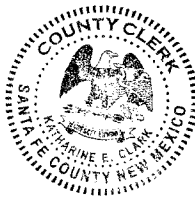


**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**

**November 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

SFC CLERK RECORDED 01/12/2024



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC MINUTES  
PAGES: 50

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Deputy *Maria So-Sul* Katharine E. Clark  
County Clerk, Santa Fe, NM

**SANTA FE COUNTY**

**REGULAR MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**November 28, 2023**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:04 p.m. by Chair Anna Hansen in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

**B. Roll Call**

Roll was called by Deputy County Clerk Evonne Gantz 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**

**F. Moment of Reflection**

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

Commissioner Hansen led the Moment of Reflection, recognizing the contributions of Rosalynn Carter, and asked for a moment of silence for the hostages in Israel and Palestine.

SFC CLERK RECORDED 01/12/2024

**G. Approval of Agenda**

CHAIR HANSEN: Manager Shaffer, are there any changes to the agenda?

GREG SHAFFER (County Manager): No, Madam Chair. Staff isn't recommending any changes to the agenda for today's meeting, which was posted last Wednesday, well in excess of the 72 hours required by the Open Meetings Act.

CHAIR HANSEN: Thank you. What's the pleasure of the Board?

COMMISSIONER GREENE: Madam Chair, I will make a motion to approve the agenda as presented.

COMMISSIONER HUGHES: Second.

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

**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 want to begin our meeting by recognizing both employees who are beginning their career at Santa Fe County as well as those who are recognizing significant service milestones, and finally employees who are retiring from the County and we want to wish them well, or have recently retired, and their future endeavors.

In terms of employees who are celebrating significant milestones we have two employees who are recognizing their tenth anniversary in November. They are Leonard Montoya at the Adult Detention Facility, Patricia Lott at the Solid Waste Division of the Public Works Department, and another employee, Stephen Orr, in our Sheriff's Department, Officer Orr is celebrating 15 years of continuous service at Santa Fe County. So I wanted to recognize and extend our appreciation for their continuous service to our community.

We have one individual who retired during the month of October, Travis Darnell with the Community Services Department, specifically our Seniors program.

Looking at those who are just starting their career with Santa Fe County, I'm pleased to recognize a significant number of new hires, in particular those who are in our public safety field as well as our Public Works Department. Starting in the Corrections Department, Subz Seyam joined the Correctinos Department as a detention officer. Christopher Shiplet joined the Correctinos Department as a training coordinator. Troy Wood joined the Corrections Department as a detention officer. We have several new hires in various divisions of the County Manager's Office including Robert Corabi who is our Deputy Finance Director, Sandra Duran, an accountant senior in the Finance Division, Natalie Padilla who is an HR administrator senior, and Erika Palmaffy, who joined the County as a budget analyst.

In the Fire Department Karen Takai joined the Fire Department as a warning and emergency public information officer, and in the Land Use Department, Marie Martinez joined our team as a development review specialist. Erika Delgadillo joined the Public Works Department as a custodian. We have a road maintenance foreman in Gary Autrey,

a heavy equipment operator in Everett Martinez, Road, Fleet, Traffic Division Director, Maria Molina, who I believe most of you have met at various times, and another heavy equipment operator lead in Stefan Petersen.

We had several emergency communication specialists, basic and one advanced join RECC. They are Justin Curry, Hannah Davis, Israel Rodriguez, Aishah Romero, Lucas Sandoval, Leandra Varela, Eugena Wallace. We had several new hires in the Sheriff's Department including David Brown-Ruiz as an animal control officer, Andrea Cordova as administrative assistant, Gerardo Perez, a sheriff deputy cadet, Roger Rivera, an accounting technician, Adrianna Ulibarri, another animal control officer, and finally Francisco Villicana who is a sheriff deputy cadet. So we continue to celebrate that list of new hires at the County.

CHAIR HANSEN: Thank you, Manager Shaffer. That is impressive to see all of these people in departments that we desperately need, so that is great. It's great to see people in RECC, so welcome everybody, and also in Corrections, County Manager's Office and Public Works and the Sheriff's administration. Thank you all for joining Santa Fe County.

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

MANAGER SHAFFER: Thank you, Madam Chair. We had two groups that we wanted to acknowledge, external recognitions for and within the Adult Detention Facility to the individuals in particular that we wanted to recognize. Starting with the Adult Detention Facility we did want to recognize the fact that the facility was re-accredited by the Council for Professional Standards for adult detention facilities statewide. It is a professional standards council that operates under the auspices of New Mexico Counties. It is a significant mark of achievement and quality in terms of the standards that we hold and through audit we were found to meet at a high percentage of the time.

So it's a significant achievement not only because of what it represents but also because of the human resources that go into going through such an accreditation process. It may not be as arduous as our annual financial audit but it is a significant audit nonetheless in terms of how exacting the council is in ensuring our compliance with those standards.

So I'd ask Warden Williams to come forward and say a few words about the specific team members that he wanted to acknowledge as part of their commitment to quality assurance as well as seeing us through the auditing process. Thank you, Warden Williams.

DEREK WILLIAMS (Warden): Thank you, Madam Chair, Commissioners. Let me first introduce Daisy Quintana. She's our compliance manager, and this is Christopher Bradley. He's her assistant. Deputy Warden Wade Ellis, also I brought with us. I wish I could bring more because there's a significant – there's a numerous amount of other employees who participate in this ultimate success of the audit findings and being re-accredited, but these two particularly ran the show and got the accreditation going. So a tremendous amount of appreciation to both of them for that. I

let them speak.

DAISY QUINTANA (Corrections): I'd just like to stay thank you and it was a pleasure doing the NMAC accreditation and I'm glad that we passed.

CHRISTOPHER BRADLEY (Corrections): It's an honor to be here and I would like to say that this was a collaborative effort. This was a very huge undertaking. I've been working Corrections for 13 years and I've been working in Compliance for about a year and a couple of months now. So when we were given the task to do this, again, it was overwhelming at first, but like the warden had said, it was a collaborative effort between many different individuals throughout the department, throughout Correctinos. I wish they could all be here. There are quite a few, but if they can hear me I'd like to thank them also.

CHAIR HANSEN: Yes. When I saw that we had achieved our accreditation I immediately called the Manager and said, oh, we should recognize them, so I'm so happy to see you here to be recognized, because after being a Commissioner for seven years, I recognize how hard it is to run a jail and run a detention facility and Santa Fe County has an outstanding record. As I said to the warden earlier, when it was in the paper and they were talking about staffing, Santa Fe County wasn't mentioned, and I know that is because of your leadership, because of the leadership of Santa Fe County in raising people's salaries, providing places for you to recreate and rest, and all of those things that are important in such a stressful environment as the detention facility.

So from the bottom of my heart I thank you for the accreditation and the really, really hard work that it takes to have done this. There are a couple things that are really, really important in Santa Fe County and one of them is our financial audit but the other thing is our detention facility and making sure it is run at a really high level. And for that I'm grateful to the warden and deputy warden and to all of the people who work at the detention facility. It is a hard job and I recognize that. I think the whole Board recognizes that, how difficult it is. I see that Commissioner Hughes would like to say a few words also.

COMMISSIONER HUGHES: Well, just to echo what Chair Hansen said I think it's great that you have done such a good job and I appreciate the tours we get every year and the good job that you all do, so congratulations.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Just a short thank you to say well earned recognition. I'm glad that there are awards for this sort of thing and I've been impressed with the facility and the times that we've gone there and interacted with you and the team members so thank you very much and congratulations.

WARDEN WILLIAMS: Thank you.

MANAGER SHAFFER: Madam Chair, Commissioners, I'm going to recognize our Sustainability Division and suggest that we have photos at that point, if the warden and your team want to just sit tight for a second.

So the second organizational unit we want to recognize was our Sustainability Division which reports annually on climate action policies, actions, ongoing projects, and greenhouse gas emissions to the Carbon Disclosure Project. The Carbon Disclosure Project is a global non-profit organization that grades cities, counties, states, regions and corporations on their emissions, goals and contributions to climate action. This grading

process incorporates emissions as well as deforestation and water security in their calculations for global impact.

Santa Fe County was awarded an A- grade this year for mitigation, and an A for adaptation based upon the Carbon Disclosure Project's recent evaluation of the County's reported improvements and climate action planning. This grade is considered a climate action leadership level and recognizes the County's sustainability related work and goals achieved from fiscal year 2022 through fiscal year 2023. As described by the Carbon Disclosure Project itself, this leadership level reflects a demonstration of best practice standards across adaptation and mitigation areas and ambitious goals and substantial progress towards achieving those goals.

So again, I want to recognize the Sustainability Division for the appreciation and grades that were awarded to it by the Carbon Disclosure Project. So Jacqueline, if you want to come up.

JACQUELINE BEAM (Sustainability Manager): Thank you, County Manager, Commissioners. I'd like to thank also the team that is with me and without this team there's no way we could do everything that we do. This is Nav Khalsa, the volunteer coordinator who is a big part of our nature-based climate solutions, and Michael Carr, also, who joined us recently, a big part of our nature-based climate solutions. And Will Donahoo unfortunately could not be here but he was the one who put the final marks on our report that really took us over to the A side. So I really wish he could be here but he had jury duty today so he is fulfilling his civic duty.

Without all of the help of all of the departments there is absolutely no way we could accomplish what we have accomplished in this past year. And so I hope to continue this fight and thank you very much for all the support and leadership.

CHAIR HANSEN: It's great to see you here. It was really great to see that we are a global leader. Jacqueline and I had the pleasure of going to the Cities Summit of the Americas, which was not global but all of the Americas, North, South, Central. And seeing that we're a player and that we're really contributing to reducing carbon in our county, and that's all that we can do right here, is we can be a leader here and share it with our other counties.

Getting these kinds of awards makes it – shows that, hey, Santa Fe County is leading the way and you can do this too. If we can do it they can do it. So I think it's something that we should all be incredibly proud of and I want to thank everybody on the Sustainability team and everybody who worked on this because this is something that when Commissioner Hamilton and I got elected the first thing we did was we joined the Paris Agreement and that kind of set the goals for the County to meet. And we have met them and we have worked on them, and I am just – it makes me so proud to be a County Commissioner in a County that cares about the climate, cares about the world and everything that we have been doing.

So thank you very, very much. Commissioner Hamilton.

COMMISSIONER HAMILTON: Well, you basically said it all. There's so much to be done but if we do it a little bit at a time and, yes, it's really amazing that you guys are kind of paving that way. And one of the things that I am in addition really happy to see is that we're starting to pave the way in more than just the obvious "Low-hanging fruit" and doing things that are deeper and interdepartmental, and I think that is

also a very, very big accomplishment. Not as easy to do and not as showy, but equally or maybe even more important. So thank you for those efforts.

CHAIR HANSEN: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: I too want to thank you and I want to actually acknowledge that I didn't get a chance to acknowledge the previous recognition, so I did want to just make sure that I cut that it, but I'll get to it. But what I'm so grateful for in the work that you're doing is that it's measureable, right? You're making a measurable difference. There are a lot of people who say and do a lot of stuff without having a real sense of what the accomplishment is, and I'm very grateful for your good work, so thank you for your evidenced achievements. Thank you.

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I think it has all been said so I'll just add congratulations. Thank you very much for your work.

COMMISSIONER GREENE: Thank you, Madam Chair. As Commissioner Hamilton said, it's a big issue, so the baby steps and every little step counts. If you try to look at it as a big thing it's overwhelming. But the fact that you take off these bite-sized pieces and you accomplish them piece by piece is some way that we can make progress, and it's a good way to lead by example. So thank you.

CHAIR HANSEN: Thank you all very, very much, and we do have certificates for everyone and I assume we're going to take a picture. I see Daniel standing there with a camera so we'll come down, unless there's any other comments that anybody would like to make.

[Photographs were taken.]

MANAGER SHAFFER: Madam Chair, Commissioners, I've been informed that we're having a slight technical issue that prevents material from being projected on the at-large screen and so IT has requested a short break so that they can attend to that, so that we can have a better user experience for our meeting.

CHAIR HANSEN: So we're going to take a five minute break then we'll carry on with the Board of Finance meeting. Thank you everybody.

[The Commission recessed from 2:30 to 3:06.]

CHAIR HANSEN: Welcome back everyone.

## 2. Board of Finance Meeting

Commissioner Greene moved to recess and convene as the Board of Finance at 3:06. Commissioner Hamilton seconded and the motion carried unanimously.

- A. **Call to Order**
- B. **Roll Call**

Roll call showed the presence of a quorum with all Commissioners present.

**C. Approval of Agenda**

CHAIR HANSEN: Do we have any changes to the agenda from the Finance Committee? Everything's fine? Okay. So can I please have a motion to approve the agenda?

COMMISSIONER GREENE: So moved.

COMMISSIONER HUGHES: Second.

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

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

**D. County Treasurer's 2023 Second Half Report**

CHAIR HANSEN: Welcome, County Treasurer Manzanares and Deputy County Treasurer Varela. We are on to your report on the second half. Take it away.

JENNIFER MANZANARES (County Treasurer): Buenas tardes, Chair Hansen and Commissioners. Good afternoon. Today the Santa Fe County Treasurer's update will start with our rising fed fund rates and a possible halt, inverted yield curve, the one-year to the five-year spread, the 23 property tax update, and our property tax outreach program, and P-TOP in effect in many locations.

So with taxing updates, one of the things that we found with this year's tax season that the tax bills go out find and staffing shortages at the postal service has us in constant communication with them to make sure that what we get from our property taxpayers is getting to our lockbox. So that's been a very diligence that we've had in the office.

