

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

December 14, 2021

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:18 p.m. by Chair Henry Roybal in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

B. Roll Call

Roll was called by County Clerk Katharine Clark and indicated the presence of a quorum as follows:

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hamilton, Vice Chair
Commissioner Rudy Garcia
Commissioner Anna Hansen
Commissioner Hank Hughes

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Roybal and the Moment of Reflection by Israel Chavez of the County Attorney's Office.

A moment of silence was requested by Commissioner Hansen for the tornado victims and Gigi Minke and Commissioner Garcia for two deaths in the family of Santa Fe County employee, Joy Esparza. Commissioner Hamilton asked for prayers for Mario Rascon, who was working on a REDI-Net project.

F. Approval of Agenda

CHAIR ROYBAL: are there any requests for changes? I'm going to go to our Manager first.

KATHERINE MILLER (County Manager): Yes, Mr. Chair. There are

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some changes. First of all the agenda was posted on December 7th and then the amended agenda was posted on December 10th at 4:57 pm, and there are several amendments that were posted on Friday. The first one, the moment of reflection, the individual who provided it, Israel Chavez, was added to the agenda. On item 3. H. The item was moved to Consent, so you'll see that item had been moved up and on your printed agenda it still might be shown as item 5. D, but it was moved to item 3. H. It's the same item it was just moved from Miscellaneous Items to Consent.

Item 4. A was requesting the appointment of three members. The caption was updated to correct the district. It was District 2, not District 1. Item 5. D, the caption was updated and the packet material was uploaded. Item 5. E, the packet material was updated. Item 5. F, the item was withdrawn as presenters from the Ethics Board were unavailable to be here. Item 5. G, that item was added. Item 5. H was added. Item 5. I was added Item 8. C, Legislative Updates, the packet material was updated, and item 10. B. 3 was added, and item 10. C, the caption was updated and materials added.

So lots of stuff going on between the original agenda and the amended agenda. Those are the amendments to the agenda.

CHAIR ROYBAL: There wasn't anything that was tabled, correct? Just additions?

COMMISSIONER HANSEN: Mr. Chair, thank you. I would like to move to approve the agenda with the changes presented by Manager Miller.

CHAIR ROYBAL: Okay. Commissioner Garcia, did you have something you wanted to possibly amend?

COMMISSIONER GARCIA: Yes, Mr. Chair. Actually, Manager Miller, could you start with item number 3 again? I'm sorry.

MANAGER MILLER: Do you want me to start –

COMMISSIONER GARCIA: Sure.

MANAGER MILLER: So item 3 H, that was actually previously item 5. D. It was just moved up to the Consent Calendar.

COMMISSIONER GARCIA: What about 5. D?

MANAGER MILLER: It's just moved. It's the same item though. It was just moved to Consent. Then item 4. A, we just updated –

CHAIR ROYBAL: Manager Miller, just for clarification, I'll go ahead and second because under discussion, we had already had a motion.

MANAGER MILLER: I'm sorry.

CHAIR ROYBAL: That's all right. So I'll go ahead and second and then just go ahead and continue. Thank you.

MANAGER MILLER: Okay. And then item 4. A, just that caption was updated because it had originally said that the reappointment of the member from District 2, it originally said District 1, but that was District 2. So that was corrected. Item 5. D, that also the caption was updated and packet material was uploaded, and this had to do with our insurance. So we knew we were going to get our quotes for insurance but they weren't completed at the time. So that's item 5. D.

Item 5. E, which is the employee calendar, that packet material was uploaded and updated. Item 5. F, that item was withdrawn. That was the authorization to publish title and general summary for the Ethics Ordinance, and that item was withdrawn because

members of the Ethics Board requested that we withdraw that item but they were unavailable to attend the meeting. And item 5. G, which was an intent resolution for IRB. That item was added and those packet materials were added. Item 5. H, which was previously the other item – all those numbers moved up when we moved the item to Consent. Then item 5. H, that item was added. That's a negotiation between RECC union and the County. And item 5. I, that was added.

And item 8. C, legislative updates, that packet material was updated. And then item 10. B, executive session, item 3, potential breach of purchase agreement was added. And item 10. C, potential action on items discussed in executive session, which is a resolution authorizing Santa Fe County to enter into a settlement agreement on the opioid litigation. That caption was also updated.

CHAIR ROYBAL: Did that clarify your questions, Commissioner Garcia? Okay. So we have a motion and a second.

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

1. G. Recognition of New Hires and Employees Years of Service

CHAIR ROYBAL: We're going to go back to our County Manager, Ms. Katherine Miller.

MANAGER MILLER: Thank you, Mr. Chair, members of the Commission. So every month, we try to welcome our new employees and also recognize employees for years of service. Our new employees that were hired between November 1st and November 30th are Estevan Sanchez in our Legal Department, Assistant County Attorney; Keary Howley in the County Assessor's Office; Cindy McKee who I introduced to you before for strategic planning in the Manager's Office; April Dukes in the County Treasurer's Office/quality control data analyst.

In Corrections, detention officer Saul Acosta Ruiz and Isaiah Mora, and also a therapist, Alissa Petrosoniak, and detention officer Gabriel Roque. Then in RECC, Andrea Harper as an emergency communications specialist III, and Beverly Perez in Public Works/Administration, and Jacob Martinez in Public Works/Roads; and two sheriff deputy IIs in the Sheriff's Office, Michael Olivas and Joseph Watson.

So I'd just like to welcome them to Santa Fe County and look forward to having them spend their career here.

And then as far as years of service recognitions, there were individuals in the month of December that will have a five-year anniversary of consecutive terms with the County. In IT, Mark Murdock; he's been with us five years; William Pena, Open Space, five years; Chris Hyer – on December 19th will celebrate his five-year anniversary with the County; and our warden at the adult facility, December 26th will be five years.

In Solid Waste, Jeff Spillers on December 3rd hit his ten-year anniversary. Casey Arnold in our adult facility, ten years; Hanna Padilla in our dispatch center, 10 years; Pablo Sedillo, ten years on December 19th; Ida Lucero on December 29th will have ten years. And then rounding out the list, Chris Sena in Public Works, 15 years on December 26th.

So I just want to thank those County employees for having a career here at Santa

Fe County.

CHAIR ROYBAL: Thank you, Manager Miller, and I couldn't agree more. It's always great to see people that are dedicated to Santa Fe County and choose to make their career here. It's just great to see five, ten, fifteen years. Congratulations to all of you and thank you for your dedication and your service to Santa Fe County. Any other comments from the Commissioners? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I agree totally with what you said about our people who've been here a while and I'd also like to just say that it's great that we have a number of people starting at the County now and that we hope that they'll continue and be on this other list in five and ten years. Anything you do here at the County is extremely important with the public, and so it's great to have new people on the team. Thank you.

CHAIR ROYBAL: Yes, thank you, Commissioner Hughes. Congratulations to our new hires. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I want to congratulate all of those individuals who have been here five years. They started at the same time that Commissioner Hamilton and I started and so we have enjoyed working with you and we are grateful for your service along with I am grateful for Commissioner Hamilton's service for the last almost five years also. So thank you everybody. Thank you, Chris, as you're sitting in the audience, but also Derek, William and Mark, and everyone. And Pablo, for sure. Anyhow, thank you very much, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. My how time flies. I'm going on my seventh year so it's unbelievable how quickly time flies. It seem like just the other day that we had three new Commissioners that started on the Commission and definitely, I think Commissioner Anaya was here and then we had three brand new Commissioners and you guys have all done a great job and so I'm really happy that you guys are all still here and working hard with us. And so we've made some great changes and done some good things for Santa Fe County. So thank you guys. I don't think we celebrate Commissioners' anniversaries but maybe we ought to start adding that to the list, Manager Miller. Thank you, and once again, is there any other comments from Board members? Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, thank you for everybody that's been here for some time and thank you and congratulations to the new hires. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you Commissioner Garcia. Any other comments? Okay. Thank you, Manager Miller. We appreciate it.

1. H. Santa Fe County Employee of the Quarter, Third Quarter of 2021 Awards

CHAIR ROYBAL: I'm going to go once again to our County Manager, Ms. Katharine Miller.

MANAGER MILLER: Thank you, Mr. Chair. So Santa Fe County has a quarterly recognition for Employee of the Quarter and recognizes employees who make a significant contribution to Santa Fe County during the previous three-month period. They

can be nominated by coworkers, supervisors or any individual who thinks that a significant contribution – could be anything like excellent service to our constituents, developing or implementing new programs that benefit our organization, providing exemplary performance to the County during their daily job performance, demonstrating a willingness to work above and beyond the call of duty, or any other contribution which the nominator believes to be important.

The process for selecting the Countywide Employee of the Quarter begins with the designated Recognition Teams selecting one Employee of the Quarter Employee of the Quarter for their group. And then also from the elected office employees. And then out of that group then there's one person who is selected Countywide.

Unfortunately, this quarter it appears we only had one nominee, but that does not take away from the exemplary performance of this nominee and that is out of the Community Services, Jason Griffin, GIS supervisor. He was hired just a short while ago on July 17th, but in his short tenure with the County, Mr. Griffin has vastly improved Santa Fe County's Interactive Web Maps. He continues to improve and enhance a variety of data services that feed and support the County Interactive Web Maps. These efforts have improved processes for other Departments to include the Clerk's Office in the current year election. Mr. Griffin is a great team member, is a role model to other employees and his hard work is greatly appreciated.

So I do believe who it is Mr. Griffin who receives Employee of the Quarter. So I'd just like to congratulate him and welcome again to our team and really appreciate all his hard work that he is providing the County in his exemplary performance. Congratulations to Mr. Griffin.

CHAIR ROYBAL: Thank you, Manager Miller, and definitely congratulations to all the candidates and just to see in five months that an individual, a new hire that has made at the County is really commendable. I know that all of our employees do a great job, so I just want to congratulate him once again. Are there any other comments from the Board? Okay. Thank you, Manager Miller.

2. APPROVAL OF MEETING MINUTES

A. November 9, 2021 Meeting Minutes

CHAIR ROYBAL: Are there any changes, or what's the pleasure of the Board?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I would like to move to approve the minutes of the November 9, 2021 Board of County Commissioners meeting.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen, a second from Commissioner Hamilton.

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

3. CONSENT AGENDA

- A. Final Order In the Matter of Case #20-5111 Vista de Sangres Reconsideration of a Condition. El Llano Company Inc., Applicant, Requested the Reconsideration of a Previous Condition Imposed by the Board of County Commissioners (BCC) on the Final Plat Approval for the Vista de Sangres Subdivision Which Required the Final Plat for Phase 1 to be Recorded Within 60 Days After the BCC Entered an Order Conditionally Approving the Consolidated Submission. The Applicant Requested an Additional 60 Days to Record the Final Plat for Phase 1. The Site is Located North of the NM 599 Frontage Road at the Intersection of Caja del Oro Grant Road Within Section 31, Township 17 North, Range 9 East (Commission District 2) (Vicki Lucero, Case Manager) (APPROVED 4-0)**
- B. Resolution No. 2021-111, a Resolution Determining Reasonable Notice for Calendar Year 2022 in Accordance With the New Mexico Open Meetings Act, Applicable to All Meetings of the Board of County Commissioners (“BCC”) and to the Meetings of County Boards and Committees Created and Appointed by the BCC (“Appointed County Committees”); Establishing Permissible Meeting Locations and a Webcast and Broadcast Policy; and Requiring Meeting Agendas to Include Instructions on How the Public Can Participate In Meetings Remotely During the COVID-19 Public Health Emergency (County Attorney’s Office/Gregory S. Shaffer)**
- C. Resolution No. 2021-112, a Resolution Requesting a Budget Increase to the Lodger’s Tax Advertising Fund (215) in the Amount of \$20,000 for a New Mexico Tourism Grant (Finance Division/Yvonne S. Herrera, Community Development/Lisa A. Katonak)**
- D. Request Approval of Permanent Drainage Easement Agreement No. 2021-0263-PW/BT Between Santa Fe County and Mr. Peter Goodwin Related to the Construction of the CR 55A General Goodwin Road Project (Public Works Department/Scott Kaseman)**
- E. Request (1) Approval of Amendment No. 7 to Agreement No. 2019-0053-CSD/CW with Firestik Studio, Increasing the Compensation an Additional \$90,000, Inclusive of NM GRT and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s) (Purchasing Division/Bill Taylor and Community Services Department/Peter Olson)**
- F. Request (1) Approval of Agreement 2021-0259-FIN/CW Between Fifth Assets, Inc., dba DebtBook, and Santa Fe County for Accounting and Management Software and Services in the Amount of \$55,000, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s) (Purchasing Division/Bill Taylor)**
- G. Request (1) Approval to Utilize an Outside Contract for the Purchase**

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of a Kenworth Hook Lift Truck in the Amount of \$253,439, Inclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order (Purchasing Division/Bill Taylor and Public Works Department/P.J. Griego)

H. Resolution No. 2021-113, a Resolution Requesting a Budget Decrease to the Fire Operations Fund (244) for the YCC Grant in the Amount of \$124,378 (Finance Division/Yvonne S. Herrera and Fire Department/ Jackie Lindsey) (Item Moved)

CHAIR ROYBAL: Is there anything on the Consent Agenda that Commissioners would like to pull to get further information on? Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, item number D. I just have a quick question on that.

