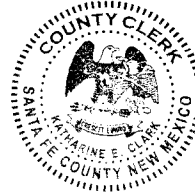


COUNTY OF SANTA FE       )  
STATE OF NEW MEXICO     ) ss

BCC MINUTES  
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   County Clerk, Santa Fe, NM



**SANTA FE COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**REGULAR MEETING**

**March 28, 2023**

Anna Hansen, Chair - District 2  
Hank Hughes, Vice Chair - District 5  
Camilla Bustamante - District 3  
Justin Greene - District 1  
Anna T. Hamilton - District 4

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**SANTA FE COUNTY**  
**REGULAR MEETING**  
**BOARD OF COUNTY COMMISSIONERS**

**March 28, 2023**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:10 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 County Clerk Katharine Clark 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. O'ga P'ogeh Owingeh Land Acknowledgement**

The Pledge of Allegiance and the State Pledge were led by Chair Hansen who acknowledged that this building and Santa Fe County is the original homeland of the Tewa people also known as O'ga P'ogeh Owingeh, "White Shell Place."

**F. Moment of Reflection**

The Moment of Reflection by Daniel Schwab of the Community Development Department.

Commissioner Hansen asked for a moment of silence for those affected by the recent tragic shooting in Nashville, Tennessee.

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**G. Approval of Agenda**

CHAIR HANSEN: Are there any changes from the Manager?

GREG SHAFFER (County Manager): Thank you, Madam Chair and Commissioners. We posted our original agenda for today's meeting on Tuesday, March 21<sup>st</sup> at about 5:47 p.m., and the amended agenda was posted on Friday, March 24<sup>th</sup> at about 5:37 p.m. Staff tabled item 6. C, relative to the Fire Department reorganization, and relative to Presentation item 7. A, from the County Clerk concerning legislative outcomes, packet material was added for that item.

CHAIR HANSEN: Any changes from the Commission? Okay, hearing none, what's the pleasure of the Board?

COMMISSIONER HUGHES: Madam Chair, I move to approve the agenda as amended.

COMMISSIONER GREENE: I second.

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

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

**H. Years of Service, Retirements, and New Hire Recognitions**

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. I did want to recognize several County employees who are reaching significant service milestones with the County. Two individuals who are celebrating five years as County employees, Alicia Perea at our Corrections Department, Anthony Segura in the Sheriff's Department, and Lillian Armijo in our County Treasurer's Department is actually celebrating 15 years as a County employee.

At the same time, on the other end of the spectrum, we did want to acknowledge two retirements that are occurring in the month of March. Captain Nathan Segura with the Sheriff's Department is retiring on March 31<sup>st</sup>, and Joe Martinez in the Public Works Department is also retiring on March 31<sup>st</sup>. I want to again thank them for their many years of service to the County and wish them all the best as they start the next chapter of their lives.

On the other end of the spectrum, we did have 30 new hires during the month of February. We're pleased with those numbers. They were at various levels of the organization as well as in different departments. In the Community Development Department, Taylor Hohensee joined us as a Sustainability Specialist. We had several new hires in the Corrections Department, including our clinical nurse supervisor, Suzanne Jonas, several detention officers, Eddy Falcon-Valenzuela, Justin Leithead, Anastasia Lopez, Armando Meraz. And we also had Jason Tapia joining us as a detention officer, and Brandon Peterson joined our staff at the adult detention facility as a therapist. Finally, Rosalie Trujillo joined the Corrections Department as an administrative assistant.

We had a new hire in the County Assessor's Department, an Assessment Specialist II, Suzette Padilla. In the County Manager's Office, IT Generalist I, Edward

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Segura joined the IT Department. Kenneth Smith joined our Purchasing Division as a Procurement Specialist, and we had eight firefighter cadets join the Fire Department: Angel Irigoyen, Harrison James, Jonathan Kram, Oveidio Lujan, Benjamin Morgen, Richard Nunez, Jacob Serrano, Alexander Van Sickle.

And then the Health and Human Services Department or Community Services Department, we had a new driver/cook's assistant, Carlos Esquibel, as well as a certified Prevention Specialist Wendy Johnson. In our Legal Department, a new County Attorney, Enrique Romero. And in our Public Works Department in Project and Facilities Management, Ana Erazo Gomez and Carlos Villegas, as well as Isaiah Pena in the Solid Waste Department.

In the RECC, we had an Emergency Communications Specialists I, Basic, Lauren Lucero join the team. And then three Sheriff's Deputy Cadets, Javier Barron, Joshua Lopez, and Matthew Rabolli.

So again, we're very pleased to report such a significant group of new colleagues and employees joining the County throughout the organization, and so please join me in welcoming our new colleagues and acknowledging those who have been with us for a number of years, and also wishing well those who are starting the next chapter of their lives through retirement.

CHAIR HANSEN: Thank you, Manager Shaffer. That is impressive. I'm happy to see 30 people in one month. I hope we can keep it up and continue to have that level of employment because that is what we sincerely need at the County. Are there any comments from the Commissioners? So congratulations to the two people who are retiring and congratulations to the people for their years of service. We are grateful to all of our County employees and thank you for your dedication to the County. It is incredibly important to us. You are what make the County look good and so it is important for us to recognize your dedication to the County.

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

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. I'm going to do my level best to properly introduce this item before turning things over to our Community Services Department and specifically Anna War, the Senior Administrative Program Manager for Senior and Community Relations Division. We wanted to take the opportunity to acknowledge the very hard work that was done and performed during the COVID-19 pandemic by those who work in our Senior Services program. I think that what they did underscored some of the things that we greatly appreciate about County employees that was on display during the pandemic in terms of resiliency and flexibility, and also meeting the changing needs of our community, and in particular some of the most vulnerable individuals in our community that were rendered without some of our normal channels for food distribution as well as support.

To hit the highlights in terms of some of the services that were delivered I would offer the following: during the pandemic the County had to close its senior centers due to the risk associated with the pandemic to a vulnerable population. Some of the changes that came about as our Senior Services Department evolved in order to meet the needs of

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their clients would include the following: We increased our meal delivery routes from five to eight, and we almost tripled the number of meals that we delivered in an average month from 3,400 to 11,700 meals per month, in terms of again meeting the nutritional needs of our seniors.

We continued to provide rides for high risk medical appointments and our drivers had to both take care of themselves relative to PPE and sanitizing their vehicle but also take care of and protect who they were transporting to the needed medical appointments. The cooks in our six kitchens really increased their level of effort and output, preparing frozen meals for those who required evening or weekend meals so that they would again be able to meet their nutritional needs throughout the pandemic.

Our activity program coordinators adjusted how they do business to do assessments, as well as caring contact phone calls. The assessments were done over the telephone rather than in seniors' homes to ensure again that seniors were being assessed and their needs met in a COVID-safe manner. Again, we have the administrative staff in Senior Services who were providing all of the support to those who were in the direct care business in terms of ordering supplies as well as necessary trays to safely deliver home delivered meals.

And finally, as many did throughout the pandemic at the County, folks stepped up and took on additional roles, both due to vacancies occasioned by COVID-19, as well as short-staffing. That includes, for example, activity program coordinators stepping in to cook and screen individuals.

So I wanted to take this opportunity to acknowledge all that was done for our seniors by our Senior Services Division during the pandemic. It's reflective again of some of the better traits that were on display during the pandemic, but beyond that, it's reflective of the very real and very important work that these individuals do on a daily basis for our seniors. So thank you very much. We can never say thank you enough. Anna.

ANNA WAR (Senior Services): Good afternoon, Commissioners, Manager Shaffer. It is my honor today to acknowledge the wonderful team that I have, not only during the pandemic but all the time. A lot of our employees are employees who have been with us since the inception of the Seniors program with Santa Fe County and as Manager Shaffer mentioned, they have done a lot for this program. They deeply care about the seniors that we serve, whether it be in the senior centers, the home delivered meals, doing the assessment process, they genuinely care about these people, and the seniors genuinely love the staff. I can't tell you how awesome it is when I get calls from seniors to tell me how above and beyond my staff goes.

Specifically during the pandemic, as Manager Shaffer mentioned, everybody has put in a team effort to ensure that at the end of the day the people that we serve were served providing nutritious meals, taken to important dialysis appointments, cancer treatment, wound care, and that we did it in a safe manner.

So we do have certificates of appreciation for the staff. Not everyone could be here. I know my drivers are trying to make it but they are on routes. And some of our cooks couldn't make it. So I do want to acknowledge their names, even for the ones who aren't here, but for those that are here I do want you guys to come up and receive your certificate.

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So I'll start off with Aaron Price. He is a driver and cook's assistant with our Edgewood Center. Andrew Armijo, driver/cook's assistant at the Ken and Patty Adam Senior Center. Anna Medina, cook at the El Rancho Senior Center. Anthony Aragon, who is a driver/cook's assistant. Benjamin Cardenas, a driver/cook's assistant. Carlos Esquibel, driver/cook's assistant. Carrie Duvall, she's our cook at the Rufina lunch site. Christopher Browning, our transportation coordinator. Craig Dalland Who is our transportation, driver/cook's assistant. Damien Berry, cook's assistant for the Ken and Patty Adam Senior Center.

Francisca "Kika" Ortiz, who is our program manager and essentially my deputy. She is one who has stepped in. When we don't have cooks she will roll up her sleeves and go out and cook. She was actually doing transportation today. Gina Montoya, department administrator. Gina is responsible for all of the reports that go to the AAA, that provide the funding from them, and she is also one of the activity coordinators.

Jacob Calles, he is a driver/cook's assistant. James Martinez, a nutrition inventory specialist, who also doubles as our Chimayo cook now that we are short-staffed. John Jay Winton is a driver/cook's assistant. Jonathan Pacheco, and I really want to say Jonathan has been with us since the inception of this program. He has done everything from drive, cook, coordinator. Thank you, Jonathan. Josi Atilano is another one of our tenured senior staff. She's done everything also from cook to drive to assess.

Laura Dominguez – Laura is actually our department administrator over community relations side. By doing this she has stepped up to help us provide assessments. She did screening and fell in love with the seniors at the El Rancho Center. Lula Younts is our activity program coordinator at the Ken and Patty Adam Senior Center but she has actually helped us out at every center. She's one that helps us train and she's another one who helps cook and drive. Matthew Narvaiz is our nutrition coordinator. Norma Gonzales, driver/cook's assistant. Nancy Smith is our cook at the Edgewood Senior Center. Rosalie Vigil, our senior dispatcher. Rosalie is the person who answers the main line and is in constant communication with our seniors, and I will tell you when I answer the phone they don't want to talk to me. They ask specifically for Rosalie.

And the last one is Travis Darnell. He is one of our driver/cook's assistants at the Edgewood Senior Center. So I do want to say thank you, all of you. We couldn't do this without you. You're a wonderful team.

CHAIR HANSEN: So I think it would be nice if we were able to take a picture with everyone who is here just to show our appreciation and we're so grateful that you came to the chambers. But I will let Commissioners say a few words beforehand. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Rachel and your team. It is an honor. It's impressive what you do and I think that one of the most appreciative parts of our job is actually people not complaining about the things that we do normally up here but actually the services that you provide. And I get phone calls about the senior centers and what a great job you do there. So I'm sure that we all get calls on that. So thank you very much and congratulations everybody for your hard work and we really appreciate what you do. Our seniors appreciate it. They definitely need the services and we gratefully appreciate it. Thank you.

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

COMMISSIONER HUGHES: Thank you, Madam Chair, and thank you all. The senior center in Eldorado in my district is very, very popular and people couldn't wait till it reopened after the pandemic. They were so anxious to get back together. So I appreciate all the hard work and of course the meals that were delivered during the pandemic to keep people alive was also very important. So we really appreciate all of you who stuck it through. Thank you.

CHAIR HANSEN: Thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: I just want to say thank you and how much I really appreciated seeing you here and that you guys take the time to come and let us sort of get to know you and know some of the people that are doing the real and important work in our county. Thank you.

CHAIR HANSEN: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: I too want to thank you all. For every one of you there are people who hadn't had the chance to thank you and I can say personally the work that you do is so important to our community. What you do matters. Not a lot of people can say that. And you change people's lives without their realizing the small thing that you've done really is the difference. What you do to go make your living supports our entire community. It's so big. I have to also thank Anna War for the good work that she does with her team, how responsive, caring and dare I say loving in our community. So I couldn't thank you enough and I thank you from the bottom of my heart from everyone who wouldn't be here to thank you, and who may not think about it because they're just happy to have a warm meal or the services that they need. So thank you all sincerely.

CHAIR HANSEN: I also want to recognize Anna War for her years of service also to the County. I know she's retiring. We're sad to say, but we are extremely grateful for the work that you have done for the community. And the team that you've been able to lead through this pandemic. People don't always recognize how valuable the services that the County provides are but this is an incredibly valuable service to the seniors who were home-bound, who had no other possible contact during the pandemic. To have somebody come and bring them a meal is just so important. That human contact that they were able to have from all of you and I want to really recognize you and thank you for that. Because those are the kinds of things that people don't think about. Oh, they're great; they brought them a meal. But it might have been the only person they saw that day or spoke to during the pandemic. And that I think is one of the hardest things for people, going through this pandemic was the aloneness and the separation that people felt. I know that with the Rufina Center and all the centers in all of our districts, all the people are so happy that they can get back and have some personal contact.

So thank you once again. And I see Daniel is here to take our pictures. Yay. I would like you all to come forward but Commissioner Bustamante wants to say one more thing.

COMMISSIONER BUSTAMANTE: If I may, because I see Anna War getting a little verklempt. It is not physically possible to have a former student ready to retire. I'm not that old so you're not that old. Just saying. Thank you, Madam Chair.

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CHAIR HANSEN: She might be retiring from the County but I'm sure she's going to be active in her community. So thank you, and we will join you all up here.

[Photographs were taken.]

CHAIR HANSEN: I also want to say thank you to Rachel O'Connor. Rachel, I'm sorry that we didn't mention you and the main thing, your fearless leadership has been fantastic in Community Services and I want to recognize you for your dedication to community service and all the people who are underneath you. We're grateful for your leadership.

So thank you everyone for being here. I see we have one more driver. Somebody just showed up. Anna, do you want to give him his award?

MS. WAR: Yes. I'm happy to introduce you to Anthony Aragon. He is one of our driver/cook's assistants. He has been with our program for a long time. He left for a short period of time but he's back and we're so excited to have him back.

**2. APPROVAL OF MEETING MINUTES:**

**A. Request Approval of the February 21, 2023, Board of County Commissioners Special Meeting Minutes**

CHAIR HANSEN: What's the pleasure of the Board?

COMMISSIONER HUGHES: Madam Chair, I move to approve those minutes.

COMMISSIONER GREENE: And I'll second.

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

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

**2. B. Request Approval of the February 28, 2023, Board of County Commissioner Meeting Minutes**

COMMISSIONER HAMILTON: Madam Chair, move to approve.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HANSEN: I have a motion by Commissioner Hamilton, a second by Commissioner Bustamante.

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

**2. C. Request Approval of the March 8, 2023, Board of County Commissioners Special Meeting Minutes**

COMMISSIONER GREENE: Move to approve.

COMMISSIONER HUGHES: Second.

CHAIR HANSEN: I have a motion by Commissioner Greene, a second by

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Commissioner Hughes.

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

**3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS**

**A. Resolution No. 2023-032, a Resolution Renaming the Santa Fe County Carlson Park "The Nicholas Sanchez Park" in Honor of the Late Santa Fe County Correctional Officer Nicholas "Nick" Sanchez**

CHAIR HANSEN: This is in District 5, Hank Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair and thanks to those who had this idea. As many of you know, we are in the process of fixing up the park in the Carlson Subdivision, which is off Route 14 in District 5, and the suggestion was made by the community members to name this after the late Nicholas "Nick" Sanchez. A lot of people worked with Olivia Romo to write this lovely resolution and so I will go ahead and read the resolution and then, Madam Chair, if we could invite any representatives of the community who are here to say a few words before we vote on it.

CHAIR HANSEN: Of course.

COMMISSIONER HUGHES: Okay. So this is the resolution. A resolution renaming the Santa Fe County Carlson Park "The Nicholas Sanchez Park" in honor of the late Santa Fe County Correctional Officer Nicholas "Nick" Sanchez.

