02/16/2023 — Deadline for bill introductions

03/18/2023 — Session ends (noon)

04/07/2023 — Bill signing deadline. Legislation not acted upon by governor is pocket vetoed

06/16/2023 — Effective date of legislation not a general appropriation bill or a bill without an emergency clause or other specified date

Bill & Session Information (2023 Regular Session)

Current Statistics for All Bills (2023 Reg)	Total
Bills Introduced	512
Bills Passed in 1st House	1
Bills Passed in 2nd House	1
Bills Sent to Governor	1
Bills Signed into Law	1

Current Statistics for House Bills only (2023 Reg)	Total
Bills Introduced	227
Bills Passed in 1st House	1
Bills Passed in 2nd House	1
Bills Sent to Governor	1
Bills Signed into Law	1

Current Statistics for Senate Bills only (2023 Reg)	Total
Bills Introduced	285
Bills Passed in 1st House	0

Bills Passed in 2nd House	0
Bills Sent to Governor	0
Bills Signed into Law	0

Capital Outlay Associated Dates

- The LCS capital outlay project request site will open on October 19, 2022.
- Deadline to submit a capital outlay requests (COR) online: 3:00 p.m., Thursday, January 12, 2023
- Legislative Opening day January 17, 2023
- Legislators and the governor will receive one list of the CORs by January 23, 2023
- Legislators return sponsored project lists: Thursday, February 2, 2023
- Sponsored projects list posted online: Monday, February 6, 2023
- Member/Agency/Executive language revision deadline: Friday, February 10, 2023
- Reauthorization request deadline: 3:00 p.m. Monday, February 13, 2023
- Legislators' final sponsored CORs list posted online: Thursday, February 16, 2023
- Introduction deadline: Thursday, February 16, 2023
- CORs posted online: Friday, February 17, 2023

SEC CLERK RECORDED 03/13/2023

22-031 Single Use Plastic

Bill: SB243
Sponsors: Steinborn (D36)
Title: PLASTIC WASTE REDUCTION ACT

22-056 Gun Safety

Bill: HB9
Sponsors: Herndon (D28)
Title: UNLAWFUL ACCESS TO FIREARM BY MINOR, GUN OWNER PENALTY
Summary: (Related to 2022 HB9) Makes it a crime to negligently make a firearm accessible to a minor. The bill adds a new section to the Criminal Code to make it unlawful for a person to keep or store a firearm in a way that negligently disregards a minor's ability to access the firearm and the minor thereby accesses the firearm and displays it in a threatening manner or causes harm.
Status: 01/25/2023 — House Judiciary Committee
History: 01/11/2023 — H Prefiled in the House.
01/18/2023 — H Introduced and referred to House Consumer & Public Affairs.
01/30/2023 — H Also referred to House Judiciary. Do Pass
01/25/2023 — H Reported Do Pass by House Consumer & Public Affairs.

Bill: HB50
Sponsors: Roybal Caballero (D13)
Title: CRIME OF POSSESSION OR TRANSFER OF LARGE-CAPACITY MAGAZINES

Bill: HB59
Sponsors: Rehm (R31)
Title: UNLAWFUL CARRYING OF FIREARM WHILE TRAFFICKING DRUGS

Bill: HB61
Sponsors: Rehm (R31)
Title: INCREASE PENALTY FOR FELON POSSESSING FIREARM

Bill: HB72
Sponsors: Roybal Caballero (D13)
Title: UNLAWFUL POSSESSION OR TRANSFER OF SEMIAUTOMATIC FIREARM CONVERTER

Bill: HB100
Sponsors: Romero, A. (D46)
Title: CERTAIN GUN SALES: 14-DAY WAITING PERIOD

Bill: HB101
Sponsors: Romero, A. (D46)
Title: PROHIBIT LARGE-CAPACITY MAGAZINES AND ASSAULT WEAPONS

Bill: HB164
Sponsors: Block (R51)
Title: OPEN SEASON FOR CONCEALED LOADED FIREARM

Bill: HB212
Sponsors: Garratt (D29)
Title: DRUG TRAFFICKING AND FIREARM PENALTY ENHANCEMENT

Bill: HB224
Sponsors: Garratt (D29)
Title: UNLAWFUL CARRYING OF A FIREARM WHILE DRUNK IN HIGH-POPULATED AREA

Bill: HB238
Sponsors: Garratt (D29)
Title: UNLAWFUL CARRYING OF A FIREARM

Bill: SB114
Sponsors: Neville (R2)
Title: ALLOWS CONCEALED HANDGUNS IN RESTAURANTS THAT SERVE SPIRITOUS LIQUOR OR CIDER

Bill: SB116
Sponsors: Hamblen (D38)
Title: MINIMUM AGE TO BUY OR POSSESS CERTAIN SEMI- OR AUTOMATIC FIREARMS

Bill: SB171
Sponsors: Soules (D37)
Title: AUTOMATIC FIREARM SALES

22-066 End Homelessness

Bill: SB139
Sponsors: Rodriguez (D24)
Title: FUNDS FOR HOMELESS HEALTH CARE AND HOUSING
History: 01/19/2023 — S Introduced and referred to Senate Health and Public Affairs.
01/19/2023 — S Also referred to Senate Finance.
01/30/2023 — S Reported Do Pass by Senate Health and Public Affairs.

Bill: SB141
Sponsors: Rodriguez (D24)
Title: FUNDS FOR HOMELESS SHELTER IN SANTA FE
Summary: Appropriates \$300,000 (GF) to the Human Services Department for use in FY2024 to provide operational support for a homeless shelter and supportive housing program in the city of Santa Fe.
History: 01/19/2023 — S Introduced and referred to Senate Health and Public Affairs.
01/19/2023 — S Also referred to Senate Finance.
01/30/2023 — S Reported Do Pass by Senate Health and Public Affairs.