Today we've had a lot of walk-ins. We have a lot of individuals paying in full, so I feel like it's already successful. We've had online payments and so just tracking the bigger scene of how this is going to look for our budget, we're doing that. So we also have our property tax outreach program that has also received a positive response as it does every year. Today we were in La Cienega. We've been out in Edgewood and Eldorado, and we have our usuals, our seniors that enjoy that program a lot. So that is the update for our Treasurer's Office.

So moving to our fiscal agent balance, we have 36 accounts at \$23,867,564.04 at 35 basis points. Portfolio balances, we have a total of \$428,295,517.48. And with our other holdings, we have three holdings at LANB Studio, local CDs and BNY Mellon totaling \$12,224,726.57. And we have our yearly draw-down that we received at approximately \$260,000. So a grand total of all our holdings, \$440, 520,244.05. Total with bank accounts: \$464,387,808.09.

Moving on to our earnings, we have our LANB Studio CD we have 250 basis points, 2 ½ percent. Our FICAs, 40 basis point, .4 percent, UBS is at 455 basis points at 4.55 percent, Wealth, 522 to 525 basis points, and investments, 50 to 600 basis points.

So our yield income - \$16,287,638.55, for our end of year earnings considerably higher than other years. And as we move to the next piece of our presentation for the Board of Finance the Deputy Treasurer will share some of the why, and what the inflation



is doing.

PATRICK VARELA (Deputy County Treasurer): Thank you, Madam Treasurer. Good afternoon, Chair Hansen and members of the Commission. We'll start off here with the inflation slide here. This is what they call a G-10 slide; it's the inflation monitor. This is for last month. We haven't gotten the new one yet. As you can see this was at November 13<sup>th</sup>. We're still at the headline inflation is at 3.7 and the actual or the sticky inflation or core, otherwise known as 3.4. The 3.4, the core inflation is always the hardest to come down. Once it gets up it's very hard to come down and what's in that basket at the core is services, hospital services, housing, all those kinds of services are tranched in that one core inflation. So to get down from that area is going to be the hard part. That's what the feds have been trying to lasso the last year.

This next slide here gives you the predicted rate hikes or cuts for next month, the next month's fed meeting. As you can see there's only a 9.5 percent chance that they will increase the rates. Again, this was done November 10<sup>th</sup>. I got this off of Bloomberg. This comes out the following day, US inflation broadly slows, so they're thinking that the feds aren't going to do any more rate hikes. Based on this map here, they're looking at the different areas that the inflation has come down on. If you really look at it the circled areas as the areas with the least inflation and believe it or not, what they call the Rust Belt, which is the pink area there is at 2.9. The rest of the country is still high above at the 3.324 percent inflation rate.

Looking at the CPI, you look at October it went down slightly. There was big news about that but it hence went back up so they're looking now, they came out on TV Monday and said the rates are still going to be high and there's a good chance that they won't raise them next month now in December but maybe in January at the next fed fund meeting.

So this is the dot plot. What this does is – this is the fed's governor's bets on what the interest rates are going to be like for the following year. So they're saying that at the end of year it's going to end up a little bit over 5.50; that's where it's pretty much at. Next year, if you look at the green, they're saying that it's going to be around, just a little bit over five, the following year, below four. I'm thinking the way that things are going it's going to pretty much follow the white line, which is the fed fund future rates. I don't think there's going to be too much cutting back on interest rates next year.

How does that affect the County? Well, it's a good thing on our investment side portfolio. Bad for people trying to get homes or cars because it puts them in a whole different situation. I'll go over that in a minute. But this is what the yield curve looked like as of 11/7 of this year compared to last year. So the green shows that we're pretty much above five percent to a year and starts to invert from a year to five years. What that is, it's a lot of uncertainty. A lot of investors aren't sure how to invest – looking for more stability in order to lift that curve. Right now there's not predictability at all. There's a lot of factors in there. The student loan payback – we don't know how that's going to affect. We don't know how these different wars that are going on over in Europe is going to affect. So all those come into play.

The petroleum has gone down a lot, which I'm pretty sure you see that at the pump. So they're thinking that the oil cartel is going to be slowing down production, so that will raise up the barrel rate right now. It went from \$100 or near \$100. Now it's like

at \$72 a barrel. So it's gone down a lot within the last month.

So you can see that with these two graphs here that they almost kiss each other at the three-year mark. So what this means for the County is that we could still get higher interest rates up to four years.

This next slide here is the old Lehman Brothers ticker, which is actually the fixed income. So it's all the fixed income put into one. So you can see the yield to us is at 5.30, or five percent, at the worst that you could get on a fixed income. The problem with that is this next slide here, this is the 30-year mortgage. This was the day after the fed said that they were going to increase it. It dropped from almost over eight percent that you're paying on a 30-year mortgage to 7.79. Again, how does this affect the County? Well, people aren't going out for mortgages now.

This next slide you see that the new family home sales has gone down. The existing home sales have gone down, and also this next one is the auto inventory to the home inventory where it's pretty much down. So we invest in fixed income as a County, we can't find that many investment paper, because there's not many people going out for mortgages again. So in the old days, like last year, we could get three percent. There would be a large tranche. You could find \$200 million of one fixed income. Now we're lucky to find a tranche of \$5 million. So that means that a lot of people aren't going to get either refinances or new homes. And when there are refinances or new homes, which when you see refinance, it's usually for a need that they'd rather play this lower rate than 29 percent on their credit card. So this is what's causing these smaller tranches. So we're challenged to find what we can invest in. So for example, we just did a new general obligation bond 2023. Ninety-nine percent of that is all in treasuries because that's what's available right now. The difference between a treasury and a fixed income was a spread of about 30 basis points. So they are higher above the treasury, but they're still safe investments.

The predicted interest rates here, of the green dots, we've been investing where the feds are pretty much going to be doing either a rate hike or a rate cut, and the green and blue shows what we can anchor in lower rates for a duration of three to five years and it's still getting that high interest rate. Drawbacks of a lot of this stuff is small businesses are having a lot of trouble because of the credit crunch getting loans. So they're having to find different hoops to jump through to get to that. This ticker has a lot that we – this is how we invest in the fixed incomes when the spike is low, that's when we invest because usually you can find the bond at a cheaper price.

We've been finding – they look like cheaper coupons, but actually the yield to maturity is quite high because we're not paying \$100 for the security; we're paying about \$99, \$98, even \$96. So we get that extra it gives it a higher yield to maturity.

Before I yield for the Treasurer I yield for any questions.

CHAIR HANSEN: Any questions from the Board? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you. I should know this, but I think you showed \$16 million from our investments. Is that right? Does that just go into the general fund, or is that restricted to various types of expenditure based on where the money was made from?

MR. VARELA: Chair Hansen, Commissioner Hughes, that's a good

question. It's all of the investments across the board. Each operational account, core account, and general obligation bonds have earned that \$16 million projected year-to-date.

COMMISSIONER HUGHES: Okay, so it goes back into the fund where the money was generated from. So if it was in the Housing fund, they would spend it on housing.

MR. VARELA: Correct. There's a couple of Housing funds and it goes back to the Housing fund. So they've gotten – I know one of them matured around March and it got about \$200,000 just in interest for like nine months, which is really good. So it stayed at the Housing fund.

COMMISSIONER HUGHES: Great. Thank you.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Treasurer and Deputy Treasurer. So you mentioned that the \$16 million was up, a larger return than normal. That's obvious because rates are much higher, but also inflation is much higher. So I guess – what is that cost of money? What is that delta between – inflation is eating away at the value of this, but we've made a return which is the goal. You're trying to keep the delta as high as possible. Do you track that delta? Do you have a way of reporting that to us to say, look, inflation's high; it's eating five percent a year. But I'm getting – you all are getting a return of six percent. So the delta is one percent. So you're showing how you're staying ahead of inflation or not, right? Because you can't get good investments.

MR. VARELA: Thank you, Commissioner. We don't see that part, the expense part. We just see the income coming in. However, I do know in 2020 and 2021 a lot of projects were halted because the inflation was so high that they were getting project prices, estimates, and by the time they got approved through the Commission the prices had changed. That's going to happen up to probably February, where I don't think that, for example, home improvement stuff is going to score down substantially, because there's not much building going on.

So I think we would have to do something between Finance to find out what they're paying to what we're actually earning.

COMMISSIONER GREENE: Okay. I was thinking of it terms of it's not necessarily the costs of inflation, the true impact at Public Works or wherever we're actually spending the money, but more of just here's what the fed is saying or the federal governments are saying and you're beating inflation by x-points. I would think that that would be one of your goals in the investment is to say, they report inflation and 3.5 percent, and guess what – we're getting 4.5 percent in our return. So as long as we're ahead of things we're ahead of things. So anyway, I would love to be able to see that to sort of track that as a performance metric. Inflation is here. We're beating inflation or we're not. Right? Sometimes investments don't work out.

Two more questions if I may. One, we discussed this a couple weeks ago, probably a month ago, about getting a new bank to do our sort of transactional accounts, and with \$400 million sitting in the bank I'm wondering – and Leandro is here and he tried to school me a little bit on this and so thank you, Leandro, but I still am concerned about how we can help our local banks. And I understand that, yes, they are maybe not in

a position to do this, but in a way, I think that one, if we want to try to help them capitalize on this opportunity that we start working with them. Not necessarily investing in them but working with them and saying, you didn't win because of this. But if you did this and you kept your balances here or your rates low – whatever the things that made us not choose them, if we were actually informative to them and said, if you only did this we would put our money with you, that it might give them an opportunity to better themselves and be a better bank, and then, once we're putting \$25 million into them, they'll be an even better bank, right? It's like how to make our local banks sort of compete without saying just because you didn't win we're going with a national bank. It's just going to kill our local banks at the end of the day.

So there's a way that we can help them. And so I don't necessarily need an answer to say why we're not doing it but just to say can we work with them in a way to inform them and why they're not winning those bids.

MR. VARELA: That's a good question. The Treasurer and I still kept the bulk of that investment money. It's still staying here locally. It's at the wealth department at First National. So that didn't get moved. Sometimes big banks, they offer more but even become a little fish in a big pond now because sometimes you're not the big one that they pay attention to. So it's going to be interesting how things pan out.

COMMISSIONER GREENE: And I understand that half of our local banks aren't local anymore but they're regional, and I think that there's an aspect to look at them in terms of even if they're regional or even if they're national banks, ask for how much – if we're putting money into you and you're going to earn this opportunity from us, how much are you reinvesting – not necessarily in Santa Fe County, per se, but Santa Fe County at a macro level. We are extending – you're putting in \$20 million? Guess what. We put \$100 million in loans in Santa Fe County. That could be one of those metrics that says, wow, these people are really investing in us. So there are banks out there that are here in presence, but are not making loans in Santa Fe County. And then there are banks that are local that don't have very many loans in Santa Fe County.

Anyway, looking at our banks when we're screening who to put money into in a different way, to say the bonus factor is how much are you reinvesting in our community, would be something that I would be happy to see and to say, that's a good – we're putting the money where people are valuing our opportunity here.

And the last question I have, are we allowed to invest with the State Investment Council? I know that some communities are doing it, but there's like the severance payment and funds and stuff like that, education funds, and I know that some larger communities are putting their money in that but I don't know if we can or want to.

MR. VARELA: That's a very good question, Commissioner. The reason we can't invest in them is because of what we're allowed to invest in and what they invest in are two different things. For instance they can invest more into corporates, which we can't, or annuities, we can't. So that's the reason we can't, but we can invest in the LGIP, which former Commissioners have not wanted to because during the Lehman Brothers fiasco we lost close to a million dollars which we got about \$200,000 of that back. So that's the only reason that keeps us from working in the State Investment Council.

COMMISSIONER GREENE: Because I know that they're working for us,

right? It's one of the biggest sovereign wealth funds in the country. In the world, actually. And there's some pretty smart chaps over there.

MR. VARELA: They're very smart over there. They pretty much do what I do constantly every minute of the day. I just have opportunities to do it like three hours of the day.

COMMISSIONER GREENE: Great. Thank you.

CHAIR HANSEN: Any other questions from the Board? Commissioner Hughes.

COMMISSIONER HUGHES: I just forgot to say thank you for taking good care of our money and the good job that you both do and your whole staff. Thank you.

MR. VARELA: I'll turn it over to the Treasurer

**E. Request Approval of County Treasurer's Six-Month Investment Strategy**

TREASURER MANZANARES: Thank you, Deputy. Madam Chair, members of the Commission, I appreciate the questions and I think to circle back to yours, Commissioner Greene, I'd like to explore your first question more, and on the second, I agree with you. I think there's value in our local banks as well.

Okay, so for our six-month investment strategy, we would like to invest and reinvest in short-term treasuries, one month to one and a half year window; invest in coupons with sensible cash flow when available; invest in supras, CDs, and GSEs with sensible spreads over the Treasury as fixed incomes are fading; and anchor high interest rates by purchasing bullets to maintain a higher interest rate in the lower interest environments.

We have discussed this at length at our Investment Committee meetings and if there are any questions about our strategy we yield for questions. This is what's proposed for the next six months.

CHAIR HANSEN: Are there any questions? Commissioner Hughes.

COMMISSIONER HUGHES: Mostly just a comment, because I think this is a really sensible strategy for this year and I'd just like to encourage us to always look at the local government investment fund through the State Treasurer's Office when we can't make five percent on treasury bonds anymore. But maybe that's going to be a long time away.

TREASURER MANZANARES: Madam Chair, Commissioner, I think one of the initiatives we've taken on in the Treasurer's Office is to work closely with the Housing staff, and we stay in constant communication with – we should meet about this to maybe have something internal that we can do so we have explored white papers and seeing how we can move. We'll be patient as that moves forward and we're hopeful.

COMMISSIONER HUGHES: Okay. Thank you.

TREASURER MANZANARES: So, yes. Thank you.