CHAIR ROYBAL: Okay. Go ahead, Commissioner Garcia. Did you want to pull that item or did you just want to ask a question, sir?

COMMISSIONER GARCIA: Thank you, Mr. Chair. In regard to the drainage easement for the General Goodwin Road, first of all, staff, thank you for bringing this forward. This has been something in the making and many of us may not know about three or four years ago this County Road, which is actually south of the Lone Butte area and heavy rains actually cause the Galisteo Creek to flood and our great road department went out there and got stuck. There was some heavy equipment, graders, you can name it – was stuck in the Galisteo Creek and thank you for bringing this forward.

The question I have in this is on page 2, item number 4 is restoration. So this is actually restoration of the drainage easement, which I guess – well, we're going to construct this drainage easement, correct? Or is the easement just an easement for overflow water from the County road?

SCOTT KASEMAN (Public Works): We are actually doing road improvements on the road. This is to construct those structures on the road, and the ditches on the side.

COMMISSIONER GARCIA: Thank you, Mr. Chair. So Mr. Kaseman, so this drainage easement is for bar ditches? Or is it actually for a set-aside area for overflow drainage?

MR. KASEMAN: Mr. Chair, Commissioner Garcia, it's for a pretty significant area that has been determined by the engineers to address the flooding that is occurring.

COMMISSIONER GARCIA: Thank you. Once again, thank you for bringing this forward. Appreciate it. Just one other question. The grantee will reseed the disturbed area for appropriate New Mexico Department of Transportation standard specifications. Is there a reason why we're using the Department of Transportation standards?

MR. KASEMAN: That's typically just what we use in these areas. Originally the landowner had requested we restore it to natural vegetation, which is very, very difficult to do, so that was the standard that the landowner and I negotiated and agreed upon.

COMMISSIONER GARCIA: Thank you, Mr. Chair. The reason why I'm

asking that question is I just want to make sure whenever this project goes out to bid that those DOT standards are actually specified in the bid packet. Because in the past we've had some challenges as to what exactly are those specs. But right now, Ryan, thank you for being here. So yes, if you can just please make sure whenever we do go out to bid that those specs are specified.

RYAN WARD (Public Works): Mr. Chair, Commissioner Garcia, yes. So that is our goal. Everything that we do going forward – I can't speak to the past, but we do follow the DOT specs so that we have quantifiable base material, the way we build the road now, so we have – we know what we're going to get at the end. So those specifications are what we do spec into the plans for construction.

COMMISSIONER GARCIA: Thank you. And once again, thank you for bringing this forward. This is actually one of our 2005 general obligation bond projects, so this is another project we're moving forward with. Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And with that, do we have any other questions or is there a motion?

COMMISSIONER GARCIA: I'll make a motion to approve all of the Consent Agenda.

CHAIR ROYBAL: Yes.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Garcia, a second from Commissioner Hamilton. Under discussion, are there any other questions, comments?

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

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

4. APPOINTMENTS/REAPPOINTMENTS

A. Request Appointment of Three (3) Members to the Santa Fe County Planning Commission, One From Commission District 2 and Two At-Large Members

CHAIR ROYBAL: From the Growth Management Department we have Ms. Vicki Lucero.

VICKI LUCERO (Building & Development Supervisor): Thank you, Mr. Chair. Chapter 3 of the SLDC gives the BCC the authority to appoint the seven members of the Planning Commission. Three members are appointed in even numbered years and four members are appointed in odd numbered years. The terms of three current Planning Commission members will expire in January of 2022 as follows: Charlie Gonzales, representing District 2, Susan Martin, who's an at-large member, and Steven Krenz, who's also an at-large member.

Susan Martin has served the maximum number of terms allowed under the SLDC. Charlie Gonzales and Steve Krenz, however, are eligible for reappointment. In October of 2021 the County sent out a press release seeking interested members of the general public to serve on the Planning Commission. We received responses from 14 individuals

which included the two current members who are eligible for and have requested reappointment.

The only applicant for District 2 is Charlie Gonzales who is the current Planning Commission member. We also received letters of interest from applicants who have requested to serve on the Planning Commission as the at-large members and reside in different areas of the County. The applicants are listed by Commission district in the staff report. The applicants' letters of interest and résumés are included in Exhibit B.

Staff recommendation: Staff recommends the reappointment of Charlie Gonzales for the District 2 position, and Steven Krenz for one of the at-large positions to serve a two-year term beginning January 2022 until January 2024. Staff recommends that the BCC appoint the second at-large position to serve a two-year term beginning in January of 2022 until January of 2024. Thank you, Mr. Chair. I stand for any questions.

CHAIR ROYBAL: Okay, do we have any questions from the Board? Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, Ms. Lucero, thank you. So these are two-year terms?

MS. LUCERO: Mr. Chair, Commissioner Garcia, yes. The Commission members are appointed for two-year terms and they're allowed to serve a maximum of three consecutive terms.

COMMISSIONER GARCIA: Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And I know – Commissioner Hughes, go ahead, sir.

COMMISSIONER HUGHES: Thank you, Mr. Chair. So I agree with appointing the two as recommended by the staff, and I also was looking through the résumés. There were quite a few really well qualified people who applied. It seemed to me that if we reappoint the two there will be two from Commission District 5, which is my district, already, so I thought we should appoint someone from one of the other four districts for the other at-large member, and I was interested in three people which I'll just throw out there: Wendy Melgin-Pierard, who worked for UPA for 30 years on wetlands and other issues. Seemed like a very well qualified person to work on our Planning Commission. Daniel Werwath, who I've known for a long time as an affordable housing developer, and Marion Cox – she had the longest résumé, I think on there, and she also has experience as an environmental mediator, which seemed like another good skill to have. So I just wanted to start the discussion maybe with those three listed. But of course there may be others that people are interested in.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hughes. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So I definitely support Charlie Gonzales being reappointed to District 2, and maybe I'll just make a motion to appoint him to District 2 as a member and get that one taken care of.

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: We have a motion and a second. Under discussion, is there anything else under discussion?

COMMISSIONER GARCIA: Mr. Chair, Charlie Gonzales actually worked at the County. Charlie Gonzales has the most experience in planning and zoning.

The guy grew up in planning and zoning and he still is retired planning and zoning but he actually – that’s a very good choice to continue to have Mr. Gonzales on the board.
Thank you, Mr. Chair.

CHAIR ROYBAL: Okay. Thank you, Commissioner Garcia. So we have a motion and a second to appoint Charlie Gonzales.

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

CHAIR ROYBAL: So under discussion, Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So I too looked over these résumés and found that many of them were very qualified. I also felt that since there is now only one woman on the Planning Commission that it would be good to have another woman on the Planning Commission and since we have such highly qualified candidates in that genre of gender, I thought Marion Cox. I don’t know here but on paper her résumé and her interests and the time she took to really work on this letter seemed very impressive so I too would support her as one of the at-large members. She is from Commission District 4 so I will defer to Commissioner Hamilton, Mr. Chair.

CHAIR ROYBAL: Commissioner Hamilton, did you have any comments?

COMMISSIONER HAMILTON: No. I actually do know Marion Cox. She’s been very interested and she would be fabulous. Other than that I had my eyes on the same three list that Commissioner Hughes listed. I can easily suggest Marianne would be very good.

CHAIR ROYBAL: Okay. Any other comments, questions? Commissioner Hansen.

COMMISSIONER HANSEN: I’d like to make a motion. I would like to move to appoint Marion Cox and Steve Krenz. I would like to nominate those two for the members at-large.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen, a second from Commissioner Hughes. Are the appointments that are being made, are those both different than what staff recommended, or is there one that’s different? Or you were just looking for guidance on which one?

MS. LUCERO: Mr. Chair, staff was recommending the appointment of Steve Krenz, but we left it open for the second at-large position. We didn’t make a specific recommendation.

CHAIR ROYBAL: That’s what I thought but I just wanted to be clear for the record. So we do have a motion and a second. If there’s nothing else under discussion.

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

CHAIR ROYBAL: Congratulations. Thank you, Ms. Lucero, and I do want to just recognize that the interest that we did have, there was a lot of qualified individuals. Just a huge thank you from the Commission for coming forward and being

pro-active in trying to sit on one of these boards. It's always a difficult decision but thank you very much for your interest in Santa Fe County.

5. MISCELLANEOUS ACTION ITEMS

A. Resolution No. 2021-114, a Resolution to Recognize the Creation of the Youth Services Division within the Santa Fe County Community Services Department

CHAIR ROYBAL: From the Community Services Department we have Ms. Chanelle Delgado. Ms. Delgado.

CHANELLE DELGADO (Community Services): Good afternoon, Chair and Commissioners. This acknowledgement of the Youth Services Division will continue and further the prioritization of County-funded youth programming and initiatives. As of this year, the Community Services Department consolidated youth-related services and funding streams, including Teen Court, DWI Program, and the Youth Education and Recreation funds into a Youth Services Division under the Community Services Department.

CSD has begun to streamline youth education, recreation and behavioral health funding to develop a comprehensive system of evidence based services to meet the health and social welfare of our youth in Santa Fe County. Thank you for your consideration.

CHAIR ROYBAL: Thank you. Do we have any questions from the Commission? Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you for bringing this forward. I think it's good and appropriate, obviously, that we start working with our youth in the community. Can you explain to be a little bit what your vision is as into working with the youth and what areas of Santa Fe County will you be targeting? Or is there a certain area? Let's start with that, please.

MS. DELGADO: So definitely all of Santa Fe County, Commissioner Garcia, with a hyperfocus on our rural areas – Edgewood, Pojoaque areas. And currently we are already have nine agencies servicing the community under the Youth Education and Recreation funds, and we plan to continue to expand upon those. I see it being youth, education, recreation, behavioral health, including substance use. We do have an RFP currently out towards fentanyl and substance abuse public awareness targeted at youth and guardians. So that's also another priority area for us.

COMMISSIONER GARCIA: Thank you, Mr. Chair. So I'm interested as into how – are we going to be going into schools, or what are we going to be doing in order to educate these youths and once a youth comes forward and actually needs some assistance, how does the County go about doing that? Also, in regards to the southern part – in my district, the southern part of town, there's actually some youth that were involved in a tragedy about a couple years ago, what happened at the bluffs there. There's still a couple of individuals in there and educators that are still – have some sort of PTSD on that. So is there a way where individuals or us, the County, can work with possibly law enforcement and/or other governmental entities to kind of go into that area? Have meetings? Are we going to have meetings with the individuals? How do you envision that happening?

MS. DELGADO: I definitely think that is a priority, the community violence. We've seen the uptick in violence. It's something that we have been in conversations with community partners including the Sheriff's Office to see how we can address some of those high areas that you're describing. So those are ongoing and we do plan to have an initiative in the upcoming future directed towards those areas.

COMMISSIONER GARCIA: Thank you, Mr. Chair. So can we set up a meeting with myself?

MS. DELGADO: Absolutely.

COMMISSIONER GARCIA: And there are other individuals from the community that are very interested in moving this forward and are willing to actually help participate in funding for this type of program that we're doing.

MS. DELGADO: Yes, Commissioner Garcia. I'd be happy to talk with you off line.

COMMISSIONER GARCIA: Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other questions? Seeing none, what's the pleasure of the Board?

COMMISSIONER HUGHES: Move for approval, Mr. Chair.

CHAIR ROYBAL: We have a motion from Commissioner Hughes.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: A second from Commissioner Hamilton.

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

COMMISSIONER HANSEN: Ms. Delgado, I just wanted to say congratulations and thank you for your good work and following the strategic plan in getting this project, this youth works moving, because it's important. So thank you.

MS. DELGADO: Thank you, Commissioner Hansen.