22-082 Alchl Rltd Harms

Bill: HB230
Sponsors: Ferrary (D37)
Title: INCREASES LIQUOR EXCISE TAX RATES FOR HARM MITIGATION

Bill: SB259
Sponsors: Sedillo Lopez (D16)
Title: INCREASES LIQUOR EXCISE TAX RATES FOR HARM MITIGATION

22-088 Reduce Green House Emissions

Bill: HB228

Sponsors: Serrato (D45)

Title: IMPROVEMENT SPECIAL ASSESSMENT ACT

Bill: SB56

Sponsors: Soules (D37)

Title: REMOVES LIMITS ON RENEWABLE ENERGY GENERATION FACILITY SIZE

Summary: Amends the Public Utility Act to strike language that limits the size on renewable energy distributed generation facilities. Presently, the size of renewable energy distributed generation facilities owned by a customer of a public utility is restricted to produce no more than 120% of the customer's average annual electricity consumption. The bill proposes to eliminate the restriction.

History: 01/18/2023 — S Introduced and referred to Senate Conservation.

01/18/2023 — S Also referred to Senate Tax, Business & Transportation.

01/27/2023 — S Reported Do Pass by Senate Conservation.

Bill: SB60

Sponsors: Soules (D37)

Title: PHOTOVOLTAIC SYSTEMS IN NEW PUBLIC SCHOOLS

Summary: Amends the Public School Capital Outlay Act to require photovoltaic systems sufficient to meet energy needs of new public schools proposed for construction with grant assistance from the Public School Capital Outlay Fund after July 1, 2023.

History: 01/18/2023 — S Introduced and referred to Senate Education.

01/18/2023 — S Also referred to Senate Finance.

01/30/2023 — S Reported Do Pass as amended by Senate Education.

Bill: SB74

Sponsors: Soules (D37)

Title: CLEAN ENERGY MANDATED FOR ENERGY GENERATION FACILITIES

Summary: A new section of the Public Utility Act imposes clean energy requirements on construction of new and replacement energy generation facilities. All such facilities shall only generate clean energy, which is defined as energy generated from solar heat, solar light, wind, geothermal reservoirs, biomass or hydropower. Provisions apply to any generation facility that was approved for construction by the PRC before July 1, 2023.

History: 01/18/2023 — S Introduced and referred to Senate Conservation.

01/18/2023 — S Also referred to Senate Tax, Business & Transportation.

01/27/2023 — S Reported Do Pass by Senate Conservation.

Bill: SB165

Sponsors: Hamblen (D38)

Title: LOCAL CHOICE ENERGY ACT

Bill: SB173

Sponsors: Ortiz y Pino (D12)

Title: CREATES TAX CREDITS RELATED TO GEOTHERMAL ENERGY GENERATION

Bill: SB253

Sponsors: Baca, G. (R29)

Title: GRT DEDUCTION FOR VEGGIE SPECIAL FUEL

Bill: SB266

Sponsors: Stefanics (D39); Romero, G. (D10)
Title: RENEWABLE ENERGY: MINIMUM PORTFOLIO STANDARDS FOR DISTRIBUTED ENERGY RESOURCES

22-107 SFC Legis Priorities

Bill: SB161
Sponsors: Stewart (D17)
Title: RESTRICT USE AND SALE OF NEONICOTINOID PESTICIDES

Bill: SB167
Sponsors: Stefanics (D39); Wirth (D25)
Title: INTERSTATE STREAM COMMISSION

22-108 Sustainability

Bill: HB32
Sponsors: Sarinana (D21)
Title: ENERGY STORAGE SYSTEM INCOME TAX CREDIT
Summary: (Related to 2022, HB11) For taxable years 2023 through 2027, authorizes a nonrefundable personal income tax credit to individuals who, after March 1, 2023, purchase and install an energy storage system on the taxpayer's residential, commercial or agricultural property in New Mexico.
History: 01/05/2023 — H Prefiled in the House.
01/05/2023 — H Prefiled in the House.
01/18/2023 — H Introduced and referred to House Energy, Environment & Natural Resources.
01/18/2023 — H Also referred to House Taxation & Revenue.
01/27/2023 — H Reported Do Pass as amended by House Energy, Environment & Natural Resources.
Scheduled: 02/01/2023 — House Taxation and Revenue Committee, 8:30 a.m., Room 317

Bill: HB42
Sponsors: Thomson (D24)
Title: DOH PUBLIC HEALTH AND CLIMATE PROGRAM AND FUND
Summary: (Duplicate of 2023 SB3454 (temporary number)) Directs the Environmental Health Epidemiology Bureau of DOH to establish a Public Health and Climate Program to assist communities with emergencies and planning related to climate change and extreme weather. Establishes the Public Health and Climate Resiliency Fund administered by DOH to make grants to communities. Appropriates \$1.1 million (GF) to DOH for use in FY2024 to support the program and \$5 million (GF) to DOH for use in FYs 2024 through 2028 for the Fund.
History: 01/06/2023 — H Prefiled in the House.
01/18/2023 — H Introduced and referred to House Health & Human Services.
01/18/2023 — H Also referred to House Appropriations & Finance.
01/26/2023 — H Reported Do Pass by House Health & Human Services.

Bill: HB45
Sponsors: McQueen (D50)
Title: NATURAL HERITAGE CONSERVATION ACT CHANGES

Bill: HB67
Sponsors: Chandler (D43)
Title: DEDUCTION FOR ENERGY STORAGE EQUIPMENT

Summary: HENRC Substitute for HB0067 amplifies the original by fleshing out the definition of “energy storage facility” in the Industrial Revenue Bond Act and the County Industrial Revenue Bond Act: “a facility that uses mechanical, chemical, thermal, kinetic or other processes to store energy from a zero-carbon emission source for release at a later time.” It bars municipalities or counties from acquiring energy storage facilities unless the school districts within the government’s boundaries receive in-lieu-of property tax payments. Finally, it sunsets on July 1, 2033, both this proposed additional deduction and the existing deduction for solar or wind equipment.

History: 01/10/2023 — H Prefiled in the House.
 01/18/2023 — H Introduced and referred to House Energy, Environment & Natural Resources.
 01/18/2023 — H Also referred to House Taxation & Revenue.
 01/27/2023 — H Reported Do Not Pass but Do Pass as substituted by House Energy, Environment & Natural Resources.