CHAIR HANSEN: Are there any other questions about this six-month investment strategy? Can I have a motion to approve?

COMMISSIONER BUSTAMANTE: Madam Chair, I motion to approve

the strategy that's been presented by the Treasurer's Office.

COMMISSIONER HUGHES: And I second.

CHAIR HANSEN: There's a motion from Commissioner Bustamante and a second from mm. Any questions?

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

**F. Request Approval of Amendments to the Santa Fe County Investment Policy**

CHAIR HANSEN: On the agenda it says request approval of amendments to the Santa Fe County Investment Policy. Did you provide that?

TREASURER MANZANARES: It's in the packet.

CHAIR HANSEN: Did I miss that?

COMMISSIONER HUGHES: We have it.

TREASURER MANZANARES: Madam Chair, this being an action item, if it's approved we would also need a motion to approve that.

CHAIR HANSEN: Okay. Do I have a motion?

COMMISSIONER HUGHES: I'll make a motion to approve the new Investment Policy.

COMMISSIONER HAMILTON: Second.

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

CHAIR HANSEN: Thank you very much for all your work and thank you for coming and presenting to us. Commissioner Greene and Commissioner Bustamante, you're always welcome to come to the Investment Committee meeting where you can have a longer discussion. I think we all believe in supporting our local banks but sometimes the local banks can't provide the services that we need for the County. So I think we do invest in the local banks when we can and where we can. I know that we buy CDs locally. So there's a lot of ways that we interact with our local banks, because we all care about keeping our banks local and keeping them healthy.

TREASURER MANZANARES: Madam Chair, members of the Commission, thank you, and happy holidays.

CHAIR HANSEN: Happy holidays. Thank you very much.

TREASURER MANZANARES: Thank you for your good work.

**2. G. Adjournment and Reconvene as Board of County Commissioners**

COMMISSIONER BUSTAMANTE: Madam Chair, motion to adjourn and reconvene as the Board of County Commissioners.

COMMISSIONER GREENE: I'll second.

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

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

**[The Commission reconvened as County Commissioners at 3:22]**

**3. Approval of Meeting Minutes: October 31, 2023**

COMMISSIONER HUGHES: Madam Chair, I'll make a motion to approve the October 31, 2023 Board of County Commissioners meeting minutes.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Hughes, a second from Commissioner Hamilton. Under discussion, do I have any changes or anything? Hearing none.

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

**4. Consideration Proclamations, Resolutions, and/or Recognitions - None**

**5. Consent Agenda**

- A. Resolution No. 2023-116, a Resolution Authorizing Holidays, Closing of County Offices, and the 2024 Santa Fe County Employee Calendar (Human Resources Division/Sonya Quintana)**

CHAIR HANSEN: Can I have a motion to approve the Consent Agenda?

COMMISSIONER HAMILTON: So moved.

COMMISSIONER HUGHES: Second.

CHAIR HANSEN: Under discussion?

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

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

**6. Appointments/Reappointments - None were presented.**

**7. Miscellaneous Action Items**

- A. Request (1) Approval to Utilize an Existing Cooperative Educational Services Contract to Enter into an Agreement with MolzenCorbin to Provide Engineering Design and Construction Services to Redirect Flows Entering the County Abajo Lift Station to the County Water Reclamation Facility for a Total Compensation of \$586,580, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Agreement and the Purchase Order for Engineering**

CHAIR HANSEN: Paul Choman, welcome.

PAUL CHOMAN (Utilities Director): Thank you very much. Madam

Chair and Commissioners, this is the last segment of a planned backbone in SDA-1. It's critical infrastructure that the County needs for the wastewater program. It will redirect flow from the current location going to the Paseo Real City facility to the County water reclamation facility, ADA the Quill Plant.

CHAIR HANSEN: Are there any questions from the Board?

COMMISSIONER HAMILTON: No, but Madam Chair, I move to approve.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HANSEN: Okay, under discussion?

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

**B. Request Acceptance of Transportation Project Fund (TPF) Grant #LP50048 from the State of New Mexico, Department of Transportation for the Los Pinos Road and Bridge Construction Project in the Amount of \$1,140,000**

CHAIR HANSEN: Welcome, Mr. Snyder.

BRIAN SNYDER (Public Works Director): Good afternoon, Madam Chair and Commissioners. What's before you this afternoon is Santa Fe County has been awarded a \$1,140,000 transportation project fund grant, similar to what we brought forward last year to finish off the funding for the northeast/southeast connector. This funding cycle, in working with our Santa Fe MPO and NMDOT there was less funding available than the \$4 million we got last year but we still got a decent amount of funding this year.

This project funding, we'll consider it as gap funding to complete the project for the Los Pinos Road bridge construction. If you recall, last year during the legislative cycle we made a request for a million dollars and we got \$50,000 through that cycle. This additional funding, in addition to the existing funding we have in place about \$1.85 million. We believe it will get us to the point where we have enough funding for a construction manager and contractor, and we are on schedule to put this out to bid this winter, 2024, begin construction in spring, summer of 2024, and complete in the fall/winter of 2024.

We received this TPF funding grant in October and we need to accept this by the end of November so that we don't run the risk of NMDOT pulling these funds. And with that I'll stand for any questions.

CHAIR HANSEN: Commissioner Bustamante, do you have any questions?

COMMISSIONER BUSTAMANTE: I don't have any questions. I appreciate the time and effort that's been taken to pull this together. I have seen many a floating car through this particular area. I know that there are people who are looking forward to this moving forward. So thank you.

CHAIR HANSEN: Any other questions from anybody? Commissioner Greene.

COMMISSIONER GREENE: Just as an acknowledgement, thank you for



putting things on a map and visually identifying these things. So thanks.

MR. SNYDER: You're welcome.

CHAIR HANSEN: Any other questions? Commissioner Bustamante, would you like to make a motion?

COMMISSIONER BUSTAMANTE: Madam Chair, I move to accept the request for the transportation project funds.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Okay, item 7. B, we have a motion by Commissioner Bustamante, a second by Commissioner Hamilton.

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

**7. C. Resolution No. 2023-117, a Resolution Identifying 2024 Legislative Capital Outlay Priorities [Exhibit 1: Revised Resolution]**

CHAIR HANSEN: I believe we have Leandro and we have Hvtce Miller, and I believe we have a new resolution also that is being handed out as we speak that we'll be going over.

LEANDRO CORDOVA (Deputy County Manager): Thank you, Madam Chair. I think I'm the first of maybe the next six of these, which are pretty similar, all legislative priorities. As we know, the legislature and Governor are a significant source of funding for capital project within the county and across the state, and with revenue estimates suggesting a significant amount of capital outlay dollars, we're coming to you with our legislative asks. Annually, the Board adopts the County's Infrastructure and Capital Improvement Plan or ICIP for the next five years. We did that with Resolution No. 2023-088 back in August and to help identify the additional projects, County staff solicited priority lists from each individual Commissioner, which is our attached Exhibit B.

Separately, County staff sought to identify projects that were countywide in impact so as to potentially drum up interest from multiple legislators, projects that were expensive, and projects that fit within categories of presumed interest to the Governor and legislators, such as affordable housing, public safety, outdoor rec, tourism, transportation alternatives.

So besides the top five of our ICIP, we had a resolution, a couple other projects, base on the input that we got from the Commissioners as well as the other criteria I mentioned. And those additional projects were Nueva Acequia multi-family development infrastructure, a \$10 million ask; public housing upgrades at Camino de Jacobo, Valle Vista and Santa Cruz housing communities, just over \$12 million ask; our P-25 public safety radio project at \$5.235 million ask; and the Santa Fe River Trail from Caja de Oro to Cottonwood Drive, a \$10.5 million ask.

As well as those, we did just now hand out the updated resolution to also include countywide sustainability projects at an ask of \$8.921 million, and improvements to roads countywide. This is kind of a catchall for funding for anticipated shortfalls, any emergency maintenance and repairs, or any engineering services for future projects we may not have identified and we're asking \$10 million on that. And then we did also make

some changes to the “Now, therefore be it resolved” and I’ll just go ahead and read it. Now, therefore be it resolved that the County Commissioners and County staff may individually or through its contract lobbyist also express support for a capital outlay request of other governmental entities for projects within the county that would advance the public health, safety and welfare of the community, and that are not inconsistent with the County’s established policies.

So I think I highlighted the changes to the resolution that was attached. We added those two projects and the changes in the “therefore be it resolved” and I will stand for questions at this time.

MANAGER SHAFFER: If I could add, Madam Chair and Commissioners, that we also want to recognize and acknowledge that one of our contract lobbyists, Al Park, is available via Webex. The additional projects that staff are recommending that we highlight as priorities in part grew out of our recent conversation with Al and Jason Weeks. Just relative to the amount of potential funding that may be available from the legislature is to ensure that we have adequate number of priority projects to consume whatever money may be available due to increased revenue estimates and other reasons.

The thing I would emphasize about asking the big dollar amounts, in addition to what’s already been said, is that the amount of appropriations that are going for – that are spread out amongst numerous projects, but that don’t fully fund projects, is causing consistent problems throughout the system. We have all of these small appropriation and capital projects that are overwhelming the capacity of the Department of Finance and Administration, Local Government Division, just to administer the projects. So even though – and I’m not throwing shade on DFA; that’s not my point. My point is the legislature hasn’t increased its capacity in order to keep up with the volume of grant agreements that they’re being asked to process and oversee.

So even though the 2023 capital outlay projects were funded basically from cash, they weren’t using bonds, we still haven’t received grant agreements for several of our significant capital outlay appropriations, including the Agua Fria sewer project. So we’re still waiting on the grant agreement from the state in several different instances.

We are also having challenges in terms of having the state issue what they call notice of obligation of funds, which is their approval that, yes, we have this contract. We approve it. It’s consistent with the appropriation. You can go forward and spend it with confidence. And again, that’s not unique to Santa Fe County, but it’s a challenge that I think all local governments are experiencing statewide.

So asking for the money, again, in bigger chunks, helps on that capacity side. It also helps on the capacity side with the County because if we get capital outlay appropriations from the state in large dollar amounts for significant projects, there’s a greater opportunity that we’ll be able to timely obligate those funds and spend them down, which is a criterion that the legislature and the Legislative Finance Committee sometimes looks at as to, are you spending the money you’re already getting. And simply put, having money spent out, even if it adds up to the same amount, but spread out over 13, 25 projects, but not enough money to fully fund anything, it’s hard for us to meet that criterion in terms of obligating funds.

So I just wanted to add that additional context to support the idea of zeroing in on

significant projects that, again, are countywide in impact, in addition to the five ICIP priorities that the Board had previously identified in the hopes of having, number one, a consistent and concise lobbying message, but number two, hopefully helping the entire capital outlay process by having fewer but larger grant agreements and projects to manage from the state down to our own project staff.

So again, thanks for indulging those additional words.

CHAIR HANSEN: Thank you, Manager Shaffer. Questions from the Board? Commissioner Greene.

COMMISSIONER GREENE: Madam Chair, thank you very much. Leandro, and thank you County Manager. I was out of town when a request went out to update this and so I had had a question about a couple things that, first off, a number of items appear to be things that have already been funded in the list that we had received. Things like the Española Pathways Shelter managed to get fully funded, even if it wasn't fully funded by us, by our ICIP request. They received the CASA Connect grant from the Governor's Office. And so in theory they don't need any more money and congratulations to them, but they should be removed from our list.

And so I would hope that we keep a fresh list going and recognize those other funding things for those third parties. The same thing for the opera. The opera got their \$5 million last year, and I guess there's some funding gap because of some cost issues, but that's in further out years at this point, and god knows how those cost issues are going to come out if the project is three, four, five years out into the future. So I wonder if those – if people who've been fully funded are on this list, if our list is really that accurate.

So I was concerned about that. I didn't seem to get an answer in time, before I left town, and so that was the reason why I didn't submit my priorities. And so I'm wondering – again, last year, the Rio en Medio open space restoration and flooding prevention, that is something that I think there's federal money for. We also put that on the list at the request of Representative Andrea Romero and it didn't get funded. So you snooze you lose, right? If this was her priority, I think there are other priorities that we could be putting in my top priority.

So I'm wondering, if I may, put an edit to this and strike item #3 and replace it with something in the same neighborhood, for the same constituents, with less of a pot of money to support it, which would be the Rio en Medio road widening project up on 592.

MR. CORDOVA: So Madam Chair, Commissioner Greene, I hear you on removing projects that were fully funded. I think at the time that we put this before you in August, Pathways wasn't sure and they asked to stay on the list. The opera is fully funded so I think we can safely ask them to not ask for any more, but I hear you.

In terms of Rio en Medio open space restoration and flooding prevention, that's a million dollar ask from our Open Space Department for improvements to the open space, not just from the flooding but other projects that had been anticipated prior to the flooding. So the million dollars would still be useful for us to achieve some of the goals that had been set out for that open space area. We definitely can look at the other project in regards to a change. I think it is on the ICIP, so the road widening?

COMMISSIONER GREENE: Yes, sir. So currently, because of the flooding that has happened up in that area, the access to the open space up there is severely limited. And so I would hope that it's not so much – or it is inclusive of access

improvements. Because one of the issues up there is that while the open space is beautiful the neighbors up there have major issues because there's no parking. And so they've closed the trailhead because there's no trail going up to the mountain, and it's probably not going to be there for a few years, and god knows if we'll ever get that open again, one. Two, the neighbors up there, we need to work with the folks up there to figure out how to get a parking lot up there, because currently, Rio en Medio just doesn't have a trailhead and parking, and it doesn't have a solution either at the community center, or sidewalks to get residents up there and community members.

So I find that, yes, this may be a necessary project but this shouldn't necessarily be our priority.