5. B. **Request Authorization (1) for the Distribution of American Rescue Plan Act of 2021 (ARPA) Funds to Bella Luz, LLLP for Acquisition and Redevelopment of the Lamplighter Inn with the Purpose to Provide Homelessness Assistance, Safety Measures, Along with Housing Security to Those that are in Need of Housing or are Displaced by the Impacts of the COVID-19 Pandemic; and (2) for the County Manager to Negotiate and Execute Any and All Required Documents, Contracts, and Purchase Orders for the Bella Luz LLLP Services Agreement to Acquire and Rehabilitate the Lamplighter Inn**

CHAIR ROYBAL: From the Community Development Department we have Mr. Joseph Montoya.

JOSEPH MONTOYA (Community Development Director): Mr. Chair, members of the Board, thank you very much for allowing us to speak today. Specifically of course, this resolution will allow the County Manager to sign a contract in order to provide \$1.5 million of federal money to be able to assist in the acquisition and rehab of the Lamplighter Motel. I wanted to take this opportunity to provide a little background

information because this is a tremendous opportunity and really is a classic example of many organizations coming together to be able to work for a common cause.

The County of Santa Fe, the City of Santa Fe, the State of New Mexico, St. Vincent's and the local COC office have worked diligently to try to put together a financial package that can be able to assist in create 58 new units of housing in an extremely short period of time. I want to say how significant that is. If for instance we didn't leverage this money we're going to be leveraging \$8 million of funds with our \$1.5 million. But in addition, if we were to just go out and look at the current market right now and just use our money to buy houses, we would only be buying three houses. We're providing for 58 units. It's a significant investment and a significant leveraging of our funds.

I did want to take this opportunity also publicly to thank Jennifer Lopez of Project Moxie and Marisol Atkins who were consultants on this particular project and have worked tirelessly to herd our different organizations and different theories and our different systems to get us on the same page to be able to do something like this. To my knowledge this is the first time anything like this has ever happened in housing, in terms of affordable housing development, at least in Santa Fe.

This particular location is ideal for many reasons. It's very close to job opportunities, close to food opportunities, transportation opportunities. There's many services in the immediate area, and right across the street the Life Link is going to be able to provide community services and social services to those participants who need it. So we've got a fully developed package here that we're extremely proud of. I have to go on to show you the kind of work that it took to put this together. We worked on it as if we were buying it itself. I'm not sure if Katherine is going to go through every phase but she may because it's quite an extensive package to be able to put something like this together.

And with that I will stand for any questions you may have. Oh. One more thing I did want to mention. Of course this is in the City of Santa Fe itself and so land use decisions are made by the City of Santa Fe in this particular issue. There is no change to the underlying zoning. However, they will be taking out a rehab permit, and because of the size of the rehab permit there will be an ENN so that neighbors have an opportunity to voice their opinions. And with that I'll stand for any questions you might have.

CHAIR ROYBAL: Okay. Thank you, Director Montoya. I'm going to go to Commissioner Hansen and then to Commissioner Hughes.

COMMISSIONER HANSEN: Thank you, Mr. Chair. Thank you, Mr. Montoya. So this Lamplighter is my neighborhood, the Casa Alegre neighborhood. It is also in District 2 and besides being a Santa Fe County Commissioner I am the president of the Casa Alegre Neighborhood Association, so I appreciate your stating that this is a City of Santa Fe land use issue and that it will be going through the ENN process because I do know that constituents in my neighborhood are concerned. They do not want to see another Pete's Pets or Pete's Place develop. There's already a large impact from Life Link on the neighborhood and I do get calls and complaints about cars and people parking in the neighborhood and not always being respectful to the neighbors. So those are some of my concerns.

On the other hand, I think this is a fabulous, incredible project that we have the opportunity to participate in. For the money it is a good deal. We're getting a good bang

for our buck and the reality is that homeless is a serious problem throughout the State of New Mexico and here in Santa Fe, and I don't see it letting up. So I think that the more pro-active we can be to help these individuals find temporary to permanent affordable housing of some kind is really important. But I also want to represent my constituents and make sure they have the opportunity to voice their concerns. I recognize that along Cerrillos Road it is a commercial use and that is a wise decision. It is one of the main drags of Santa Fe. So I appreciate your information and your update so thank you very much, Mr. Montoya.

MR. MONTOYA: Commissioner Hansen, I do want to point out we agree with many of the issues that come up at Pete's Place so this is designed specifically so that we can take people off the streets. This is an apartment complex designed for people under 80 percent of median income. So the whole idea is to get them off the streets and away from the neighbors that have been impacted. I don't think that is a thing that we can't say: has impacted. So we appreciate your concerns.

CHAIR ROYBAL: Thank you, Commissioner Hansen, and thank you also Director Montoya. Any other questions? I'm going to go to Commissioner Hughes and then I'll go to Commissioner Garcia.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just want to mention that I've been involved in the planning for this project and the two consultants who work on it are paid through my Coalition to End Homelessness. However, there's no financial involvement directly in the project. We were thinking about lending the state money through my organization but that plan has changed to a much simpler plan which is to have the state money go directly to Life Link and then use it to put into the project.

I do want to say this is exactly the kind of project we like to see for people who have been through homelessness because it's not – it's only a quarter of the units that would be for homeless people; the rest would be for working class people who just need affordable housing. It allows us – it sets a tone where some people get up and go to work and the fact that it's on Cerrillos Road is great. A lot of people who are homeless and need long-term housing have disabilities so they're income is extremely low. They're not likely to have cars, so the fact that Smith's grocery store is right there and the bus stop and all that is perfect for them. And I just think this is – we need several more of these projects to really address the issue but this is a good one. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes. I couldn't agree with you more. One project at a time and I think we're really making a difference but you're absolutely right that there's a huge need still so we'll keep working in that direction. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Mr. Montoya. Very well said, Commissioner, as into regarding the homeless and the situation that we're dealing with within the City of Santa Fe. It's unfortunate. You drive down that Cerrillos Road about 6:30, 7:00 in the morning and you see everybody going to Pete's Place. 5:30, 5:00, you see everybody going to Pete's Place.

I do realize the issue that we have going down Harkle Road and I think this is an excellent project how we could all work together, all governmental entities to work together and not have one individual say, let's move them out to Airport Road. That doesn't satisfy the issue. And we all know, we read that in the paper and for an individual

to say let's put them in a certain area, I totally disagree with that. So I think this is actually a good project where we're showing governmental entities working together to help the situation that we have, that many cities have throughout this country as we know.

A couple of questions I have is in regards to the lead agency. Who is the lead agency that will be handling the construction? As the Commissioner brought up, the ENN meetings and so on and so forth?

MR. MONTOYA: Chairman Roybal, Commissioner Garcia, thank you very much for your comments. So we have collectively, as government entities, come together to be able to try and provide a financing package. The financing package would be provided to Jeff Curry and his group, Bella Luz, LLLP, as well as [inaudible] in order to purchase, develop, and rehab the project. So by lead agency, it's usually a governmental entity. In this case it's not. We collect – we just provided a financing package so that a developer could be able to purchase this and have very little – and have no debt equity, so that we can put the money into operations.

COMMISSIONER GARCIA: Thank you, Mr. Chair. So Mr. Montoya. So the money is actually going to be utilized to purchase – I couldn't hear you. Is there already an organization that is actually going to run the facility?

MR. MONTOYA: Mr. Chair, Commissioner Garcia, yes, that's correct. We have contracted out collectively with a private developer who has years and years of experience. Jeff Curry, who I have known most of my professional life and he's run many, many different developments. He has agreed to be able to provide his expertise to this project and both the purchase, development and operations of the physical facility. We have contracted out with the Life Link to provide services though, because it's one thing to be able to provide the units but many of these people, especially the 25 percent that we're targeting, are in need of extra services. So it's very important that those services be provided.

COMMISSIONER GARCIA: Thank you, Mr. Chair. And is this funding subject to zoning approval from the City of Santa Fe?

MR. MONTOYA: Chairman Roybal and Commissioner, it already is zoned. However, it is subject to the City's final approval. So if the City does not provide final land use approval, we get our money back.

COMMISSIONER GARCIA: Thank you. And as the Commissioner brought up, the Lamplighter. The Lamplighter's been there for many, many years. Those were the outskirts of the City of Santa Fe back in the days. That's why you see a lot of motels. I see Karen laughing out there. She remembers the Lamplighter. It's very historic – not historic but a site that – I won't go into it. But thank you, Mr. Chair. Thank you, Mr. Montoya.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. Yes, so I've lived in my neighborhood for over 35 years so I'm well aware of the Lamplighter and all the changes that have gone on there. I hope that with the rehabilitation of the building they will keep in mind Santa Fe style and that it will be – they will make it actually more attractive than

it is at the moment, which I don't think should be too hard to do.

MR. MONTROYA: Mr. Chair, Commissioner Hansen, the rehabilitation plans haven't been specifically finalized. We do have very good cost estimates at this time. We are of course concentrating on the interior of the units. We're expanding them. We're breaking down walls. As you know, I think there's over 72 units now but we're going down to 58 units. That's because we're actually rehabilitating the units themselves and the interior. Sad to say, I think this is what maybe Commissioner Garcia was referring to, the swimming pool will no longer be available. However, these are things that happen when you're trying to create an environment for housing.

COMMISSIONER HANSEN: I think that workforce housing is one of the most important things that we can do at the moment. And since this is in District 2, on the edge, I will make a motion to approve the authorization for distribution of American Rescue Plan funds to Bella Luz, LLLP, for acquisition and redevelopment of the Lamplighter in with the purpose to provide homelessness assistance, etc.

COMMISSIONER HUGHES: And I'll second that, since it's across the street from my district.

CHAIR ROYBAL: So we have a motion from the Commissioner in that district and a second from the Commissioner from across the street. Under discussion, anything else under discussion?

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

CHAIR ROYBAL: I want to go back to item 5. A that was presented by Ms. Delgado. Attorney Shaffer, do we need a resolution number for this item?

GREG SHAFFER (County Attorney): Mr. Chair, Commissioners, no. I don't believe that the requested authorization was put forward in the form of a resolution. So no, you do not.

CHAIR ROYBAL: Okay. I just was – it said a resolution in the beginning of it. Thank you for the clarification.

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR ROYBAL: Go ahead.

COMMISSIONER HAMILTON: What was in the packet was presented as a resolution, for 5. A.

MR. SHAFFER: I'm sorry. We're you inquiring about 5. B or 5. A?

CHAIR ROYBAL: It's was about 5. A, sir. I went back to 5. A.

MR. SHAFFER: Forgive me. I misunderstood the question, Mr. Chair. That was on me. With 5. A, yes, there was a resolution on the agenda and included in the packet. I apologize for the confusion.

CHAIR ROYBAL: Okay. Thank you, Attorney Shaffer. I'd like to thank Madam Clerk for bringing this to my attention.

5. C. Resolution No. 2021-115, a Resolution Requesting Budget Adjustments for a Net Decrease Amount of \$1,162,230 in Various Funds to Account for Prior Year Transactions Affecting Capital Outlay Amounts Included in the FY2022 Budget and Accounts Payable Accruals

CHAIR ROYBAL: From the Finance Department we have our director, Ms. Yvonne Herrera.

YVONNE HERRERA (Finance Director): Good afternoon, Chair, Commissioners. The budget adjustment before you appears each year due to the year in process of accruing and estimating all transactions applicable to fiscal year 2021. The accrual period occurs July through September. However, departments need access to the capital outlay purchase orders in any fiscal year.

Since time can't be stopped while the prior fiscal year is closed, the Finance Division carries forward all capital outlay purchase orders with outstanding balances into the next fiscal year before the year-end accrual process is complete. As a result, the purchase orders carried forward into fiscal year 2022 may be inflated for any amounts that were recognized as expenditures in fiscal year 2021.

To resolve this issue, the associated purchase order is liquidated for the amount of the expenditure recognized in fiscal year 2022 as a transaction was recorded back into fiscal year 2021. With this liquidation the budget becomes available for the originating department to utilize in fiscal year 2022 which is actually incorrect. This freed-up budget needs to be reduced to prevent over-budgeting or overspending in the affected capital projects. The original project budget is not impacted by the corrections. The overall result is that we restore the budget to what's actually still available after everything has been spent. It's a reconciliation that we have to do between two fiscal years that are open, and it's just one of those necessary evils that occurs because we can't stop time. And with that, Chair, I stand for any questions.

CHAIR ROYBAL: Okay. Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, I'm going to get your name right this time, Ms. Herrera. Thank you for a great presentation and thank you for this as into bringing this forward basically giving us a little bit more detail as into what's happening and reconciliation of what's going on here.