Bill: HB91

Sponsors: Ferrary (D37)

Title: NATURAL RESOURCES TRUSTEE: PETROLEUM-BASED INJURY & DAMAGES

Bill: HB95

Sponsors: Lujan (D48)

Title: CREATES RENEWABLE ENERGY OFFICE IN THE STATE LAND OFFICE

Bill: HB96

Sponsors: Townsend (R54)

Title: RENEWAL ENERGY: NATURAL GAS COMBINED CYCLE TECHNOLOGY

Bill: HB142

Sponsors: Allison (D4)

Title: GENERATING FACILITY AND MINE REMEDIATION AND RESTORATION

Bill: HB174

Sponsors: Dixon (D20)

Title: UNDERGROUND INJECTION CONTROL FUND

Summary: Creates the Underground Injection Control Fund administered by the Energy, Minerals and Natural Resources Department to carry out a state underground injection control program. Appropriates \$2.4 million: \$1.4 million (GF, nonreverting) to the Fund for use in FY2024 and beyond and \$1 million (GF) to the EMNRD for use in FY2024 to provide employees for the underground injection control program and support the application process for state primary enforcement authority over Class Six wells (which are used to inject carbon dioxide into deep rock formations and to protect underground sources of drinking water).

History: 01/24/2023 — H Introduced and referred to House Energy, Environment & Natural Resources.
 01/24/2023 — H Also referred to House Appropriations & Finance.
 01/30/2023 — H Reported Do Pass by House Energy, Environment & Natural Resources.

Bill: HB185

Sponsors: Ortez (D42)

Title: ENVIRONMENTAL STANDARDS FOR APPLIANCES AND FIXTURES ACT

Bill: HJR4

Sponsors: Ferrary (D37)

Title: CA: REPEAL POLLUTION CONTROL PROVISIONS IN STATE CONSTITUTION

Bill: SB5

Sponsors: Stefanics (D39); Thomson (D24)

Title: PUBLIC HEALTH AND CLIMATE PROGRAM AND FUND
Summary: Directs the Environmental Health Epidemiology Bureau of DOH to establish a Public Health and Climate Program to assist communities with emergencies and planning related to climate change and extreme weather. Establishes the Public Health and Climate Resiliency Fund administered by DOH to make grants to communities. Appropriates \$1.1 million (GF) to DOH for use in FY2024 to support the program and \$5 million (GF) to DOH for use in FYs 2024 through 2028 for the Fund.
History: 01/17/2023 — S Introduced and referred to Senate Health and Public Affairs.
01/17/2023 — S Also referred to Senate Finance.
01/25/2023 — S Reported Do Pass as amended by Senate Health and Public Affairs.

Bill: SB22
Sponsors: Tallman (D18)
Title: ELECTRIC VEHICLE AND CHARGING UNIT TAX CREDITS

Bill: SB30
Sponsors: Soules (D37)
Title: STATE PURCHASE OF ELECTRIC VEHICLES

Bill: SB77
Sponsors: Soules (D37)
Title: REQUIRE PHOTOVOLTAIC SYSTEM AND EV RECEPTACLES ON NEW RESIDENCES

Bill: SB112
Sponsors: Sedillo Lopez (D16)
Title: NATURAL RESOURCES: RELEASE OF INJURIOUS SUBSTANCES

Bill: SB169
Sponsors: Stefanics (D39); Ortez (D42)
Title: CLIMATE INVESTMENT CENTER

Bill: SB182
Sponsors: Steinborn (D36)
Title: STATEWIDE WASTE REDUCTION AND RECYCLING PROGRAM

Bill: SB195
Sponsors: Campos (D8)
Title: WATER PROTECTION PERMANENT FUND AND WATER PROTECTION FUND

Bill: SJR6
Sponsors: Sedillo Lopez (D16); Ferrary (D37)
Title: CA: CITIZENS' ENVIRONMENTAL RIGHTS; REPEAL OF POLLUTION CONTROL

Bill: SM17
Sponsors: Rodriguez (D24)
Title: EARTH CITIZENS DAY

22-109 Community Development

Bill: HB8
Sponsors: Szczepanski (D47); Steinborn (D36)
Title: CREATIVE INDUSTRIES DIVISION AND FUND

Bill: HB44
Sponsors: Matthews (D27)
Title: FEDERAL HOME LOAN BANK RIGHTS IN DELINQUENCY PROCEEDINGS
Summary: Amends the Insurance Code to establish certain rights and obligations of Federal Home Loan Banks (FHLBanks) relating to secured claims on an insurer subject to delinquency proceedings. Provides exceptions for the transfer of money or property involving an FHLBank agreement except when done with intent to hinder, delay or defraud a creditor.
History: 01/06/2023 — H Prefiled in the House.
01/18/2023 — H Introduced and referred to House Commerce & Economic Development.
01/18/2023 — H Also referred to House Judiciary.
01/30/2023 — H Reported Do Pass by House Commerce & Economic Development.

Bill: HB160
Sponsors: Chandler (D43)
Title: EASEMENTS FOR BROADBAND INTERNET INFRASTRUCTURE

Bill: SB46
Sponsors: Duhigg (D10)
Title: WRONGFUL FORECLOSURE PROTECTION ACT

Bill: SB99
Sponsors: Lopez (D11); Roybal Caballero (D13)
Title: ABOLISHES LOCAL GOVERNMENT POWER TO IMPOSE RENT CONTROL ON PRIVATE PROPERTY

Bill: SB140
Sponsors: Rodriguez (D24)
Title: FUNDS FOR NEW MEXICO HOUSING TRUST FUND ACT
Summary: (Endorsed by the Mortgage Finance Authority Act Oversight Committee) Appropriates \$48 million (GF, nonreverting) to the New Mexico Housing Trust Fund for use in FY2024 and subsequent years by the New Mexico Mortgage Finance Authority to carry out the provisions of the New Mexico Housing Trust Fund Act.
History: 01/19/2023 — S Introduced and referred to Senate Health and Public Affairs.
01/19/2023 — S Also referred to Senate Finance.
01/30/2023 — S Reported Do Pass by Senate Health and Public Affairs.

23-009 New ICIP

Bill: SB186
Sponsors: Tallman (D18)
Title: LEGISLATIVE PUBLIC WORKS COMMITTEE: CAPITAL PROJECTS SELECTION PROCESS

Bill: SB192
Sponsors: Munoz (D4)
Title: ADDITIONAL FY 2023 AND 2024 GENERAL APPROPRIATIONS
Summary: Appropriates an additional \$5.05 million for FY 2023 to the Legislature, Judicial and State agencies, and \$1.35 million for FY 2024 to Judicial and State agencies, for purposes specified. Requires Legislative Council Service to publish a searchable list of the appropriations, the names of each legislator who allocated a portion of each, and the verified amount. The list shall be published on the Council Service website within a specified time period.