Whereas, on December 3, 1966, Conrad and Emily Carlson dedicated 0.367 acres of land in the Carlson Subdivision to Santa Fe County for the purpose of developing a recreation park for the enjoyment of its residents; and

Whereas, approximately 50 families are served by the park who have many children and grandchildren that need a safe place to play and hold community gatherings; and

Whereas, the residents of the Carlson Subdivision reunited with County staff in May 2021 to partner in the acquisition of state funding for improvements, design, and construction of the park; and

Whereas, the County, with the support from the residents of the Carlson Subdivision, successfully lobbied for and secured \$50,000 from the New Mexico State Legislature for renovations to the park and committed \$160,000 in County funds to guarantee the completion of the park; and

Whereas, the renovations to the park will consist of an ADA parking slot, fenced areas, half-court basketball pad, playground equipment set, two sheltered pads with picnic tables and a swing set; and

Whereas, the development of the park will improve the quality of life for the community and provide the opportunity for healthy activity and exercise for the youth; and

Whereas, the residents of the Carlson Subdivision sustain outstanding commitment and advocacy to the lives of the young people in their community and aspire to rename the park after an exceptional young man, Nicholas Sanchez; and

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Whereas, Nicholas “Nick” Sanchez, who grew up in the Carlson Subdivision, was known to be a caring, big-hearted person who would help anyone; and

Whereas, at the early age of nine, Nick had a poem published in the Anthology of Poetry by Young Americans; and

Whereas, Nick wrestled for Turquoise Trail, De Vargas and Santa Fe High competing in Billings, Montana, and in Dayton, Ohio, for the AAU Wrestling Grand Nationals where he placed 5th in his weight class. That same year, at the age of 17, he was awarded Sophomore Wrestler of the Year for Santa Fe High; and

Whereas, Nick was an avid hunter spending his free time in the Pecos Wilderness and Jemez Mountains with his bow, harvesting turkey and grouse; he was known for shooting a golf ball at 200 yards and also for splitting arrows, known as a Robin Hood; and

Whereas, as a teenager he worked various jobs as a landscaper, auto body repairman, woodworker, cook, ranch hand and heavy equipment operator; and

Whereas, at the age of 19, he was employed by the Santa Fe County Adult Detention Facility as a Correctional Officer where he developed a passion for public safety, using his wrestling skills for the security of the inmates and other correction officers; and

Whereas, on May 3, 2004, Nick Sanchez tragically passed away one month before his 20th birthday in a four-wheeling accident. The last gift in life he gave was being an organ donor; and – I’m all choked up. This is a wonderful story, but very sad.

Whereas, he is survived by his parents, Johanna and Robert Sanchez; brother, Patrick Sanchez; grandparents, Ernest and Rita Garcia; and Filimon and Celine Sanchez; great-grandparents, Pedro and Tillie Garcia, and great-grandmother, Dolores Sanchez; and

Whereas, the residents of the Carlson Subdivision desire to work with Santa Fe County to provide a park where all the young people can play and celebrate their noble neighbor, Nicholas “Nick” Sanchez.

Now, therefore, be it resolved that the Board of County Commissioners of Santa Fe County hereby rename the Carlson Park at 14 Emily Rd. in Santa Fe as the “Nicholas Sanchez Park.”

Be it further resolved that the County Manager is hereby directed to place appropriate signage at the park reflecting its new name.

And after we vote on it we can say it was passed on this day. So is there anybody in the audience wanting to say a few words?

RUDY VIGIL: Madam Chair, Commissioners, Manager Shaffer, my name is Rudy Vigil. I grew up with Nick. I kind of got the ball rolling on the park a couple years ago. It’s been a pleasure – you better watch out, Mr. Hughes. Olivia over here is going to give you a run for your money one day, I’m sure. She has just been amazing. Working with Olivia has been just awesome. When I brought the thought to her to honor the Sanchez family and Nick, the idea to change the name it was welcomed with open arms. And the fact that the Sanchezes are going to be able to have that park for their grandkids and their grandkids are going to be able to play in that park, it’s going to be an honor of their Uncle Nick, it’s just – it’s humbling. It’s been an honor to kind of be the liaison for the neighborhood and I just want to thank you. Thank you, Commissioner

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Hughes, for getting this resolution up and for a vote. I think that just having Nick as a friend when you're growing up and then having him die so tragically and not have the ability to have this park played in with his own kids, I think just having his family honored with it is just going to be great. And I appreciate your guys' time. Thank you very much.

RAE GARCIA: Thank you, Commissioner Hughes, Madam Chair. I am Nick's great aunt. This has been such an emotional time for us but it's such an exciting time. I'd like to acknowledge and thank the Vigil family for this going on for us. Thank you.

CHAIR HANSEN: Thank you very much. Is there anyone else from the family who would like to make a comment? I want to thank you for being here on this really special, important occasions. Is there any other comment from the Commissioners? Commissioner Greene.

COMMISSIONER GREENE: I'd just like to thank Commissioner Hughes for bringing this forward and to thank the family for remembering your kids, right? These are the things that we need to do. Parks are important for us and everything that we can do to make a monument to our future and to our past is a great effort and thank you for putting that effort forward. Thank you, Commissioner Hughes, as well.

CHAIR HANSEN: Yes. Thank you, Commissioner Hughes for your dedication and hard work on this. And I see Daniel has come into the chambers so I would like for us to take a photo with all of the family members and the friends who are here. I'm going to turn it over to you to make a motion, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I'd like to make a motion that we adopt the resolution renaming the park to the Nicholas Sanchez Park.

COMMISSIONER GREENE: And I'll second.

CHAIR HANSEN: So I have a motion by Commissioner Hughes, and a second by Commissioner Greene.

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

CHAIR HANSEN: So that means that this was passed, approved and adopted on this 28<sup>th</sup> day of March 2023 by the Board of County Commissioners of Santa Fe County. So yay.

[Photographs were taken.]

#### **4. CONSENT AGENDA**

- A. Resolution No. 2023-033, a Resolution Authorizing the County Manager to Approve and Sign Adopt-A-Road Agreements (Community Development Department/Nav Khalsa)**
- B. Request (1) Approval to Utilize New Mexico State Price Agreements to Purchase Communication Equipment, Totaling \$394,687.98, and Emergency Equipment, Totaling \$733,736.13, Inclusive of NM GRT, to Outfit the Sheriff's Office Fleet Units and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase**

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**Orders(s) (Purchasing Division/Bill Taylor and Sheriff's  
Office/Undersheriff Ken Johnson)**

CHAIR HANSEN: Is there anything that any of the Commissioners would like to take off the Consent Agenda? What's the pleasure? Commissioner Hamilton.

COMMISSIONER HAMILTON: I move to approve the Consent Agenda.

COMMISSIONER BUSTAMANTE: Second.

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

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

[Clerk Clark provided the resolution and ordinance numbers throughout the meeting.]

**5. APPOINTMENTS/REAPPOINTMENTS**

None were presented.

**6. MISCELLANEOUS ACTION ITEMS**

- A. Request Approval of the Memorandum of Agreement between the County and the City of Santa Fe Allowing the City to Install Unobtrusive and Passive Monitoring Devices on the Santa Fe River within the County's La Cieneguilla Open Space Property Located at Paseo Rael and County Road 56C (Calle Debra) to Monitor the River's Flow Level**

CHAIR HANSEN: Michelle, Nice to see you. Michelle Hunter.

MICHELLE HUNTER (Interim Utilities Director): Madam Chair Commissioners. Yes, the City has asked us for permission through this MOA to allow them to passively monitor the Santa Fe River, and I think it's a great idea so we thought we should bring it to you to see if you have any questions.

CHAIR HANSEN: I have a question. Will we get the data?

MS. HUNTER: Yes. I will check with them and I assume that they will allow us to have that data as well.

CHAIR HANSEN: Well, I won't vote for it unless we get the data.

MS. HUNTER: Okay. That seems very fair.

CHAIR HANSEN: Okay. Commissioner Greene.

COMMISSIONER GREENE: By the site plan here, and thank you for including a site plan in here. I think that anything that's geographically based should have a site plan, for future reference. Is the goal of this to have something before the waste treatment plant and something after, to sort of collect the flows?

MS. HUNTER: Madam Chair, Commissioner, yes. The first monitoring device will be directly after the wastewater treatment plant, as the effluent moves into the river, and then downstream a little bit to see what the flow looks like down there. So one is directly after the wastewater treatment plant so we understand how much effluent is

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going into the river and then later, downstream a little bit to see what kind of interactions the groundwater and the surface water are having so we know what's in the river downstream a little bit.

COMMISSIONER GREENE: Okay. I think I read it as above the wastewater, but that's fine. Either way. It just seemed like how much was going back in the river sort of measuring. I love the data idea too. Thank you.

CHAIR HANSEN: Any other comments?

COMMISSIONER BUSTAMANTE: Madam Chair, thank you for bringing this, Michelle. The questions that I have, with regard to – I get that it's unobtrusive. Does that mean it's not visible from the road?

MS. HUNTER: Madam Chair, Commissioner Bustamante, I think it would be very hard to see it from the road. It's just a little – it's a thing they hammer in there, so you could probably with binoculars see it, but I'm imaging that it's pretty small.

COMMISSIONER BUSTAMANTE: And Madam Chair, Michelle, does it have any potential to restrict the flow of water? It absolutely would just sit there and measure water? There is no real chance that someone may not literally trip upon it but come across it in riding bicycles? In all fairness, I'm making sure I understand everything before I get the questions of what did someone just put there? And I'm wanting to see how much someone would see and question so that I could be able to answer the details of what they may run across in that river.

MS. HUNTER: Madam Chair, Commissioner Bustamante, I completely understand and if it would be of value I can get a couple of things answered in the next day. Actually, by the end of the meeting I'll have answers so that you're more comfortable with answering questions regarding people's curiosity regarding the device. But no, it would not restrict any flow. It would just passively measure it from the bank.

COMMISSIONER BUSTAMANTE: Thank you, Madam Chair, Michelle. Thank you very much. If it's something that you really feel that, oh, this might become a question I would be grateful for any information you could provide at that time. It's not necessary if you really feel that it will look like another stick in the ground it's not a problem.

MS. HUNTER: Madam Chair, Commissioner, I will ask the question and get you some answers; that's not an issue. But I don't think that it will be any kind of thing that will result in questions, but let's just make sure that it isn't

COMMISSIONER BUSTAMANTE: Thank you, Madam Chair.

CHAIR HANSEN: Thank you. So I want to suggest that you change the MOU because I'm the chair and it has Commissioner Hamilton's name as the chair, so please correct that before I sign it. And then like Commissioner Greene, they're not going to monitor before the wastewater? They're only monitoring after the wastewater?

MS. HUNTER: Madam Chair, that's correct. I don't think – well, there's not much flow before the wastewater treatment plant.

CHAIR HANSEN: Right.

MS. HUNTER: So I will check with them to see what kind of monitoring they are doing before the wastewater treatment plant just to make sure we have sort of a baseline data. I think that's a great idea.

CHAIR HANSEN: Yes. And I want to know what kind of data they're

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collecting, and how much data we can get from – it's a flow meter. Okay, so they're collecting the amount of flow. But like what's the pharmaceutical content? What's the PFAS content? I want to know. Are they collecting any of this information?

MS. HUNTER: Madam Chair, no. This is purely volume. Flow of the stream, volume of the stream, what's moving past that. I'm going to go out on a limb here and say I predict that they will be doing some water quality sampling in the very near future.

CHAIR HANSEN: Doesn't the MS4 permit require some of that?

MS. HUNTER: Yes, Madam Chair, but not for the constituents that you just named. I do believe though that they will be looking for some of those things fairly soon.

CHAIR HANSEN: Okay. Are there any other questions from the Board? So you can guarantee we're going to get data?

MS. HUNTER: Madam Chair, I will make sure that that's true.

MANAGER SHAFFER: Madam Chair, I would just say absolutely. Over and above our working relationship relative to this issue it is public information. So it would be subject to IPRA if for some reason the data wasn't forthcoming as a cooperative entity.

CHAIR HANSEN: We might have to do that. Okay. So what's the pleasure of the Board?

COMMISSIONER GREENE: I move to approve.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HANSEN: Okay, so I have a motion from Commissioner Greene. I have a second from Commissioner Bustamante. Under discussion.

COMMISSIONER BUSTAMANTE: With all due respect, I cut Commissioner Greene off. I wanted to acknowledge that with the amendment to the resolution that changes the chair.

COMMISSIONER GREENE: Yes.

[light banter]

MS. HUNTER: Yes, Madam Chair. We'll get that fixed.

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

**6. B. Resolution No. 2023-034, a Resolution Authorizing the Disposal of Specified Solid Waste Without Paying Service Fees in Santa Fe County**

CHAIR HANSEN: Hi, Caitlin. Welcome.

CAITLIN WEBER (Community Development): Good afternoon, Madam Chair, members of the Board. This is a resolution to authorize two free residential solid waste days at County convenience centers for residents with a valid solid waste permit. Those days will be April 15<sup>th</sup> and September 16<sup>th</sup>. The April 15<sup>th</sup> event will coincide with the Great American Cleanup, and the September 16<sup>th</sup> event will coincide with a free residential solid waste disposal day hosted by the Santa Fe Solid Waste Management Agency at the Buckman Road Recycling and Transfer Station.

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The resolution also authorizes several free greenwaste disposal days at select convenience centers for residents with a valid solid waste permit. This is to encourage disposal of greenwaste at convenience centers rather than through open burning to reduce fire risk. And with that I'll take any questions.

CHAIR HANSEN: Thank you, Caitlin. During the pandemic we talked about Santa Fe County being able to participate in the Great American Cleanup, and so since then we have hired a volunteer coordinate to participate and help us coordinate with the Great American Cleanup. And so from what I understand we are still not participating and being able to provide like an Agua Fria Village or some of the close-in areas services to pick up trash. And I know I recognize that we are understaffed, but at the same time this is something like my village participates in, and I know that Tesuque Village likes to participate in the Great American Cleanup.

And so we need to figure out how to get this happening because this is something I have been asking for for a number of years since the pandemic because we participated in it when Carol Branch was here as our volunteer coordinator, and so I'd like to know when we think we can start participating again.

MS. WEBER: Thank you for that question, Madam Chair.

BRIAN SNYDER (Public Works Director): Madam Chair, I apologize. I don't have a good answer on when we can participate in this. We do have somewhat of a staffing shortage in Solid Waste, but our caretakers are having the facilities open and hopefully we'll see an uptick of participation in that. That was largely Public Works' part of this and wanting to make sure we can provide these services to the community in these areas.

From a standpoint of roadside events and [inaudible] those types of things I know she coordinates and manages, we do our best to have staff and coverage to clean up, and recently we've had challenges with the number of staff that we have on staff to be able to go out and clean up safely. In response to that we've allowed many organizations to come to our facilities and dump for free, as well as put bins out in certain areas to assist with some of those cleanups, in addition to keeping the centers open and offering them for free.

CHAIR HANSEN: I am extraordinarily grateful and I'm sure Commissioner Bustamante is of the bins that you put out on Caja del Rio when we have those cleanup days, but it is a really good thing to be able to participate in this Great American Cleanup because it is a really well advertised event, and to just have people, possibly trucks, picking up a few bags like in the villages, especially Tesuque, especially Agua Fria, where people are right next to the city and kind of feel like, oh, I thought we were part of that. And then they pile up the trash bags because I've seen this happen on the Great American Cleanup Day and then nobody comes to pick it up. So I'm just mentioning it because it's something that I think is an important way for us to participate in community organizations like this, and community days.

NAVA KHALSA (Community Development): Good afternoon, Madam Chair and Commissioners. One way that we are able to offer support, although we aren't able to – we haven't been able to schedule having people do pickups on Great American Cleanup Day is that I've reached out to all the organizations that we have and offered them gloves, safety vests and bags. So I haven't had any takers yet but we are offering

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those supplies in support of the Great American Cleanup.

CHAIR HANSEN: Thank you, Nava. Any other questions or comments from the Board? Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, guys. This is great. We need to encourage people to dispose of waste properly. Giving them a free day gives people an opportunity to sort of have some amnesty for that. Do we have a program for pharmaceuticals? Do we have a processing and a collection day for pharmaceuticals? And whether it's just an education day and a process, they don't take up very much space so in theory a free day any day should be a good way to get these off the street and out of our sewer system.

JACQUELINE BEAM (Sustainability): Madam Chair and Commissioner Greene, we do not have a pharmaceutical free drop-off day at this point. What we have listed in the resolution is what we have for the coming year. It is certainly something to think about. If not that, also programs for recycling with individual organizations, pharmacies, etc. that can kind of move into a program that is more pro-active as opposed to responsive or reactive.

COMMISSIONER GREENE: That would be great. Thank you very much.

CHAIR HANSEN: Thank you, Commissioner Greene. That might be something we could bring up at SWMA. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just wanted to say that I hope we will advertise this really well, because maybe if we advertise it really well I'll actually remember to take advantage of it, as well as everybody else who should be. Thank you.

CHAIR HANSEN: Any other comments from the Board? What's the pleasure of the Board?

COMMISSIONER GREENE: I'll move to approve item 6. B.

COMMISSIONER HAMILTON: I'll second.

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

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

CHAIR HANSEN: Thank you, and I hope we can start to participate in the Great American Cleanup with our partner, the City, or our neighbor the City. So Thank you.

MS. BEAM: Madam Chair, Commissioners, duly note and we will continue to work with Solid Waste on this issue. And I do want to just take a quick moment to say thank you to Caitlin Weber. This is her last BCC meeting. If you haven't already heard she will be leaving the County and we are eternally grateful for all of the work that she's done, not only on this resolution but many other contributions that she's made to keep our mission moving along and headed towards some successful goal completion. So we're all very sad but wish her all the best.