You mentioned earlier that we cannot stop time. Do you have any idea how we can stop time? Or slow time down? Or advance it? Can we advance time? I don't know whether it's good to advance it or a slow it down a bit.

Nonetheless, Mr. Chair, thank you. Thank you for your presentation. Great job.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I think all of us want to try and stop time. Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I want to just thank you, Yvonne, for all the hard work that goes into the Finance Department. I recognize that we don't have the staffing that we need and a lot more falls on the people that are here and I just want to recognize all your hard work because like you said, we can't stop time. Which would give us a break. And I hope that over the holidays that you do get a break because it is well deserved and so I just wanted to say that. I want to make a motion to approve this request of a budget adjustment.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen and a second from Commissioner Hamilton. Under discussion, Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just wanted to thank you, Yvonne, for doing all the complicated calculations to make this come out. That's all. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes, and I couldn't agree more. I know that especially as Commissioner Hansen mentioned, our shortage of staff, it's a huge endeavor. So thank you for all your hard work. We do have a motion and a second.

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

5. **D. Resolution No. 2021-116, a Resolution Authorizing the County Manager to Secure Multi-Line, Law Enforcement, and Other Insurance Coverages for Calendar Year 2022; to Finalize Negotiations for Such Coverages; and to Execute All Documents Necessary to Effectuate Such Coverages**

CHAIR ROYBAL: From the Risk Management Division we have Ms. Sonya Quintana. Is Ms. Quintana on line?

MR. SHAFFER: Mr. Chair, actually I've been asked to cover this item. I'll keep things very brief. We have several lines of coverage that renew on a calendar year basis. They are significant coverages for the County, namely multi-line, auto, property, what have you, law enforcement coverages, as well cyber liability coverages and the like. The County solicited proposals through our insurance broker, HUB International. We ultimately did receive proposals from the New Mexico County Insurance Authority, a joint powers entity of which Santa Fe County is a member, and Travelers. Ultimately staff recommends that NMCIA be chosen as the offeror whose overall proposal is most advantageous to the County.

That's primarily based upon the following: one, the Travelers proposal did not include pollution or cyber coverages, nor did it include coverage for the Housing Authority; and two, while Travelers policy did cover some risks that NMCIA did not, such as punitive damages, overall, when our broker analyzed the premiums on offer and the self-insured retentions on offer, their best estimate was that we would end up paying more across all the coverage lines when you aggregate them with Travelers than with NMCIA.

With regard to where we go from here, if the resolution is adopted the County Manager will choose the premium and deductible options on offer from NMCIA that are estimated to yield the lowest true cost of insurance unless she determines that an option will expose the County to too much risk when you consider it in light of the County's overall exposure.

Before I stop talking I will note that while we base this recommendation upon the proposals as submitted, we do believe that NMCIA's offerings will ultimately be even more attractive, and specifically, the NMCIA board of directors voted to reduce law enforcement premiums by approximately two percent, and in addition, the County

Manager is actively attempting to negotiate a lower law enforcement premium, given our loss ratios over the last ten years and the deductible that we typically carry. So I'd be pleased to stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Attorney Shaffer. Do we have any questions? If not, what's the pleasure of the Board?

COMMISSIONER GARCIA: Move for approval, Mr. Chair.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Garcia, a second from Commissioner Hamilton. Under discussion, Commissioner Hughes.

COMMISSIONER HUGHES: Yes. I was just wondering, is NMCIA a mission-driven company that provides this kind of insurance to local governments or is it a regular – more of a large private company.

MR. SHAFFER: Thank you, Mr. Chair and Commissioner Hughes. New Mexico County Insurance Authority is actually an entity created by joint powers agreements between Santa Fe County and other member counties, so it is very much member-driven. It exists exclusively by agreement of its members in order to allow them to better pool resources and provide coverages to member counties. If more of an explanation is needed I would just add that the predecessors to New Mexico County Insurance Authority were created to specifically meet a need that was not being met by the private insurance market, I want to say two decades or more ago and we're seeing a further hardening of the private insurance market to cover public risk for a variety of reasons. So it continues to meet that very real need. So while we were thankful that Travelers' did quote us business, other carriers did not. Ultimately, New Mexico County Insurance Authority, again, which we are a member of and I sit on the board of directors of as a representative of the County, that their proposal was more advantageous. I hope that answers your question.

COMMISSIONER HUGHES: Yes. Very much so. Thank you. And I'm glad somebody had the foresight to create that a couple decades ago. Thanks, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Are there any other questions? Seeing none, we have a motion and a second.

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

5. E. Resolution No. 2021-117, a Resolution Requesting Approval of the 2022 Santa Fe County Employee Calendar

CHAIR ROYBAL: We have our Deputy County Manager. Go ahead, sir.

ELIAS BERNARDINO (Deputy County Manager): Good afternoon.

Thank you, Board Chair. What I am missing, if you give me the opportunity to give you this matrix. We'll be uploading this into BoardDocs momentarily. What you have in front of you is just the matrix giving you a comparison from the last three or last two calendar years and our current year, and our proposed calendar for proposed 2022. As you see on the right column. And additionally, we added a table at the bottom to kind of compare ourselves to other government entities so you can see the days that are being proposed.

In the resolution, staff recommends – the Human Resources Division is requesting

approval of the attached resolution of the 2022 Santa Fe County employee calendar, and I'll go over the dates proposed as observed holidays. I think you have a calendar in front of you. I apologize. I don't have the exact dates. I didn't print out the memo.

Proposing January 17th for Martin Luther King; Memorial Day on May 30th; Independence Day, July 4th; Labor Day, September 5th; Indigenous Peoples Day, October 10th; Veterans Day, November 11th; Thanksgiving would be two days, November 24th and Friday, November 25th; and Christmas would be observed on December 26th. I stand for questions.

CHAIR ROYBAL: Do we have any questions from the Board? I want to open it up to any other elected officials that may have concerns with the calendar, if there's any other elected officials. Okay, hearing none, what's the pleasure of the Board?

COMMISSIONER HAMILTON: Mr. Chair, I move to approve.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton, a second from Commissioner Hansen.

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

5. F. **ITEM WITHDRAWN**

G. **Resolution No. 2021-118, a Resolution Declaring the Intent of Santa Fe County, New Mexico to Issue Its Santa Fe County Industrial Revenue Bonds (Santa Fe Studios Project) Series 2021 in an Aggregate Principal Amount up to \$16,000,000 in Connection with the Financing of the Renovation, Construction, Reconstruction, Installation and Equipping of Upgrades to Existing Facilities and the Acquisition, Construction and Equipping of An Expansion of a Film Studio in the Unincorporated Portion of the County, All for the Purpose of Inducing La Luz Holdings, LLC and Santa Fe Film and Media Studios, Inc., or Their Successors or Assigns, to Develop the Project Site and the Project**

CHAIR ROYBAL: Who will actually be presenting this item?

MR. SHAFFER: It will actually be me, Mr. Chair, on behalf of the so-called Project Review Team that the County Manager appointed to review the application.

CHAIR ROYBAL: Okay. Please proceed, Attorney Shaffer.

MR. SHAFFER: Thank you, Mr. Chair, and I would note that we do have representatives from the applicants who have joined us on Webex should you have any questions from them or want to hear from them when I'm done with my presentation.

I would highlight at the outset that the adoption of the resolution today does not commit the BCC to ultimately issuing the industrial revenue bonds. The BCC will make that commitment at a future date, namely the first meeting in February when it considers an ordinance authorizing the issuance of the IRBs, nor does it preclude changes to the deal structure as the project moves forward from this particular point. But it does signal

to the applicants that the Board is serious about their application and is at least willing to continue down the process of evaluating it before making an ultimate decision.

So with that by way of general introduction, I wanted to spend a few seconds just reminding the Board about IRBs generally, provide an overview of this project in particular, and then highlight a few things relative to the Project Review Team's analysis.

So as the Board is familiar from the meeting earlier this year, industrial revenue bonds are so-called conduit financing. It's debt that's issued for the benefit of a private entity. It is not an obligation of the County, and so the bonds, by statute, never constitute or devise a pecuniary liability of the County or a charge against its general credit or taxing powers, and such fact has to be plainly stated on the face of each bond, and ultimately the debt is repaid from revenue that's pledged by the private entity as part of the project.

The benefits under this particular transaction and most self-funded IRB transactions are an abatement of property taxes that would otherwise be due on the project as well as an exemption from paying governmental or gross receipts taxes on certain equipment purchases as part of the project.

With regard to this particular project, the applicants already have existing relationships with Santa Fe County as the Board is aware. The Phase 1A and associated infrastructure for Santa Fe Studios was constructed with both public and private financing, including \$9.935 million approximately in state appropriations and a \$6.5 million loan from Los Alamos National Bank. The loan was secured by funds that Santa Fe County deposited in a lock box deposit account with LANB, and also personally guaranteed by one of the principals of the applicants.

The studio is operating and has been for some time. Santa Fe Studios has met its obligations to the County that grew out of the initial Phase 1A project in terms of completing its purchase of land from the County. It's also paying on the LANB loan as required under the loan documents, and did meet its economic development goals to the County and to the State of New Mexico in consideration of the LEDA, Local Economic Development Act project funds that were provided.

The \$16 million that would be issued as part of the IRB will go to an upgrade project to existing facilities and the parcel that has already been developed with Phase 1A, as well as an expansion project on a different parcel on the overall Santa Fe Studios campus. The expansion is what I think in part of their master plan is referred to as Phase 2 and it consists of approximately 57,500 square feet of sound stages, two of them, I think, of roughly equal size; a two-level office building for production support; and a backpack building. This is different as the application was initially submitted. The application as submitted also contemplated at Phase 1B would be built out consisting, I believe, of milling shops and – and this was this was eliminated due to increases in construction costs and desire to focus resources in production studios and office spaces where the demand is greatest. The applicant is proposing to make the investment relative to expansion in the studio sound stage and supporting production – a production support building.

With regard to one of the key points in the IRB transaction, that is the potential payment in lieu of taxes that would be paid by the applicants if the project goes forward. The PILOT makes all public schools and the Santa Fe Community College whole, so the

public schools and the Santa Fe Community College will be receiving a payment in lieu of taxes equal to the amount that would otherwise be due if there was no IRB and if the County did not own the project.

With regard to the upgrade project, which again is on the parcel that has been developed as previously described, Phase 1A, the value that's attributable to the land and existing improvements, a full PILOT is being proposed for all property taxes imposed by all taxing authorities that would otherwise be applicable. And with regard to any value that's attributable to the upgrade project, there would be abatement of community property taxes and abatement of County property taxes and state property taxes but again, Santa Fe Public Schools and the Community College would get a PILOT for any value that's attributable to the upgrade project. Those abatements are proposed for the life of the IRBs which would be 30 years.

So that is an overview of the project, what has been tentatively negotiated with the Project Review Team and with the applicants. With regard to the Project Review Team's analysis, in your packet is a memo from the review team of which I'm a member. We did analyze the project against all of the criteria that is set forth in Ordinance No. 1998-01 and are conditionally recommending the project and the inducement resolution to the Board for approval.

Now, the things that I would highlight from our analysis would be these: With regard to the so-called land use criterion, the project does conform to both the Santa Fe County Sustainable Land Development Code as well as the Sustainable Growth Management Plan. The project is located within the media subdistrict of the Community College Planned Development District, and that subdistrict specifically allows for a variety of media businesses, including the film industry. In addition, the SGMP, the Growth Management Plan does identify the film and media industries as target industries.

Again, I'm just going to hit some highlights. I'm not going to go through it criteria by criteria. Looking at one which is often of concern, which is a competition criterion, and does this provide an unfair advantage to the applicant vis-à-vis other operators in the space. In this instance we felt that the answer to that question was no, since the other studios that operate within Santa Fe County, Greer Garson Studios and Camel Rock Studios, both, to our understanding, are exempt from property taxes because they're on property owned by the City of Santa Fe and the Pueblo of Tesuque, respectively.

With regard to the job criterion, we didn't see any reason to question the estimates of the applicants that constructing the additional studio space will facilitate the creation of over 224 full-time equivalent jobs by allowing productions that currently are unable to locate in Santa Fe County due to lack of sound stages to locate here. That would be job created through the productions that are actually able to locate here as opposed to people who are on the payroll of Santa Fe Studios themselves, which are much fewer in number.