History: 01/23/2023 — S Introduced and referred to Senate Rules.
01/23/2023 — S Also referred to Senate Finance.
01/25/2023 — S Reported Do Pass by Senate Rules.

County Government Interests

Bill: HB2

Sponsors: Small (D36)
Title: GENERAL APPROPRIATION ACT OF 2023 (HOUSE)

Bill: HB3

Sponsors: Hochman-Vigil (D15)
Title: DEPARTMENT OF TRANSPORTATION APPROPRIATION ACT FOR 2023

Bill: HB4

Sponsors: Martinez, J. (D11)
Title: VOTING RIGHTS ACT

Bill: HB7

Sponsors: Serrato (D45)
Title: REPRODUCTIVE AND GENDER-AFFIRMING HEALTH CARE FREEDOM ACT

Bill: HB22

Sponsors: Garcia, M. (D14)
Title: DRIVER CITATIONS BASED ON AUTOMATED TRAFFIC ENFORCEMENT SYSTEMS

Bill: HB24

Sponsors: Garcia, M. (D14)
Title: COUNTIES AND MUNICIPALITIES: PRIVATE SIDEWALK MAINTENANCE RESPONSIBILITIES
Summary: Relates to sidewalk improvements fronting on private property. Shifts responsibility from the property owner or agent to counties or municipalities for the repair, improvement, or construction of a sidewalk fronting an individual parcel of land, when the governing body determines the work is necessary for compliance with existing standards.
History: 01/03/2023 — H Prefiled in the House.
01/18/2023 — H Introduced and referred to House Government, Elections & Indian Affairs.
01/18/2023 — H Also referred to House Transportation, Public Works & Capital Improvements.
01/26/2023 — H Reported without recommendation by House Government, Elections & Indian Affairs.

Bill: HB49

Sponsors: Allison (D4)
Title: COUNTY AND TRIBAL HEALTH COUNCILS FUNDING
Summary: Appropriates funds to the Department of Health for use in FY2024: \$5.25 million (GF) for county and tribal councils to carry out the functions in the County and Tribal Health Councils Act and \$500,000 (GF) to contract with a nonprofit organization to provide training and assistance to the councils and to assist in the development of a system to evaluate council effectiveness.
History: 01/10/2023 — H Prefiled in the House.
01/18/2023 — H Introduced and referred to House Health & Human Services.
01/18/2023 — H Also referred to House Appropriations & Finance.
01/24/2023 — H Reported Do Pass by House Health & Human Services.

Bill: HB54

Sponsors: Figueroa (D30)

Title: UNAFFILIATED VOTERS IN PRIMARY ELECTIONS

Summary: (Identical to 2021 HB79, similar to 2019 HB93) Amends the Election Code to permit voters who have declined to state a party affiliation or who designated affiliation with a party other than a major party to vote in a primary election by requesting the ballot of one of the participating parties in that primary.

Status: 01/30/2023 — House Judiciary Committee

History: 01/10/2023 — H Prefiled in the House.

01/18/2023 — H Introduced and referred to House Government, Elections & Indian Affairs.

01/18/2023 — H Also referred to House Judiciary.

01/30/2023 — H Reported Do Pass as amended by House Government, Elections & Indian Affairs.

Bill: HB64

Sponsors: Rehm (R31)

Title: RETIRED LAW ENFORCEMENT OR FIREFIGHTER RETURN TO WORK

Bill: HB65

Sponsors: Rehm (R31)

Title: RETIRED PUBLIC EMPLOYEES RETURN TO WORK

Bill: HB66

Sponsors: Rehm (R31)

Title: ALLOWS STATE AND MUNICIPAL PENSION BENEFITS TO EQUAL FINAL AVERAGE SALARY

Bill: HB71

Sponsors: Garcia, M. (D14)

Title: MOTOR VEHICLES: PROHIBIT LOUD MUFFLER, PENALTY

Bill: HB80

Sponsors: Nibert (R59)

Title: LIMIT GOVERNOR'S EMERGENCY POWERS TO 90 DAYS

Summary: (Identical to 2022 HB40, related to 2023 HJR3) Amends All Hazard Emergency Management Act and the Public Health Emergency Response Act to provide for a 90-day limit on declarations of a state of emergency unless the Governor calls the Legislature into Special Session to address the circumstances of the emergency.

History: 01/13/2023 — H Prefiled in the House.

01/18/2023 — H Introduced and referred to House Government, Elections & Indian Affairs.

01/18/2023 — H Also referred to House Judiciary.

01/26/2023 — H Reported Do Pass by House Government, Elections & Indian Affairs.

Bill: HB81

Sponsors: Chandler (D43)

Title: INDEXING OF MODIFIED GROSS INCOME FOR LOW INCOME COMPREHENSIVE TAX REBATE

Bill: HB84

Sponsors: Rehm (R31)

Title: VOTER REGISTRATION AFTER PROPERTY TRANSFER

Bill: HB86

Sponsors: Rehm (R31)

Title: VOTER EDUCATION AND ELECTIONS TASK FORCE

Bill: HB87

Sponsors: Townsend (R54)

Title: VOLUNTEER FIRE DEPARTMENTS AND VOLUNTEER EMT PROVIDERS NOT PUBLIC BODIES

Bill: HB89

Sponsors: Townsend (R54)

Title: EXCESS OIL AND GAS REVENUES TO BE REBATED TO INCOME TAX FILERS, NOT EARLY CHILDHOOD FUND

Bill: HB98

Sponsors: Townsend (R54)

Title: RESTORE QUALIFIED IMMUNITY FOR PUBLIC OFFICIALS IN NM CIVIL RIGHTS ACT

Bill: HB106

Sponsors: Alcon (D6)

Title: INCREASES PENSION AMOUNT FOR SOME STATE AND LOCAL PUBLIC EMPLOYEES

Summary: (Related to HB66) Boosts the maximum pension amount from 90 percent to 100 percent of the final average salary for those employees covered by certain state and local pension plans.