CHAIR HANSEN: Yes, I'm very sad to hear that she's leaving also, so thank you. And thank you for all your work that you've done for the County.

COMMISSIONER HAMILTON: Madam Chair.

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CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to note that with regard to the pharmaceuticals, it used to be – I don't know that they've done it really, really recently, the New Mexico Department of Health used to run pharmaceutical take-back and run the approved disposal, licensed for having opioids and that kind of stuff.

COMMISSIONER GREENE: I've heard of programs. I wanted to make sure that we were actively creating more and more and even a bucket at every drop-off.

COMMISSIONER HAMILTON: That might make sense but I think it might require a handling messenger or something like that. So maybe we could coordinate with them somehow.

CHAIR HANSEN: I think it does require specific handling because it is prescription drugs.

6. C. Resolution No. 2023-\_\_\_\_, a Resolution Adopting a Revised Organizational Chart for the Santa Fe County Fire Department. (County Manager's Office/Elias Bernardino and Fire Department/Chief Jacob Black) **TABLED BY STAFF UNTIL APRIL**

[The Commission meeting paused from 3:16 to 3:23 for technical adjustments.]

7. **PRESENTATIONS**

- A. **Presentation on the First Session of the 56<sup>th</sup> Legislature Outcomes and Potential Impacts to the Santa Fe County Clerk's Office**

CHAIR HANSEN: Welcome, Madam Clerk. You're up.

KATHARINE CLARK (County Clerk): Thank you, Madam Chair. So I wanted to present some of the changes to election law that were passed in the 2023 legislative session. The first bill was SB 180, which are the election changes. This is a bill that some version has been introduced in the last three to four sessions. All 33 county clerks agreed on four asks. The first one was that we would open legislation processing to the Monday after the County canvass. We call that the books opening. So it used to be all of the voter registrations were in giant books that we would take to polling sites, and we didn't want to process registrations while we were still working on the results. But now everything is digital so it does not make sense for us to wait around six weeks to start processing registrations.

To give you an idea of how much that slows us down, after the general election we did not finish process that backlog of registrations until the middle of March, just a few weeks ago. So we are hoping that we can catch up with registrations now that we don't have to wait forever to process registrations because they come in from MVD and from online, all during the period of the election, which means there's this giant backlog for us to catch up on. But we may need additional staff if we start seeing more processing requirements coming through. We're hoping it will flatten it out but there's no way to know because if they think we're going to start being able to process faster if they're going to start adding more things for our staff to do.

As you may know that in elections, we never have a break. So we have the two

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elections in the even years; we have one election in the odd year, but then everything that they say is not supposed to happen during election time happens this spring. So it's redistricting and all of the Board of Registration and moving all 110,000 voters by hand to put them in the right districts. So we are always busy in elections and we never get a break.

The second thing that the clerks asked for was that we could pay more. So currently in statute the clerk gets to decide how much the messengers, how much everyone makes during early voting, but it was set in statute to \$200 maximum for election day poll workers, which means poll workers are working 16, sometimes 20-hour days and only get paid \$200 for that day. This is one of the major complaints we were hearing from election workers, so now it goes up to \$400 maximum that we can offer to election day poll workers.

So the majority of poll workers do work election day and so we will see some costs go up but hopefully we'll also see more reimbursement from the Secretary of State.

Voters now will go back to the COVID rules. So it used to be, after the COVID rules sunsetted, voters could request an absentee ballot up until the Friday before election day, which means they would never get their ballots, because the Postal Service is taking seven to ten days to turn around, because all of our mail goes down to Albuquerque and then it comes back and it takes quite a while to get that mail delivered and so voters who are requesting the last week would never get their absentee ballot.

So what we have done is we've changed the deadline and so now you have to request 14 days before election day and then the requests are cut off. Replacements are cut off seven days before but we're hoping that we'll actually get to see people get their ballots instead of expecting to get their ballot last minute and then having to come up with alternative plan. This actually did work very well, even during the non-years when they were cut off because 85 percent of people are requesting their ballots quite early and we send out the majority of our ballots early.

We are the county that has the most, in proportion to every other county, the most absentee ballot requests, and of the 13,200 that we sent out for the general election in the fall, we got 12,500 back. So we're getting a significant proportion of our ballots back. It's just those stragglers who can't be convinced that they won't get their ballot. We need to cut them off so that way they have an alternative plan for voting and we're hoping that by publicizing this and getting the word out people will request their ballots early, return their ballots early to make sure that they all count. However, because we really, really live absentee ballots in Santa Fe County we expect to see more and more absentee processing demands.

So now, because during a special election we got to send a notification to every single person who was eligible to vote, and that was actually a good way to get the word out about elections. It was a good way of making sure everyone knew an election was happening, but that was not actually in the election code. So now we've made it that every voter will now receive a notice from our office that there is an election coming up. Which means we'll have some more mailing demands and more requirements of making sure that things are ready to go earlier, but it is a good way of getting the word out about where our drop boxes are located, how to vote, how to register, make sure you check your registration, and we're hoping that that will translate to higher turnout. We are the

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second – we are the county that has the highest turnout of the large counties and we're the second highest turnout in the state for the general election. We're just barely under Los Alamos and we're hoping that if we poke people and let them know that there is an election going on we will see higher turnout.

We also have the option now – these are some of the COVID rules coming back after they were sunsetted, that the Clerk's staff can now pre-process absentee ballots. So what now has to happen is we can pre-process and pre-qualify ballots but it has to be done by an election board and we have to convene the election board. We are putting the COVID rules back in, which means the Clerk's staff can pre-process those ballots, check underneath the privacy envelope to see if that person signed the ballot, and also included the last four of their Social, which means that that ballot can then move on to the opening phase when we're allowed to open. If we send out more than 10,000 ballots then we can start opening two weeks early. If we sent out less than 10,000 ballots we can only start opening five days before election day, but we're hoping that our giant sorting machine that the legislature bought and gave us money for two sessions ago, that \$450,000 we'll be able to buy the machine, and the idea is that we would pre-qualify the ballots automatically, where we essentially would have tablets where people could match with behind the tab on the ballot and the voter file and quickly – sort of the Tinder of qualifying a ballot left to right, depending on whether there's a match, so we could quickly qualify thousands and thousands of ballots that are coming in earlier, prequalify them, and then be able to count them as soon as the deadline happens for opening those ballots.

Voters now can cure errors, so it's kind of up in the air and left up to the clerks. The curing rules from COVID had expired but now we can cure, so voters have up until the canvassing period to cure their ballots, which is great because then we can send a notice. We already do this already in our county. We are ahead of other counties. We call them. We stalk them on social media. We try to figure out how to get a hold of them to let them know their ballot isn't going to qualify, but now it's required of all the clerks in the state.

One of the changes that is most going to impact our office most significantly is working hours are now limited for absentee board. So they cut us off. We can't work late into the night. We can't start early. So we have limited hours to process absentee ballots. So if we start seeing more and more ballots, our absentee board is going to grow and we need a place to put them. As you may know, we are very impacted on where we can have our absentee board, plus all of our processing machines, so our square footage demands are increasing because we know absentee demands are going to go up as the absentee process gets much more smooth, and then we need a place, basically a physical location to be able to process those ballots. And because we have limited working hours our absentee board is going to grow so the physical bodies we need to be able to put into a room to process ballots is actually going to increase.

In this general election we had a post-election audit, which means we had to sort through all 70,000 ballots to find the ballots from a pre-selected group of precincts to hand-tally those ballots, and that auditing process has now been expanded to every single election in New Mexico. Which means that sort of difficult thing that we make all of the presiding judges do, which is put all their ballots into precinct order in order to be able to

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be ready for that audit. We're trying to figure out a way to make that an automated process but essentially, one of the reasons why we have significant hours and long hours working on the polls is that after they've done the entire day of running their election then they're required to put those ballots in precinct order. And in some locations we're seeing upwards of 4,000 voters a day, which takes a very long time to get those ballots in order, but it's the only way that we are able to then be ready for the short turnaround for the auditing process. So we're trying to work on ways on making that faster, but some of the cost and labor and long hours is due to the fact that we are now going to start expanded auditing requirements.

Signature requirements, we now have signature requirements for write-in candidates in the primary. Same way we have know in 2020 during the primary there were three write in candidates for the Public Education Commission. So there's sort of a two-parter and they've changed the law. They've reduced the number of signatures required for the Public Education Commission to a third of what was previously required, hoping to incentivize people to go get those signatures, and they're also requiring some signatures for write-in because one of the reasons why this county – I think it to them 11 extra days to process those ballots after the election was because no one was running as a non-write-in candidates; they were all write-in candidates and it took them a very, very long time to process all of those ballots.

So we're hoping to see less at least delayed results from significant numbers of write-in candidates. That won't apply in the federal because by federal rule, anyone anywhere can run for a federal office, so that's why when you see a special election for Congress, people from California are running on that ballot as a write-in candidate, so it takes us a while to process those.

The third thing that the clerks had asked for was IPRA rules. So they've codified the importance of constitutionally protected secrecy of the ballot in that law and that the secrecy of the ballot, the documents that contain secrecy of the ballot are not subject to IPRA. So we're hoping we can clarify protecting voters from having how they voted protected in our Clerk's Office.

Some of the changes that don't apply to us but you should know, is that all voting sites are now VCCs. We already had that in Santa Fe County, but that's going to be true all over the state, which means that because VCCs are required to have adequate internet, that's how we make sure that we can synchronize the voter file and ensure someone didn't vote or isn't attempting to vote twice. So having adequate internet at all the polling sites is not required or was required when we had VCCs but there's going to be an emphasis now from the Secretary of State's Office, and a little change that was added last minute in one of the committees was not that elected officials can now keep their addresses private. Because of the shootings that they saw in Albuquerque they felt that it was important to take elected officials out of the voter file if people are requesting voter data.

So HB 4, also known as the Voting Rights Protections. This also provides additional protection for voter data. We would like to create a safety and security coordinator position to handle some of the increased security protocols that are being asked of us from the Secretary of State, including double-checking voter data to make sure it's protected. It specifically prohibits voter data, mailing labels, special voter lists,

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from getting out into non-government or non-election hands. That was in response to a judge saying that VoteRef could put that information online. The Secretary of State currently has a stay on those decisions, so you actually will see all 50 states' data but not New Mexico's data on voteref.com and they're hoping that by clarifying the law that they're sort of overruling what the judge decided.

We have streamlined the voter registration process now for formerly incarcerated New Mexicans. One of the biggest challenges is when someone shows up at the polling site on election day or any other early voting time and they have documents that say that they are released from their probationary period, we still, when we're trying to run them through the computer system says that they still haven't satisfy that requirement and we spend hours trying to track down the Department of Corrections trying to figure out whether or not the judgment still applies. This makes it very easy. If you show up in person you get to register and vote. So it makes it very easy and streamlined for our office.

We're creating a voluntary permanent vote by mail list, so this is what is known as permanent absentee. We expect Santa Fe voters to take advantage of this. This is the number one thing that is requested in our office. Voters get very frustrated by having to continue to request an absentee ballot every election in our county. They want to be able to put themselves on a list and then just get their ballot every time. Because we have the highest absentee requests in our county I expect that a full third of voters will probably move to permanent absentee by 2026, which will be more than 25,000 ballots. So we have to be ready in terms of square footage and machines to be able to do that since now the Secretary of State has also limited the hours we can process ballots. We have to be done by 11:00 pm on election night. If we're not done then those ballots don't get counted and we won't have our results.

So the ability to process quickly, hire a bigger board, have more space, have machines to process and automate is going to be really important to be ready for future elections.

We also saw on the Voting Rights Act the automatic voter registration. This is the idea that when you go to Motor Vehicles or another entity that has opted in to automatic voter registration, including some of the tribes can now opt in, your data as the voter would follow you. So instead of asking you to opt in at that point and then register to vote what it's doing is it just simply will register you. We will send out a postcard from the Clerk's Office to let that person opt out, but essentially the idea is that over 80 percent of the people who go to MVD do not opt to register to vote at that time, so the data is not following the voter. So this is essentially an opt out process, rather than an opt in process.

So we should see less processing demands right around election time as voter data sort of moves through the process yearly as they're getting new registrations or changing their drivers license information, but we don't know what will be the effect. So to be honest with you I'm hoping we'll see data just follow voters and we'll see a sort of flattening the curve of demand for processing all those registrations, but I really don't know. We'll probably continue to see surges but I really don't know if that will help us have less processing demand in our office. That's to remain determined.

Denver really couldn't tell me because they've done it in Colorado the last five years. They really couldn't tell me whether or not they saw less staffing needs because at

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the same time they had been modernizing election law and had more demand, so they weren't able to identify whether or not we would see more processing needs because of it or less. So I don't know. I just know that we'll have a lot of data coming in daily from MVD instead of people having to opt in. It's just everyone who changes their driver's license or their car registration in Santa Fe County, their registration will come through to our office and we will have to process it.

And then election day, for school holidays is for the general and the regular local election but not for the primary. And that should make it easier for us to run elections on election day for the general and the regular local election but we'll still have to wait for them to change the law on primaries. But since we have most of our sites on election day at schools it will make it a lot easier. One of the concerns the schools have of course, understandably, is that voters who are the public are coming in to vote and they're required to provide the space for us. Otherwise we wouldn't have sites for voting, but it does mean they always feel it's a security risk by having students there in person while we're trying to have voting and strangers coming in on to school grounds.

Native American voters can now use their tribal offices as their absentee addresses. We don't see as much of an issue in Santa Fe County. We do have the highest turnout among tribes in Santa Fe County; 82 percent is our tribal turnout which is considered very good. But if there is a difficult mailbox or a difficult addressing on tribal land in Santa Fe County, tribal members can use their government offices for their absentee ballot and then they can go pick it up.

Another important change is that any entity that's a government entity can now request a drop box. And if I were to say no because we don't have enough staff and it's really hard to pick up the drop boxes every day, because there's just a staffing concern, they can appeal to the Secretary of State. So it's actually the Secretary of State now who determines whether or not – where our drop boxes are and if they are in fair placement and if an entity wants one they can potentially get one. So that might increase our need for staffing as well if we start seeing more and more drop box requests in Santa Fe County.

And then another change is intimidation of election officials, so it's not a fourth degree felony to include employees, agents of the Secretary of State, county clerks, municipal clerks offices or election officials themselves. You may have known that Maggie had to go into hiding because she was threatened and my colleague who was the deputy down in Sandoval County had to go into hiding for a week or two because of – there was controversy around their meetings which were posted online and then people made some bad decisions about what they were going to say to election officials. We're hoping that a little more teeth in those laws will prevent people from doing things that are not well thought out.

Does anyone have any questions about sort of what's going on? I think what we're seeing is that processing for absentee ballots – that's my biggest concern is making sure – I would like to have an extractor machine where the ballots actually get pushed open and you can pull the inner envelope out, because in New Mexico we have an outer envelope, we have an inner envelope, and then we have to mill all of those carefully because now we're seeing a two to four percent damage of ballots just by the processing. If we can remove the human element and just have machines that help us at least open the

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ballot and then pull out the inner envelope and then open the inner envelope and pull out the ballot, we can do about 8,000 of those in an hour and so even if we see increased amounts of absentee ballots we'll be able to process them before election day.

But we really do need the square footage and I said 10 to twelve in the fall but now I'm thinking somewhere closer to 15,000 square feet. We need to be able to accommodate what I know will be enthusiastic use of the absentee process in Santa Fe County, knowing our voters. Any questions about that?

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Clerk Clark. Three points. One, our primary's in June, so usually schools are closed, so I think that's less of an issue.

CLERK CLARK: There's summer camp.

COMMISSIONER GREENE: The second one is we want to have internet at all of our polling places so we can make sure people are double-voting, right?

CLERK CLARK: Right.

COMMISSIONER GREENE: Running across town, voting three times. My question is about folks like if we have all these folks that are voting by mail and becoming permanent absentee, do we have a lot of people, our lovely folks who live in Texas part of the year and live in Santa Fe part of the year, do we have a way to check whether people are voting in multiple states or things like that? So that would be something to look at maybe in the future to see if there's a cross-reference there.

CLERK CLARK: I can tell you that we have something called ERIC, which is a consortium of states that have gotten together to share their voter file, and certain states are leaving, even though they're the same states that say our voter files are not accurate. They're also the same states that are leaving. We like the ERIC process because can on the back end compare all the Social Security numbers and I can tell if someone has registered in another state, then I can send them a notice saying, hey, just a reminder, you haven't canceled your registration here in New Mexico, and often we can get them to – I personally would like to do that by QR code so it's really easy and you don't have to actually send us a physical notice; they could just do it through a portal, but it is a way we can clean our voter file, but unless states are willing to cooperate, that probably will not happen any time soon, to be honest with you. Politically.

COMMISSIONER GREENE: And lastly, are we election officials? We certify.

CLERK CLARK: Yes. You do certify, so you are election officials. Yes.