MR. CORDOVA: Madam Chair, Commissioner, I understand what you're saying. I'll let you know that staff is still continuing to work with the community up there. The fact that you had a [inaudible] meeting with Ms. Morton later next week to talk about some ideas she has in regards to potential parking and things like that. So I understand what you're saying. I'd just let you know that staff is continuing to pursue the efforts that they had started before the flooding, is how they look at it and this the ask that had come from them.

COMMISSIONER GREENE: And I know there's a resident up there that we were helping that I think that there's some solutions that we spoke about but I don't know if you're pursuing them, so I'd love an update on that in the future.

May I make an amendment, since this is our chance to do it? Is that something that you're not happy to entertain right now?

MANAGER SHAFFER: It's your list, so –

COMMISSIONER GREENE: That's what I thought.

MANAGER SHAFFER: We're happy to entertain any amendment. We started the process thinking that the ICIP priorities that the Board had previously set were firm, and that's why they were placed on there. But again, if the Board would like to move in a different direction that's the pleasure of the Board. I probably would suggest in that event that we update the ICIP so that all of our documents are consistent relevant to the top five projects. But that's housekeeping that we could do at a future meeting. I hope that answers your question.

CHAIR HANSEN: So what I would like to know is the Rio en Medio open space restoration and flooding project seems to be a thing that staff is concerned about. I don't see staff here to speak to it. So I'm wondering if they're online or if we could – I don't think Open Space is under Paul. They're under –

MR. CORDOVA: Madam Chair, it's our Planning group and I do not know if they're online. They would be the appropriate ones to give you all the details of the work that they've done. We have a few plans that are being completed and we're looking to try to implement the suggestions in those plans. And I think the million dollars doesn't even complete it. That just gets us quite a ways into the plan but that wouldn't be all of it as well. There's more after that that we would request.

COMMISSIONER HAMILTON: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HAMILTON: This is always a tiresome question, so I apologize ahead of time but how long has the Rio en Medio project been on the – I

assume it's - it's the process question. Has that one gone through the process and is this road widening been a vetted -

COMMISSIONER GREENE: They're both on the ICIP list. It's just - there's a secondary issue here which is that while I do support both of them; don't get me wrong. But the fact that there is the potential for a broadband project and a dig once project to go up to Rio en Medio and Chupadero that would go along the road, that a road project doing it at the same time as a broadband project, again, is an opportunity to solve two problems with one solution.

CHAIR HANSEN: So maybe Mr. Snyder, you could address Rio en Medio road widening project. What you're possibly asking, Commissioner Hamilton, also.

COMMISSIONER HAMILTON: They're both on. It's kind of a process.

MR. SNYDER: Madam Chair and Commissioners, the Rio en Medio road widening project is still conceptual. There's no plans in place for planning or design of that at this time. There's been an identified need for that but that's still - until we get some level of funding we wouldn't initiate any planning effort on that. So it would still be in what I'll call the planning stages.

CHAIR HANSEN: One of the things that when I met with Senator Muñoz that he was very clear about is that he is looking for shovel-ready projects. Like they don't want projects that are a couple years out; they want to spend the money on shovel-ready projects. If this is still in the planning stages - has it had any planning done?

Ss: Madam Chair, I do not believe that there's any planning that's been done on that. I don't represent the planning group but we would be involved with presumably Brett Clavio and his team on that. Leandro and I were just talking about - this request is for a \$5.4 million and one of the first steps could be a preliminary engineering report, similar to what we've done on other requests. I'd estimate, without knowing the details of the length and extremities of it, \$75,000 to \$100,000 for a preliminary engineering report to gauge what would need to be done for that next step.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HUGHES: I'm wondering if we could - I appreciate how staff for item #10, the countywide sustainability projects combine two projects to get a bigger number. What if we were to combine the Rio en Medio open space restoration and flooding prevention and just add in road widening. And then if we get enough money we could do the preliminary engineering report, put them all in one and maybe up the dollar amount for a million to whatever we think is reasonable.

MANAGER SHAFFER: Madam Chair and Commissioners, if I could interject, that would be an approach. We were also attempting to provide potential funding for that initial phase of a variety of road projects through the \$10 million catchall that was added to the resolution, so that if those monies were not needed to fill unanticipated funding gaps or other emergencies, that that could project the money that Director Snyder mentioned to help take some of the various road projects, not just this, to that next phase of development. So I must make that as an observation as a way in which we were trying to address that need that has just been identified through this conversation.

CHAIR HANSEN: So do you follow – since this still doesn't even have a PER maybe we should add it to possibly the improvement to road and countywide funding for unanticipated shortfalls, planning. We could add in the word planning there because it seems if we could do a PER on the Rio end Medio road widening we would like be one step towards the funding.

COMMISSIONER GREENE: I just looked at the dates that they had placed on here for 2025, so I just moved #17 up to my top priority and #3 down to wherever that fell. So they both had a 2025 year on them and so that's where I was looking, but if it is in a lesser state of preparation and ready to go I understand. I have other things that I would be happy to prioritize even better. County Road 84 at Arroyo del Rancho all-weather crossing. That would probably be my second priority if it wasn't the Rio en Medio, and if that's ready to go all power to it. If it's something that we think we're going to go get RAISE grant for instead of state money, I'm happy to defer to RAISE grants.

But I think that the Rio en Medio project, because we're going to be improving an inaccessible open space, we need to have a more comprehensive plan for the area before we start talking about spending a lot of money into a place that we can't get to.

CHAIR HANSEN: That's why a PER would be a good thing to do.

COMMISSIONER GREENE: I don't think the access is part of that, right? The access is a different part of that equation.

MR. SNYDER: Madam Chair and Commissioner Greene, typically I would agree with you. I would just say that we could, based on the scope of the PER we could incorporate what we would need to have incorporated in the PER if we could talk about access issues. We could do that under the umbrella of a PER, look at what it would take to get the road widened as well as access issues to the open space, if that's from a planning, preliminary standpoint as well.

It depends on how you want to set the scope. So we request the funding for a preliminary engineering report and we could set the scope to include access assessments as well. Parking – that's one of the largest challenges is the narrowness of that road as it winds through the hills, parking or inability to park for the trailhead, and then the existing trailhead as well as any potential future trailhead in that area. I think it could all be looked at holistically under the right scope.

COMMISSIONER GREENE: Okay. Well, I'll work with you all to hopefully expand the scope just enough to include access to this because that's a big issue up there. It's not only the road but it's the parking. So there's so many parts of this equation that make that maybe not the ideal open space for a big public investment in open space where there are other opportunities for this.

And to answer my question, is the all-weather crossing at 84, was that the RAISE grant that we didn't get? Is that something that we should be prioritizing or should we just be going for a RAISE grant again?

MR. SNYDER: Madam Chair, Commissioner Greene, that was part of the RAISE grant application. We did have a debrief with RAISE grant staff and he participated with that maybe a month and half or so ago. We got some good feedback on that. I would recommend that we go forward with resubmitting the RAISE grant application, but we can do things in parallel. So if we don't get full funding from a

RAISE grant there's whatever other funding sources that are available.

COMMISSIONER GREENE: And sort of to that point, if we pulled this, if we funded this specific bridge or state money and pulled that out of the RAISE grant, that might lower the RAISE grant request, which was beyond what a RAISE grant would cover. So I think that would be my priority then would be to change my number one priority to the County Road 84.

MR. CORDOVA: Madam Chair, just so I'm clear, Commissioner Greene. You're requesting that we take away the Rio en Medio flooding project and replace it with County Road 84 at Arroyo del Rancho all-weather crossing.

COMMISSIONER GREENE: Yes, sir.

MR. CORDOVA: Understood.

COMMISSIONER GREENE: Thank you very much. Thank you. And if that is okay to the Board?

COMMISSIONER HUGHES: It's your district.

COMMISSIONER GREENE: Thank you very much.

CHAIR HANSEN: In regard to the RAISE grant, I care about San Ysidro Crossing. It's not in our top list but I do know that the Agua Fria Village Association is lobbying the legislators for San Ysidro Crossing because we think it is such a high priority. It's on the list; it's got a number, so it's fine where it is. I'm just giving you warning that other people are lobbying for that money besides us.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HUGHES: The Rancho Viejo ladies will also be lobbying for their senior center. I'd like to make a motion if it's okay, that we adopt the resolution identifying Santa Fe County legislative 2024 capital outlay priorities, including the amendment of Commissioner Greene.

COMMISSIONER GREENE: I second that. Thank you.

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

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

**7. D. Resolution No. 2023-118, a Resolution Identifying General Santa Fe County 2024 Legislative Priorities**

CHAIR HANSEN: Hvtce, welcome. Good to see you.

HVTCE MILLER (County Manager's Office): Good afternoon, Madam Chair, Commissioners. Yes, so this resolution came about a few years ago where the County Manager and staff tried to combine all the different legislative matters which had been spoken about through the past year and condensed them into one resolution so they would be easily recognized and easily provided to legislators during the legislative session so we could show them in one place and at one time, the different priorities that the County had.

So for this particular resolution this year, the items contained within it are preservation of County revenue, common sense gun safety regulations, capital outlay

reform, support for locally grown food and local agricultural initiatives, and finally evidence-based strategy to reduce alcohol-related harms in our communities.

So with that being said, as the legislature proceeds in the new year, if there are particular items that come up or if there are issues not identified within this particular resolution, it's up to the – the prerogative of the Commission to go ahead and put forth any new resolution or support or opposition to any legislation not identified in here or identified in any other resolution that you may need to take action on. So with that, that's all I have. If you have any questions I'm happy to answer them.

CHAIR HANSEN: Thank you so much. I really appreciate you putting together this short list. Especially the common sense gun regulations. I think that is incredibly important and many of these initiatives are things that we have worked on over the last couple of years. Of course the support for locally grown food and local agriculture initiatives are incredibly important to all of our districts and with that I'll go to the other Commissioners. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you. Yes. I think the common sense gun safety is incredible, and looking for the information around the evidence-based strategies, this is very good. I'm also in great support and hope that we can all do whatever we can to further the locally grown food and local agriculture initiatives. So thank you for this addition to this as well. I have no questions. I just commend you on this comprehensive effort and thank you.

MR. MILLER: Madam Chair, Commissioner, thank you.

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: Yes. Thank you, Madam Chair. I just wanted to say I like all of these priorities and of course we've talked about these over the years and the support for locally grown food and local agriculture initiatives. That means we can help Ms. Roy if she needs help in the legislature when something comes up that is along those lines. Are there any other questions? I'm sorry. Back to Madam Chair.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. I too agree with all five of these. I think some of them are in fact a little abstract and could be of risk, like capital outlay reform could be something that we might not like, but we'll see. And one question is about process in the 30-day session. So last year we had a 60-day session and we had lots of time to go over – we probably had three or four meetings during the session, but if I look at the calendar, it's really one meeting, right? By the time we get to the first meeting in February, it's baked. It's done. So we probably have that late January meeting to go over where things are and policy stuff. Has there ever been a special meeting to go over these things? Because there are some priorities that are coming down the pike and some funding things, or is it just sort of a game time and you and the lobbyists will call us and say, you've got to come in here and go hustle.

MR. MILLER: Madam Chair, Commissioner Greene, very good question. If you see the need I wouldn't see why not. It wouldn't be necessary to hold a special meeting, but to my recollection I don't recall myself there being a special meeting called to address a specific legislative matter.

COMMISSIONER GREENE: Thank you, Hvtce. And I think most of these may not actually come in terms of policy because this is a budget session. But in



terms of one addition that I think is going to be on the Governor's call list that is not necessarily on this list and I wonder if we want to include it, would be support for crime prevention initiatives, whether that is increasing funding for State Police, police forces, or other technological issues that we should add that in here because this is becoming a pervasive issue that we're all hearing about. I'm sure all of us are hearing about it. So I'm wondering if that's an amendment to these five and this could be a sixth supportive thing. Also to sort of encourage the Governor to put it on her list.

MR. MILLER: Madam Chair, Commissioner Greene, I absolutely agree that that would be an item that the Governor would put on her call for this upcoming session.

CHAIR HANSEN: So a lot of times what happens is things come up and we do have the last meeting in January. By then we would know what she's put on the call. I would hope by then.

COMMISSIONER GREENE: But we have to know before they start the – she can put anything on the call any time.

CHAIR HANSEN: But usually they're in the first week or so, and then we support those things that have been put on the call.

COMMISSIONER GREENE: I think that we could be pro-active in the sense that we would be ready in support of this.

CHAIR HANSEN: Especially with crime for sure. We're all well aware of the fact that there is a serious issue with crime in New Mexico and in Santa Fe County.

COMMISSIONER BUSTAMANTE: Madam Chair, in the interest of clarification and assuring that it's in the forefront, because it is one of those absolute – is there opportunity to put it in here to make sure, even though the Governor is going to come to something, it's just sort of recognizing that it's important.

CHAIR HANSEN: Well, the other possibility that Commissioner Greene could do is he could write up a resolution and we could pass it at the December 12<sup>th</sup>, on crime, and add that in as one of our priorities. We're not done. We're doing a general resolution of many of the things that we want to support and part of the reason that they're kind of vague and general is so that our lobbyists and Hvtce and all of us can stand up in committee meetings and say that these are things that we support.

COMMISSIONER GREENE: Madam Chair, I totally agree and I'd be happy to do that if this resolution can't be amended right now, but we're sitting here debating it right now. We could add literally a line that says, support for crime prevention legislation and funding.

COMMISSIONER HAMILTON: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HAMILTON: One thing I just want to mention, because there's no question: crime is an issue. But these aren't just words. This is support for where we want them to put their money. So there's plenty of things that are important and it dilutes the emphasis. I'm saying that because we've pulled out two things, included in the gun safety and the reduction of harm for alcohol-related, directly and indirectly, depending on which one you're talking about, to what you're talking about in the general crime reduction.