Subjects: Labor; County Affairs; Municipalities/City Government; Public Employees/Retirement; State Affairs and State Agencies; Family and Juveniles; Public Finance and Budgets

History: 01/19/2023 — H Introduced and referred to House Labor, Veterans' & Military Affairs.
01/19/2023 — H Also referred to House Judiciary.
01/30/2023 — H Reported Do Pass by House Labor, Veterans' & Military Affairs.

Bill: HB109

Sponsors: Block (R51)

Title: REPEAL NEW MEXICO CIVIL RIGHTS ACT

Bill: HB110

Sponsors: Block (R51)

Title: VOTER IDENTIFICATION ACT OVERHAUL

Bill: HB121

Sponsors: Chandler (D43)

Title: WATER RIGHTS LEASES EFFECTIVE DATE

Bill: HB122

Sponsors: McQueen (D50)

Title: RADIOACTIVE WASTE STORAGE OR DISPOSAL; TASK FORCE CHANGES

Bill: HB138

Sponsors: Cadena (D33)

Title: CONVICTION FINE FLEXIBILITY AND WAIVERS FOR INDIGENT PERSONS

Bill: HB144

Sponsors: Chandler (D43)

Title: INDEXES CHILD INCOME TAX CREDIT AMOUNTS

Bill: HB150

Sponsors: Figueroa (D30)

Title: INCREASES RATES TO RETIREE HEALTH CARE FUND

Bill: HB155

Sponsors: Reeb (R64)

Title: INCREASE PENALTY FOR AGGRAVATED BATTERY UPON A PEACE OFFICER

Bill: HB162

Sponsors: Block (R51)

Title: PREEMPTING "SANCTUARY CITIES" AND SIMILAR POLICIES

Bill: HB163

Sponsors: Block (R51)

Title: DECREASE GROSS RECEIPTS TAX FOR CERTAIN SMALL BUSINESSES

Bill: HB165

Sponsors: Nibert (R59)

Title: ADOPTS MOST RECENT VERSION OF UNIFORM UNCLAIMED PROPERTY ACT

Bill: HB166

Sponsors: Lujan (D48); Tallman (D18)

Title: MANDATES EMPLOYER PARTICIPATION IN WORK & SAVE PROGRAM

Bill: HB176

Sponsors: Brown (R55); Kernan (R42)

Title: GRT DISTRIBUTION TO CARLSBAD

Bill: HB179

Sponsors: Chavez (D26)

Title: PROVIDING NOTICE TO PROPERTY OWNERS FOR LIENS FILED

Bill: HB180

Sponsors: Szczepanski (D47)

Title: STORING ELECTRONIC RECORDS

Bill: HB186

Sponsors: Martinez, A. (R23)

Title: DISABLED VETERAN'S PROPERTY TAX EXEMPTION

Bill: HB192

Sponsors: Brown (R55)

Title: SOCIAL SECURITY INCOME TAX EXEMPTION

Bill: HB193

Sponsors: Brown (R55)

Title: SOCIAL SECURITY INCOME TAX EXEMPTION

Bill: HB195

Sponsors: McQueen (D50)

Title: FOREST FIRE PREVENTION CHANGES TO THE FOREST CONSERVATION ACT

Bill: HB200

Sponsors: Vincent (R56)

Title: VETERAN, POLICE, AND FIRST RESPONDER PTSD THERAPY

Bill: HB203

Sponsors: Martinez, A. (R23)

Title: CIVIL RIGHTS: RESTORES QUALIFIED IMMUNITY FOR PUBLIC OFFICIALS AND AGENCIES

- Bill: HB206**
Sponsors: Sanchez, Joseph (D40)
Title: RURAL TELECOMMUNICATIONS ACT
- Bill: HB207**
Sponsors: Ortez (D42); Hamblen (D38)
Title: EXTEND SCOPE OF CIVIL RIGHTS ACT
- Bill: HB210**
Sponsors: Lundstrom (D9)
Title: SHORT-TERM ADDITIONAL PERA PENSION AMOUNT
- Bill: HB213**
Sponsors: Garratt (D29)
Title: PUBLIC-PRIVATE PARTNERSHIP ACT
- Bill: HB214**
Sponsors: Small (D36)
Title: GENERAL APPROPRIATION ACT OF 2023
- Bill: HB217**
Sponsors: Trujillo (D25)
Title: ALLOWS 16- AND 17-YEAR-OLDS TO VOTE
- Bill: HB225**
Sponsors: Castellano (D70)
Title: ADDING ASSAULT OF PEACE OFFICERS TO VICTIMS OF CRIME ACT
- Bill: HB227**
Sponsors: Herndon (D28)
Title: BEEFING UP LAW ENFORCEMENT RETIREMENT AND RETENTION FUND
- Bill: HB232**
Sponsors: Sarinana (D21); Ivey-Soto (D15)
Title: TECHNOLOGY: EXEMPTS CRITICAL INFRASTRUCTURE INFO FROM PUBLIC RECORDS DISCLOSURE
- Bill: HB237**
Sponsors: Scott (R62)
Title: REPEALS FILM PRODUCTION TAX CREDIT
- Bill: HB239**
Sponsors: Alcon (D6)
Title: LIMIT EUTHANASIA AT ANIMAL SHELTERS AND APPROPRIATION
- Bill: HJM1**
Sponsors: Chandler (D43)
Title: STUDY STATE EMPLOYEE CLASSIFICATION AND COMPENSATION SYSTEMS
- Bill: HJR5**
Sponsors: Alcon (D6)
Title: CA: EXTEND PROPERTY TAX EXEMPTION TO ALL DISABLED VETERANS