COMMISSIONER GREENE: We are election officials. Okay. I'll remember to tell people not to intimidate me. Thank you.

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

COMMISSIONER HUGHES: Yes, I was wondering maybe, what's the first election coming up that all these changes are going to apply to?

CLERK CLARK: For things like the books opening, small changes that don't require an overhaul of the voter file, they happen in July of this year. Permanent absentee, I do believe will take effect in July. But the automatic voter registration, that, the Secretary of State was insistent there be a delay until 2025. And the reason for that is

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that our voter file is like an old C++ database that has been transported to something else. It simply cannot handle. So you may know that during the first day of expanded early voting – so that's when we have our early voting sites that are not the Clerk's Office, open, the voter file was down for the first two hours of voting because it just got overloaded by the fact that the clerks and the public are all talking to the same virtual server.

Now, I think they've made changes to that but I think that infrastructurally, like the way that voter file is set up, it's not ready to handle lots and lots of calls, especially same day voter registration, which we still have to do, and then also have automatic voter registration happening in the background. It is not ready, but we are told it will be ready by 2025.

COMMISSIONER HUGHES: Okay. Thank you.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes, first of all, thank you for presenting this, because it's really very helpful to find out and it sounds like most of the stuff was stuff that seems pretty useful that you guys were pushing for. That's really good. This is just a curiosity question. The limitation on hours for processing, that you have to be finished by 11:00 at night, was that something that you guys requested because people were working? Because that kind of surprised me, because that was like, it happens in a short period of time. The voting is that day and –

CLERK CLARK: It is something that I personally requested that they change to midnight, but it's not; they kept it at 11:00. And because we have such a big county, where Edgewood ballots take an hour and a half, and then Santa Cruz takes an hour and a half, we are really going to be under the gun trying to get our results in. It's going to be very, very challenging.

COMMISSIONER HAMILTON: Sorry to hear that, but the rest of it seemed pretty good.

CLERK CLARK: To be fair, I've been the first the last three elections to post some results, but to get those last little stragglers in from polling sites. That's what we're waiting on. We're always just waiting around for those chips and those absentee ballots that were dropped at the polling site on election day to sort of straggle in so they can quickly count them and get them up on the website.

COMMISSIONER HAMILTON: So is there a way to address that, or are you still brainstorming about what to do? Or both?

CLERK CLARK: I would like to – so we have some money, depending on what gets vetoed, the legislature did give me \$50,000 for the extractor machine. I need to add an additional \$30,000, but that will help the opening process to make that faster. I have, in terms of putting things in precinct order so the presiding judges can get back to us sooner on election night, I have requested an indexing program, but I don't know if I'm going to get it, so I may need to just pay for it myself and get Dominion to program it, because not every county does their procedure the way we do our procedure. They all put everything in precinct order to be fair, but not everybody wants to crank out the most efficiency as possible, like Bernalillo County, they just throw bodies at their election process. They hire like 1,500 people or something, and I don't think we actually have the unemployment rate or the retiring rate or – we just don't have enough bodies to be able to

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hire people.

So we're working on it, but I do think having the sorter, which will help. So basically the sorter I'm looking at is the kind that – and the state purchasing contract just came through, but basically it's the kind that the ballot comes in and has the privacy tab. And then the sorter I want is the only one that will actually laser off the location and not damage the ballot below but laser off the first layer, so actually, we would send out ballots without the tab. It would be a tab-less ballot and then we would create the tab with a laser and then it could scan underneath the tab and we could quickly qualify those ballots.

The extractor would help us take the inner and outer envelope really quickly. So the only thing is the lag is truly getting those ballots back from the polling sites on election night, and we may need to just send messengers to go do that quick. And it is adding bodies, but it is a way for us to be ready and done by 11:00 – when we turn into pumpkins at 11:00 and have to have the Sheriff come guard our ballots at 11:01. Yes. There's just a physical reality we have to contend with. Any questions?

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you. Have these been signed by the Governor?

CLERK CLARK: I don't know about – I think it's Thursday.

COMMISSIONER GREENE: A signing ceremony or something like that?

CLERK CLARK: Yes.

COMMISSIONER GREENE: But you feel confident that these will all be signed.

CLERK CLARK: I haven't checked on my money yet. I don't know if the money bill got signed yet, but I'm hoping because she gave us – I don't want to jinx it but we got \$805,000 for a warehouse or renovations. We got \$50,000 for a vehicle and \$50,000 for the extractor. So almost a million. So hopefully it will make elections better in Santa Fe.

COMMISSIONER GREENE: The policy bills, non-money bills?

CLERK CLARK: I think it's going to be Thursday because the celebration for it Thursday evening for HB 4 and SB 180.

COMMISSIONER GREENE: Planning a party.

CLERK CLARK: For synergy.

CHAIR HANSEN: Okay. Thank you very much. Thank you, Madam Clerk.

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

### **A. Miscellaneous Updates**

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. I did want to confirm for the Board that the first meeting of the Santa Fe County Office of Emergency Management Task Force is tomorrow at 10:00 am. It will be virtual and open to the public and I did want to confirm for you all that that was taking place tomorrow.

Secondly, I also wanted to confirm that all of the Board-authorized congressionally directed or community spending applications approved by the Board

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were timely submitted. In addition, our Community Services Department did submit ne programmatic request to provide continuation funding for the Law Enforcement Assisted Diversion program and enabled that program to continue operating before that comes onto the books as a fully funded County program.

Relative to the audio-visual in the chambers, as well as sound quality, I do want to acknowledge that that is an area of focus for staff and we are in the process of contracting with a vendor to make recommendations relative to the acoustics in the chamber, and we're also exploring the possibility of contracting the audio-visual services as I've come to understand that is separate and distinct from IT services. So we'll be exploring those opportunities in the future to increase the experience both of the Board as well as everyone else participating in our meetings.

Finally, we have completed budget hearings at the staff level for departmental requests. We will be proposing a series of special budgetary sessions for the Board in early to mid-May. The idea being that we would present the requests as made by the departments as well as management recommendations relative to the operating budget, and we would do those in chunks that correspond to how the County is organized – Public Safety, elected officials, etc., the County Manager's Office, and then we would have an additional special meeting or two where the Board could actually make decisions relative to the budget, so we are endeavoring to create a process that provides the Board with more complete information relative to what departments requested as well as management's recommendations concerning them and to do so in a way that hopefully is user-friendly, such that you're not bombarded with the entire County's ask at one time, and then also create space in which you can reflect upon the information that was presented before you make any decisions about what goes into the final budget.

We believe that timeframe, again, allows for the interim budget to be duly approved by the Board towards the end of May and also get it timely submitted to the Department of Finance and Administration. In order to accommodate that enhanced process, we're likely looking to have the capital budget looked at in June, so again, we're trying to do things in chunks to provide as much detailed information and options to the Board as possible in a way that aligns with DFA's budget process.

Finally, relative to the fiscal year 2024 budget, we are in the process of contracting with an independent revenue estimator or economist to help provide the Board and County Management with independent revenue estimates which obviously will be a constraining factor on anything that the Board and the County may ultimately propose. So that's it for my Miscellaneous Updates and I'd be happy to answer any questions.

CHAIR HANSEN: Are there any questions? Commissioner Hughes.

COMMISSIONER HUGHES: Not a question. I just wanted to thank Manager Shaffer for setting up that budget process. That sounds like we will get some good detail. I do think that the budget's a very important part of our job and important for us to understand what we're voting on and to have some input. Thank you.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to follow up on Commissioner Hughes, because I really do appreciate it sounds like an enhanced process. I wonder if it would be possible to start it a little earlier. I'm wondering if it pushes it

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kind of close, starting in May when we have to approve in May. It's basically a couple of weeks. At the County the process has usually been pretty well run to the extent that the information is well presented and organized and there's been a lot of thought. But still, you want to leave enough time for review and revision of things if that's really what the intent is.

CHAIR HANSEN: So before Greg responds, so I agree with Commissioner Hamilton. I am away from May 16<sup>th</sup> to the 23<sup>rd</sup>. So I would really appreciate it if it was started in April. It seems a little short to me also. Like if we're starting at the beginning of May to mid-May and we have to approve at the end of May, that doesn't seem like really enough time, and especially since I'm gone for a week. So I wanted to interject that before you made a comment.

MANAGER SHAFFER: That's fine. And we were actually going to present – again, the constraining factor is the revenue, and provide an overview at the last meeting in April. Our hope was that by investing the time in the presentation we would help really focus the Board on those things that are asked and that are changed, but we'll look at moving that forward.

The schedule we were thinking about again, contemplated that you would be getting the information in chunks, but that it would be clustered so you're not forgetting about the budget presentation that you heard two weeks ago but they would be centered around a period of time, and that we would build in several, again, weeks, to allow you to make final decisions. But we'll look at trying to start it the last week of April so that we have a bit more cushion. If that works.

CHAIR HANSEN: Any other comments on that?

## 8. MATTERS OF PUBLIC CONCERN

CHAIR HANSEN: I want to open Matters of Public Concern. Is there anybody in the chamber who would like to speak to Matters of Public Concern? Is there anybody online who would like to speak to Matters of Public Concern? Hearing none at the moment, I am going to close Matters of Public Concern.

### 9. B. **First Session of the 56<sup>th</sup> Legislature: Updates and Potential Action to Express Support for or Opposition to Legislation that Has Passed Both Houses and Are Pending Gubernatorial Action** [*Exhibit 1: Funding in House Bill 2 Related to Santa Fe County-Supported Legislative Initiatives; Exhibit 2: List of Bills Identified by County Staff for Consideration by the BCC.*]

CHAIR HANSEN: Thank you, Hvtce, for letting me catch up.

HVTCE MILLER (County Manager's Office): Good afternoon, Chair, Commissioners. I have some handouts to provide to everybody first.

CHAIR HANSEN: Thank you. Great.

MR. MILLER: Madam Chair, Commissioners, so let me begin just by going over the calendar of where we are within the session. The session ended on Saturday, March 18<sup>th</sup> and the bill signing deadline is going to be next Friday, next week's

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Friday, April 7<sup>th</sup>, anything not acted upon by the Governor that day will be pocket vetoed. And effective date of legislation is June 16, 2023 if it does not contain an emergency clause or a specific date of enactment within the bill itself. So those are the upcoming dates associated with this current 2023 legislative session.

So there were 387 bills out of the House and the Senate which made it through both chambers, the House and the Senate, and out of those 387, 29 have currently been signed into law and chaptered. There is one bill that has been vetoed and so that means there's still a lot of work to be done as far as all the legislation that needs to be passed yet.

What the County Manager had sent out yesterday and I believe is in the BoardDocs information for this particular item is there was a full list of the 387 bills passed, and within that list the items which had been signed into law are highlighted within there. And the next item was what I call the short list, but it was titled bills identified by County staff for consideration by the BCC. And so these are bills which are related to Santa Fe County legislative initiatives which we thought that we'd bring before you today to see if you would like to have us provide County endorsement to the Governor's Office for her to enact those specific pieces of legislation.

CHAIR HANSEN: So which attachment is it?

MR. MILLER: I believe it was titled Bills Identified by County Staff for Consideration by the BCC. It was the second attachment within – yes, it's four pages long and it has 24 bills in it. And so – yes, it is the handout.

CHAIR HANSEN: And it is online.

MR. MILLER: And it is online. So I can go through these rather quickly but just as a matter of clarification before I start, the tax package bill, HB 547 will be covered by our Deputy Manager Leandro Cordova, and any questions related to the specific projects or any other projects related to House Bill 505 I believe the County Manager will be going over those should there be any questions. So I'll go through these items first, and what I also provided to you in addition to the list of 24 items was two sheets related to House Bill 2 and another sheet related to Senate Bill 192. So House Bill 2 is the overall state budget, and Senate Bill 192 is what is referred to as the junior bill, and that is legislature and Governor provided allocations to state agencies for certain projects, so it's more or less like capital outlay but it's not to a specific item such as a building or a vehicle, but it can be to program services and items such as that. So that's why it's passed through state agencies.

So I will be going over the first sheet to – I had spoken about these at the last Commission meeting and these are the specific items and I have them listed by page number which was the final version of the bill that the Senate Finance Committee amended. And so these are where the specific items are located within the bill. And so the first item there shown as page 25, 26, and 27 is this \$20 million. That's for the school lunches, but within the element for the school lunches is that there's a provision that there's an initiative for them to buy local, and that is an initiative that the Commission has put forth that we supported.

The next item, page 192, is also a food item. It's a large sum there, \$11 million for community food, local agriculture, supply chain programs to improve food security. The next item, page 258 is a million dollars which can be provided to senior services for

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food insecurity. The last item on the front of that page, page 209, is \$4 million allocated for mobile homelessness response, and that's given to the Department of Health.

Page 192 is given to the Department of Finance and Administration, \$10 million to support housing and infrastructure, local governments' housing infrastructure. Page 193, 194 is to the Department of Finance and Administration, and this is the law enforcement capacity building fund. It shows two allocations, rather large allocations which are trying to enhance the number of law enforcement personnel that we have statewide, not just for State Police but for local entities as well. There's a \$32,500,000 allocation and a \$57 million allocation for crime reduction efforts statewide.

And so that would cover those particular items within House Bill 2. Also I should mention that there's a number of Environmental Department initiatives which I thought too lengthy to separate out here for this presentation, but if you would like me to I can separate those out for you to show you the different specific items within the overall state budget, which are for the Environment Department, just to note.

CHAIR HANSEN: As you well know, I care deeply about the Environment Department, so possibly you and I could meet and you could show me those. I'd be interested in that. I think maybe the rest –

COMMISSIONER HAMILTON: Just go ahead and hit it a little bit.

COMMISSIONER HUGHES: I think we'd all like that.

CHAIR HANSEN: Yes. Okay.

MR. MILLER: Thank you, Chair. I will provide that. And before going on to the list too I can just go through the specific items in Senate Bill 192, the junior bill. Page 65 of the bill, there's \$75,000 for education program for incarcerated individuals in Santa Fe County; \$80,000 for tourism for Madrid in Santa Fe County; page 80, \$180,000 for a homeless shelter and supportive housing services in Santa Fe; page 43, \$150,000 for housing options and resources for the homeless statewide. And in addition to the bill, which is just written language there is also provided online, a listing of all the appropriations within Senate Bill 192 and I didn't pass that out to you but it goes to 40 page and I have the items highlighted within this listed document so I can provide that to you as well so you can see which agency they're going to and the different allocations within a list form.

CHAIR HANSEN: I'm sure that other people would like to see that also.

MR. MILLER: Okay. I can make sure that we get that online as well.

And so with that I'll go through the short list, which is the four-page document that was the handout. There's 24 items on here but there's a duplication actually of one particular bill so there's only actually 23. We went over the items within House Bill 2. House Bill 505 is the capital outlay which we had discussed at the previous meeting. House Bill 547 is the tax items which our Deputy Manager will be going over. Senate Bill 192 I went over and that's the junior bill.

Senate Bill 309 is the reauthorization bill, so for those capital outlay projects which had been authorized in previous years, if we didn't spend all the money within those allocations we ask for particular projects to be reallocated, and that was provided to you in the email sent to the Commission yesterday.

And so there were seven projects which are contained in Senate Bill 309, one for the Agua Fria water distribution system. Another item for the Agua Fria water

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distribution system. For the Madrid mutual domestic fire suppression tank. One for the Pojoaque Fire District fire station's improvement. Another for Santa Fe County Eldorado fire station construction. Another for the Edgewood District fire station construction. And lastly, for the Madrid ballpark upgrade. And I had worked with our Finance Department and our grants manager to identify which of those projects that we saw that were not going to be spent – all the funds within those grants allocated before the year's end, or actually the County's fiscal year end by June, and so those were the seven projects which we identified and we asked for reauthorizations for.

MANAGER SHAFFER: If I could, Madam Chair and Commissioners, I would add for context that relative to the reauthorization of monies that had been appropriated for the potential Zafarano Drive extension, Brian Snyder is here with his team and they can answer where that's at. We will have funding and are on the verge of completing a location study report relative to that potential project, so it would be a potential launching point for future decision-making. So we've completed the phase that we were underway with. I believe the rough estimate that I received relative to that project, if there was a decision to move forward with it would be millions of dollars. And so the amount that the sponsors are reauthorizing for the Agua Fria Community Water System Association is approximately \$100,000 and change. So nothing that would get us any closer along in the process, and again, to the best of my knowledge, the Agua Fria Community Water System Association could use those funds.

The Madrid water/fire suppression tank, my understanding is that, again, the Fire Department has been working with the Madrid community to come up with a plan that would allow for increased non-pressurized fire suppression capabilities in the Madrid area. That's a non-pressurized underground tank with strategically placed fire hydrants, and that language change allows for that agreed upon solution to move forward.

With regard to the various fire stations, the request was made to loosen restrictive language and provide greater flexibility to the County and ultimately the Board of County Commissioners to use the appropriated funds within the fire district for which they were allocated, if not for the very specific purpose that the initial language included.