And so it's not at all that I disagree with you. I just frankly, if I had my druthers I

wouldn't put as much money – crime, interestingly – crime prevention is seldom putting more money to school programs, or more money to youth diversion programs. It's more money – all respect to the Sheriff – our Sheriff is incredible and what we do is incredible. But it's funding enforcement not prevention. And so frankly I would leave it like this because it's going to take money from – extra things are going to take money from these things.

COMMISSIONER GREENE: If I may. I don't know that it is necessarily only money, even though this is a budget cycle this year, because crime prevention initiatives are probably going to be on the call. Some of those could be bail reform. The bail reform that happened a few years ago so maybe catch and release doesn't happen. So we'll have a chance to support these things later as they come forward. But anyway, I would love to see that we are in support of crime prevention initiatives at the legislature, but if you think that's something that I need to do separately –

COMMISSIONER BUSTAMANTE: Madam Chair, Commissioners, if I may just share, in three communities in District 3 the issue of coverage and making sure even just basic Sheriff's response, having enough people in the field, both one out of Edgewood, one person, like literally one unit in Edgewood supporting the town, which is very difficult for Edgewood, and they have called to ask for more support in this area. Specifically Los Cerrillos, or Cerrillos, they have had issues of other things that we've tried to capture in other ways with the methamphetamine problem. There is a meth house that we can't get enough, and again, the coverage for our department is not there. And then widely publicized in the community of La Cienega, there have been several houses.

So I think saying that here, saying it again in a resolution, it has been something that is pretty evident and if it takes – we have a lot of money right now. So it's not one of those years that I would be really worried about – if there are ways to assure that there are more – pardon the cliché – boots on the ground, let's say it whenever and however we can to assure that these communities have the support, because enforcement has been the leading issue in District 3.

COMMISSIONER HAMILTON: I have no objection. Those are good points.

COMMISSIONER HUGHES: Madam Chair, I was just going to suggest, I think there's a lot of good ideas around this and maybe it's appropriate to be brought back in December as a resolution with a little more specificity of what kind of crime prevention we're talking about, rather than just adding a sentence. Because they could come up with crime prevention – I think Commissioner Hamilton was alluding to that we didn't like. So maybe we should be listing just a few of the things that we would support. And that way we could think about it a little bit without holding up today's meeting too much.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes, but in all fairness, these are just one sentence each also. So I mean, I said my piece, but what Commissioner Bustamante said also makes a lot of sense. There are places where there are real needs.

COMMISSIONER GREENE: Say it once, say it twice, say it three times. We need to – if this is our shot to do it in one sentence, that's fine. I'll work on a resolution and you may not agree with the resolution two weeks from now. It's totally

fine.

COMMISSIONER HAMILTON: I have no objection to adding something.

COMMISSIONER GREENE: Thank you. It's possible to add a line that says, maybe it's common sense crime reduction strategies. Whatever.

COMMISSIONER BUSTAMANTE: Madam Chair, if you're amenable to a motion, I would make the motion that we would accept it, unless there's more discussion about any of the other issues, but that we would accept this – again, it's well written. I appreciate that it's comprehensive, and with the addition that we would add the line: and crime prevention strategies. If there is any other change in that language that would be my motion. That we would accept this as written with the addition of something grammatically appropriate regarding crime prevention strategies.

CHAIR HANSEN: Well, I think we need to define it.

COMMISSIONER GREENE: Exactly. With a bullet, appropriate crime prevention strategies.

CHAIR HANSEN: We have crime prevention strategies that you don't agree with.

COMMISSIONER BUSTAMANTE: Effective. Effective crime prevention strategies and then the resolution could be more definitive.

COMMISSIONER GREENE: More specific. And I'll second that.

CHAIR HANSEN: Okay. We have a motion by Commissioner Bustamante, a second by Commissioner Greene.

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

CHAIR HANSEN: So Leandro, you have a little bit of work, or Hvtce, somebody out there.

MANAGER SHAFFER: I just want to be clear. What I heard is we'll be adding a paragraph six that just has bolded language "effective crime prevention strategies.:

CHAIR HANSEN: Yes.

MANAGER SHAFFER: Thank you.

CHAIR HANSEN: Thank you, Manager Shaffer.

**7. E. Resolution No. 2023-119, a Resolution Supporting the New Mexico Counties 2024 Legislative Priorities**

CHAIR HANSEN: County Clerk Office, Katharine Clark.

KATHERINE CLARK (County Clerk): Good afternoon, Commissioners. These are the 2024 legislative priorities voted upon by the New Mexico Association of Counties board of directors. These were the ones that the affiliates had presented and then these were voted as the top priorities. You'll see many of these issues and items are repeats from previous years. There's very good materials provided on graphs, and how many years. So for instance, detention reimbursement fund, they have graphs going back to 2018. For detention recruitment and retention, you'll notice that Bernalillo County

reports a 50 percent vacancy rate, which as we know is dangerous for prisoners as well as staff. Prisoner transport and extradition – the state is supposed to pay for it but they have not created a line item for it.

RISE funding is something that would be interesting to start in Santa Fe County but we have to build the money and capacity to do it and it's a behavioral health component to statewide funding. Emergency medical services. For instance, in Rio Arriba County they get \$1700 and they told me they spend that on a single call on needles and PPE. So going back to 1978 you'll see on this graph that essentially we have not done a good job of funding EMS and we need it, especially for the rural parts of our county.

Courthouse funding – this is the classic conflict in the counties versus the state on who should pay. The philosophy of the New Mexico Association of Counties is that it should be a shared funding stream, that we contribute some in the state and the Administrative Office of the Courts provides funding, because when the state was founded and they used to have one district judge, and many counties are now struggling to figure out how to fit six district judges in a courthouse that was really only designed for one.

State health benefits plan – while we didn't get this bill, many of our fellow counties got a surprise bill at the end of last year after they'd already expended their budgets at the end of the fiscal year, sort of saying, surprise. You now have to pay this very large amount from the Department of Health. And so there is a conflict there on making sure that these funds are paid for by the state legislature and not being back-billed to the counties, especially tiny counties who can't afford a surprise amount of money at the end of the fiscal year.

Elected officials' salary increase. This is due to the fact that we're seeing that deputies, chief deputies, undersheriffs, are being paid significantly more than elected officials. This is the same conflict we see at the state legislature. The question is who will serve? Who will run if people can't afford, essentially, to live in the county in which they're serving? This was unanimously supported by several affiliates.

Firefighter recruitment and retention – I know this is a problem in Santa Fe County, that we're not seeing large classes of people either volunteering to be a pair firefighter and we're not seeing folks signing up to be volunteer firefighters. I think our average age of volunteer firefighters is 65, so we need to figure out a way of recruiting and retaining firefighters, so especially in the rural parts of the county we have enough firefighter bodies essentially, to make sure we fight fire.

So these are the priorities of the 2024 legislative session from the New Mexico Association of Counties. You can see nothing on here is new, but it's the thing that we keep going back to the legislature asking them to fund. Does anyone have any questions?

CHAIR HANSEN: Thank you, Madam Clerk, for being our representative of New Mexico Counties. I don't envy you.

CLERK CLARK: I enjoy it.

CHAIR HANSEN: We are glad that you enjoy it.

CLERK CLARK: I like a little debate now and then.

CHAIR HANSEN: We are glad that you are there and I appreciate you bringing forward this resolution and presenting it. I recognize that is an important part of

the person that we elect as our representative on the New Mexico Counties. So I want to give you credit for doing your job.

CLERK CLARK: Thank you very much.

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: I'm going to guess that we're all in favor of this and I'll go ahead and make a motion that we adopt the resolution supporting the New Mexico Counties 2024 legislative priorities.

COMMISSIONER GREENE: I'll second that.

CHAIR HANSEN: Okay, I have a motion from Commissioner Hughes and a second from Commissioner Greene. Under discussion? Any discussion?

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

**7. F. Resolution No. 2023-120, a Resolution Identifying Santa Fe County 2024 Legislative Priorities for Affordable Housing**

CHAIR HANSEN: Welcome, Jordan.

JORDAN BARELA (Housing Director): Madam Chair, members of the Commission, good evening. Staff are here today to present a resolution identifying Santa Fe County's 2024 legislative priorities for affordable housing as proposed by staff. As this Commission is well aware, the lack of affordable housing across the housing spectrum is a significant need in Santa Fe County as well as the state at large. And staff have identified eight areas in which we would urge the New Mexico Legislature and Governor to enact legislation during the 2024 legislative session.

These eight areas include adequately funding the New Mexico Housing Trust fund, which is a significant source of gap funding for many low income housing tax credit and other affordable projects within the state; increasing funding for the state Linkages program in the amount of \$5 million per year which provides housing assistance and case management services for households with mental disabilities; funding support for the Santa Fe County Affordable Housing Trust fund; prevention of source of income discrimination for rentals, which would apply in a number of areas, but specifically to tenants in the market trying to lease a unit with voucher subsidy; prohibiting unreasonable annual rental rate increases for renters within the state; authorizing courts to delay eviction proceedings for a reasonable period while tenants actively pursue rental assistance from program for which they appear to be eligible; increasing transparency and accountability in landlord/tenant agreements; and lastly, fund strategic workforce housing for critical employees in difficult to fill positions, such as first responders, teachers and healthcare workers.

Staff believe that these initiatives would aid the County in its ability to effectuate the development of affordable housing locally and address general concerns that have been provided to staff by county constituents over the course of the last year. With that I will conclude my presentation and stand for any questions.

CHAIR HANSEN: Thank you very much, Jordan. Questions from the Board?

COMMISSIONER BUSTAMANTE: Madam Chair, I have a question. It's

just really a question that's probably been discussed before, but when we have something like the term "unreasonable" it clearly leaves the determination of what is reasonable to the legislators. Is that based on some type of national standards for what would be reasonable or unreasonable?

MR. BARELA: Madam Chair, Commissioner Bustamante, there is some variability there and I do not believe there is a national standard or a precedent that's been set. Some areas have set it based off a percentage of income growth, others based off inflationary factors. So there would still be some determination and some analysis that would have to be done in order to make a proposal as to what unreasonable would be, though there is no baseline standard that I'm aware of currently.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Jordan. I appreciate the incorporation of item 8, the strategic workforce housing. And I do note and I wonder if this is something that we need to do separately from this, which is there are other strategic workforce housing initiatives and in neighboring counties. The school district in both Santa Fe Public School District and in the Pojoaque School District have received specific money to this and I wonder if we need to add and request an ICIP number, so we could have a bucket so if we do get money that they would have a place to put it. Because if we don't have that bucket they won't put money into it.

So I'm in support of all of this, but this is just more of a preparation for a, hey, wow, we're getting money. Where do they put it? And so maybe we actually need to put that on to our ICIP list between now and the session so that if somebody does decide it's a great idea that we have a place for them to put it in that bucket.

MR. BARELA: Madam Chair, Commissioner Greene, I understand where you're coming from and part of what we're doing now is looking at project-specific initiatives that the County can undertake specific to workforce housing, and certainly when a project or at least a preliminary design for a project was identified that would certainly be brought into the fold through scoping and an ICIP process, but generally that is something we could definitely look at.

COMMISSIONER GREENE: If I may follow up, in the case of both Santa Fe Public Schools and Pojoaque, they got money before they had a project. So they went and they said we want a million and a half dollars, and they got \$1.2 million. And so that didn't fund the whole thing but that funded at least a good start on some things. So again, I just wonder if we need to do that homework ahead of time to be – whether we get money or not, we won't get money if we don't – we can say we want it but if we don't have a place for them to put it, we won't necessarily get it unless we can very specifically point – this is where you can put that pledge for that money.

MANAGER SHAFFER: If I could, Madam Chair and Commissioner, and I think there are multiple ways to approach this topic, but this can be a launching point, not for specific Santa Fe County capital outlay request, but an appropriation by the legislature of a larger bucket of money that could be deployed statewide. So for example, if you think about law enforcement recruitment and retention, we didn't get specific outlays of money for Santa Fe County that was a tack, if you will at the macro level where there was a fund set up that could fund those initiatives and Santa Fe County and other governmental entities could apply.

And so I think in part, you're thinking of putting it here in this way, whether to support that as an overarching strategy on behalf of the state, as opposed to trying to piecemeal individual projects at various stages of development. So either can work but I think in putting this together as Jordan and I discussed it, this was more about trying to nudge the legislature to again stop the piecemealing of appropriations and put significant chunks of money in large pots that can then be deployed in a rational way throughout the state. So just to provide that context.

COMMISSIONER GREENE: That sounds great. Thank you for clarifying.

MR. BARELA: And Madam Chair, Commissioner Greene, to Manager Shaffer's point, that is sort of how we looked at it, very similar to what happens on the federal level, in terms of targeted housing programs. Whether it's the Department of Housing and Urban and Development identifies a need for housing specific for persons specific for persons with disabilities or for veterans, it's at that point in time that a bucket is put together for individual entities to come after targeted funding that is very specific for that subset of the population.

COMMISSIONER GREENE: Wonderful. Thank you. With that I will make a motion to adopt a resolution identifying Santa Fe County's 2024 legislative priorities for affordable housing.

COMMISSIONER HUGHES: And I'll second.

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

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

**7. G. Resolution No. 2023-121, a Resolution Identifying Santa Fe County 2024 Legislative Priorities for Community Development**

CHAIR HANSEN: Paul Olafson.

PAUL OLAFSON (Community Development Director): Good afternoon, Commissioners. Again, similar to the previous resolutions you've examined, this is kind of a broader list of items for the legislature to consider with regards to Community Development and various aspects of the Community Development Department. We've put together this list of eight priorities and I'll read them out for the record.