- Bill: HJR6**
Sponsors: Alcon (D6)
Title: CA: INCREASE PROPERTY TAX EXEMPTION FOR HONORABLY DISCHARGED VETERANS
- Bill: HJR9**
Sponsors: Reeb (R64)
Title: CA: LEGISLATURE TO SET CONDITIONS FOR DENIAL OF BAIL
- Bill: HJR10**
Sponsors: Borrego (D17)
Title: CA: INCREASE PROPERTY TAX EXEMPTION FOR HONORABLY DISCHARGED VETERANS
- Bill: HM7**
Sponsors: Roybal Caballero (D13)
Title: TASK FORCE ON BASIC INCOME
- Bill: SB1**
Sponsors: Wirth (D25); Herrera (D41)
Title: REGIONAL WATER SYSTEM RESILIENCY ACT
Summary: Cited as the Regional Water System Resiliency Act, authorizes the creation of regional utility authorities as political subdivisions of the state; these authorities may provide water and wastewater services, road improvements, and renewable energy projects.
History: 01/17/2023 — S Introduced and referred to Senate Conservation.
01/17/2023 — S Also referred to Senate Judiciary.
01/25/2023 — S Reported Do Pass by Senate Conservation.
- Bill: SB6**
Sponsors: Campos (D8)
Title: ZERO-INTEREST LOANS FOR FIRE DAMAGE
Summary: Requires the Local Government Division of the Department of Finance and Administration to provide zero-interest loans to political subdivisions that have been approved by FEMA for grants to replace or repair infrastructure damaged by fire, flooding, or debris flow from the Hermits Peak-Calf Canyon Fire. Appropriates \$100 million (GF) to the Local Government Division for use in FYs 2023 and 2024 for these loans.
History: 01/17/2023 — S Introduced and referred to Senate Conservation.
01/17/2023 — S Also referred to Senate Finance.
01/25/2023 — S Reported Do Pass by Senate Conservation.
- Bill: SB7**
Sponsors: Stefanics (D39)
Title: RURAL HEALTH CARE DELIVERY FUND
- Bill: SB9**
Sponsors: Neville (R2)
Title: NEW LAND GRANT, ENVIRONMENT AND CULTURAL PERMANENT FUNDS
Scheduled: 01/31/2023 — Senate Conservation Committee, 9:00 a.m., Room 311
- Bill: SB10**
Sponsors: Shendo (D22); Chandler (D43)
Title: INCOME TAX AND RELIEF REBATES
- Bill: SB19**
Sponsors: Maestas (D26)

Title: LAW ENFORCEMENT AND PUBLIC SAFETY TELECOMMUNICATOR TRAINING

Bill: SB21

Sponsors: Griggs (R34)

Title: NO PRESCRIBED BURNS DURING SPRING

Summary: Prohibits a person or a federal, state, local, or tribal governmental entity from conducting a prescribed burn between March 1 and May 31 of any year.

History: 01/17/2023 — S Introduced and referred to Senate Conservation.

01/17/2023 — S Also referred to Senate Judiciary.

01/26/2023 — S Note: Sen. Stefanics announced on the Senate Floor that SB21 will be reconsidered in SCONC on Thursday, February 2, 2023..

Bill: SB25

Sponsors: Munoz (D4)

Title: FEDERAL INFRASTRUCTURE MATCHING FUND FOR TRIBAL INFRASTRUCTURE GRANTS

Bill: SB27

Sponsors: Hemphill (D28)

Title: RURAL INFRASTRUCTURE CRISIS RESPONSE ACT

Bill: SB29

Sponsors: O'Neill (D13)

Title: MEDICAL AND GERIATRIC PAROLE PROCEDURES

Summary: (For the Courts, Corrections and Justice Committee) (Broadly identical to 2022 SB29 and 2021 SB114) Amends the Probation and Parole Act to add parole procedures for geriatric, permanently incapacitated, and terminally ill inmates, except for inmates convicted of first degree murder.

Repeals existing Sec. 31-21-25.1 which provides for medical and geriatric parole.

History: 01/17/2023 — S Introduced and referred to Senate Health and Public Affairs.

01/17/2023 — S Also referred to Senate Judiciary.

01/25/2023 — S Reported Do Pass by Senate Health and Public Affairs.

Bill: SB32

Sponsors: Schmedes (R19)

Title: PROHIBITS CERTAIN VOTER INFORMATION SHARING DURING ELECTIONS

Bill: SB33

Sponsors: Shendo (D22)

Title: TRIBAL AND PUEBLO LAW ENFORCEMENT AUTHORITY AS PEACE OFFICERS

Bill: SB37

Sponsors: Jaramillo, L. (D5)

Title: GROSS RECEIPTS TAXES TRANSFERRED DIRECTLY TO REGIONAL TRANSIT DISTRICTS

Bill: SB38

Sponsors: Sharer (R1)

Title: GENERAL REVISION OF TAXES: TAX RATES, CREDITS, DISTRIBUTIONS, DEDUCTIONS, EXEMPTIONS

Bill: SB43

Sponsors: Duhigg (D10)

Title: ACTS OF INTIMIDATION AGAINST ELECTION CLERKS AND AGENTS

Bill: SB44

Sponsors: Wirth (D25)

Title: NO FIREARMS NEAR A POLLING PLACE

Bill: SB48

Sponsors: Wirth (D25); Szczepanski (D47)

Title: VEHICLE NOISE OR SAFETY INSPECTION ORDINANCES

Bill: SB53

Sponsors: Steinborn (D36)

Title: RADIOACTIVE WASTE STORAGE OR DISPOSAL; TASK FORCE CHANGES

Summary: (Similar to 2022 SB54; related to 2021 SB82, 2020 SB95, 2019 SB54) Prohibits storage or disposal of transuranic contaminated or low-level waste in a disposal facility until the state has consented to the creation of the facility. Prohibits storage or disposal of spent fuel or high-level waste until the state has consented to the creation of the facility and a repository is in operation. Adds Homeland Security and Emergency Management Department, the Department of Indian Affairs, and the Commissioner of Public Lands to the membership of the Radioactive Waste Consultation Task Force. Gives additional authority to the Task Force to identify impacts of new private waste disposal facilities.

History: 01/18/2023 — S Introduced and referred to Senate Conservation.

01/18/2023 — S Also referred to Senate Judiciary.

01/25/2023 — S Reported Do Not Pass but Do Pass as substituted by Senate Conservation.

Bill: SB55

Sponsors: Campos (D8)

Title: STATE TRANSIT FUND; 50% TRANSPORTATION MATCH

Bill: SB63

Sponsors: Tallman (D18)

Title: DISCLOSURE OF FINALISTS' NAMES FOR APPOINTIVE EXECUTIVE POSITIONS

Summary: (Essentially identical to 2021 SB39 and 2020 SB161; substantially similar to 2019 SB259) Changes the requirements of the Inspection of Public Records Act to require a state agency or institution or political subdivision of the state to disclose and prominently post on its website the names and resumes of finalists for appointive executive positions. The identity of other applicants or candidates that are not finalists would remain confidential and not be subject to inspection under the act.