And then finally, with regard to the Madrid ballpark, that was simply to request additional time to expend those funds. So I hope that additional context is useful for you as you think about those reauthorizations, and I'd be happy to answer any questions.

CHAIR HANSEN: So I'll just start by saying there is a meeting on the Zafarano Extension on April 5<sup>th</sup> and just be clear that the Agua Fria Village has basically said they're not interested in this extension. And so this is just a study and they're hoping that the study will show that some of the other roads actually need more attention than building a new road. And so do we have the \$100,000? I don't know how much of it we've used, but that was just to do a study and understand the exact alignment. So this meeting on the 5<sup>th</sup> I believe is a public information meeting. Yes, Commissioner Hamilton.

COMMISSIONER HAMILTON: Okay, so now I'm really confused. Are we talking about using money that was allocated by the legislature for an Agua Fria water system, to use it on this road?

MANAGER SHAFFER: So I'll do my level best to unpack it. Money was appropriated – I don't believe at the County's request – to look into a potential extension

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on Zafarano Drive from Rufina Street to Agua Fria Street. So we have utilized some of that funding for purposes of studying the issue and we are in the process of completing that study and again, the Public Works Department is here to answer more specific questions. But there will be a public meeting as the Chair mentioned next week to go over the results of the study but that concludes that component of it. The money that remains from the appropriations that were provided, that's what's being reauthorized in the bill if the Governor signs it into law, is that they're taking the unexpended money and they're by law putting it to another purpose which is the Agua Fria Community Water System Association in Santa Fe County.

So the initial appropriation was for the potential road extension. We spent the money to do the study. The amount that's left over is being redirected by the legislature, if it's signed into law, towards the community water system in Agua Fria.

CHAIR HANSEN: And I'm sure that everyone in Agua Fria supports that.

MR. MILLER: Madam Chair before I move on to the next bill I just wanted to note that in the first column is the resolutions which specifically relate to this particular piece of legislation or simply states that it relates to County operations, so that first column there is indicating how this particular piece of legislation is related to Santa Fe County.

The next item is House Bill 512, exempt counties from sale and disposal of property requirements. So what's in place now is that municipalities don't have to go through the same requirements as counties do for disposing of obsolete, worn out or unusable personal property or sale of real property. So that just puts – this bill just puts us in line with municipalities in allowing us an easier course for getting rid of old items or things that we don't use anymore.

Senate Bill 324, increasing county compensation to assessors and appraisers. So our county assessors and county appraisers go through various trainings to do their jobs, and what this piece of legislation does is tie their training and their advancement within their jobs so that they can get pay raises in accordance to training levels that they complete. So this isn't required, but it allows the County Commission to provide those raises should they want to if this piece of legislation is enacted.

Acequia and community ditch disaster response funding – this bill provides more funding, and this is related to wildfires which have occurred in past years, so this just allocates more money for acequias and ditches for more funding to provide repairs to any incidents that have been caused through wildfires.

Going on to the next page, House Bill 204 at the bottom of the page, that first item there is the duplicate item so we'll skip over that. And the next three items are related to elections and I believe that the Clerk had gone over those, House Bill 4 and Senate Bill 43 and Senate Bill 180.

Senate Bill 248 is related to the probate court. Probate court administration, jurisdiction and funding, and this just provides in law some specific requirements in funding that the County is obligated to provide to probate courts. Currently there's ambiguity between the different counties and the probate courts throughout the state, so this just puts all the counties and all the probate courts in line with each other so that they know what the county is supposed to provide and where the line is drawn that they're not.

House Bill 306, unlawful purchase of firearm for another. Simply put it's putting

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restrictions on other persons buying firearms for individuals who aren't supposed to be in possession of a firearm.

Senate Bill 425, county detention facility treatment programs. So this creates a medication assisted treatment for the incarcerated program fund as a non-reverting fund in the State Treasury and appropriates that fund to the Human Services Department to assist all counties that operate correctional facilities to establish and operate medication assisted treatment programs. So with the abundance of state funding this year they put in place this funding so that if counties do want to operate such a program within their correctional facilities there's a fund so they can do so.

Going on to page 3, firefighter recruitment fund, House Bill 345. So unfortunately this bill was passed and established the fund but it didn't have an allocation to it so there isn't money within the fund right now. And so this is similar to the law enforcement recruitment fund, which the state has this fund and they provide it out to localities and also the State Police so that they can encourage and retain and bring in new law enforcement agents. So it's the same concept but with the firefighters. Like I had said once again, unfortunately it was not funded.

COMMISSIONER BUSTAMANTE: Madam Chair, I'm sorry. I just need some clarification. So they established a fund with no money in it?

MR. MILLER: Madam Chair, Commissioner Bustamante, believe it or not this is the way that a lot of these state funds are created in their initiation is that they are created first and then they look for the funding second. I've seen this done with water programs in the past where they establish the fund just to I guess get everything in place within that specific department which is supposed to manage the fund before going full blown, giving them money, and expecting that agency to manage the program itself too. So I think it just gives them time to get familiar and understand the ground rules by which they're going to operate the fund.

CHAIR HANSEN: It's also one of the ways that Senate Finance gets something funded. It was one of the ways that we were working to try and get the climate investment fund done with no money because then Senate Finance doesn't have to worry about it in the budget, and it's also a way for you to get state money or federal money. Like there possibly could be federal money in a number of these bills, the infrastructure and reduction act or the bipartisan – a number of those bills that were passed. So it's a way that they could get money through that also.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Well, I imagine you're going to want feedback after. There are a number of bills here, but if this is one that needs to be – this and the very next one that needs to be supported so it gets signed, it would be a really good one to support to get signed, because even without money getting it started and having a place to put money when it becomes available would be – it would be valuable to us at the County working so hard to build our Fire Department.

MR. MILLER: Madam Chair, Commissioners, another particular item with this fund is – and what legislators brought up as well during its path through the legislative session is that it is currently worded so that it's only for full-time firefighters. And so they were looking, knowing that they represent rural areas within the county that

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volunteers are an integral part of the firefighters within the state, so I think they were just looking to get something in place but they're also looking to have some element of volunteer firefighters included within this fund as well because they're a much needed part of the firefighting community throughout the state.

COMMISSIONER HAMILTON: Thank you. And it does cost money to recruit them as well, and it's often done jointly. But thanks for that information. Thank you, Madam Chair.

MR. MILLER: Absolutely. Next item is law enforcement and public attorney workforce capacity building fund. So the law enforcement fund is already in place and funds have been given out throughout the state for different law enforcement agencies to do recruitment and retainment programs within their own agencies, and so this was basically putting more money into that fund. But also the new element of this is that they're trying to recruit public attorneys and I'm really not sure how it got put into law enforcement but it was – I saw that this bill was going through and the need for public attorneys throughout the state was also crucial so it was included in this bill. So same kind of mentality of having a fund which you could use to get public employees put in place which are in desperate need throughout the whole state.

Senate Bill 19: The title here is kind of misleading. It says law enforcement, public safety telecommunicator training. And so what this bill includes is – what they are trying to do is have uniform training for not only the law enforcement telecommunicators but also law enforcement agents themselves throughout the state. And so this bill contains elements that would regulate uniform training across both the telecommunicators and also the law enforcement officers throughout the state. So it does a little bit more than what the title says it does.

Senate Bill 250, that's pretty straightforward, increases death benefits for firefighters killed in the line of duty and in the short description that increases from \$250,000 up to a million dollars.

Distribution increase for law enforcement retention fund, Senate Bill 491. This relates to insurance premiums. So what this does is earmarks ten percent of health insurance premium tax revenue for the law enforcement protection fund. So in recent years this has been underfunded, and so with this piece of legislation this would resume the level of distribution that this fund had seen in the past. So this brings it back up to where it needed to be.

House Bill 195, forest fire prevention, changes to the Forest Conservation Act. So another bill related to the recent wildfires and the wildfire danger that we all face throughout the state. So this authorizes the Forestry Division of EMNRD to do suppression, control, suppression rehab and repair post-fire rehabilitation, erosion control, riparian restoration, seeding and reforestation. So it more or less addresses the issue, all the effects and precautions you could take related to wildfires. So that puts it into law that –

CHAIR HANSEN: Is there any money attached to this bill?

MR. MILLER: I believe so and I would have to find that located within the state budget.

CHAIR HANSEN: Because a number of these things – I certainly support this but if it doesn't have any money it's kind of worthless. And seedling and restoration

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of burned areas is something that really needs to start happening especially in all of the areas that have been burned. I know that the Forestry Division does not have any seedlings or resources at the moment. So I would be interested to know how much money is attached to this bill for them to do this work. If we're passing this bill – and thank you, Matt McQueen for bringing this forward but if it doesn't have money it doesn't really serve its purpose.

MR. MILLER: The next bill listed here is House Bill 228, Improvement Special Assessment Act. So the title itself is a little vague but what this does is create a new financing mechanism to encourage improvements that improve resiliency, energy efficiency and water conservation projects. And this relates to our sustainability initiatives that the Commission endorsed. And so you can create a new special assessment district as long as the project fits within those parameters, which are environmentally friendly. So the project has to improve resiliency, energy efficiency or water conservation. So just a little bit: A board of county Commissioners would enact an ordinance establishing a program in which improvement loans would be repaid by special assessments on an eligible property.

One element missing within the bill though is that the Economic Development Department works in conjunction with the County to set forth guidelines in which they have what qualifies as one of these qualifying projects. So that's still needed and that's not in place right now. So even if the bill was passed the Economic Development Department would have to set up these guidelines so that the County could follow them and then put in place these special assessment districts for these projects.

Our next item here is Senate Bill 9. And I have been told that that has just been signed into law so it will now be in place. This falls in line with our sustainability initiatives and provides money to environmental, cultural and historical preservation, appropriate \$75 million, and also appropriates money to the conservation legacy permanent fund for \$25 million.

And the last item on the back, page 4, is no prescribed burns during the spring season, Senate Bill 21. And that is a straightforward piece of legislation. No prescribed burns between March 1<sup>st</sup> and May 31<sup>st</sup> of any year, just because it's super windy here in the state of New Mexico, so it will just be state law that you can't do prescribed burns.

CHAIR HANSEN: I completely support that and I see other Commissioners supporting it and so I hope we will send a letter in support of that bill. I think it passed the House and the Senate with a large margin.

MR. MILLER: I don't believe there was any opposition as it went through. With that, those are the items I wanted to speak about and I'll let Leandro talk about -

CHAIR HANSEN: I think Commissioner Hughes has a question.

COMMISSIONER HUGHES: Yes, I just had a couple of quick questions on this part. Is there any reason to think that the federal government will follow Senate Bill 21? My understanding is they aren't legally obligated to but can we hope that they would respect that anyway? Was there any discussion of that during the –

MR. MILLER: Madam Chair, Commissioner Hughes, yes, there was, and the idea behind it is to show, to demonstrate to the federal government that there's strong support from the state and the fact that they would enact a law saying that they don't

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want these prescribed burns. So it is the hope that they will follow this law put forth by the state saying that we find it so important that you should take a look and really second-think, third-think any prescribed burns during the spring season in New Mexico.

COMMISSIONER HUGHES: Thank you. My other question is on House Bill 306, the unlawful purchase of firearms for another. Is that the only gun safety bill that passed both houses?

MR. MILLER: Madam Chair, Commissioner Hughes, the other bill that was passed is House Bill 9, which is the restricted access of firearms to children, and that has already been signed into law, and that's why it's not listed here. So that's already in place. But as far as the multitude of gun laws that were in place, these are the two that did make it through the session.

COMMISSIONER HUGHES: Thank you. Senator Wirth before the session was pointing out that just up to a few years ago the legislature was passing bills to make it easier to buy guns and carry them around in various places. Then there were a few years where there were no bills that passed either way and now we're going very slowly in the other direction. But we can hope that that speeds up and we get some real gun safety laws in addition to these two that passed. Thank you. That was my questions for now.

CHAIR HANSEN: Are there any other questions for now? I [inaudible] the bill on the prescribed burns is similar to the Holtec bill that was also passed through the House and the Senate. It's basically telling the federal government you can't bury that waste here. This is another bill that is telling the federal government you can't have prescribed burns here. How much the federal government will listen to us is one thing, but it is also up to us as constituents to make sure that these are supported and that the federal government does listen to us. Commissioner Greene.

COMMISSIONER GREENE: Unlike Holtec though, we could withhold our fire support, and so any backup fire support for their – they would have to bring in literally the army or the National Guard to fight fires, so if we decided that we did not want to support it we could do it through withholding. It may not be – they've got to put their money where their mouth is.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: I can't help myself. Strategically that might sound good. I don't think there's a firefighter that would actually be able to do that because it's a matter of protecting life, so it becomes a moot point. It's an empty threat.

CHAIR HANSEN: Yes. Thank you. Thank you Commissioner Greene and Commissioner Hamilton. Okay, I think we can go on to Leandro. Welcome. And you are going to go over –

LEANDRO CORDOVA (Deputy County Manager): Madam Chair, Commissioners, I'm going to kind of go over House Bill 547, which was the tax changes bills, and I'm going to kind of focus on more specifically on how it may affect local government tax revenues. The FIR indicated that in fiscal year 24 it would be just over \$30 million deduction overall for all local governments, and in 25 it would be a little over \$31 million, and after that it gets cut in half. So the reason for a lot of that, and I guess let me start with what affects local governments the most in most of the big tax changes.

It does come around to Medicaid, Medicare exemptions as well as healthcare

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exemptions for a lot of purposes, a lot of reasons, but overall, I think the discussion and goal was to try to lower the cost to healthcare by removing some of these duplicate taxes.

And so that is where we would see the biggest reduction in revenue. However, there are smaller pockets as well in things like childcare deductions as well as dyed diesel fuel GRT exemption. That's specific to agricultural, so that would affect the county area. No longer would you be expected to pay a GRT tax on your delivered dyed diesel if you're running a farm, for example.

I think some good news in all of this is, as I mentioned, in fiscal year 26 you start to see our impact cut in half because some of this is just moving money from one pot of money to another, which state road funds is the primary one and we would then have greater access to the state road fund, which would be an advantage to local governments if we could get into that competitive process for state road fund projects.

The majority of the cut was at the state level. We don't know and I can't give you detail as to how it would really affect us until we actually see it in progress and how it affects us as specific to Santa Fe County. There were also some deductions in regards to geothermal energy. So some of these are not necessarily relevant to Santa Fe County and some of them might have a bigger impact on municipalities as opposed to county government. But at the end of the day, we may also see increases to programmatic funds like DWI, knowing there was an increase in the liquor excise tax. So we may not get the tax from it but we may have increased revenues to be able to continue our programming in those areas.

And so I'll try to stand for questions. This was one of those big, heavy, convoluted bills that didn't get done till the very end because there's a lot in it and I think one last thing I'll say before I open it up to questions is the concern that was really loud was the pyramiding and how pyramiding removal would have affected local governments. And although it might be good in premise, that would have been a major impact, and I think very early on in discussions in committee, the municipalities came together and made their voices very loudly heard as to how that would impact them in a negative way, and that was removed from the overall package.

The other, I think, concern to us was the film credit, and we understand how that will change. We don't know the impact yet because it's not necessarily taking away from us but it's incentivizing them to move away from us and go to other parts of the state to do these film productions. So it's hard to say how bad it will hurt us. I think in the short term we have the infrastructure in Santa Fe County. I don't anticipate a big rush of all of these moving to where the incentive is greater. However, over time that may be something we need to keep an eye on.

CHAIR HANSEN: So that was included in the bill? It was not removed?

MR. CORDOVA: It was included in the bill. Last minute there were a few, I guess, concessions as they consider it in terms of some of the radius. It wasn't, at the end of the day, the 60-mile radius wasn't on our county line; it was from the county seat. And so it narrowed a little bit of that 60-mile radius, but it did still affect quite a bit of northern New Mexico and a lot of rural areas, not just within Santa Fe County but definitely rural areas in Mora County and Taos County, Rio Arriba. I think there was a concerted effort at the end from our local delegation to address it, and I think – like I said, it was a concession, so at the end of the day this was a bill that was really pushed an it

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was important, I think to try to get some kind of reform done. And so we'll have to see what those final impacts are on us as we actually realize impact.

The County Manager mentioned earlier that we are going to hopefully engage with somebody to help us with revenue projections specifically to GRT and we may continue that project to look at some of these impacts as well to see if that can be projected based on what was actually passed.

So I will try to stand for any questions but I may not be able to answer them all.