With regard to those items that we believe will require further analysis as the project moves forward, there are really three. Obviously, we want to prepare and agree upon project documents that are necessary to implement the project. Two, we do want to analyze in greater detail the contributions that the projects will make to the County and confirm that those positive contributions justify the partial property tax abatement. We'll be doing that through an analysis that's being conducted by the New Mexico Economic

Development Department, and unfortunately the analysis wasn't completed before today's meeting but we will hope to receive it by the end of the week and certainly before the Board is asked to take ultimate action on this. And finally, as we prepared this initial analysis, the full terms of the loan from Enterprise Bank and Trust, who's actually providing the \$16 million, are the subject of the IRBs were not finalized and we want to confirm the feasibility of the project after those terms are finally met.

The last thing that I would highlight before talking about next steps is that as we understand it, the Enterprises Bank and Trust term sheet does require that the applicants contribute a minimum of \$1 million towards the project as well. So there is a not insignificant investment by the applicants in the project over and above the funds that are being lent by Enterprise Bank and Trust.

So in terms of next steps, if the Board adopts the inducement resolution we will publish title and general summary of an ordinance authorizing the issuance of the IRBs to be heard on the February 8, 2022, and we will work with the applicants to develop that ordinance and the other documents that are necessary to implement the IRBs and that between now and February 8th we will work on addressing the other two issues that I mentioned just to confirm the feasibility of the project after the final loan terms are met, and to confirm the project's overall positive contribution to the economy, based upon independent analysis by the New Mexico Economic Development Department.

So I would be pleased to answer any questions from the Board, and as I alluded to, there are representatives from the applicants via Webex if you have any questions for them, or if you'd like to hear from them further relative to the project.

CHAIR ROYBAL: Thank you, Attorney Shaffer. I think I'm going to go ahead and go to the applicants that are online if they have anything they would like to add and also so the Commissioners will know that they are online if there are any questions that would be directed towards the applicant. I'm going to go to Mr. David Buchholtz.

DAVID BUCHHOLTZ (via Webex): Mr. Chair, I'm David Buchholtz with the Rodey law firm representing the interests of the applicant here. First of all, I want to say that I'm sorry that I can't be with you folks in person. I'm looking to do that soon and I'm glad to be back before the Commission where I have not been since before the COVID situation.

I'm here, as I said, representing the interests of the applicant. I very much appreciate the presentation made by the County Attorney. I've been working closely with him, with other members of the County staff, certainly with the County Manager on this and we're very pleased to be here today to bring what is the first step of a two-step process before your Commission relative to the issuance of industrial revenue bonds. The only footnote I would put on the County Attorney's presentation is that we also need to do a notice to all of the taxing jurisdictions by mail of the County's intention to adopt this ordinance. Because there is a property tax abatement the statutes require that all of the property taxing entities be made aware that this decision will be made by the Commission at a forthcoming meeting. They don't have any rights to stop the proceedings but they do have the right to get notice of it, so we will also work with the County in making sure that those items get out.

I think that a group presentation was made in regard to how industrial revenue bonds work and the nature of my client, his relationship in the past on business and

economic development matters with the County, and the expectation of the general terms of the transaction going forward and importantly, you're not deciding on all of that today, other than to give us a signal that you believe that it's appropriate to go forward, and that you will consider an ordinance when we come to you with the formalization of the transaction.

I have with me also Mr. Octavio Marin from the company itself. I don't know whether he wants to give a few words or fill in on any more of the details about what the company's expansion plans are, but I would be happy to either stand for questions or to turn this over to Mr. Marin so he can make a brief presentation to you.

OCTAVIO MARIN (via Webex): Thank you. Thank you, David. Mr. Chair, Commissioners, thank you, first of all. Here's my simple – my name is Octavio Marin and I work directly with the Santa Fe Studios in operations, and I just wanted to stress that sincerely that we have a strong and personal partnership that we have had with the County, working with them the last few years in increasing development in the New Mexico economy. And just to add to what David was saying, I feel important to support the New Mexican economy by creating opportunities and jobs in this community, and that's what we intend to do by expanding the infrastructure, which is sorely needed in New Mexico.

There are many, many products and commercials that would like to come to New Mexico. New Mexico has many beautiful things to offer to a production, from spectacular locations, friendly community, incredible scenery, decent proximity to Los Angeles. This is a community location where film production really has to come and invest hundreds of millions of dollars, billions of dollars. The impact of the industry has been strong in the last few years. Some of you might know, like Netflix has committed to come to New Mexico and includes many opportunities in Albuquerque, and we want to increase these opportunities in northern New Mexico, in Santa Fe, and continue working with the County in bringing these opportunities to New Mexicans. Not only job opportunities but training opportunities, creating for the future, and it's a good industry, a very strong industry that exports throughout the world and we want to answer any question and we thank you for your consideration.

CHAIR ROYBAL: Thank you Mr. Marin. Did we have anybody else from the applicant? I don't think we had anybody else that was going to speak, so I'm going to the Commissioners. I'll go to Commissioner Hansen first.

COMMISSIONER HANSEN: Thank you very much. Nice to see you, Octavio. It's been a long time. I support this idea of an IRB. I have supported it for quite some time. I would like to see the film studio grow. I think it is a job creator and I have one question about the expansion. You'll be building a couple more sound stages. Will you create anything for post-production? Can you answer any of those?

MR. MARIN: Yes. The immediate plans are to for the studio to expand by adding two more sound stages and office space. In the last 24 months we have sent away over 20 productions that wanted to come to New Mexico. That's partly because we don't have the infrastructure and that would have created hundreds of jobs in New Mexico. We personally have a very strong passion literally for what we do. The Santa Fe Studios' team, we have over 150 years of combined production experience. We have been professionals for many, many years, so you can count on the establishment to provide the

expertise and the contacts necessary to successfully accomplish those goals. But we cannot do it alone. We need strong partnerships. It is in our plans to create post-production facilities. We would like to have a screening room where we can have not only to have presentations but also create training programs for New Mexico, have a screening once a month for the community. We want to have a sound [inaudible], special effects, music composing and engage with the schools that we have in New Mexico. That's done the road, in the future. I know we would very much love to advance and grow these stages because the infrastructure needs to [inaudible] in northern New Mexico, basically.

COMMISSIONER HANSEN: And then how many local jobs do you think you will create? Will you be working to create more local jobs, both below the line and above line?

MR. MARIN: Absolutely. Just to give you an idea, and thankfully, by the grace of God we have been extremely busy for the last four years, fully booked. [inaudible] On any given day we have to 200 to 400 people here at the studio. That includes [inaudible] extras. There's hundreds of people that are directly impacted by the productions. It's a clean, fun, well paid environment, as I mentioned, with the entertainment industry in the United States as a whole is one of the biggest exports to the world. And now with all these streaming networks coming on line productions it's going to get even bigger. That's why there is so much needed in infrastructure. If we were to double the size in the next 12 months, that would immediately potentially add 200 to 400 jobs immediately. As a whole, the industry in New Mexico has added 11,000 jobs in the state. People come every day, they want to come here. And also, all [inaudible] are affected by it are the restaurants and gas stations, car rentals, hotels, art. People that come here just love to [inaudible] and even buying houses. I can understand that, even buying a house. I live here and I love it here and I evangelize New Mexico. I love it here. So we are looking for the best interest for the community. And just very quickly, so you know, I spent two years before coming here working for another organization training film makers [inaudible] And that's something that we have been developing here at Santa Fe Studios. We have attended many, many training programs at the studio and we want to continue doing that.

COMMISSIONER HANSEN: Thank you, Octavio. So one of my big concerns for you is the broadband connection and I think working with Santa Fe County with all the ARPA money, with all the funds that are coming down the pike, so to speak, if we can find some way to upgrade all of our broadband access, not only for the studio but also for our residents, I would like to see that as a part of this undertaking because faster speeds, access, fiber, is really important to me. I also hope that you on this piece where you have quite a bit of room. You will be adding solar and using sustainable technologies to continue the movie industry, because it is a clean industry, and I would like to see it continue to use sustainable undertakings like with community solar or you could have a field or you could have some kind of situation where it wouldn't interfere with the film industry. So I'd like you to think about that and I wholeheartedly support us moving forward with this IRB. I think we have talked about this even five years ago when you first came here, and so I am happy to see it come to fruition and I want to thank you for taking the time and working so hard to make this come forward. I also want to

thank all of our County staff for taking the time to figure this out, because it is a big undertaking for us. So with that, thank you, Mr. Chair. Thank you, Octavio, and your other partners. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just have a few quick questions for the County Attorney and I do understand we need more studio space and since I enjoy watching productions made in New Mexico I'm supportive of that whole idea. But I did want to know, is Enterprise Bank going to be asking the County to put any more money into a lock box to secure this loan?

MR. SHAFFER: No.

COMMISSIONER HUGHES: Okay. And then so a follow-up question; is there any risk to the County in any way, if this were to not turn out to be a profitable enterprise?

MR. SHAFFER: Mr. Chair, Commissioner Hughes, the only potential risk that I would see, and I think that we will be able to address this in the deal documents, is if this project somehow made the overall project, Santa Fe Studios, unviable such that there was a default on their existing debt which caused Enterprise Bank and Trust to start to withdraw money from the lock box. We are secured in that instance because we do have a mortgage on the – I think it's called the native parcel, which is the parcel that's already been developed with two sound stages. And as we prepare the deal documents we'll just have to ensure that nothing that we're doing jeopardizes our position relative to that parcel vis-à-vis our security interest. So that's point number one.

Point number two, based upon the pro forma financial statements that we have reviewed as well as the current estimates of debt service due to the new loan we don't anticipate, absent a market turndown that that hypothetical scenario is going to come to pass. So I hope that that answers your question. Number one, we don't believe that this is going to push them to the brink in terms of their ability to meet existing debt service as well as the new debt service. But number two, we'll have to ensure the deal documents are documented in a way that our security interests relative to the lock box is not jeopardized. I hope that answers your questions, and I believe that Mr. Buchholtz may have something else that he wants to add, if I interpreted his statement in Webex correctly.

MR. BUCHHOLTZ: Mr. Chair, thank you for the opportunity. I agree with the presentation of the County Attorney. He points out that the transaction is a little different than many of the IRBs that we see because there is an existing relationship between the County and the applicant. But I don't see that this project going forward and the request for the IRBs would have any legal impact on the rights that have been set forth for the County in the existing transactions, and I certainly would be working in cooperation with the County Attorney as he suggested to emphasize that point in these documents.

While it's a little bit beyond the legals, I think that the growth and the willingness of the bank to invest in the growth is a signal that in fact the original transaction should come to a fruitful end to everyone because they've got to a place where they're able to grow and get the bank to commit, along with their own financing to a further expansion

for the job growth. So that's really more of an economic analysis than the legals.

But I agree with the presentation of the County Attorney and commit to work with him to get him the comfort that he suggested would be required in the IRBs so that we can go forward.

COMMISSIONER HUGHES: Thank you for both those answers. That does pretty fully answer that question. I just have one other, which is is there a limit to how many industrial revenue bonds the County can issue? In other words, if we have more business opportunities that come forward and would like to use industrial revenue bonds, is there a limit to how many we can support as a County?

MR. SHAFFER: Mr. Chair, Commissioner Hughes, no. I don't believe that there is. Again, this is conduit financing. These aren't obligations of the County and so I do not believe there is any such limit of which I'm aware.

COMMISSIONER HUGHES: Okay. Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Mr. Hughes. Are there any other questions, comments? Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, thank you. First of all, Greg, our County Attorney Shaffer, thank you for the great presentation. Very detailed, condensed and upfront. Thank you for that. I'm looking at this book, this magazine on my desk. It says New Mexico economic development. Interesting, as a coworker of mine said, you know, that's Rudy's favorite word is economic development, because there's so many different definitions of economic development. Back roughly in 2009 when we started this, film studios, when Governor Bill Richardson had the initiative to create a film office and economic development for the state of New Mexico. He was thinking way ahead as into what the film industry would be for the state of New Mexico. Some of his staff actually, Manager Miller, she was the Director of the Department of Finance and Administration. Eric Witt, who actually was the film director for then Governor Bill Richardson – roughly Santa Fe County started working on this project. It took to the year 2012, 2013, it took a little while to see fruition of the light and it got moving and it got a lot of traction and it started to move forward.

And then we're actually looking at \$16 million, which is monumental in my eyes, because \$16 million over 30 years that the County's allowing film studio and industry to utilize our borrowing, for lack of a better term, powers to build and expand these studios, and I think this is actually great for the economy of Santa Fe County as well as the state of New Mexico. And with that my fellow Commissioners asked the great questions and are totally for it as well as I am. I just want to just mention that and thank you for everybody having the foresight of this project to fruition to where we are today. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. I would like to make a motion to approve the resolution declaring the intent of Santa Fe County to issue Santa Fe County industrial revenue bonds to the Santa Fe Studios project.