History: 01/18/2023 — S Introduced and referred to Senate Health and Public Affairs.

01/18/2023 — S Also referred to Senate Judiciary.

01/26/2023 — S Reported Do Pass by Senate Health and Public Affairs.

Bill: SB65

Sponsors: Baca, G. (R29)

Title: AUTOMATIC TERMINATION OF A PUBLIC HEALTH ORDER

Summary: (Identical to 2022 SB196 and 2021 SS1 SB4) Provides for automatic termination, 45 days after being issued, of a public health order issued pursuant to the Emergency Powers Code if that order closes any public place or forbids or limits gatherings of people. Prohibits a renewal or amendment of the order or the issuance of an order for the same subject matter except by joint resolution of the Legislature, or, if the Legislature is not in session, by vote of the majority of the members of the New Mexico Legislative Council.

Subjects: Legislature; Health and Medical Practice; Public Safety and Corrections; State Affairs and State Agencies

Related: 2022:SB196; 2021:SB4

Progress: 1st House: Reported from Committees

Status: 01/30/2023 — Senate Judiciary Committee

History: 01/18/2023 — S Introduced and referred to Senate Health and Public Affairs.
01/18/2023 — S Also referred to Senate Judiciary.
01/30/2023 — S Reported Do Pass as amended by Senate Health and Public Affairs.

Bill: SB66
Sponsors: Woods (R7)
Title: EQUITABLE GROSS RECEIPTS TAX DISTRIBUTION TO POLITICAL SUBDIVISIONS

Bill: SB73
Sponsors: O'Neill (D13)
Title: UNAFFILIATED VOTERS IN PRIMARY ELECTIONS

Bill: SB85
Sponsors: Schmedes (R19)
Title: INCOME TAX RATE CHANGES: MARRIED INDIVIDUALS FILING JOINTLY OR SEPARATELY

Bill: SB90
Sponsors: Shendo (D22)
Title: TRIBAL GROSS RECEIPTS TAX RATES

Bill: SB91
Sponsors: Lopez (D11)
Title: CONDUCT OF LEGISLATORS, PUBLIC OFFICERS AND EMPLOYEES

Bill: SB96
Sponsors: Munoz (D4)
Title: INCREASE MAXIMUM PENSION FOR LAW ENFORCEMENT
Summary: (Related to 2023 HB66) Increases the pension amount for state police, correctional officer, and probation and parole officer members under coverage plan 1 to a maximum of 100 percent of the final average salary (current maximum is 90 percent).

History: 01/18/2023 — S Introduced and referred to Senate Health and Public Affairs.
01/18/2023 — S Also referred to Senate Finance.
01/30/2023 — S Reported Do Pass by Senate Health and Public Affairs.

Bill: SB97
Sponsors: Padilla (D14)
Title: EASEMENTS FOR BROADBAND INTERNET INFRASTRUCTURE

Bill: SB101
Sponsors: Pope (D23)
Title: PERMANENT ABSENTEE VOTER LIST AND BALLOT ISSUANCE

Bill: SB103
Sponsors: Stefanics (D39)
Title: VETERAN, POLICE AND FIRST RESPONDER PTS THERAPY PROGRAM
Summary: Appropriates \$600,000 (GF) to the Veterans' Services Department for use in FY2004 for a veteran, police and first responder posttraumatic stress disorder therapy program.

History: 01/19/2023 — S Introduced and referred to Senate Health and Public Affairs.
01/19/2023 — S Also referred to Senate Finance.
01/30/2023 — S Reported Do Pass by Senate Health and Public Affairs.

Bill: SB121
Sponsors: Padilla (D14)

Title: TEMPORARY TAX DEDUCTION FOR CERTAIN FOOD/BEVERAGE ESTABLISHMENTS

Bill: SB124

Sponsors: Padilla (D14)

Title: PERA RETURN TO WORK AND MAXIMUM BENEFIT CHANGES

Bill: SB145

Sponsors: Munoz (D4)

Title: STATE POLICE, CORRECTIONS OFFICERS

Bill: SB146

Sponsors: Shendo (D22)

Title: TAX ADMINISTRATION CHANGES

Bill: SB147

Sponsors: Shendo (D22)

Title: MISCELLANEOUS TAX CHANGES AND TAX CREDITS

Bill: SB152

Sponsors: Neville (R2)

Title: COUNTY PROJECTS MAY COMPETE WITH EXISTING BUSINESSES

Bill: SB153

Sponsors: Rodriguez (D24)

Title: PUBLISH APPROPRIATION ALLOCATIONS

Bill: SB157

Sponsors: Kernan (R42)

Title: GRT DISTRIBUTION TO HOBBS

Bill: SB158

Sponsors: Munoz (D4)

Title: GENERAL APPROPRIATION ACT OF 2023 (SENATE)

Bill: SB164

Sponsors: Tallman (D18)

Title: OIL AND GAS DEVELOPMENT LEASES ON STATE TRUST LANDS

Bill: SB172

Sponsors: Ortiz y Pino (D12)

Title: NO STATE DETENTION FOR FEDERAL CIVIL IMMIGRATION VIOLATIONS

Bill: SB174

Sponsors: Schmedes (R19)

Title: PRETRIAL RELEASE STANDARDS, BONDS AND RISK ASSESSMENTS

Bill: SB175

Sponsors: Schmedes (R19)

Title: OPEN PRIMARY UPON VOTER REQUEST

Bill: SB178

Sponsors: Hickey (D20)

Title: TOBACCO SETTLEMENT PERMANENT FUND NOT A RESERVE FUND

Bill: SB179
Sponsors: Hickey (D20)
Title: AUTHORITY FOR STRICTER LOCAL GOVERNMENT TOBACCO LAWS

Bill: SB180
Sponsors: Duhigg (D10)
Title: ELECTION CODE CHANGES
Summary: (Similar to 2022 SB6) This 178-page bill makes numerous changes to the Election Code, largely directed at ensuring the security of elections and the safety and rights of voters in elections. The most significant changes are the creation of an elections security program, required training for election challengers and watchers, changes to the membership of election boards and allowing electronic signatures on nominating petitions.
History: 01/23/2023 — S Introduced and referred to Senate Rules.
01/23/2023 — S Also referred to Senate Judiciary.
01/30/2023 — S Reported Do Pass as amended by Senate Rules.