MANAGER SHAFFER: If I could, Madam Chair, and I'm sorry to jump in, Commissioner. At the end of the day, our understanding is it's very much backed by the Governor, so I don't know that I'd recommend investing a whole lot of effort to lobby against these specific provisions. And relative to the impact I just want to underscore that the estimated impact to local governments from some of the various deductions and exemptions from gross receipts, those are statewide figures. Those obviously weren't specific to Santa Fe County, so I don't want you to take away the impression that we're losing \$30 million. No. That was a statewide estimate as to the impact. Thank you, Madam Chair and Commissioners.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you for the presentation, Leandro. Thank you, Madam Chair. The film credit, I understand – I've gotten feedback from a few legislators that we will have a change to propose something for next year, most specifically that works not necessarily for the extra five percent for our area, but more importantly for the 25 and 35 percent that our native tribes are completely excluded from. And so while we can complain about the five percent, honestly this film tax rebate is significantly detrimental to our tribes and so with Tesuque Pueblo already in the film business and two other of the northern tribes interested in entering into the film industry, we've gotten a few members of the legislature interested and realizing that, oh, my. This is very unjust, and we need to address this next year. So hopefully we can help them with that and work in the interim to do this so that we can get our tribes included in this. Thank you.

CHAIR HANSEN: Yes. Thank you, Commissioner Greene. I wholeheartedly agree that the tribes should be able to benefit from this also and unlike this was really written for Doña Ana County and Las Cruces are. And I agree with Manager Shaffer that this is a bill that is supported by the Governor so there's really no point in opposing it. This is some of the things that she wanted. So thank you.

With that, are there any other presentations or part of this from Hvtce or yourself, Manager and Leandro, Deputy?

MANAGER SHAFFER: No, just we'd be pleased to take direction from the Board if there are any items that Mr. Miller presented in terms of bills or specific funding that you would like us to formally weigh in with the Governor as being in support of. We'd be pleased to get that direction to make sure we captured them all and move forward. And then obviously if there is something that we didn't highlight that you'd like to put on the table that will be appropriate as well. But we do want to make sure that we're voicing the opinion and desires of the Board.

CHAIR HANSEN: So from the County Board, is there any bill that you're opposed to? I thought I would start in that regard and work the other way. Okay, so

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hearing none, does that mean you want us to support most of these bills? So hearing nothing there either, I think the ones that we mentioned during the presentation – definitely I support the no prescribed burns in the spring and then the other one for the Forest Division at EMNRD. One of the other ones I supported has just recently signed, so Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I was going to say I think we should support SB 425, the county detention facility treatment programs, because that might be some funding that we want to access for our detention center. And we should support House Bill 306, but I don't think we need to do anything because the Governor wanted that bill, so we probably don't need to write a letter. But it might not hurt to write a letter for SB 425.

CHAIR HANSEN: Okay. Anything else from the Commissioners?  
Commissioner Hamilton.

COMMISSIONER HAMILTON: Well, we already mentioned it, the firefighter recruitment bill, and frankly, the other recruitment bill because both are workforce recruitment money that might help the County.

MANAGER SHAFFER: And just to be clear, so what I have in the general rubric of recruitment and capacity building are House Bill 345, House Bill 357 and Senate Bill 19, Senate Bill 250, which relates to the benefits and I would score it as a potential recruitment incentive or at least a retention incentive. And then also Senate Bill 491. Did I get them all?

CHAIR HANSEN: No. I think Senate Bill 309, the funding for county projects.

COMMISSIONER HAMILTON: I believe the Manager was listing all the recruitment bills, not all those for support.

MANAGER SHAFFER: That is correct, Madam Chair and Commissioner. I was just attempting to identify all of the recruitment and retention related legislation.

CHAIR HANSEN: Any other comments from the Commission?

COMMISSIONER BUSTAMANTE: Madam Chair, Senate Bill 7, the rural healthcare delivery fund is something that has potential to benefit our services on the county.

CHAIR HANSEN: I don't believe I got that.

COMMISSIONER BUSTAMANTE: It was one of those that we were mailed.

CHAIR HANSEN: Oh. You printed it out. I didn't get it printed.

COMMISSIONER BUSTAMANTE: Senate Bill 7 creates a rural healthcare delivery fund to be administered by the Human Services Department to provide grants to defray operating costs of rural healthcare providers. It has not been signed but it is in the Governor's Office. It appropriates \$200 million non-reverting to the fund for use in FY 24 and subsequent years. It's a healthcare one. The other one that is in the Governor's Office is Senate Bill 9 for new land grant, environment, and cultural permanent funds.

CHAIR HANSEN: She signed that.

COMMISSIONER BUSTAMANTE: Recently? Okay. Great. That's it.

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CHAIR HANSEN: I would also support the Creative Industry Division and fund. I think you've all heard me say many times we need more art in County buildings. I'm a big supporter of the arts, considering I have a master degree in art and am an artist myself, so I would like to see the creative industries supported.

MANAGER SHAFFER: No one has mentioned it but staff would definitely recommend support for House Bill 512. That would put us on equal footing with municipalities and do away with the requirement that dispositions of personal and real property be approved by either the Local Government Division of the Department of Finance and Administration or the Board of Finance.

CHAIR HANSEN: Yes. We can support that. I think that House Bill 160 – has that passed? Has she signed it? It's easements for broadband internet infrastructure. I think we all support that. I don't think I can go through all of these bills in the time we have allotted. I think she has signed a number of bills into law but as we all know, there are not enough hours in the day. So I suggest that people look through this list. If there's anything that's really important, maybe by the end of the meeting we can get back to the Manager and Hvtce.

MANAGER SHAFFER: So we can go back to that item before the meeting adjourns if that makes sense, Madam Chair.

CHAIR HANSEN: Okay. That sounds good. And with that, are we going to go over the capital outlay or was that not part of the presentation.

MANAGER SHAFFER: I'd be pleased to answer any questions that I could. I believe the information had been previously provided in terms of the raw numbers in the document that was uploaded to BoardDocs. It identified those that were on the ICIP, what the funding gap was, how much was allocated as a percentage, as well as those that were not on the ICIP. So that's being broadcast now and as I said, I'd be happy to answer any questions.

CHAIR HANSEN: Any questions from the Commission on the capital outlay?

COMMISSIONER GREENE: Madam Chair.

CHAIR HANSEN: Yes, Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. So, happy to see a bunch of projects funded, even if only a fraction of them. There is a question going around about the frozen money that the City of Santa Fe has currently due to the delayed audits. And one of the questions that I've brought to some of our City Councilors was that I would now put to the County Manager and our Finance Department and our Public Works Department is to see if there's any way that we can help expedite some of this, that if their audits end up being delayed any further, if projects that are of consequence to us that happen to be within the city limits of Santa Fe, but that have something that we would support, whether it's a fire station over by South Meadows or the pickleball courts over at Fort Marcy, that maybe we could help them perform and get these projects built rather than waiting two, three, four years to get done. And knowing that we have a pickleball court being built in Nambe this year we may be pickleball court builders/experts, and could possibly get this expedited.

So it's probably for a future meeting but it's discussing the way to help the City as much as possible and a way to help ourselves and our constituents.

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CHAIR HANSEN: Commissioner Greene, I think we're also building a pickleball court at Romero Park, so I don't know if we need another pickleball court in the city, but we certainly do need a fire station at South Meadows. That is something that has been delayed for over ten years and so if there was some way we could work with them I think that it's a discussion for another time.

COMMISSIONER GREENE: I bring up pickleball just because three minute ago I received an email from the USA Pickleball Ambassador to Santa Fe County asking if we could help. So I thought that I would bring it up because it seems very timely.

CHAIR HANSEN: Well, please share with them that we're building one in Romero Park.

COMMISSIONER GREENE: I will do that right now.

CHAIR HANSEN: In the county. Okay. I'm grateful for the money we got from the legislature. I'm sorry they didn't recognize some of our own requests but this is just kind of an ongoing issue that we have. Maybe somehow we could talk to them about what do they want to fund, and maybe we could have a better understanding of what we could actually get money for. I guess the parks in the city did quite well but unfortunately none of those people will see the money until the City fixes their audit.

#### **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 would like to ask the Commissioners to start considering when you're going to bring up Matters from the County Commission that if you had an opportunity to read on the agenda the informational items, the reports, that you could possibly comment about that during your moment of Commissioner issues and comments. I plan to do that, since I was reading a few of them and I think this is a good place for us to comment on that is under Matters from County Commissioners. So I will start with Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. I have three items here that I'd like to investigate a little bit, and two that I've already discussed at the appropriate time. The first one is I'd like to understand from the County Attorney. I took an oath to support the constitution of the United States and the constitution of the State of New Mexico, and so I would like to understand how and where we can work on gun regulation and safety ordinances that might be appropriate for Santa Fe County. And to understand where we are restricted and at what point the edge is that we might be able to apply these things. These might be specifically things like insurance regulations, gun safety regulations, safety regulations for leaving a firearm in a vehicle unattended, different things that we may be allowed to do that do not conflict with the State of New Mexico's constitution or the constitution of the United States of America where a well regulated militia is our aspect there. So County Attorney, if you could discuss that with me I'd love to make time to discuss that and see what your opinion is on that.

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Tesuque trash, I continue to get emails from the constituents up in Tesuque trying to see when and if we will be able to get the trash convenience center reopened. I've had a few meetings with the pueblo and the leadership but they are with the governor and tribal council. Both are adamant in trying to get this reopened, and so I think that there has been significant movement in the opinion of the pueblo to work with us in a medium-term solution that may be at low or no cost to the County, and would do a great job for our community. So based on a conversation I've had with management is that we need to give guidance as a Board towards opening a discussion with the pueblo and I encourage my fellow Commissioners to join me in allowing the County Manager and the Management to start those conversations with the pueblo because they seem amenable and have asked me, well, when are they going to call? So I would like to be able to deliver our County in good faith to them to start that conversation and see where that proceeds.

Lastly, I've spoken to, as I've mentioned, a few City Councilors about the idea of doing a joint City-County set of meetings and a few ways to proceed with that and would like to get a feeling from our fellow Commissioners as to whether this is something we could start planning for, probably in the fall, and that we would start a bunch of negotiations about different topics before that, similar to a nation to nation sort of negotiation and a summit, that this wouldn't just be a sit up here and pontificate for five minutes on each topic but that we would actually prepare in advance whether it's on all sorts of issues that we work on together.

Additionally, to also have potentially our Planning Commissions work in joint session to understand how our growth management is being addressed, and so the City's Planning Commission and Planning Division could understand where we're at as well as how the City's Planning Commission and Planning Department present to our Planning Department and our Growth Management Division, because they work on very similar topics and the line between us is relatively arbitrary and we should probably be as informed of what they're working on as well as they be informed of what we're working on.

So those are the three items that I have. Tomorrow, I mentioned at the Housing Authority, there's a meeting up in Española to try to see if the Vista del Rio housing project up there, and there will be a community picnic tomorrow at 5:00 pm at the Vista del Rio public housing facility up there. There will be handouts from the Food Depot and Community Services from Santa Fe County in attendance to help with outreach and wraparound services, and I hope everybody can attend and support the community up there as well. Thank you.

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I have just a couple of things. First, and perhaps most importantly, I want to congratulate Olivia Romo who got a promotion to Communications coordinator for the County, a position that with a different title was recently filled by Carmelina Hart. Olivia and I talked a lot about this and I encouraged her to move her career forward to this important position. She is extremely talented and I've been so lucky to have her as my liaison. So introduced me to the County and I joked at one of the first meetings that I worked for her. Not this meeting but a constituent meeting, because she knew all the answers to their questions and I was

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still learning. I'm sure it will be impossible to replace her as my liaison, but I feel confident she'll help me train her replacement. I think it's wonderful that she's staying at the County and that she's moving up.

The other thing is on April 4<sup>th</sup> at 5:30 we're going to have a Webex meeting for the community about the northeast-southeast connector project. There's been a lot of questions about that project and a lot of requests that we have another public meeting, so the Public Works Department and Souder Miller, the engineers, have graciously agreed to be present and answer questions. That will be 5:30 to about 6:30, because I know at 6:30 Commissioner Hansen has a meeting also. So hopefully people can run from one to the other. That's what I'll be doing that evening.

And finally, and Commissioner Hansen can add on this, but we've had a lot of – a new spate of trouble at the abandoned and squatted in house on Arroyo Coyote in District 5 with the neighbors being very concerned about criminals squatting in the house and causing problems in the neighborhood. So we are working with the County Attorney on a lean and clean ordinance which would be a version of our condemnation ordinance that would give us more authority to take over properties that are a nuisance like this and clean them up. That's all I have for now, Madam Chair. Thank you.

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

COMMISSIONER HAMILTON: Thank you. Well, in response to Commissioner Greene, one thing about – off the top of my head about the joint City-County meetings, we certainly promoted that when Commissioner Hansen and I started. I would think it would be useful to think about what particular – what the goals of the meetings would be and make them realistic. Because there's some things that we definitely work on jointly, and we have ongoing conversations with them about things that sometimes we work them out; sometimes we don't. Sometimes maybe a big public joint meeting would move something forward and sometimes it will make it worse. I just think it's a great idea in some ways but I don't think it would apply to everything. It would be really interesting to think a little bit more about.

With regard to Tesuque trash, if there is – if we're starting in a place that's different from where we ended, let's talk about it. So we may need a little more information, but that's what I have to say about that.

I attended the County Central Committee, just a piece of nice news, retired County Commissioner, Henry Roybal, is now the Chair of the County Democratic Party. So on to do good things. That's all.

CHAIR HANSEN: Thank you, Commissioner Hamilton. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair and fellow Commissioners, thank you. The first thing that I had on my list of two things is I kind of want to start this with I've seen greener days with Santa Fe County and I'm recalling back when sustainability was all brand new and I was working with the National Recycling Coalition and the New Mexico Recycling Coalition, and I've been fortunate enough to have a recent conversation with my regular Public Works meeting.

But when I say I've seen greener days with somewhat of a value and a philosophy, like it was just internal to almost everything that was land-based,

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development-based, planning-based, always seemed to have a little bit of – a consider the waste that would be generated or the foliage that would be removed. To the point where I recall a conversation with a woman from at the time – I think it was Edgewood; maybe Moriarty, outside Santa Fe. That is a term that is just overused, that sustainability thing. And I'm thinking maybe back then it was possibly overused at the time, but right about now, and in the last meeting we were in, I did bring up that I had been contacted by people who had been concerned about the trees that were removed.

And then in my Public Works meeting we discussed that. As we move forward with land development proposals and to sort of put that back on our radar that what are we doing to disturb the natural biota? What can we do to make sure that as things are demolished and destroyed that we are able to recycle and reclaim those materials? And I say that not in the recycle if there's no market. We make sure we set it aside and you just create a different waste stream that's segregated, but the type of recycling that actually puts something to use.

For example, some buildings that I've seen that I know were under the 84/285 Corridor as the basecourse, when they ground up the buildings. So when we see things like that the County is keeping top of mind of what we can do in new construction, planning and demotion.

So I just put that out sort of keeping that top of mind and again respecting also the value. Before I was on the Commission it impressed me and I reached out to you Madam Chair, that when we see things about our opportunity to have some say on no burning in the spring, no controlled/prescribed burns, is that if our values are such that we really continue to sort of put the pressure on, because we'll have people who will nod and they'll say yes and then they're go make their plans for when they're going to do a prescribed burn when we know, even with that much education that there are alternatives to prescribed burns.

So I'm grateful to work with a Commission that I know and have a sense have common values. And I hope that we can continue to support each other in that regard and sort of putting those things top of mind again. The fire, I'm grateful it was even in the legislature but as we develop and plan, what does it take? And I'm happy to hear that it will be reseeded, but I would think that that Community College District was mine, and it's not, as often as I hear from people about, yeah, and then they bulldozed all those trees and what are you doing? And I'm saying, hey, look, we're doing what we're doing. We're going to do the best we can but it is our value to make sure things are reseeded and if trees are torn down that there's a green solution for how they would be dispositioned, etc.

That being said I also, my second agenda, and I'm happy to hear that you all are on it, because I was looking into it as well, is the opportunity to look at this green and lean ordinance and what we can do to support that type of agenda, knowing that meth houses exist in our county and it's been brought to my attention and working with those entities that we'll deal with it on the legal end and what can we do in ordinance and that sounds like a strong tool.

So that's all I have and I'm thankful. Thank you. Bye bye.

CHAIR HANSEN: Thank you, Commissioner Bustamante. Thank you, everybody. I'm going to make a few comments about the Informational Items. For

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Community Development, the Arroyo Hondo project is in I believe District 4, not District 3 in the report that was handed out. The Village of Agua Fria is in District 2.

So then another item. Madam Clerk, since you are getting money for a new car, do you plan to have it be an EV?

CLERK CLARK: I asked for either EV or hybrid for those vehicles. Yes.

CHAIR HANSEN: Okay. And then I'm wondering how many people have signed up for Earth Day for our event. So could you find out? And with the RAVE grant, the tires, I think we should possibly advertise that a little more because there are many people in the county who want to get rid of tires and much to my dismay, the people at 2500 Lopez Lane had the audacity to ask for help getting rid of the tires on that property. But I told the Code Enforcement Officer that we did have a RAVE grant, and so if they could figure out how to get the tires to the convenience centers when that is available we'll help them that way. But otherwise, they're on their own. They need to figure out how to take care of themselves, but I think it's important that we do more advertising on that.

Then I want to thank the County Manager and the Community Services for applying La Sala for a NACo award. I think everyone on this Commission knows how much I care about NACo and I like to see Santa Fe County mentioned and brought up, so I hope that we do win an award for our La Sala problem.