COMMISSIONER HUGHES: I'll second.

CHAIR ROYBAL: There's a motion from Commissioner Hansen, a second from Commissioner Hughes.

MR. SHAFFER: Mr. Chair and Commissioners, if I could just note one non-substantive difference between the resolution caption on the agenda versus the actual version that you're approving. It's to update or was to update the series from 2021 to 2022, since if issued, the bonds would be issued in 2022. Again, that's a non-substantive change but I did want to note that for the record, that there was a difference between the agenda caption and the actual resolution. I don't believe that is an issue but I wanted to bring it to your attention. Thank you.

CHAIR ROYBAL: Thank you, Attorney Shaffer.

COMMISSIONER HANSEN: Mr. Chair, I accept that with the motion.

CHAIR ROYBAL: So the motioner has accepted that. How about the second?

COMMISSIONER HUGHES: Sure. That's fine.

CHAIR ROYBAL: Okay. So under discussion I'm going to Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, I have a quick question and maybe Attorney Shaffer could actually assist me. I have some questions in regards to the improvements. This meeting is the time to bring up the questions regarding the zoning and/or improvements to this project?

MR. SHAFFER: Mr. Chair and Commissioner Garcia, it would not be inappropriate but it also might be more productive if yourself and myself and the Land Use Administrator talked about your specific questions off-line and we could bring any information that you desired or otherwise back to a future meeting. That might be an effective way to move forward, but I defer to you and the rest of your fellow Commissioners.

COMMISSIONER GARCIA: That's appropriate. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Anything else under discussion? We have a motion from Commissioner Hansen, a second from Commissioner Hughes.

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

5. H. Request Approval of Agreement Between the County of Santa Fe and the New Mexico Coalition of Public Safety Officer (Regional Emergency Communications Center – RECC)

CHAIR ROYBAL: Once again, we're going to have from our County Attorney's Office we'll have Ms. Rachel Brown.

RACHEL BROWN (Deputy County Attorney): You have before you a draft collective bargaining agreement that has been approved by the representative of the NMCPSO, the New Mexico Coalition of Public Safety Officers Regional Communications Center, RECC representative. The negotiated agreement accomplishes five major things: the implementation of a revised pay scale that will go into effect on January 15th that increases the hourly wages for ECS 1, 2, 3, and Communication Team Media positions, and implementing pay increases for the four positions within the bargaining unit that are not on the pay scale, but also puts in place the temporary salary

increases that the Commission had approved at the time of adoption of the budget, and those will go into effect on February 11th and would run for up to four pay periods.

There is also a provision addressing longevity pay for employees within the bargaining unit at five- and ten-year increments, and providing for cost of living increases should any be given to non-bargaining units of the County during the life of the contract. The contract would stay in effect until October 31, 2025. Those are the major provisions that are revised in this agreement from prior agreements, and I'll stand for questions.

CHAIR ROYBAL: Thank you, Attorney Brown. Are there any questions from the Commission? Commissioner Hansen.

COMMISSIONER HANSEN: I first want to thank Attorney Brown for all her hard work on this. This is not easy and I am grateful for your work and it looks like you have accomplished a lot. So therefore I think this is – it actually looks like a very good agreement. I like that it's until 2025. I think that is really an important part of this, and we have the support of the RECC and the new leadership there. Right?

MS. BROWN: The director was part of our negotiations, along with the director of Public Safety, and so they were part of reaching this agreement.

COMMISSIONER HANSEN: Okay. Good. That's all I have at the moment.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hansen. Any other questions or comments from the Commission?

COMMISSIONER HUGHES: Mr. Chair.

CHAIR ROYBAL: Commissioner Hughes.

COMMISSIONER HUGHES: I'll make a motion to approve the bargaining agreement.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hughes, a second from Commissioner Hamilton. Under discussion, is there anything else under discussion? Seeing none.

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

5. I. **Resolution 2021-119, a Resolution Authorizing the Chairperson of the Santa Fe County Commissioners to Sign the Four-Year Plan Proposal in Response to RFP 2022-07- A Four-Year Area Plan for the Provision of Service for Older New Mexicans July 1, 2011 Through June 30, 2026**

CHAIR ROYBAL: From the Community Services Department we have Ms. Anna War.

ANNA WAR (Senior & Community Relations): Good afternoon, Mr. Chair, Commissioners. The Area Agency on Aging, also known as Triple A serves as the fiscal agent to distribute funds on behalf of the state for senior programs in New Mexico. They recently released an RFP for the provision of services for older New Mexicans for the next four years which begins July 1, 2022 through June 30, 2026. A resolution is required to authorize Santa Fe County to submit a proposal for these services. As you

know, we currently provide many services to seniors including congregate meals in five senior centers in a lunch site, home-delivered meals to home-bound seniors, as well as transportation services.

By way of the Chair signing the resolution we will be allowed to submit a proposal to continue on with these services and receive funding. With that I stand for questions.

CHAIR ROYBAL: Okay, do we have any questions from the Board? Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, thank you for bringing this forward. So we're actually creating a four-year plan. Will the County Commission see what that four-year plan is or what's on the list or what's going on with this four-year plan? The projects that are on there?

MS. WAR: Mr. Chair, Commissioner Garcia, what the four-year plan talks about is, it's basically just the RFP for the four years to continue on with the services it talks about. Our proposal will talk about the services that we will continue to provide. We talk about basically our area of the county, the service area, as well as any barriers we see. We do not anticipate on bringing that to the Commission but I'd be happy to schedule time with you to let you know what we put in the proposal.

COMMISSIONER GARCIA: Thank you, Mr. Chair. I want to thank you for that. So this has nothing to do with any future capital request that we have in general obligation bonds or –

MS. WAR: Mr. Chair, Commissioner Garcia, no. That is through a separate process. There's a couple of different ways. There's the capital outlay process in February through DFA, as well as the ALTSD capital outlay request. That usually is April, May, around there. And certainly we can discuss any issues or projects that we plan on putting in for.

COMMISSIONER GARCIA: Mr. Chair, thank you. Appreciate that.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other questions? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. Nice to see you. I think I would like agreements that last for more than a few years. I'm happy to see another four-year agreement to serve our seniors who I think have incredibly benefited through this COVID pandemic. I especially want to thank your team for your work on that. I think that Triple A New Mexico has worked really hard to upgrade its ability to service our seniors and I look forward to seeing your plan and how we can possibly improve it through the next four years, because I think this is an important service that we provide. A lot of people do not recognize or realize how much service we provide to the seniors in this community and I hope that we can help people know what we do for our seniors in the county.

MS. WAR: Mr. Chair, Commissioner Hansen, thank you very much. Yes, it's a much needed service for our seniors.

COMMISSIONER HANSEN: And with that I'll make a motion to approve authorizing the Chairman of the Santa Fe County Commission to sign the four-year plan proposal for provision of services for older New Mexicans.

COMMISSIONER HAMILTON: I'll second.

CHAIR ROYBAL: Thank you, Commissioners. So we have a motion

from Commissioner Hansen, a second from Commissioner Hamilton. Anything else under discussion? Seeing none.

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

6. PRESENTATIONS

A. Presentation of the Santa Fe County Experience Mobile App

CHAIR ROYBAL: We have one item under this section. From the Community Development Department we have our director, Mr. Joseph Montoya and also we have Mr. Chris Hyer.

MR. MONTOYA: Mr. Chair, members of the Commission, thank you once again. I hope you don't get tired of me today. I think I'm going to be coming up several times. It's an auspicious day. I want to take this opportunity to introduce you to our new department, the Community Development Department, and in this case the Community Development Division. Chris Hyer is head of that division, and so we just wanted to go through a few things that we're doing and specifically an app that we're just creating now to kind of show the work that the Community Development Department is doing and what that division is actually creating now.

We are very excited to provide you some innovative really forward-thinking work that's based on data, based on experience. It's based on an enormous amount of imagination and I think that you will be highly excited about the kind of things that we're creating. You'll be hearing both from our staff, and we worked very closely with consultants to be able to provide a package of activities. This is one of those activities, you'll be seeing coming out here in the next few months relative to economic development opportunities for the County of Santa Fe.

With that I'm going to introduce Chris Hyer who is the economic development manager of this division of the Community Development Department. Thank you.

CHRIS HYER (Economic Development): Thank you, Joseph. Like Joseph said, my name's Chris Hyer, Mr. Chair, Commissioners. My division has been working on various ways to present the county to visitors and residents alike. We combine our efforts with marketing to use several different platforms and methods to tell the story of all the great assets the county has to offer. The creation of the mobile app started with a complete update to the trails app. I don't know if you remember the trails app, but it was basically a map and it just showed the county and where the trails were.

So we've upgraded that to show not only your location on the trail in real time but it also provides information such as elevation profile, severity rating and conditions of the trail, reporting things like that.

Our second effort was a mobile app known as the Outdoor Adventures that lists all sorts of outdoor activities available throughout the county, giving you locations and providing information on such things as where to park when visiting the assets, hours of operations, fees that must be charged and things like that.

But today we are presenting a third mobile app called the Santa Fe County Experience app which suggests places to visit in the county and what there is when you arrive, like restaurants, places to visit, culture and arts, and of course, places to shop. So

now to tell you more about this wonderful tool is the County's marketing person, Lisa Katonak.

LISA KATONAK (Community Development): Thank you, Chris. Good afternoon, Commissioners. I am very excited to be presenting this item to you this afternoon. I understand that we are having a little bit of technical difficulty with our power point but it looks like Daniel is getting it uploaded right now as we speak. So Daniel, if you could please go to slide #3 I'd sure appreciate it.

So experience Santa Fe County like never before with the Santa Fe County Experience app. This unique and exciting mobile app is designed for locals and visitors alike. It is the ideal travel guide giving you access to outdoor adventures, activities, immersive, authentic experiences, historic, cultural outdoor sites and interests, cuisine and an array of exciting day trip itineraries. Follow itineraries to the top places to see in Santa Fe County, from exploring the Turquoise Trail, to a feast of elevated flavors. Drive the back roads and explore wild west mining towns like Madrid and Cerrillos. And shop local boutiques and galleries. With stunning mountain scenery and more than 300 days of sunshine, Santa Fe County is the perfect setting for world-class hiking, biking, horseback riding, skiing, golf, and other outdoor activities. And it's the premiere place for relaxation and rejuvenation in the world's best spas.

As County staff went through the planning process with Mindshare Labs and Sunny 505 to create this mobile app, our strategy was to incorporate and leverage the New Mexico True branding. What is New Mexico True? The New Mexico True branding in its essence is adventure steeped in culture. That brand essence is why people come and visit New Mexico. It speaks to our authentic experiences that one can have here, not just the sightseeing, but the sight-doing. Our rich culture, our activities and our outdoor adventures are what bring people here. Santa Fe County is New Mexico True, guaranteeing that every experience in this app is authentic and offers an insider's view.

Tourism and economic development work hand in hand to drive the community experience and drive results. Our hospitality and tourism industry in Santa Fe County continue to be a major economic driver creating jobs and enhancing our communities. In 2019, prior to the pandemic, Santa Fe County's economic impact of tourism accounted for \$1.02 billion in visitor spend, and \$101 million in state and local taxes, with a support of 8,921 jobs being supported by the visitor spend. You often ask, what's going on with the pandemic? What's happening with hospitality and tourism? Well, our industry is on its way to a recovery and a good example of this is our lodgers tax collection. In just the first quarter of the new fiscal year along, Santa Fe County lodgers tax has collected over \$509,000. Compared to the prior fiscal year this dollar amount accounts for over 86 percent of the total lodgers tax collection in the prior fiscal year.

I am now going to introduce Mr. Dave Hayduk of Sunny 505 who will discuss our marketing strategy and he is joining us via Webex. Dave.

DAVE HAYDUK (via Webex): Good. Thank you very much, Lisa. Mr. Chair, Commissioners, it's a pleasure to be here with you today. From the marketing strategy standpoint we know we're all travelers. All of us here today are travelers, no matter if we are going somewhere or have asked ourselves, well, what are we going to do when we go somewhere? Well, in Santa Fe County we get up each week and we go, okay, Hon, what are we going to this weekend? So it's all about things to do.