Bill: SB184
Sponsors: Kernan (R42)
Title: MOTOR VEHICLE TAX: STATE ROAD FUND & TRANSPORTATION PROJECT FUND

Bill: SB189
Sponsors: Wirth (D25); Chandler (D43)
Title: CHANGES CORPORATE INCOME TAX RATE TO FLAT 6.9%

Bill: SB191
Sponsors: Gonzales (D6)
Title: SCRAPPING DAYLIGHT SAVING TIME

Bill: SB193
Sponsors: Stewart (D17)
Title: INCREASES RATES TO RETIREE HEALTH CARE FUND

Bill: SB194
Sponsors: Tallman (D18)
Title: MANDATES EMPLOYER PARTICIPATION IN WORK & SAVE PROGRAM

Bill: SB197
Sponsors: Campos (D8)
Title: INFRASTRUCTURE PLANNING AND DEVELOPMENT COUNCIL

Bill: SB200
Sponsors: Ingle (R27)
Title: LENGTHENING REGIONAL WATER PROJECT CONTRACTS

Bill: SB201
Sponsors: Munoz (D4)
Title: STATE INSPECTORS GENERAL ACT

Bill: SB205
Sponsors: Gonzales (D6)
Title: AUTHORIZES NEW COUNTY GROSS RECEIPTS TAX

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- Bill: SB206**
Sponsors: Hamblen (D38)
Title: PROCUREMENT EXEMPTION FOR FORESTRY DIVISION OF EMNRD
- Bill: SB213**
Sponsors: Padilla (D14)
Title: PERMITTING NURSES TO DISPENSE TAKE HOME OPIOID TREATMENT
- Bill: SB214**
Sponsors: Ortiz y Pino (D12)
Title: RURAL LIBRARIES ENDOWMENT FUND
- Bill: SB216**
Sponsors: O'Neill (D13); Chasey (D18)
Title: MODERNIZES GARNISHMENT PROVISIONS
- Bill: SB220**
Sponsors: Ortiz y Pino (D12)
Title: CHANGES DISTRIBUTION OF LIQUOR EXCISE TAX PROCEEDS
- Bill: SB222**
Sponsors: Pirtle (R32)
Title: WATER RIGHTS DOCUMENTS TO STAY IN ORIGINAL DISTRICTS
- Bill: SB225**
Sponsors: Pirtle (R32)
Title: HUNTER SAFETY TRAINING FOR FILMMAKERS
- Bill: SB226**
Sponsors: Lopez (D11)
Title: DIVERSITY ACT; CHIEF DIVERSITY OFFICER
- Bill: SB230**
Sponsors: Jaramillo, L. (D5)
Title: MOUNTED PATROL DEFINITIONS AND INSURANCE COVERAGE
- Bill: SB235**
Sponsors: Hickey (D20)
Title: INCREASES TAX ON TOBACCO PRODUCTS; NICOTINE USE PREVENTION AND CONTROL FUND
- Bill: SB239**
Sponsors: Campos (D8); Sanchez, Joseph (D40)
Title: ACEQUIA BUREAU CREATION ACT
- Bill: SB240**
Sponsors: O'Neill (D13); De La Cruz (D12)
Title: AUDIT AND PROPERTY-TRANSFER REQUIREMENTS FOR CERTAIN NONPROFITS
- Bill: SB245**
Sponsors: Stefanics (D39)
Title: RURAL EMERGENCY HOSPITAL LICENSURE

Bill: SB246
Sponsors: Ivey-Soto (D15); Trujillo (D25)
Title: NOTARIAL ACTS CHANGES

Bill: SB248
Sponsors: Ivey-Soto (D15); Garcia, H. (D69)
Title: PROBATE COURT ADMINISTRATION, JURISDICTION AND FUNDING

Bill: SB250
Sponsors: Burt (R33)
Title: INCREASES DEATH BENEFIT FOR FIREFIGHTERS KILLED IN LINE OF DUTY

Bill: SB252
Sponsors: Pope (D23); Rubio (D35)
Title: LAW ENFORCEMENT OFFICER PROCEDURES ACT

Bill: SB255
Sponsors: Kernan (R42)
Title: AMBULANCE MILEAGE REIMBURSEMENTS FOR MEDICAID PATIENTS

Bill: SB265
Sponsors: Sedillo Lopez (D16)
Title: IN-CUSTODY DEATH OR POLICE USE OF DEADLY FORCE: REPORTING AND INVESTIGATING

Bill: SB267
Sponsors: Lopez (D11)
Title: PUBLIC ASSISTANCE: NEW MEXICO WORKS ACT CHANGES

Bill: SB268
Sponsors: Padilla (D14)
Title: WILDFIRE RECOVERY ACT

Bill: SB271
Sponsors: Hamblen (D38)
Title: EQUINE ESTRAYS

Bill: SB272
Sponsors: Campos (D8)
Title: ACEQUIA COMMUNITY DITCH EDUCATION PROGRAM

Bill: SB286
Sponsors: Ivey-Soto (D15)
Title: BAR AGAINST DISCRIMINATORY RESTRICTIVE COVENANTS

Bill: SJM2
Sponsors: Munoz (D4)
Title: STUDY STATE EMPLOYEE CLASSIFICATION AND COMPENSATION SYSTEMS

Bill: SJR4
Sponsors: Brandt (R40)
Title: CA: TERM LENGTHS AND LIMITS FOR STATE LEGISLATORS

Bill: SJR7

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Sponsors: Tallman (D18)

Title: CA: OPEN PRIMARIES AND RANKED CHOICE VOTING

Bill: SJR8

Sponsors: Pirtle (R32)

Title: CA: HIGHER PROPERTY TAXES FOR FOREIGN-OWNED PROPERTY

Bill: SJR9

Sponsors: Ortiz y Pino (D12); Johnson (D5)

Title: CA: REPEAL AND REPLACE ANTI-DONATION CLAUSES

Bill: SJR10

Sponsors: Pirtle (R32)

Title: COUNTIES MAY ANNUL LAWS ENACTED BY LEGISLATURE