And then in Growth Management, I'd like to know who is asking for a Caja del Rio Organization and where is it. Because Caja del Rio is a BLM/Forest Service land, and so who is claiming to be a community organization of Caja del Rio. And that's about as far as I got with the informational packages.

So then I will go on to meetings. So Agua Fria Village meeting on April 3<sup>rd</sup> is in person. We have monthly meetings on Zoom but then our quarterly meetings are in person so that will be at the Nancy Rodriguez Center at 6:00 pm.

And then on April 8<sup>th</sup> is the 81<sup>st</sup> anniversary of the fall of Bataan and there will be a ceremony at the Bataan Memorial Building on 404 at 11:00 am in the morning. So I wanted to mention that because I think it is important that we remember the people who served.

And then there's a Zafarano public hearing on the 5<sup>th</sup> of April, and then there is the big event which I hope that everyone in this room will attend and everyone online. It's the DOE, NNSA, and Environmental Management and National Nuclear Security Administration. It is a huge accomplishment to get Undersecretary Jill Hruby to be here. She reports directly to the Secretary of Energy, Jennifer Granholm, so we are getting top leadership here to hear people's questions and concerns. And then Ike White who is Senior Environmental Management. He's senior advisor to the Secretary of DOE also.

So it will be a question and answer format. There will be a few presentations. I will be monitoring the evening and I have told both of them to please bring lots of business cards so people can have access to them. I've also worked with them at the setup at the Santa Fe Convention Center to make sure there are tables out front for non-profit groups who want to hand out material. And then there will be a soft three minute deadline for questions and answers but the answers might take longer than three minutes.

DOE will have a number of also the local managers here, Ted Wyka from NNSA, Michael Mikolanis from DOE-Environmental Management, and the acting director of

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WIPP, Mark – he's brand new, but the acting director will also be here, of WIPP to answer questions about what's happening down at WIPP.

So far I have confirmation from Land Commissioner Stephanie Garcia Richards, Representative Tara Lujan and a few other representatives. I haven't been checking constantly who has RSVP'ed but I really hope that everyone will be able to attend, because I think this is a really important opportunity to express our concerns about the transportation of surplus plutonium on our roads. The fact of cleaning up the hill, cleaning up LANL, which needs to be done, and pit production and how that affects our community

And then I will comment on – we've had one City meeting in the time that I have been in office. I have constantly requested of the Mayor to have City-County meetings. That has not happened. I think that having a City-County meeting is an important thing. They are part of the county, a city just like Española is part of the county, and Edgewood is part of the county. And so I think meeting with our municipalities is a really important process that we need to consider as we move forward. But we do have staff working relationships in different areas with the City but I do think it is important to have good working relationships with leadership also.

And then on the trash situation in Tesuque, if we can model an agreement after the Pojoaque agreement that we have with the Pojoaque tribes that it's clear that we're treating all the tribes the same with our trash agreement, I think we should use that as a model going forward. So I think that I am willing to come to a meeting as the Chair with you Commissioner Greene and Manager Shaffer, because I think it's important for us to hear. [light banter] I think that would be a good way to begin the process.

I believe I've covered all my notes that I had here. Also, I do want to say about the April 4<sup>th</sup> meeting. It will be available via Zoom but they do not want to put the link out until maybe the end of this week. But then we will be able to send it all out. I would like to also ask everyone, all of my fellow Commissioners, to please send out the announcement to your constituents about this event because I think many people are concerned. I got a large round of applause when we spoke about it at the Democratic party and there was a tremendous amount of interest.

COMMISSIONER HAMILTON: Do you have an email, an announcement you can just share with us so we can just send it?

CHAIR HANSEN: Yes.

COMMISSIONER HAMILTON: That would be great.

CHAIR HANSEN: Unfortunately, and we hope that Laura will get well soon but she is out and as soon as she returns, or Brittney has been so kind to help me, and thank you, Commissioner Bustamante, for sharing her with me to help me with a number of things while Laura is out and we wish Laura to get well ASAP.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just wanted to add – I wanted to thank staff for the reports and the only comment I had is that I think in April we'll get the quarterly report from Corrections on special management units, which is our name for solitary confinement and we're supposed to be looking at that and I would like to know that we're getting past the COVID period. I think we ought to spend a few minutes

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looking at that to see how that policy is being implemented at the jail, because it is important that people not be locked up by themselves for any longer than is absolutely necessary. Thank you.

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

COMMISSIONER GREENE: Thank you, Madam Chair and thank you, Madam Chair for organizing this meeting with the DOE and the NNSA. I think it's an important meeting. For our internal operations and quorum avoidance, I will be attending it and I'm sure that we will probably have more than two of us in the room, so I think we should notice the meeting.

And then as a last little bit, in my district, it is going to be Easter before our next meeting and there will be a very large pilgrimage from the southern edge of my district to the northern edge of my district, and I hope everybody takes a part of it. Drive safely, if they choose to drive that route, and ask everybody to use the best caution and best practices and give the pilgrims as much of a wide berth as you can while commuting or passing them by. So thank you very much and happy Easter, everybody.

CHAIR HANSEN: Yes, thank you very much, and yes, we want blessings at Easter and may everyone be safe on this next Holy Week. I did also mention to the DOE, NNSA and EM that this is from April 2<sup>nd</sup> to the 9<sup>th</sup> is Holy Week in New Mexico and so I have heard from one of the tribe's leaders but they will not be able to make it because it is a sacred week for many of the tribes. In the next meeting please work on a date that does not have such significance. And I do agree that the meeting needs to be noticed because I do believe that Commissioner Hamilton said she was coming and I believe Commissioner Bustamante is shaking her head and I already know that Commissioner Hughes is coming. So I think we might have a full house there. We promise we won't talk about business or sit next to each other.

**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 do you have anything you would like to say?

CLERK CLARK: Yes, thank you, Madam Chair. I know there is some confusion about how to access public records in the Clerk's Office, but we are still by appointment because we only have three people on the records side of the Clerk's Office, and only three people on the recording side. So if you are looking for a public record there are various ways of accessing it. The first is if you just want to search our index for the instrument numbers and then email [clerk@santafecountynm.gov](mailto:clerk@santafecountynm.gov), that is the fastest way to get your records because it saves us having to search for them. You can simply search on line, send us an email and then we can have them ready for you to pick up. That's the fastest.

The second is you can come in person but you have to make an appointment because those three computers in our lobby are very busy, and so to make it fair, make appointments for people. You can come and search our documents and view them in the

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Clerk's Office. And then if you're going to utilize our staff's time, that is \$30 for the first 15 minutes and then \$30 for every subsequent hours. Many constituents use our search services and we have searches that take several days to do on official title searches or look for documents because of the nature of our search function. It's one of the reasons why we've requested looking into FY 24, looking at potentially new features in how we search documents and having a new indexing feature or requesting new indexing features.

But as it stands right now we are making appointments to make it fair so everyone has access, and that people's appointments don't get overrun when someone walks into the Clerk's Office. You are able to search online in our index if you feel comfortable searching in the index, or you can search on our computer. And we're hoping to be able to launch our online credit card but we're still waiting on Paymentus. We've had actually the portal ready since the summer, but we are still having technical issues with Paymentus trying to get that credit card function to work so that people can just search online and then use their credit card. All 480,000 documents that we have had scanned in since last year can be utilized.

So I understand the constituents, especially around the short-term rentals are frustrate but there are several ways they can get access to the documents and I would recommend if you feel comfortable searching the index online yourself, it's really easy to get to from our website and then just email us the instrument numbers and we can have those pulled for you pretty quickly and ready for pickup. Thank you so much.

CHAIR HANSEN: Thank you, Madam Clerk. Are there any other elected officials online? Okay, hearing none.

**11. MATTERS FROM THE COUNTY ATTORNEY**

**A. Executive Session**

None required.

**13. INFORMATIONAL ITEMS/REPORTS**

- A. Community Development Department February 2023 Monthly Report**
- B. Community Services Department February 2023 Monthly Report**
- C. Finance Division January 2023 Monthly Report**
- D. Growth Management Department February 2023 Monthly Report**
- E. Human Resources Division February 2023 Monthly Report**
- F. Public Safety Department February 2023 Monthly Report**
- G. Public Works Department February 2023 Monthly Report**

[See Commissioner remarks under 10. A.]

**12. PUBLIC HEARINGS**

- A. Ordinance No. 2023-02, an Ordinance Repealing and Replacing Ordinance Nos. 1999-10 and 2020-1 and Section 7 of Ordinance 2022-07, Adding and Amending Definitions and Exemptions for the**

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**Lodgers' Occupancy Tax to Align with State Law, Increasing the Lodgers' Occupancy Tax, Establishing Financial Reporting Responsibilities, Adding Lien Provisions, Adding Further Uses of Lodgers' Occupancy Tax Proceeds, and Clarifying Collection of Lodgers' Occupancy Taxes for Short-Term Rental Platforms**

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

PAUL OLAFSON (Interim Community Development Director): Madam Chair, thank you. So this ordinance is going to repeal and replace existing Lodgers' Tax ordinances and to just clean up some of the processes. It adds some definitions including, "County Treasurer", "Dwelling", "Short-Term Rentals", "Short-Term Rental Platforms", "Taxable Premises", "Temporary Lodging", "Tourist", "Tourist-Related Events", "Tourist-Related Facilities and Attractions", and "Tourist-Related Transportation Systems."

Additionally, it amends the definition of "Taxable Premises". It transfers Lodgers' Occupancy Tax collection responsibilities from the County Clerk Office to the County Treasurer's Office. It also includes adding: "unless those premises are temporary lodging" to the vendee exemptions to the Lodgers' Occupancy Tax.

It raises the current Lodgers' Occupancy Tax Rate from 4% to 5% of gross taxable rent. It requires short-term rental platforms to collect and pay Lodgers' Occupancy Taxes along with applicable Gross Receipt Tax. It requires short-term rental platforms to register and provide monthly reports on short-term rentals. It adds further uses of the Lodgers' Occupancy Tax proceeds, including for costs on prior redemption premiums and charges pertaining to certain revenue bonds, and to provide police and fire protection and sanitation service for tourist-related facilities, attractions, and events.

If the Board does choose to raise the tax from 4% to 5%, staff recommends that 50% of the tax go for advertising, publicizing and promoting tourist attractions and facilities, and that all other proceeds not used for that would go to permissible uses under the Lodgers' Tax Act, and I'll give you examples in a minute.

Changes also include adding financial reporting relating to certain budgets, reports, and audits related to the expenditure of the Lodgers' Occupancy Tax funds. It clarifies that the BCC makes the appointments for the Lodgers' Tax Advisory Board. And it clarifies the statutory function of the advisory board, which is to provide recommendations on the expenditure of funds for advertising, publicizing, and promoting tourist attractions and facilities in the County. And lastly, it adds provisions relating to liens for the Lodgers' Occupancy Taxes.

The Board heard the first presentation on this ordinance on February 28th when staff was authorized to publish title and general summary and a version of that presentation is in Exhibit A of the packet.

After we published title and general summary of the proposed ordinance, staff added proposed revisions to Section 5 and that was the expenditure of at least 50% on advertising and promotion. And then the other percentage not used for that could be used to retain flexibility. Proceeds can go to any purpose that is allowed by the law including but not limited to: establishing, operating, purchasing, constructing, otherwise acquiring, reconstructing, extending, improving, equipping, furnishing or acquiring real property or

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any interest in real property for the site or grounds for tourist-related facilities and attractions or tourist-related transportation systems and tourism promotion.

These changes are reflected in this version in the attachment Exhibit B. They would give the Board of County Commissioners the discretion to allocate resources where they are needed most. The Occupancy Tax revenue can fluctuate year over year, but it has been growing significantly since the pandemic.

The new revenue and flexibility could fund increased operation and maintenance costs of open space and trails, as well provide gap funding for such projects, among other uses.

Here I'm going to read the exact phrasing from the law: Number one, this would be second half of the tax and what it can be used for: Collecting and otherwise administering the Occupancy Tax including the performance of audits required by the Lodgers' Tax Act pursuant to guidelines issued by the Department of Finance and Administration;

Number two, establishing, operating, purchasing, constructing, otherwise acquiring, reconstructing, extending, improving, equipping, furnishing or acquiring real property or any interest in real property for the site or grounds for tourist-related facilities and attractions or tourist-related transportation systems;

Number three, the principal of and interest on any prior redemption premiums due in connection with and any other charges pertaining to revenue bonds authorized by the law;

Number 4, advertising, publicizing and promoting tourist-related attractions, facilities and events of the County and tourist-related facilities, attractions and events within the area;

Number 5, providing police and fire protection and sanitation service for tourist-related facilities, attractions and events located in the County;

Number 6, any combination of the foregoing purposes or transactions stated in this section; or

Number 7, as otherwise allowed by the Lodgers' Tax Act, should the law be changed in the future to allow different uses.

In the previous presentation we had a much more exhaustive background and justification for the ordinance, but again, the ordinance would take effect on June 1, 2023. This allows time for staff to send notification to the hotels, motels, resorts, bed and breakfasts, RV parks, short-term rental platforms, etc., and for those vendors to change their Lodgers' Tax collections in their booking systems from 4% to 5%, as well as notifying their accounting departments of these changes.

Recommendation: Staff recommends approval of the revised proposed ordinance attached hereto as Exhibit B. And with that I would stand for questions.

CHAIR HANSEN: You will participate in questions. So with that, I'll go to a few questions if there are any but I want to open this up for a public hearing. If I don't see any questions at the moment I would like to go to a public hearing. So is there anyone online or in the chambers who would like to make comments on this ordinance that we have just had a presentation on? Daniel, or anyone who is monitoring the online – I see no one in the chambers that wants to make public comment. And I hear no one online that wants to make public comment. Can somebody confirm that for me? I feel

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like I should get some confirmation.

MANAGER SHAFFER: We're getting that for you now, Madam Chair.

CHAIR HANSEN: Okay.

MATT HERNANDEZ (IT): Currently, I'm not seeing anyone on Webex that wants to speak.

CHAIR HANSEN: Okay. Thank you very much. With that I will close the public hearing and I will go to Commissioners for questions and –

COMMISSIONER BUSTAMANTE: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER BUSTAMANTE: It appears as though this is something that has been overdue, correct?

CHAIR HANSEN: Definitely.

COMMISSIONER BUSTAMANTE: If there aren't any other questions, concerns or things we didn't bring up previously I would like to make the motion if you're ready to entertain it.

CHAIR HANSEN: Okay. So please make a motion.

COMMISSIONER BUSTAMANTE: Make the motion to accept an ordinance repealing and replacing Ordinance Nos. 1999-10 and 2020-1 and Section 7 of Ordinance 2022-07, adding and amending definitions and exception for the Lodgers' Occupancy Tax to align with state law, increasing the Lodgers' Occupancy Tax, establishing financial reporting responsibilities, adding lien provisions, adding further uses of Lodgers' Occupancy Tax proceeds, and clarifying collection of Lodgers' Occupancy Taxes for short-term rental platforms.

CHAIR HANSEN: Do I have a second?

COMMISSIONER GREENE: Second.

CHAIR HANSEN: So I have a motion from Commissioner Bustamante, a second from Commissioner Greene. Under discussion, Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Paul, and thank you Lisa for organizing this. I'm wondering just about the financial impact for our accounts. Like do we have an assessment of how much money this would increase our budgets for promotion and do we have those dimensions?

MR. OLAFSON: I was consulting with Lisa. The tax goes up and down. The collections are not consistent. Of course 2020 was a very low year, but it's been increasing steadily, the collection amount. Last year it was approximately \$400,000. It was \$399,000, and that's at four percent.

COMMISSIONER GREENE: So an extra \$100,000 is approximately – 20 % higher. Thank you.

CHAIR HANSEN: Okay. Any other questions from anybody? Commissioner Hughes.

COMMISSIONER HUGHES: No, I was just going to say I think this is overdue and very good.

CHAIR HANSEN: So I need a roll call vote.

**The motion to Ordinance No. 2023-02 passed by unanimous roll call vote as follows:**

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

MR. OLAFSON: Madam Chair, I'd like to make a correction. Lisa just pointed out that I was reading the change year after year or year over year, so it's increase by \$400,000 last year but the total collection that we're projecting is \$1.4 million, at four percent.

COMMISSIONER GREENE: I like that number a lot better. Thank you very much.

CHAIR HANSEN: It sounds better, but as long as there's not any correction in the ordinance or anything we're working on. Thank you, Lisa. That sounds great.

9.     **B.     First Session of the 56<sup>th</sup> Legislature: Updates and Potential Action to Express Support for or Opposition to Legislation that Has Passed Both Houses and Are Pending Gubernatorial Action** [*Exhibit 1: Funding in House Bill 2 Related to Santa Fe County-Supported Legislative Initiatives; Exhibit 2: List of Bills Identified by County Staff for Consideration by the BCC.*] **cont.**

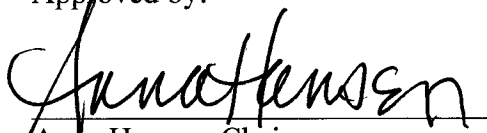
CHAIR HANSEN: So we have one more thing that I wanted to go back to. I wanted to go back to the list of legislation if anybody saw anything that they felt that we needed to write a letter about. Is there any comments from anybody? Okay. I think we gave Hvtce our okay so we can move forward.