Number one is adequately fund the New Mexico Tourism Department, including sustained enhancement of the cooperative marketing programs and support for local marketing campaigns. Number two, provide local governments with broadband planning money, making funds for federal grant opportunities and capital outlay funding for broadband projects. Number three, provide funding for local governments for projects pursuant to the Local Economic Development Act, or LEDA. Number four, adequately fund the New Mexico Economic Department including by increasing grant funding opportunities through its Arts and Culture Division and Outdoor Recreation Division.

Number five, increase funding for the job training incentives program, or JTIP. Number six, maintain the competitiveness of film incentives that benefit the Santa Fe region and make film expenditures on tribal land eligible for film tax credits. Number

seven, fund grant writing services for local governments statewide, including through the North Central Economic Development District. And finally number eight, increase support for the transfer of technology developed in laboratories to businesses.

And those are the recommendations and with that I would stand for questions.

CHAIR HANSEN: Questions from the Board? Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Paul, and I appreciate updating this with some specifics for JTIP and for LEDA. I think those are statewide project things and including the grant writing services for North Central because we have been a beneficiary of that, and so have the other seven or twelve jurisdictions that work under North Central. I think I'll keep it here for now, but I think tomorrow there's going to be an announcement that tribal lands will be eligible for tax rebates for film, but I'll save that for my comments from the dais. But thank you very much. I'm in support of all of these.

COMMISSIONER BUSTAMANTE: Madam Chair.

CHAIR HANSEN: Go ahead, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: My question with regard to number four, whether or not if you feel that it captures our interest in an Arts Commission. Adequately fund New Mexico Economic Development Department, or would we add a line that would say provide funding for county and municipality Arts Commissions? But something that recognizes that there was legislative funding put forth last session and that there are opportunities now for communities to access funds for the development of those initiatives. So do you think that four captures that? Or – because that's very, very general, or we say something more specific about capturing the interests of Arts Commissions statewide.

MR. OLAFSON: Madam Chair, Commissioner Bustamante, I think it is broad but I think it's in the same tenor as the on the previous item where it's more of a focus on getting the statewide support and that if there was a specific request or direction to fine-tune that language it could be made through a legislator or group of legislators. But in my opinion, number four would cover that. However, of course it's the prerogative of the Board to either amend number four or add an additional.

COMMISSIONER GREENE: I think it addresses it in the sense that it says to support that and also to increase the funding opportunities, the grant funding. So I think it has the two supportive aspects, one to support that division, and the grant opportunities that we would then potentially be able to apply for, especially because we are now going to set up our own Arts Commission.

CHAIR HANSEN: Council or Commission. One or the other.

COMMISSIONER BUSTAMANTE: Madam Chair, you feel that it's captured?

CHAIR HANSEN: I think it's adequate for now. Okay, can I have a motion for approval?

COMMISSIONER GREENE: I will move to approve the resolution identifying Santa Fe County's 2024 legislative priorities for Community Development.

COMMISSIONER HAMILTON: Second.

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



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

**7. H. Resolution No. 2023-122, a Resolution Identifying Santa Fe County 2024 Legislative Priorities for Environmental Sustainability and Climate Action**

MS. BEAM: Thank you, Madam Chair, Commissioners. The resolution before you identifies the Santa Fe County 2024 legislative priorities for environmental sustainability and climate action as the following, and I will summarize. Number one, to advance environmental sustainability, community resilience and climate action; promote water and energy conservation and/or management, and improve sustainability at the state and local level; provide economic access and benefits for low income households to use cleaner forms of energy for electricity and transportation and/or increase the energy efficiency of the residences; incentivize EV ownership and usage; promote water conservation and water planning; advance the sustainability and climate action goals of the County; provide adequate funding and support for state departments tasked with implementing climate policies and programs and protecting the environment; support the prioritization of funding and funding mechanisms for infrastructure projects, energy projects and economic development opportunities that enhance local communities and advance community resiliency and climate action; provide capital outlay for facility energy efficiency improvements; make property pollinator friendly, including planting pollinator friendly appropriate plants and avoiding the use of pesticides known to kill pollinators.

Also improve the New Mexico energy grid including use for renewables and the ability to operate independently from the national grid; create a program at the state level comparable to the Solarize Santa Fe program to assist individuals with questions about and funding of solar installations in homes; and finally, the resolution expresses the Board's support for comprehensive climate legislation that codifies greenhouse emission targets at the state level for 2050. The state's adoption of the advance clean cars and advance clean trucks rule; banning single-use plastic and polystyrene products within the state, including an extended producer responsibility or an EPR law for packaging; the creation and enactment of surface water rules; and a green amendment to the New Mexico constitution.

With that I stand for any questions.

CHAIR HANSEN: Thank you, Jacqueline. This is a great resolution. Everything on here I support one hundred percent. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Jacqueline and thank you, Chair Hansen. I agree a hundred percent but I'm going to add a ten percent more, which is something that has come up a few times here from the dais recently, which is a support of preservation of agricultural land, because there could be some initiative at the legislature that might set aside money for preservation of agricultural land and it is part of our sustainability portfolio of initiatives, and I would hope that everybody up here would be in support of that.

CHAIR HANSEN: Don't you think that was in the last resolution on

agriculture?

MS. BEAM: Madam Chair, Commissioners, I'm not sure if that is also in the Growth Management priorities.

CHAIR HANSEN: Right. I thought –

COMMISSIONER BUSTAMANTE: Madam Chair, I think there's always opportunity to be redundant when it comes to trying to make a point. And I think that it also puts forth our value of agriculture as a sustainability issue. It could come up in economic development for that matter. It applies in a lot of areas. It could come up in housing. It has to do with food. So I would say that entering it anywhere and everywhere it applies might be nice.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HUGHES: I think you're right. I think we did already pass that because it says, number four in our general priorities says support for farm preservation programs. That's preserving the land, right? And then Food Policy Council's education outreach, food hubs, food depots, farm to school programs, farm to seniors programs, farm to table resolutions, farmers markets and other reliably local grown food and local agricultural initiatives. I'm not objecting to adding it to the other one; I just think we have already covered that.

CHAIR HANSEN: And I will also say that this is not directly under Sustainability, Jacqueline's priorities. She has many priorities and she's already stretched very thin. We need to get her more staff, and so for this year it's in our priorities. When we're at the legislature we can lobby for it. It's already there and I think that the resolution is great the way it is.

COMMISSIONER BUSTAMANTE: Madam Chair, with all due respect, this doesn't necessarily put more work on Jacqueline. It just says we acknowledge it as a sustainability issue. But that being said –

COMMISSIONER GREENE: Thank you. As such, I will then just say I make a motion to approve a resolution identifying Santa Fe County's 2024 legislative priorities for environmental sustainability and climate action.

COMMISSIONER HAMILTON: 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.**

**8. Presentations**

**A. Presentation Concerning CIDs, PIDs, TIDDs, and IRBs and Other Tax-Advantaged Bonds**

CHAIR HANSEN: Is our presentation going to be via Webex?

MANAGER SHAFFER: Actually, Madam Chair and Commissioners, Attorney Young and I will be tag-teaming it at this time. The presentation should be projected on your individual screens as well as available via Webex for those who are watching and participating remotely.

For some of you this is a refresh on a presentation that was previously given for others. It may be an initial overview or introduction to a variety of public financing tools that are available to the County and other governmental entities. We are giving you this presentation in advance of several applications and petitions that we believe you will be considering in the not so distant future, specifically, we are in receipt of a petition for the creation of a public improvement district for Arroyo Hondo de Santa Fe, or Oshara, Phase 2. In addition, we have received, I believe, two separate applications for the County to issue conduit financing bonds for multi-family residential projects that would allow those projects to borrow money at favorable rates, assuming that they receive an allocation of capacity to become qualified private activity bonds.

So again, this isn't to make you an expert. It's not to necessarily – it's not to ask you for any particular reaction to projects that would be coming forward to you, it's rather just to try and provide a framework so that when those projects do come forward some of the basic information you already have back of mind.

So I wanted to again sort of start with some similarities between county improvement districts, public improvement districts, tax increment development districts and industrial revenue bonds. They are tools to finance infrastructure, enhance services and/or economic development, and they involve the exercise of legislative discretion by the Board of County Commissioners. So nobody has the right to demand that the County create a county improvement district or public improvement district, etc. And there are some differences as between the tools.

The CIDs and PIDs, the County improvement districts and public improvement districts involve additional special levies or taxes on private property, and TIDDs in fact may impose a property tax. PIDs and TIDDs require owner and qualified elector, if any, approval, and PIDs and TIDDs are actually political subdivisions separate from the County, though the Board may govern them. TIDDs result in taxes that are attributable to growth being diverted from their normal recipients to the TIDD, and industrial revenue bonds result in property taxes and some gross receipts taxes being foregone altogether unless recouped through a payment in lieu of taxes, since the County owns the property and project being constructed.

What we could have added to this list would be that bonds, conduit financing for multi-family housing, again is another tool that would not necessarily or actually result in the County owning the underlying project. But again, those bonds are discussed later in the presentation as they're issued pursuant to either the Municipal Housing Law and/or the Private Activity Bond Act, as supplemental to those authorities.

So as I said at the beginning, this is really a high level overview. The presentation is not all-inclusive. We're simply trying to provide a framework for projects that may come forward. If Jeff, or more aptly I screw anything up and there's a conflict between what we say and what's in the presentation and what's in the law and the policies then obviously the law and the policies control.

County improvement districts set forth the authority for those, it's both state law as well as our Sustainable Land Development Code and the specific resolution that adopts CID policy and procedures. The purposes, and these aren't all-inclusive, are to finance the construction, acquisition, repair or maintenance of authorized improvements that benefit the property included in the improvement district, to finance public

infrastructure, to bring the level of service in existing communities to current County standards, and to reduce the cost to developers of meeting the SLDC's sustainable design and improvement requirements by placing a proportionate share of the cost of onsite improvements on the future occupants or residents of the development project.

So CIDs can be formed in a variety of different ways. They can be Board initiated through the provisional order method, or you can have CIDs that are created pursuant to a petition filed by property owners. In terms of the petition method, it requires a petition from owners of 66 2/3 percent or more of the total assessed valuation of the property which is proposed for inclusion in a CID, exclusive of any land owned by the United States or the State of New Mexico, as well as a preliminary application containing, among other things, a description of the CID and its boundaries, a general description of the improvements, and the estimated construction costs of the improvements and anticipated completion time.

Public Works Director makes a report to the BCC and the BCC decides at an initial review either to reject the petition or to form a review committee. If the Board decides to move past the initial review it forms a review committee by resolution. That review committee has a variety of tasks, including making a report to the BCC and a recommendation concerning the final application. And the final application that's required to form a CID has to contain a detailed description of the improvements, a detailed estimate of the costs of the improvements, a description of each property to be assessed or against which an improvement district property tax is to be imposed, the estimated amount of the assessment against each tract or parcel of land, and estimated benefit to each parcel.

If the group represented with the final application the Board can agree to pay the costs of improvements in whole or in part; assess the cost of the improvements against the benefitting tracts or parcels of land; and/or impose with voter approval an improvement district property tax and issue district general obligation bonds.

When presented with the final application, again, nobody has a right to the creation of a CID. The Board may reject it. It may create the CID and pay the cost of the improvement without an assessment or property tax, or move forward with a preliminary hearing on the creation of the County improvement district.

At the preliminary hearing, it's required that if any part or all of the cost of the improvement sought to be constructed as authorized is to be assessed against the benefitting tracts or parcels of land, again, a hearing is required in those instances. Property owners may contest the proposed assessment or tax, any irregularity of the proceedings related to the improvement, the benefits of the improvement, or any other matter relating to the improvement district.

The Board may not assess the tract or parcel of land an amount greater than the actual benefit to the tract or parcel of land by reason of the enhanced value of the tract or parcel of land as a result of the improvement as ascertained at the hearing. The BCC's legislative decision to create a CID after preliminary hearing is subject to challenge in district court.

So if the Board determined to go forward with the creation of a CID it is required to have an assessment hearing at which it would determine the amount of the assessment levied against each parcel in the CID, and again, property owners may object at that point

in time relative to the amount of the assessment and the BCC's decision could be challenged in district court. Any assessments that are in fact approved are liens on property and may be foreclosed on.

Before I move on to the public improvement districts, I'll just make a note that we've had, that I can recall, two County improvement district applications that have been submitted to the County. One was for, I believe, a wastewater infrastructure in the La Cieneguilla or La Cienega area and I don't have it in front of me. The other was for the paving of Spur Ranch Road in the Eldorado area. In both instances there were a variety of potential issues but it was the cost of the infrastructure vis-à-vis the assessment that would be necessary to support that as measured against the increased value to the parcels. So given the, again, increasing costs of infrastructure, that has proven to be a limiting factor in those two cases since the relationship between the assessment and the increase in value didn't pencil, I believe in both of those cases.

Public improvement districts are another means by which onsite and off-site public infrastructure can be financed. In addition, it's a means by which enhanced services within the PID can be provided. Again, these purposes aren't all-inclusive but the SLDC also provides that the purpose is to reduce the cost to developers of meeting the SLDC sustainable design and improvement requirements by placing a proportionate share of the costs of onsite improvements on the future occupants or residents of the development project.

When you have PIDs that are being proposed, our policies require a pre-application meeting with the County PID Review Committee and you have to have a petition and an application to support the creation of a PID. The petition must be signed by the owners of at least 25 percent of the real property by assessed valuation proposed to be included in the PID, and the application has to contain a detailed description of the types of public infrastructure improvements or enhanced services to be provided, a feasibility study, and a description of the applicant's professional experience and evidence demonstrating its financial capacity to undertake the development that's associated with the public infrastructure, enhanced services, and private development.