So as we recognize that, we've been strategically creating eight different day trips and top to-do lists around Santa Fe County, because we know you're looking for something to do. So let's serve you up the great things we have in Santa Fe County and provide that in a manner in which we communicate to you when you want that information. So we have designed and created different formats to appeal to a wide variety of our residents and our visitors. We have copies of the itineraries and day trips that are distributed throughout Santa Fe County at our Santa Fe hotels, but also on our website. The website also has local tips, insider tips – things that people just don't know about Santa Fe County that are so unique. So there's some great little tips on the website as well as in our visitor guide.

Also, we use these day trips to link to social content. Because people, as we all know, are spending a lot of time on social channels looking for information. So we want to serve them up beautiful shots of our assets and beautiful content that gets them interested to get out into the county and spend money. And of course there will be our upcoming visitor guide. And now, as we're here today, we're going to make that available to you right on your mobile phone, because we know all of us are carrying those in our purse or back pocket, have them with us all the time, so now we'll be able to serve up that information when they want it immediately on their phone.

And so let me turn you over now to James Johnson with Mindshare. Their company did all the programming and put the mobile app together. James.

JAMES JOHNSON (via Webex): Thanks, David. As David mentioned, my name's James Johnson. I'm the owner of Mindshare Labs and we developed this mobile app for Android and iPhone. You can go ahead and click to that next slide and there's a video on that slide. If you can play that, that would be wonderful. One of our goals was to make this app as easy to use as possible. So as you can see in this video, I recorded a real time use of the app. In this recording, I check out an itinerary or a day trip that I'm interested in, I pick a local business to visit, and then I read about that local business.

Once I've visited that location I can visit my profile within the app to see my in-progress itineraries, some of the basic stats about what I've done and where I've visited. In this app we have over 150 different experiences within Santa Fe County, and we're allowing new and existing businesses to add and manage their own listing within the app via a website. So anyone with an Android phone or an iPhone can download our app right now. Just search Santa Fe County Experience in the Google play store or the Apple app store.

Next up you're going to hear from Alex Fitzgerald about the County's buy local campaign. Daniel, you can go ahead and move on to the next slide for him.

ALEX FITZGERALD (via Webex): As shown, this app is designed to highlight all the county has to offer with the purpose of getting people really excited about exploring and experiencing Santa Fe County. One vital component of Santa Fe County is our vibrant business community. As James has mentioned, this app provides the opportunity for our local businesses to highlight their business, to make that direct connection with users of this app. So for example, if I'm in Cerrillos Hills State Park and I'm a little hungry from all my hiking, I can easily find a local business in the area that I can attend and get something to eat.

So staff feels that this is an important initiative because it supports our tourism industry. It supports travelers and residents and getting out and exploring and experience the county. In addition to that it also supports the patronage of our local business community and supports people going in and visiting and seeing all the unique businesses and the vibrant communities that we have throughout the county. With that, I would ask t go to the next slide, please.

So we'd like to conclude and express our excitement for this initiative and let the Commission know that this one of many initiatives the staff is currently planning or already implementing that aims to support, highlight and expand our local business economy as well as the cultural and outdoor recreational assets we have throughout the county. Before I stand for questions I would also like to point out this livability ad that everyone has been provided. This is a publication put out by the New Mexico Partnership that serves as a leave-behind at economic development conferences and events and things of that nature.

Santa Fe County staff has worked with the partnership to place ads in here that highlight the high quality of life here in Santa Fe County and all the economic development potential opportunities. This is another example of an initiative we are working on to get our name out there in Santa Fe County and that there's room to grow and that we have a beautiful county that we should all cherish and we all enjoy. With that, I would stand for questions.

CHAIR ROYBAL: Okay. Thank you. Do we have any questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: [inaudible]

MS. KATONAK: Yes, Commissioner. We worked in partnership with Nambe Pueblo and Nambe Falls Lake and Recreational Area to do a photo shoot out there. We do find that waterfalls and water in a high desert area really is an attraction. So waterfalls for sure. It's quite a bit of a hike but there's two ways to go to the falls. There's the lower grounds and then the higher. But it is very beautiful during the summer.

COMMISSIONER HANSEN: Thank you. I think it's a great place to go. As I said, the falls – it's a fantastic picture and it shows the diversity and beauty of New Mexico, even though it's a very tight kind of image. Thank you, Joseph, for putting this team together and for giving your team the opportunity to show off their skills and put this together. Beautiful. Thank you.

MS. KATONAK: Thank you, Commissioner.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Garcia.

COMMISSIONER GARCIA: Mr. Chair, thank you, Lisa. Thank you very much. Very great presentation. It's easy to promote Santa Fe County but you've done an excellent job, you and your team and anybody under you. Thank you. Good job.

MS. KATONAK: Thank you.

COMMISSIONER GARCIA: As you mentioned, for Santa Fe County, for us to represent Santa Fe County as policy makers, just to work for Santa Fe County, to grow up here, live here, is just amazing. Anywhere from Lamy – it used to be the Pink Garter. My grandma went along. Her sisters and brother grew up in Lamy, back in the days when the railroad was active. Out to Chimayo, the santuario, Madrid, Cerrillos, Old

Turquoise Trail. I could go on and on and on about how beautiful Santa Fe is. Anywhere from the magazines to Manager Miller to laboratories we have here. We can go on and on about the beauty of Santa Fe County.

In regards to the new app, I think the new app, just looking at it, is actually great. What a great job. For individuals that actually look at the app and want to stay here for a few days, they might look at the app and stay here for another week or two because there's so much to do and the way that it's actually done alphabetically through all the different – what do you call them – attractions or things to do in Santa Fe. Great app. Good job.

Driving the back roads, as you mentioned, Commissioner Roybal and I attended, probably about four or five months ago, at the petroglyphs in La Cieneguilla and he actually googled Caja del Rio. He was trying to get from the northern part of the county to the Caja del Rio area. It literally took him all the way through a back road. All the way around. Remember that, Commissioner?

CHAIR ROYBAL: Yes, I sure do.

COMMISSIONER GARCIA: Is that the way you get here all the time? I said, no. You should have probably turned to 599 then down Airport Road. Nonetheless, speaking of Santa Fe County's back roads, Santa Fe County is a beautiful county. And once again, the app is great. Top notch. And thanks, Lisa, and all the team who worked on this. Thank you. Thank you, Mr. Chair.

MS. KATONAK: Thank you, Commissioner Garcia.

CHAIR ROYBAL: Thank you, Commissioner Garcia. And you know, I couldn't agree more. We have beautiful scenery here and even if the GPS sent me on the long route and I got there a little bit later when everybody had already left on the hike, it was well worth the drive. I spent the whole time driving I thought, well, maybe I should have filled up with gas because I didn't know where it was going to end. But it was a great drive, exploring other hunting areas, I guess. Just places to hike. It's a beautiful area, even though if I was a little bit turned around I enjoyed the drive. Commissioner Hansen, did you have anything else?

COMMISSIONER HANSEN: I do have a question about New Mexico True. Is this their new logo?

MS. KATONAK: So New Mexico True is a creation of the New Mexico Tourism Department. It went through a bit of a refresh recently, in the midst of the pandemic. What we found out through the department is that other states and other tourism destinations are trying to I guess copy or emulate what we have. And so we want to be cutting edge and ahead of the game, so to speak, and refresh our new look and our image. This NM True logo lockup works in a variety of media outlets and publications for horizontal and for vertical imagery. It's gone through a lot of research, marketing analysis and focus groups. And so through a different reiteration of New Mexico True 2.0, a little bit of a color scheme change as well. So this is something that was launched through the department a couple of months ago and so they've done a great job.

COMMISSIONER HANSEN: So this is what we're stuck with for the next couple of years.

MS. KATONAK: Until they change it. Yes.

COMMISSIONER HANSEN: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. One last thing that just once again, people listening, go and look at the app. The 2,000 square miles of Santa Fe County, this actually includes the City of Santa Fe attractions as well. So it's not just the County of Santa Fe it's actually within the city as well. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I have family members that come from out of town and they're always asking me what they can do in town and I make recommendations but it's going to be so much easier to let them know to go to this app before they come and visit so that they can actually plan their itinerary and maybe I'll learn something new along with them. So I think it's going to be a great. I'm really happy to see it coming forward. So I just want to say thanks again for the presentation and we're excited. It's going to be great.

MS. KATONAK: Thank you so much, Commissioners.

7. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Is there anybody that is on the meeting, either Webex or call-in, that would like to address the Commission? If so, please unmute yourself or if you're a call-in participant please hit star 6, unmute yourself and state your name for the record.

RACHEL THOMPSON (via Webex): My name is Rachel Thompson. I live at 3306 Camino Cielo Vista in Santa Fe. I'm coming to ask your help with the matter of the South Meadows parkland. I've been working with the Tiempos Lindos HOA president Marlow Morrison and others since about September to try to design this park land that was purchased by the County for use as a park and paid for with public funds, from a development proposal which unfortunately may include the affordable developer homes.

He's now gone through three early neighborhood notice commission meetings and everyone has been ugly. And you should be glad that you've missed them. But if you hadn't taken the action that you did on July 14, 2020 to approve the notion of a sale of that property, none of this would be happening now.

We have about 200 people on our Save our Space Facebook page and what's being expressed there is disbelief that this action was taken without consulting them during COVID, with no public notice, and with absolutely no knowledge on their part until the actual sale was proposed to them in the form of an amendment in September and a complete done-deal with no explanation of how this had come about. They were confused. They didn't know who to talk to, whether it should be the County or the City, and they were prevented from talking to their City Council members because this matter was likely to become a quasi-judicial matter.

By contacting County Commissioners, we were told that there was no action that could be taken by the Commission about this because the sale agreement is in place, and the only thing that could break off that agreement is if the City refuses to provide Homewise with the general plan amendments and rezoning of their request. Therefore, the neighborhood is forced to go without resources and with never understanding the

basis for the action -- to go and to test what's a very high quality proposal, and of course they want both things. They want parkland and the affordable housing.

They've taken this out on homeowners. They've taken this out on the woman who hosts the ENNs; they've taken this out on her. And they've taken this out on their own Council member. And so far as I can tell, they've never heard from your about why you took the action you did, how it came about, and how it is that your hands are tied now.

I want to read to you that there was a paragraph in 2000 about the sale of any of any of the property that was acquired for open space purposes. It will just take a moment. The County purchased this property for the wildlife, mountains, trails and historic places program with the intent that it would be open space in perpetuity. This is what residents understood. They had. Each property acquired went through an extensive public review process and had support prior to acquisition. However, in the event that a sale of property is proposed, such proposal should be submitted to COLTPAC, the County Development Review Committee, or other applicable local development review committee and then proceed with recommendations to the Board of County Commissioners for a final decision. Two public hearings should take place at least six months apart so the public has an opportunity to voice concerns about the sale.

None of this happened. You completely broke the trust of residents. They now don't like bonds. They don't believe this was legal. They don't know who they can talk to to find out how this was able to happen. Now, Marlow and I and other people who are advocating and plan to advocate before the Planning Commission at the City Council level are facing people who are angry about some things that really we tried to tell them had nothing to do with the problem at hand. The immediate work that we have to do is before the Planning Commission and it has to do with very technical rules, as you know, about rezoning and general plan amendments.

We have no resources and we have no explanation again from you about why you took this action. Why you took the vote to sell the property and then continued to have meetings throughout the fall in executive session, which is your right because by law, you can go into executive session to discuss the sale of land. You even held a closed executive session meeting on one evening when a member of the County staff agreed to give an update on the COLTPAC plan, and again, the first thing the citizens hear about this is they are given a full development plan for all 22 acres.

I would really appreciate it if you can help us by doing two things. One, can you provide a legal analysis and release that to the public. I'm certain that your County Attorney must have taken an opinion on the legality of the sale of this land, regardless of whether it was [inaudible] another party, whether it was a violation of the Donation Clause, whether it was a violation of the bond agreements. People need to understand this and accept that this is done.

Second, can someone who really understands what happened here come and speak to residents and explain to them as Marlow and I and no one else that we know of can, how this took place. And those are my questions. Thank you.

CHAIR ROYBAL: Thank you, Ms. Thompson. Thank you for bringing these concerns forward. Do we have anybody else from the public that would like to address the Commission?

TESSA JO MASCARENAS (County Manager's Office): Yes, Mr. Chair.

We have William Mee.

CHAIR ROYBAL: Mr. Mee, go ahead, sir.

WILLIAM MEE (via Webex): William Mee from Agua Fria Village and we recently delivered a card to the Commissioners, information, just wishing you happy holidays and thanking you for all of the things that you've helped us with, especially your sewer projects in Agua Fria Village. And I also want to thank the Commission for passing the resolution authorizing the settlement annexation agreement at the last meeting, and I really hope that this can be a successful endeavor with the City of Santa Fe.