**14.     CONCLUDING BUSINESS**

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

Upon motion by Commissioner Hamilton and second by Commissioner Hughes, and with no further business to come before this body, Chair Hansen declared this meeting adjourned at 5:55 p.m.

Approved by:

  
Anna Hansen, Chair  
Board of County Commissioners

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ATTEST TO:



KATHARINE E. CLARK  
SANTA FE COUNTY CLERK



Respectfully submitted:

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

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**FUNDING IN HOUSE BILL 2 RELATED TO SANTA FE COUNTY SUPPORTED LEGISLATIVE INITIATIVES****Page 25, 26, 27****Section 4. FISCAL YEAR 2024 APPROPRIATIONS.-- DEPARTMENT OF FINANCE AND ADMINISTRATION:**

The general fund appropriations to the policy development, fiscal analysis, budget oversight and education accountability program of the department of finance and administration include twenty million dollars (\$20,000,000) for transfer to the public education department to implement universal free meals, two million four hundred thousand dollars (\$2,400,000) for transfer to the public education department for food programs and one hundred sixty-six thousand eight hundred dollars (\$166,800) to support personnel and employee benefits for the New Mexico department of agriculture for food programs.

**Page 192****Section 5. SPECIAL APPROPRIATIONS.—**

The following amounts are appropriated from the general fund or other funds as indicated for the purposes specified. Unless otherwise indicated, the appropriation may be expended in fiscal years 2023 and 2024. Unless otherwise indicated, any unexpended balances of the appropriations remaining at the end of fiscal year 2024 shall revert to the appropriate fund.

**(41) DEPARTMENT OF FINANCE AND ADMINISTRATION**

\$11,165,000 For community food, local agriculture and supply chain programs to improve food security in New Mexico. The general fund appropriation includes seven million five hundred thousand dollars (\$7,500,000) from amounts transferred to the appropriation contingency fund of the general fund in Section 1 of Chapter 4 of Laws 2021 (2nd S.S.).

**Page 258****Section 10. FUND TRANSFERS.—**

The following amounts are transferred in fiscal year 2024 from the general fund or other funds as indicated for the purposes specified.

(38) the aging and long-term services department may request increases up to one million dollars (\$1,000,000) from the Kiki Saavedra dignity fund balance for the purpose of providing high-priority services for senior citizens in New Mexico, including transportation, food insecurity, physical and behavioral health, case management and caregiving;

**Page 209****Section 5. SPECIAL APPROPRIATIONS.—**

The following amounts are appropriated from the general fund or other funds as indicated for the purposes specified. Unless otherwise indicated, the appropriation may be expended in fiscal years 2023 and 2024. Unless otherwise indicated, any unexpended balances of the appropriations remaining at the end of fiscal year 2024 shall revert to the appropriate fund.

(132) DEPARTMENT OF HEALTH \$4,000,000 For mobile homelessness response

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**(44) DEPARTMENT OF FINANCE AND ADMINISTRATION**

\$10,000,000 To the local government division to provide grants to local governments to support housing infrastructure. The general fund appropriation is from amounts transferred to the appropriation contingency fund of the general fund in Section 1 of Chapter 4 of Laws 2021 (2nd S.S.).

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**(48) DEPARTMENT OF FINANCE AND ADMINISTRATION**

For law enforcement programs. The general fund appropriation includes thirty-two million five hundred thousand dollars (\$32,500,000) for the law enforcement workforce capacity building fund through fiscal year 2028, contingent on enactment of House Bill 357 or similar legislation of the first session of the fifty-sixth legislature creating the fund. The general fund appropriation also includes fifty-seven million dollars (\$57,000,000) for state and local law enforcement agencies for commissioned law enforcement officers and civilian personnel whose positions directly support commissioned law enforcement officers and crime reduction efforts, ten million dollars (\$10,000,000) for felony warrant enforcement statewide and five hundred thousand dollars (\$500,000) for the department of public safety for enforcement projects related to fentanyl, heroin and illegal cannabis through fiscal year 2026. The other state funds appropriation is from the law enforcement workforce capacity building fund to carry out the purposes of the fund through fiscal year 2024, contingent on enactment of House Bill 357 or similar legislation of the first session of the fifty-sixth legislature. Any distributions from these appropriations shall only be made to law enforcement agencies in compliance with statutory reporting requirements. Any unexpended balances from the general fund appropriations remaining at the end of the specified fiscal years shall revert to the general fund.

**FUNDING IN SENATE BILL 192 RELATED TO SANTA FE COUNTY SUPPORTED LEGISLATIVE INITIATIVES**

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(h) seventy-five thousand dollars (\$75,000) for a life skills education program for incarcerated individuals and their families or juvenile offenders in Santa Fe county;

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(8) eighty thousand dollars (\$80,000) for tourism and outdoor recreation in Madrid in Santa Fe county and Pecos in San Miguel county;

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(7) one hundred eighty thousand dollars (\$180,000) to contract for a homeless shelter and supportive housing services in Santa Fe;

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(9) one hundred fifty thousand dollars (\$150,000) to contract for comprehensive services, housing options and resources for the homeless statewide;

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Related Resolutions/County Nexus	BILL	TITLE	DESCRIPTION	Category	SPONSOR
Resolution Nos. 2022-66, 2022-82, 2022-107, 2022-108, 2022-109, 2022-116	<b>HB2</b>	GENERAL APPROPRIATION ACT OF 2023 (HOUSE)	(Duplicate of 2023 SB158) This bill, identical to one in the Senate, represents a shell for later versions of HB2. The measure makes appropriations for FY 2024 in 10 umbrella categories of state agencies, which amounts will be fleshed out in detail in coming weeks. It appropriates the following to state agencies for FY 2024: (2023:SB158)	Appropriations & Capital Outlay	Small (D36)
Resolution No. 2023-9	<b>HB505</b>	CAPITAL PROJECT APPROPRIATIONS STATEWIDE, PUBLIC FACILITIES	House Taxation and Revenue Committee substitute for HB505 is the listing of \$1,234,519,983 in capital outlay appropriations from the General Fund and other funds for numerous capital projects, including land acquisitions, building construction, facilities improvements, equipment and furnishings, vehicles, senior center meals, mechanical building improvements, roadway improvements, waterway infrastructure, school facilities, railroad improvements, etc. The complete list of HTRC appropriations is linked in the Extended Analysis section. There are two charts there, the first with projects listed by agency and the second listed by county. (Please go to NMLR Welcome Page, EXTENDED ANALYSIS section.)	Appropriations & Capital Outlay	Lente (D65)
Resolution Nos. 2022-82, 2022-107, 2022-108	<b>HB547</b>	TAX RELIEF PACKAGE, EXCEPT TOBACCO, LIQUOR & PROFESSIONAL SERVICES	HTRC Substitute for HB0547, as passed by the Legislature, 2023 Tax Package: Features additional cash rebates of 2021 income taxes, more progressive but generally lower income tax rate schedules, transition to sales factor only apportionment for corporations, phased-in lower gross receipts tax rates, higher taxes on alcohol and tobacco products, repurposing of liquor excise tax receipts to harm mitigation, new or revived tax credits for electric vehicles and geothermal electricity generation or storage systems, bigger film credits and new gross receipts and compensating tax deductions.	Appropriations & Capital Outlay	Lente (D65)
Resolution Nos. 2022-66, 2022-107, 2022-108	<b>SB192</b>	ADDITIONAL FY 2023 AND 2024 GENERAL APPROPRIATIONS	Senate Finance Committee substitute to SB192 adds additional appropriations to the Legislature, Judicial and State agencies for the 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.	Appropriations & Capital Outlay	Munoz (D4)
Funding for County Projects	<b>SB309</b>	SEVERANCE TAX BOND PROCEEDS: CAPITAL OUTLAY REAUTHORIZATIONS	A shell for the much larger bill that will be brought forth later in the session, relating to Severance Tax Bond capital expenditures: reauthorizes or reappropriates balances, expands or changes purposes, extends expenditure periods; changes agencies; and establishes conditions for the reversion or transfer of unexpended earlier appropriations. See separate document for list of Santa Fe County administered appropriations included in bill.	Appropriations & Capital Outlay	Rodriguez (D24)
County Operations	<b>HB512</b>	EXEMPTS COUNTIES FROM SALE AND DISPOSAL OF PROPERTY REQUIREMENTS	For purposes of disposing of obsolete, worn-out or unusable tangible personal property and sale of real property, separates counties from the term "local public body" (as municipalities and school districts already are). This has the effect of exempting counties from the statutory rules (Chapter 13, Article 6) governing such sales or other disposals of property.	General	Lara (D34)
County Assessor's Office Incentive Pay	<b>SB324</b>	INCREASING COUNTY COMPENSATION TO ASSESSORS AND APPRAISERS	Allows county assessors to receive additional cumulative compensation from the board of county commissioners, up to \$3,500 per year, depending on the level of Appraiser Certificate the appraiser has, to both compensate appraisers for their attained level of expertise and to motivate appraisers to seek higher level certificates.	General	Gonzales (D6)
Local Government Funding	<b>SB176</b>	ACEQUIA AND COMMUNITY DITCH DISASTER RESPONSE FUNDING	Amends the Acequia and Community Ditch Infrastructure Fund to provide for funding for disaster response, recovery and hazard mitigation, and infrastructure projects and to match or meet cost share requirements of other state and federal funding programs. Increases the annual transfer from the Irrigation Works Construction Fund to the Acequia and Community Ditch Infrastructure Fund from \$2.5 million to \$5 million.	General	Campos (D8)



Related Resolutions/County Nexus	Bill	Title	Description	Category	Sponsor
County Assessor's Office Incentive Pay	SB324	INCREASING COUNTY COMPENSATION TO ASSESSORS AND APPRAISERS	Allows county assessors to receive additional cumulative compensation from the board of county commissioners, up to \$3,500 per year, depending on the level of Appraiser Certificate the appraiser has, to both compensate appraisers for their attained level of expertise and to motivate appraisers to seek higher level certificates.	General	Gonzales (D6)
Elections	HB4	VOTING RIGHTS PROTECTION	(Similar to 2022 SB8) Proposes a number of changes to the Election Code intended to expand voting access and protect voter rights, including reinstating voting rights to felons upon release; creating a voluntary permanent absentee voter list; providing monitored secured containers for ballots; permitting registration at a voting location prior to voting; protecting voter rights and polling place access through the Native American Voting Rights Act; and making general and local election days school holidays. These and other changes are detailed below.	Elections	Martinez, J. (D11)
Elections	SB43	ACTS OF INTIMIDATION AGAINST ELECTION CLERKS AND AGENTS	(Essentially identical to 2022 SB144) Amends the crime of intimidation to include inducing or attempting to induce fear in any employee or agent of the Secretary of State, a County Clerk, a Municipal Clerk, or a member of an election board for the purpose of impeding the free exercise or impartial administration of elections; such intimidation is a 4th degree felony.	Elections	Duhigg (D10)
Elections	SB180	ELECTION CODE CHANGES	(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.	Elections	Duhigg (D10)
Probate Court Administration	SB248	PROBATE COURT ADMINISTRATION, JURISDICTION AND FUNDING	Makes extensive administrative changes to the structure, administration, operation, and jurisdiction of county probate courts, and clarifies funding obligations of a county. Provides that county clerks shall be clerks of probate courts unless the county commissioners designate a separate probate clerk and provides for their duties; provides for substitution of a recused or disqualified judge; specifies a county's financial obligation to support the probate court; addresses record retention and transfer of certain cases to district court; provides for filing fees; and aligns the terms of probate judges statewide.	Probate Court	Ivey-Soto (D15); Garcia, H. (D69)
Resolution Nos. 2022-56, 2022-107	HB306	UNLAWFUL PURCHASE OF FIREARM FOR ANOTHER	Prohibits a person from unlawfully purchasing a firearm for another person or conspiring to unlawfully purchase a firearm for another person. Specifies that violation is a fourth-degree felony but that violators may also be prosecuted under other sections of the Criminal Code.	Gun Laws	Lane (R3)
County Operations	SB425	COUNTY DETENTION FACILITY TREATMENT PROGRAMS	Creates the "medication-assisted treatment for the incarcerated program fund" as a nonreverting fund in the state treasury and appropriates that fund to the Human Services Department to assist all counties that operate correctional facilities to establish and operate medication-assisted treatment programs for people who are incarcerated in county correctional facilities. Requires the Department of Corrections to establish and expand such treatment programs in state corrections facilities by specified dates.	Public Safety	Ortiz y Pino (D12)

Related Resolutions/County Nexus	BILL	TITLE	DESCRIPTION	Category	SPONSOR
County Operations	HB345	FIREFIGHTER RECRUITMENT FUND	Creates a non-reverting "firefighter recruitment fund" within State Treasury administered by the Department of Homeland Security and Emergency Management Department to recruit firefighters amid a statewide (and nationwide) shortage of firefighters.	Public Safety	Borrego (D17)
County Operations	HB357	LAW ENFORCEMENT AND PUBLIC ATTORNEY WORKFORCE CAPACITY BUILDING FUND	House Judiciary Committee Substitute for House Bill 357 retains the intent of the original to increase the available workforce and provide initiatives to recruit and retain high-quality officials for law enforcement (local and state police) and public attorneys (public defenders and prosecutors). The substitute adds corrections workforce to the initiative, creates three separate workforce capacity building fund committees, one for each group, and administratively attaches all three committees to the Department of Finance and Administration, giving DFA authority to administer and disburse money from the various funds.	Public Safety	Dixon (D20)
County Operations	SB19	LAW ENFORCEMENT AND PUBLIC SAFETY TELECOMMUNICATOR TRAINING	Provides mechanisms to strengthen law enforcement and public safety telecommunicator professions and training and authorizes the suspension of law enforcement officers who fail to submit proof of required in-service training. Amends the New Mexico Law Enforcement Standard and Training Council's and the Law Enforcement Certification Board's membership and duties. Appropriates \$3.9 million (GF) to the Law Enforcement Academy and the Law Enforcement Certification Board for specified purposes.	Public Safety	Maestas (D26)
County Operations	SB250	INCREASES DEATH BENEFIT FOR FIREFIGHTERS KILLED IN LINE OF DUTY	Increases the allowable death benefit for firefighter killed in the line of duty that is paid to a surviving spouse or surviving children from \$250,000 to \$1 million.	Public Safety	Burt (R33)
County Operations	SB491	DISTRIBUTION INCREASE FOR LAW ENFORCEMENT RETENTION FUND	Enhances the base of the Premium Tax distribution to the Law Enforcement Protection Fund as a way to grow the balances in the Law Enforcement Retention Fund by adding certain fees derived from health insurance business in New Mexico to that base.	Public Safety	Munoz (D4)
Resolution No. 2022-108	HB195	FOREST FIRE PREVENTION CHANGES TO THE FOREST CONSERVATION ACT	Authorizes Forestry Division of EMNRD to contract for and conduct forest fire prevention, suppression, control, suppression, rehabilitation and repair, post-fire slope stabilization, erosion control, riparian restoration, seeding and reforestation of burned areas. The division retains the police power of the state to the extent required to control private forest lands as is necessary for the prevention and suppression of forest fires.	Sustainability	McQueen (D50)
Resolution Nos. 2022-107, 2022-108	HB228	IMPROVEMENT SPECIAL ASSESSMENT ACT	Modelled on the Solar Energy Improvement Special District Act, the Improved Special Assessment Act allows counties to adopt ordinances establishing an improvement special assessment district within a designated region, providing a mechanism by which the private owners of eligible private property can finance permanently affixed energy efficiency, renewable energy, water conservation or resiliency improvements as part of construction or renovation of the property.	Sustainability	Serrato (D45)
Resolution Nos. 2022-107, 2022-108	SB9	NEW LAND GRANT, ENVIRONMENT AND CULTURAL PERMANENT FUNDS	Creates two new nonreverting legacy funds within the State Treasury meant to help cover the costs of environmental, cultural and historical preservation; appropriates \$75 million (GF, nonreverting) total to this end. The Conservation Legacy Permanent Fund is created to invest in land grants and the Land of Enchantment Legacy Fund is created to be spent on ecological conservation and cultural conservation. It appropriates \$25 million and \$50 million to these funds respectively.	Sustainability	Neville (R2)

Related Resolutions/ County Nexus	BILL	TITLE	DESCRIPTION	Category	SPONSOR
Resolution No. 2022-108	SB21	NO PRESCRIBED BURNS DURING SPRING	Prohibits a person or a federal, state, local, or tribal governmental entity from conducting a prescribed burn between March 1 and May 31 of each year.	Sustainability	Griggs (R34)