So the Public Review Committee makes a report to the BCC. The Board has an opportunity to take initial action on the petition application to either deny it or adopt a resolution declaring its intention to form a public improvement district and to hold a public hearing unless that public hearing is waived. The Board has to act within 90 days or the petition is deemed to have been accepted by the Board and there's a duty imposed by state law to move forward with the adoption of a resolution and hold a public hearing.

The general plan is required before a resolution is adopted and that general plan must include a map depicting the boundaries of the district, the real property proposed to be included in the district, and general description of the anticipated improvements and their locations, general cost estimates, and other matters.

If a hearing is required, a person claiming an interest in real property within the PID may object on a variety of grounds, including that their property would not be substantially benefited directly or indirectly from the public infrastructure improvements or enhanced services, that the district should generally not be formed, or that the general plan should be modified.

The Board's final decision on the petition and application, again, the Board has

the legislative discretion not to form a PID but if it does determine that the district should be formed shall adopt a resolution ordering that the district be formed, deleting any property determined not to be directly or indirectly benefited by the district, or modifying the general plan and then ordering that the formation determination be conducted and an election be held on the question whether to form the district.

If not all owners sign the petition, there's an election of owners of the property and there would have to be a three-fourths majority vote in favor of formation. If there are any qualified electors, an election would have to be held and three-fourths majority of those qualified electors would have to vote for formation, and that there are streamlined procedures authorized if all owners sign the petition and there are no qualified electors. And as a practical matter, I think where you've seen public improvement districts most recently used statewide, they're on vacant land and these are PIDs that are put forward by developers at the time that they're going through the development process so there are no qualified electors because the land is vacant. They own all the land so there's no need for an election. So again, these are developer-driven applications and petitions that are brought forward before there are any affected individuals because no one lives on the land at the time that the Board's making these determinations.

It's important to remember that if created, PIDs are political subdivisions of the state so they're governmental entities and our policy is that the Board of County Commissioners will act as a district board, so you'll have additional meetings that you'll get to attend and further hats that you'll get to wear should you create a public improvement district. The financing for either enhanced services or public infrastructure, the County, because they would be contributing to another political subdivision, can contribute County funds. There could be general obligation bonds approved by owners' determination and qualified electors, special levies and special levy bonds, as well as user, landowner and other fees and charges. So again, all of these, with the exception of County contributions would be coming from future inhabitants of the property.

And then this is really important and I'm not going to go through the small print in great detail. Suffice it to say that state law requires pretty robust disclosures to private individuals who are potentially offering to purchase land that exists within a public improvement district. And again, the idea is to ensure that someone is buying property within a public improvement district understands what they're buying into in terms of that additional governmental entity as well as the fact that they're being obligated to pay additional property taxes and/or special levies that may be imposed by the district board.

PIDs can ultimately be dissolved. There are conditions precedent that have to be met which includes that the improvements that are owned by the district have been conveyed to the county in which the district is located, that there aren't any outstanding financial obligations or that the county has agreed to assume them, and that all obligations of the district pursuant to any development agreement have been satisfied.

I'm going to quickly go through tax increment development districts. I don't believe there have been many of these that have been created recently that I'm aware of statewide and we don't have any such proposals that are coming through the door but as I indicated at the beginning of the presentation, this is a mechanism by which we're taking revenue and tax revenue that would naturally be imposed on any development and diverting it from government recipients that would otherwise receive it to the TIDD. So

the idea in simple terms is if the property tax on vacant land was X, and not the property tax on the development is Y, that delta could go to the TIDD as opposed to the governments who would otherwise share in it.

There's a lot of similarities between the creation of PIDs and TIDDs, including the Board holding public hearings and making findings as necessary. Then again there are provisions for streamlined processes in the event there are no qualified electors and all owners sign the petition. The governance and financing of TIDDs are a little bit different as indicated because TIDDs are a mechanism by which taxes that would otherwise accrue due to the development and go to the County general fund or elsewhere is instead redirected to the TIDD in order to fund the infrastructure that is the subject of the TIDD plan.

TIDDs too can be terminated by resolution of the district board under similar circumstances, and I've been talking a while now so if Jeff wants to take over and be more charming and entertaining than I have been I will give him that opportunity.

JEFF YOUNG (County Attorney): Thank you. It's a sort of dry subject. Yes, we understand that, full of acronyms and so we have a few left. I don't know if anyone has any questions at this point or we'll keep rolling.

So industrial revenue bonds, IRBs, the authority for those is the County Industrial Revenue Bond Act. The purposes which are not all-inclusive: to promote industry and trade by inducing manufacturing, industrial and commercial enterprises to locate or expand in this state, and promote the local health and general welfare by inducing nonprofit corporations engaged in healthcare services, mass transit or transportation activities, industrial parks, headquarters and research and development activities to locate or expand in this state.

So it is a useful tool from the economy side. Not a whole lot of IRBs come our way but they do occasionally come our way and I think we may be going through a cycle of those. So to do an IRB you need an application, including a project plan. There's a project review team that's formed, including folks from the County Manager's Office, and appointees as designated by the County Manager. The committee reviews the criteria specified in our IRB Ordinance, 1998-01. It's a fairly old ordinance but still applies today. It must include the project use and design, economic benefits, project feasibility. And this team will make recommendations to the Board. There's notice to the County Assessor and property taxing authorities regarding those.

One important piece of this is the inducement resolution. So if the Board determines to move forward with the IRBs it will adopt an inducement resolution just stating the intent of the Board to issue bonds under the authority of the act, upon satisfaction of all the applicable land use and development requirements. And as Greg mentioned earlier, IRBs are conduit financing, so that's kind of an interesting concept, that it is issued for the benefit of a private entity that is not an obligation of the County. It doesn't give rises to liability of the County, and it would be stated on the bond that way. Debt is repaid from revenue pledged from the private entity as part of the project.

IRBs primarily provide tax relief to the private entity for the life of the IRB's project property is transferred to the County and the County leases the property to the private entity. So the County-owned property piece is exempt of course from property taxes because the County owns that. The lease to the private entity is exempt from

property taxes, and the private entity also does not have to pay governmental or GRT tax on equipment purchases, so there is that tax benefit there. There's payment in lieu of taxes that may be negotiated as part of the transaction. There's some actual mandates there for particular electricity generation or transmission facilities. It represents payments to designated taxing authorities, public school districts, for example, in lieu of the property taxes they would have received but for the IRBs.

The next subject is a little bit more broader in this application of private activity bonds in general, and we will be seeing applications for private activity bonds coming with certain projects. There is a Private Activity Bond Act that has requirements as well as the County ordinance I mentioned earlier which is 1998-01 has requirements related to it. But the idea is really, I think, coming from the Federal Tax Code when it comes to private activity bonds. There is a particular section of the Internal Revenue Code and as you see in that definition a private activity bond is any bond that is qualified as a private activity bond under the Internal Revenue Code. So that's sort of the origination of that but it's also codified in statute.

The types of private activity bonds can include mortgage revenue bonds, qualified residential rental projects such as multi-family housing, small issue industrial development bonds and a variety of exempt facilities such as solid waste and hazardous waste facilities.

In terms of starting out with a private activity bond you have to go to the State Board of Finance to set a volume cap. There's a request for allocation that goes to the Board of Finance. That's really sort of the beginning stages of this. It's kind of a unique process where the volume cap is set. State law specifies the allocation procedures for both state agencies and non-state agencies and the County is a non-state agency per the statute, so there's a certain allocation that can go to the County and each calendar year the allocations are set at the Board of Finance at the December meeting. So you might have people coming in in December trying to get on the Board of Finance agenda for the volume cap to be set. And if they miss that they essentially have to wait another year for that.

But there are two main purposes for that cap. There's the housing side of it – could be single-family or multi-family, or this other category which can include small issue and exempt facilities, exempt facilities being wastewater and other types of sewage projects.

Again, private activity bonds start out with an application, project plan, etc. A project review team is appointed and they usually follow the same IRB type structure when it comes to those with the inducement resolution, and again, private activity bonds are conduit financing, so that's issued for the benefit of the private entity. That is not an obligation of the County. It is repaid from revenue pledged from the private entity.

I think our last slide on this is multi-family housing projects. Again, we could be seeing these. They require submittal of particular information to the project team for review, and those are listed there. There are certain aspects of this that are unique which is sort of like meeting the housing needs of the elderly or low or moderate income family housing in the immediate area. Other sort of HUD requirements. So you can read those in that particular section for requirements, but those are findings that the BCC will have to ultimately make.



So I think that's the end of our slides.

MANAGER SHAFFER: The only thing I would add relative to the private activity bond discussion, and thank you very much, Jeff, for presenting that aspect of the financing tool presentation. Forgive me if I'm stating the obvious, but when a governmental entity such as the County issues debt for governmental purposes, the interest on that debt is exempt from federal income tax. That's the tax-advantaged nature of the financing. So all of the things being equal, people will charge the County less money to lend us money because they're not paying tax on the interest.

Generally speaking, given that benefit, if the County issues bonds for private activity, and this is a very simplified version and I hope that Peter Franklin is not listening because it would make any remaining hair that he has fall out. But if it's for private activity and it's not qualified then the interest becomes taxable, and that's a bad thing and something that we take great pains to ensure doesn't happen in our own debt.

For the private activity bonds there's a feature of the federal law that allows them to be consider "qualified private activity bonds". And that means they're there for a purpose that the federal government has decided they would like to subsidize by exempting the interest from federal income tax. And so in the context of multi-family development it's just a means by which a project can borrow money at a reduced rate, because those project would get the same tax treatment that the County would have on its own bonds for governmental purposes, but as Jeff described, given that benefit, they allocate a certain amount of capacity for such project, I think to each state, and then the state divvies it up further amongst entities, and that's why we would have to go to the Board of Finance. So I just wanted to explain a bit more the economics of why an entity would come in and make that request and what the significance is of those projects being determined to be qualified private activity bonds.

COMMISSIONER BUSTAMANTE: Madam Chair.

CHAIR HANSEN: I see there's a couple of people who have their hands raised. I don't know who was first. Commissioner Hughes.

COMMISSIONER HUGHES: Okay. Thank you. My question will be short anyway. If an affordable housing developer wants to use the industrial revenue bonds in order to get the exemption from property tax, are they allowed to use – I assume they're allowed to use other funding. They don't just have to use the IRBs. Or is there a certain percentage of the funding? In other words, could they do a \$10 million project and take out a \$1 industrial revenue bond just to get rid of the property tax? Or what are the limits concerning that?

MANAGER SHAFFER: Again, you'd have to – the question assumes, and we would have to confirm, that IRBs would be appropriate for multi-family housing, and I don't think Jeff wants to offer a definitive opinion on that. That's something that we would work with our bond counsel on to assure that it would be appropriate. But generally speaking, I think the short answer is no. There is no minimal amount of outstanding debt that has to exist in order for a project to continue to be exempt from property taxes. So I think that's the short answer to the question. But again, the premise of whether or not IRBs could be issued for multi-family housing, we'll leave that conversation for another day.

COMMISSIONER HUGHES: Okay, but we do expect some of the multi-

family projects to apply for them.

MANAGER SHAFFER: We expect them to apply for conduit financing pursuant to the Municipal Housing Law and the Private Activity Bond Act. I don't know that they're requesting industrial revenue bonds and that the County will own the project.

COMMISSIONER HUGHES: Right. Okay. Thank you.

CHAIR HANSEN: Okay, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Madam Chair. Do you have any examples of any good projects in any of the categories over the last even decade maybe? And when I say good, beneficial, things people would know about made a difference.

MANAGER SHAFFER: I'm not familiar – I don't believe any PIDs have been created in Santa Fe County. I believe that County improvement districts were created, one or more, in order to finance some of the infrastructure associated with Rancho Viejo, and I can get you further details, Commissioner Bustamante, but I believe Richards as well as some of the water infrastructure was paid for pursuant to levies imposed on the County improvement district. So that's one example of a project that comes to mind. Industrial revenue bonds, I believe – well, I know the Board authorized the issuance of industrial revenue bonds for an expansion of the Santa Fe Studios project. Ultimately, the owners of Santa Fe Studios decided not to move forward at that time with the project, but that was an example of recent activity by the Board to approve the issuance of industrial revenue bonds. I believe if you go back further in time industrial revenue bonds may have been issued to fund the construction of ATC, the charter school, Academy for the Arts and the Classics. But in any event, those were the examples I can think of top of mind.

COMMISSIONER GREENE: Madam Chair, I know to give an example, the Las Sequoias project a couple blocks from here over on Old Taos Highway, through the City, used an industrial revenue bond to finance that.

CHAIR HANSEN: That wasn't ours. That was the City. Okay, any other comments, questions? Okay, seeing none, we will move on. Thank you for the presentation. I know it's kind of dry, but I think it was incredibly important to hear it a couple times, because as you said in the beginning, this is something that will probably come in front of us and that we're going to have to grapple with. So thank you.

## 9. Matters of Public Concern

CHAIR HANSEN: Is there anybody in the audience who would like to make comments on matters of public concern? Is there anyone online, Daniel?

DANIEL FRESQUEZ (Media Specialist): Madam Chair, there are no users online.

CHAIR HANSEN: Okay, so I'm going to close matters of public concern.

## 10. Matters from the County Manager

### A. Miscellaneous Updates

MANAGER SHAFFER: No additional updates, other than to remind the

Board of two upcoming special events. The special meeting of the Board of County Commissioners on Thursday to discuss potential amendments to the STR ordinance. Again, that's a study session to give staff conceptual direction that will form the basis of any amendments to the STR Ordinance. And then in addition, we do have our legislative dinner reception scheduled for Thursday, December 7<sup>th</sup> at the Nancy Rodriguez Center. So I did want to remind the Board of both those events which should be on your calendar. Thank you, Chair.

CHAIR HANSEN: Thank you.

**11. 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'm going to start with Commissioner Greene.

COMMISSIONER GREENE: Madam Chair, let me pull up my notes. So yesterday we had a little event, a supportive housing event up in Española to work with the folks from the Vista del Rio development and as I alluded to earlier in the Housing Authority meeting we've received some interesting and good news. And I can't share it with you but I'd be happy to – no, can't share it with you. There'll be a press release and there'll be more details, but it's not all doom and gloom and Commissioner Hughes is still on the edge of his seat. But there is some good news on that.

On some other good news, and I alluded to it slightly earlier when we were talking about legislative priorities, we met with the leaders at Tax & Rev, or some of the policy lawyers over at Tax & Rev where they were able to basically reinterpret the enabling legislation for the film rebate tax law and I can get into the details of how the difference between – this is lawyer talk – of the difference between the word “in” and “by”, two two-letter words that make a big difference in a lot of different things. But they were able to interpret the law in a way that will allow for film productions on tribally owned land to be eligible for the tax incentive. So we won the tax equity battle with the State of New Mexico. So as an example, Camel Rock Studios on Tesuque, film and TV production there will now be eligible for the 25 to 35 percent rebate that the state gives to productions in other locations. And so we're very excited about that. There is a press release probably coming tomorrow with more information about that but the biggest beneficiary of this is really going to be Santa Fe County and the Pueblo of Tesuque as the leader in that space. So you'll hear more about that coming up soon. Thank you, Madam Chair.

CHAIR HANSEN: That's great. Wonderful for the pueblos.  
Commissioner Hughes.

COMMISSIONER HUGHES: I just have a couple things, Madam Chair, thank you. A couple of upcoming townhalls. One will be about solar energy and that will be – we were just talking – probably later in January, but that will be – the constituents keep asking me questions that I can't answer. We'll get answers to their questions from Growth Management and other staff.

We've had some – a couple of really bad accidents on Route 14. We appreciated

the – I got an email just earlier today from our new road person, Maria Molina, about some changes to the intersection at Bonanza Creek Road and Route 14 that should help. And also the constituents out there, which I share with Commissioner Bustamante have requested a townhall, so we'll probably do a townhall with all our transportation people, including, if we can get them, the State Department of Transportation to talk about the traffic. Because it's an area that's growing very slowing and yet it is growing, and so there's more traffic. People tend to speed on Route 14. People miss stop signs on the Bonanza Creek Road. That's what caused the fatal accident. So anyway, that will be coming up probably in January as well. And as a result I don't have to do any townhalls in December so I'm asking my constituents to have fund and email me if they have questions. Thank you.

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

COMMISSIONER HAMILTON: I don't have much of anything other than to say, no, the holidays, except for specialty townhalls, not generally conducive to do Hours with Hank or Coffee with the Commish. So everybody have a good holiday and make direct connections with me as needed.

CHAIR HANSEN: Thank you. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: The topic top on the list is the PFAS, PFOS and PFOA. I want to thank the County staff who attended the meeting last Saturday, the Saturday before last in La Cienega, to a full house of a lot of concerned people. The opportunity that we have through the County is to get ahead of the conversation. We have a lot of people sending out facts and the ways of addressing it that have very little alignment with either peer review or making sure it's coming from reliable sources. I've been assured there are a lot of reliable sources out there, but I think our opportunity in really just sort of helping assuage the issue is to get a coordinator on a short contract to help coordinate the information that we get from the state for the people in the community as well as the conversations that I had even earlier just today with the offices of Congresswoman Leger Fernandez and Ben Ray Lujan, Senator Lujan.

So just having an individual who would interface and make sure that we're meeting with some regularity with the community so they could continue – some people just found out even as recently as this past weekend, so I'm getting a lot of emails and texts about did you hear that this will take care of it? And I think our opportunity is to really work with the state in helping people understand what's coming ahead. There is a lot of gratitude from the community on the County as they stated in the meeting, being the good guy here.

So we all recognize that this is a Department of Defense, or potentially a source of risk from the Department of Defense, and that no one really has any authority around us except our representation in DC. And making sure that the community members will address those issues in the most effective, efficient, and cost-effective manner, because with bad information people start doing things, spending money in ways they don't need to, or possibly not doing things that they probably should.

So it's been really the conversation as well as the intersection concern and looking forward to continued work in those areas and communicating with our constituents. So thank you.

CHAIR HANSEN: Thank you, Commissioner Bustamante. That is as a really difficult issue. It is a topic that NACo has addressed for many years and has brought resolutions and has requested Congress to enact stronger rules around PFAS and I think that that is some of the work that we really need to have done. I want to remind everybody that there are meetings on Two Mile Pond on November 30<sup>th</sup> at the Southside Library at 6:00 pm. And then on December 5<sup>th</sup> at the Rufina Street Transit building, that one is at 3:00 or 4:00 in the afternoon. If you care about what's happening with the river at the top of the river at the reservoirs, and those who care about the river downstream, you are encouraged to come to these meetings and speak out about the effects of Two Mile Pond on the river.

This last weekend and this week at the UN is a meeting on the treaty to ban nuclear weapons. Over half of the world has joined the treaty, therefore it is in effect and it has been in effect for two years. This is something I have worked on most of my adult life. I think banning nuclear weapons is one of the most important things that we can do, and I spoke on the plaza on Sunday at a medium sized rally to ban nuclear weapons and there was a good 60 to 70 people on the plaza.

I want to wish everyone happy holidays, although we will be back here on December 12<sup>th</sup>, but if you're listening, we want everyone to have a safe and joyous holiday. And that is all I have for the moment.

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

CHAIR HANSEN: I'll go on to the County Clerk's Office. Deputy Clerk, do you have anything to share with us?

EVONNE GANTZ (Deputy County Clerk): Madam Chair, I'm happy to say I don't.

CHAIR HANSEN: Okay. I don't think there are any other elected officials in the room or online.

**12. Matters from the County Attorney**

- A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property**

**or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:**

- 1. In Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2: 18-mn-02873-RMG: *City of Camden, et al. v E.I. Dupont de Nemours and Company, et al.*, Case No. 2:23-cv-03230-RMG, and *City of Camden, et al. v. 3M Company*, Case No. 2:23-cv-03147-RMG, United States District Court, District of South Carolina – Charleston Division**
- 2. First Judicial District Court, Santa Fe County, Case No. D-101-CV-2021-01970**
- 3. Potential Trespass and Ejectment Action Related to the Santa Fe River Greenway Project**

CHAIR HANSEN: Jeff.

MR. YOUNG: Thank you, Madam Chair and Commissioners. I'd ask that we go into executive session to discuss threatened or pending litigation where Santa Fe County is or may become a participant, as allowed by Section 10-15-1(H)(7) NMSA 1978, specifically including, and I think we have three items listed but actually one we'll take off, which is the second item. So the first item is In Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2: 18-mn-02873-RMG: *City of Camden, et al. v. Dupont*, Case No. 2:23-cv-03230-RMG, and *City of Camden, v. 3M Company*, Case No. 2:23-cv-03147-RMG, those are in the United States District Court, District of South Carolina, Charleston Division. And then the second item is a potential trespass and action related to the Santa Fe River Greenway Project.

CHAIR HANSEN: And no First Judicial District Court?

MR. YOUNG: No First Judicial District Court. We removed that one.

CHAIR HANSEN: Okay, so what's the pleasure of the Board? Do we need to have a potential action on items discussed in executive session?

MR. YOUNG: Madam Chair, potentially an action item, so I would recommend we come back.

CHAIR HANSEN: Okay. Thank you. So what's the pleasure of the Board?

COMMISSIONER HAMILTON: Madam Chair, I move we go into executive session to discuss the items as listed by the County Attorney.

COMMISSIONER HUGHES: Second.

CHAIR HANSEN: Okay. I have a motion from Commissioner Hamilton, a second from Commissioner Hughes. All those in favor, roll call vote.

**The motion to go into executive session passed by unanimous roll call vote as follows:**

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

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Commissioner Hansen

Aye

[The Commission met in executive session from 5:40 to 6:22.]

CHAIR HANSEN: Can I get a motion to come out of executive session?  
Commissioner Hamilton.

COMMISSIONER HAMILTON: I move we come out of executive session, assuring that the only things we talked about where the things that were listed in the motion to go into session and no decisions were made.

CHAIR HANSEN: Do I have a second?

COMMISSIONER HUGHES: Second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Hamilton, a second from Commissioner Hughes to come out of executive session.

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

**12. B. Potential Action On Items Discussed in Executive Session**

CHAIR HANSEN: Number three, the potential trespass and ejection action related to the Santa Fe River Greenway project.

COMMISSIONER HUGHES: Madam Chair, I move to authorize the County Attorney's Office to pursue a trespass action or injunction against property owned by Santiago and Elvira Trinidad located in Section 32, Township 17 North, Range 9 East relative to the Santa Fe River Greenway Project.

COMMISSIONER HAMILTON: Second.

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

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

CHAIR HANSEN: Next is the Aqueous Film-Forming Foams Products Liability Litigation.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HANSEN: Yes, go ahead.

COMMISSIONER HUGHES: I move to authorize the County Manager to sign requests for exclusion from the settlement classes and file the requests for exclusion with the respective Notice Administrators in: one, In Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2: 18-MN-02873-RMG: *City of Camden, et al. v. E.I Dupont de Nemours and Company, et al.*, Case No. 2:23-cv-03230-RMG; and number two, In Re: Aqueous Film-Forming Foams Products Liability Litigation, MDL No. 2: 18-MN-02873-RMG: *City of Camden, et al. v. 3M Company*, Case No. 2:23-CV-03147-RMG.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Hughes, I

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have a second from Commissioner Hamilton.

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

**13. Informational Items / Reports**

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

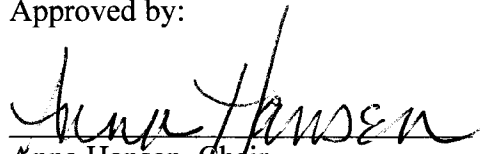
There were no questions or comments regarding the monthly reports.

**14. Concluding Business**

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

Having completed the agenda and with no further business to come before this body, Chair Hansen declared this meeting adjourned at 6:25 p.m.

Approved by:



Anna Hansen, Chair  
Board of County Commissioners

ATTEST TO:



KATHARINE E. CLARK  
SANTA FE COUNTY CLERK

Respectfully submitted:



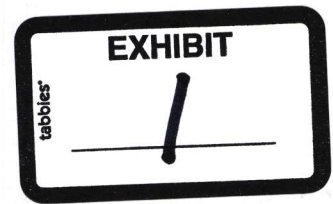
Karen Farrell, Wordswork  
453 Cerrillos Road  
Santa Fe, NM 87501



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THE BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY



RESOLUTION NO. 2023 - \_\_\_\_\_

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A RESOLUTION IDENTIFYING SANTA FE COUNTY 2024 LEGISLATIVE  
CAPITAL OUTLAY PRIORITIES

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**WHEREAS**, the New Mexico State Legislature and Governor are a significant source of funding for capital projects within Santa Fe County (County); and

**WHEREAS**, the County annually engages in a capital planning process to identify projects for inclusion on its Infrastructure and Capital Improvement Plan (ICIP); and

**WHEREAS**, rising construction costs and labor shortages, among other factors, make it imperative that federal, state, and local funding sources be concerted so as to fully-fund significant projects that meet critical needs, have been carefully planned, and can be timely completed; and

**WHEREAS**, with that goal in mind, the Board of County Commissioners (Board) wishes to establish its capital outlay priorities for the 2024 Regular Session of the New Mexico Legislature.

**NOW, THEREFORE, BE IT RESOLVED** that the Board respectfully urges its State Delegation and Governor to appropriate funds for the following projects in the following amounts during the 2024 Regular Legislative Session:

1. Agua Fria Village Utility Sewer Expansion (2025-1) – \$7,659,841
2. Glorieta Village Collection System (2025-2) – \$1,800,000
3. Rio en Medio Open Space Restoration & Flooding Prevention (2025-3) – \$1,000,000
4. Avenida Visa Grande Bridge Improvements (2025-4) – \$420,000
5. La Cienega Transportation Safety Study (2025-5) – \$200,000
6. Nueva Acequia Multi-Family Development Infrastructure (2025-15) – \$10,000,000
7. Public Housing Upgrades at Camino de Jacobo, Valle Vista, and Santa Cruz Housing Communities (2025-8,7,6) – \$12,013,155.00
8. P-25 Public Safety Radio Project (2025-16) – \$5,235,500
9. Santa Fe River Trail from Caja Del Oro to Cottonwood Drive (2027-9) – \$10,500,000
10. Countywide Sustainability Projects (2026-1 and 2026-2) – \$8,921,100.00
11. Improvements to Roads Countywide (Funding for Unanticipated Shortfalls, Emergency Maintenance and Repairs, and Engineering Services for Identified Projects, etc.) – \$10,000,000

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**NOW, THEREFORE, BE IT FURTHER RESOLVED** that County Commissioners and County staff may, individually or through its Contract lobbyists, also express support for the capital outlay requests of other governmental entities for projects within the County that would advance the public health, safety, and welfare of the community and that are not inconsistent with the County's established policies.

**PASSED, APPROVED, AND ADOPTED ON THIS 28<sup>th</sup> DAY OF NOVEMBER, 2023.**

**BOARD OF COUNTY COMMISSIONERS  
OF SANTA FE COUNTY**

By: \_\_\_\_\_  
Anna Hansen, Chair

**ATTESTATION:**

Date: \_\_\_\_\_

\_\_\_\_\_  
Katharine E. Clark  
Santa Fe County Clerk

**Approved as to form:**

\_\_\_\_\_  
Jeff Young  
Santa Fe County Attorney