I'd like to see a number of things done with those negotiations. Of course I wrote a letter or an op-ed opinion in the *New Mexican* on this subject and also the *Journal* and also the *Santa Fe Reporter*. So I've getting people that have been talking to me about this and they've been talking that their areas in the settlement agreement were not properly handled. Sol y Lomas. All the people along Rufina Street. Also the Coyote Ridge people. So it's a big problem and I hope we can settle that.

Also I'd like to echo Rachel Thompson's concerns about the open space at Meadows. It's 22.2 acres, but eventually the nuclear contamination at the Eberline facility there on Airport Road, that's another 13.9 acres that will be fixed and that could be added to the park. So that give like 36.1 acres of park that we could have in that area. And if you look, there isn't a park for the three miles on Airport Road from Cerrillos Road to New Mexico 599. And you could have a lot of kids in that area that could walk to this park. There's never going to be that amount of land that the County owns and the strange transfer to the City. Again, and COLTPAC did the analysis on that.

I have a very selfish concern on this too because the City is ready in their early neighborhood notification meetings around the apartments on Meadows, on the houses on Meadows, they're saying that the Romero Park, the Agua Fria Park, is the park that they're going to utilize for city needs. And so there's going to be a lot of pressure on Romero Park. It's going to cost the County more to maintain that park because there's going to be all those city people coming. There's going to be more liability to the County and when we developed the park, and I think it was back in 1971, we used cigarette money to buy that from the Bureau of Land Management. It was always to be the Agua Fria neighborhood park. It was never to be a regional park. And that's what we're finding out is going to happen to Romero Park in Agua Fria.

In the next couple of weeks I'll be sending you all information on some resolutions that the Agua Fria Village Association has passed as a community organization, and we're really trying to expand the power of our community organization and we want you to see what is possible for the other community organizations throughout the county.

So once again, happy holidays and thank you.

CHAIR ROYBAL: Thank you, Mr. Mee. Thank you for your comments. Do we have anybody else on public record? I just want to say happy holidays to you as well, sir.

MS. MASCARENAS: Yes, Mr. Chair. We have Jeff Curry.

CHAIR ROYBAL: Go ahead, Jeff.

JEFF CURRY (via Webex): Hi, there, Chair Roybal, Commissioners. My

name's Jeff Curry from the J.L. Gray Company in Las Cruces, New Mexico. I was the developer that was selected for the redevelopment of the Lamplighter Inn. I just wanted to express my great gratitude for your vote today to support the release of ARPA funds towards redeveloping this project. And I wanted to make a note. When we did a market study in Santa Fe for the need for affordable housing, I have never seen demand like this in any city that we've ever been to before. There is in effect zero vacancy. When a small room becomes available, it generally fills in about three or four days, which is absolutely amazing.

So I am very happy that we're going to get on this as quickly as possible. Public meetings will start soon to have the public help us design the project and I'm excited to move forward. And thanks, happy holidays to everyone.

CHAIR ROYBAL: Thank you, Mr. Curry, and happy holidays to you as well. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Curry. This is Commissioner Hansen. I am, besides a County Commissioner, president of the Casa Alegre Neighborhood Association, which the Lamplighter Inn is in. I look forward to working with you. I have been working with the developers of the Santa Fe National Bank property that is a few blocks up, and they are doing a pretty tasteful renovation of a building and keeping it in territorial style, and also including solar in the project. And so the Community Solar Act was written to help affordable homeowners use that as a means to lower their utilizes. So I'm just pointing that out to you. I know that we've been all working on the rules for community solar and hopefully they will be done soon. But thank you for joining our meeting and introducing yourself. I look forward to working with you and I look forward to meeting you.

MR. CURRY: Thank you, Commissioner.

CHAIR ROYBAL: Okay. Any other comments from Commissioners? Okay. Thank you, Mr. Curry. We appreciate it, sir. Tessa Jo, do we have anybody else from the public that would like to address the Commission?

MS. MASCARENAS: Yes, Mr. Chair. we have Joohee Rand.

CHAIR ROYBAL: Okay. Go ahead.

JOOHEE RAND (via Webex): Mr. Chair and members of the Board of the County Commission, thank you so much. Thank you for the opportunity, for your service to the community and the unanimous approval of the allocation of the ARPA funds for the Lamplighter initiative. My name is Joohee Rand and I am representing Anchorum St. Vincent, a foundation based in Santa Fe and serving northern New Mexico, and I'm speaking on behalf of the Lamplighter initiative, supporting the project. Our Anchorum team and the board and many of the funders and stakeholders really believe that the Lamplighter initiative is the exact type of model project that COVID-19 response funding is designed for and should be targeted at, and as Commissioner Hansen mentioned, a really directed project to address the long-term challenges.

It stabilizes individuals and families that are most at risk and affected by COVID-19 that takes them out of and prevents the worst case scenarios of experiencing homelessness during the pandemic, and while doing so also creates a foundation for upward mobility and wellbeing with safe housing for families. It's also a systemic solution with a long-term impact. We are all aware of the housing crisis on top of the

pandemic and how lack of affordable housing inventory is limiting all of our efforts to address homelessness and keep them safe.

The Lamplighter initiative was created to address the systemic challenge by helping to expand the available housing inventory quickly so that every community provider serving this population can collaborate better and benefit from it, and future public and philanthropic resources can be utilized with efficiency and effectiveness. That's why Anchorum and many funders have been supporting the pre-development efforts so that we can secure the property while waiting for funding and also develop a community-wide strategy and planning.

Our board is also hopefully approving a bridge loan tomorrow and the Commission's approval of the ARPA funds will go a long way to secure that support as well. So thank you so much for your support and we're also hopeful that we can share the success in learning from this project to statewide, community and nationally. I think the public-private partnership and use of COVID-19 funds to address this kind of systemic challenge are really remarkable and should be shared and replicated throughout the state as well. So thank you so much for your support and I also want to recognize Director Joseph Montoya's remarkable support for the project, and also Commissioner Hank Hughes, for your support on this wonderful project. Thanks, and happy holidays.

CHAIR ROYBAL: Happy holidays and thank you for your comments, Ms. Rand. Have a great holiday. Tessa Jo, do we have anybody else under public comment?

MS. MASCARENAS: No, Mr. Chair. That's the last person who had their hand up.

CHAIR ROYBAL: Okay, so I'm just going to ask one last time, is there anybody else from the public that would like to address the Commission? Please state your name for the record.

MS. MASCARENAS: Mr. Chair.

CHAIR ROYBAL: Yes.

MS. MASCARENAS: Ms. Rachel Thompson has raised her hand once again.

CHAIR ROYBAL: Okay. Ms. Thompson, if we could be brief, I'd appreciate it.

MS. THOMPSON: I assume and I thought William might ask this question. I just want to say that the plan that was COLTPAC is still fabulous. [audio difficulties] I will make this very quick. I want to say that – the COLTPAC plan for that park that was developed is still very much [inaudible] I've been talking with the Trust for Public Land who said this project is [inaudible] Youth Corps, there are all kinds of federal grants now available because of the urgency of having local park space available during COVID and the Trust has done something like four papers on this topic since the start of COVID. So that goes to the need and there's a really wonderful My View that Marlow wrote in this past Sunday's paper that I really urge you to read if you haven't.

My question is just, and I thought William would ask this. Does – will you, when you go and hold these negotiations or meetings now with the City to resolve outstanding annexation issues, will or won't the South Meadows property be part of those discussions, now that there is a sale agreement in place?

CHAIR ROYBAL: I'm sorry. We can't really answer those questions.

MANAGER MILLER: Mr. Chair, the property is under contract for sale and in the process of the City land use application process. So we can't have conversations with City Councilors or elected officials from the City relative to anything to do with that sale agreement. It's the same issue that when there's an application pending in front of the County Commission or the City Council, you can't have *ex parte* communications.

MS. THOMPSON: So, okay. And just to my first –

MANAGER MILLER: Mr. Chair, I think it's not appropriate to get in back and forth conversation on public comment. So if Ms. Thompson would like to submit her questions for somebody from the staff to answer them, I think that's most appropriate.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. And that was my –

MS. THOMPSON: Thank you. I'll do that.

CHAIR ROYBAL: That was what I was getting to. If you can submit your questions, that way, Ms. Thompson, we would appreciate that. Is there anybody that you would recommend that she can contact, Manager Miller.

MANAGER MILLER: I think on this item it would be most appropriate to send her questions to the County Attorney's Office and we can answer what we can answer.

CHAIR ROYBAL: Okay. So if you can send those questions to the Attorney's Office here at the County, that'd be great. Thank you, Ms. Thompson.

MS. THOMPSON: Thank you.

CHAIR ROYBAL: Okay, so I'm going to go ahead and close Matters of Public Concern.

8. MATTERS FROM THE COUNTY MANAGER

A. COVID-19 Updates

MANAGER MILLER: Thank you, Mr. Chair. So as far as the COVID-19 report for today, we have had extensive vaccine events, vaccination events throughout the county. Last week we held a series of events which terminated in over 3,000 vaccinations being given countywide. Three events were organized by the Santa Fe County Fire Department, Emergency Management and Community Services, and held at the Santa Fe County Fairgrounds, Edgewood, and in Pojoaque. And we partnered with both the Department of Health and Aging and Long-Term Services Department. Several of the events also included flu shots. I received an email back from Aging and Long-Term Services who said those have been some of the most productive vaccination events and they were very appreciative of Santa Fe County staff, were commended by the state for the well organized events and high number of vaccinations. I'd like to thank Rachel O'Connor and Peter Olson in Community Services in particular, and the other staff in Community Services. Anna War, in Senior Services, and Martin Vigil and Ignacio and his staff, they have really done an excellent job at coordinating these events and getting high participation.

We still have some additional upcoming events. There was one today, as a matter

of fact. There was one today in Eldorado from 10:00 to 3:00. There's one on Thursday in Glorieta at the T-99 exit from 10:00 to 3:00, and then there's one December 21st at Nancy Rodriguez, December 23rd at the Pojoaque ball fields, December 28th at Public Works, and December 30th in Edgewood. And as those dates get closer I would check on the times. You can also register for those through the Department of Health.

All of New Mexico is now in the red zone. Both Santa Fe County and New Mexico continue to see a rise in the number of COVID-19 cases, hospitalizations and deaths. Averages from 11/16 to 11/29 were 38.9 cases per 100,000 with a positivity rate of 9.27 in Santa Fe County. It's being reported that eligible residents, percent of residents with at least one shot is 99 percent, and percent of residents in the county with the series completed is 85 percent, but as you know, not just here but nationally we're seeing more breakthrough cases amongst vaccinated. However, the CDC indicates that getting a booster shot, and that's what we are seeing is a lot of individuals are showing up at our vaccination are getting booster shots, that that is helping protect individuals who are vaccinated from having breakthrough cases, and that those who are have a much less likely chance of being hospitalized or having serious illness.

Also, there are currently 691 people hospitalized due to COVID-19 in New Mexico. Christus opened another wing and now has 25 patients that are in with COVID-19. Four of those are intubated and 84 percent are unvaccinated. I would like to say though that 48 percent of those are from Santa Fe; the others are from other parts of the state. The youngest is 21 and the oldest is 91.

Public awareness campaign, we are still working on our public awareness campaign and today's agenda included the amendment for FireStik Studios in the amount of \$90,000 to continue the public awareness campaign with a focus on mental health services.

And then we're continuing to get our American Rescue Plan Act monies out the door and we have released an RFP for substance use and harm reduction services in Edgewood and the East Mountain areas in Santa Fe County. A pre-proposal conference was held and proposals are due on January 10th. Also we have started the process of the funding through all of our CONNECT contracts and are working on an MOA with the City on the UpTogether funding.

Also, as you know, we have moved forward with our vaccine mandate with County employees. We to date have 774 employees, 683 are vaccinated; 91 are not vaccinated. We're working through the notifications to those employees who have not met the requirements of the mandate and we are working through religious and medical exemption requests on a daily basis as each one of those comes forward. If someone's exemption is denied they do have 30 days in which to reconsider and get a vaccination and not have their employment with the County terminated. We have seen some employees who have been notified have chosen to get their vaccine, so we're hoping that the number of employees who are not vaccinated continues to come down as it has since we implemented the policy.

Those are all of my COVID updates. Does anybody have any questions on that?

CHAIR ROYBAL: No questions? Thank you.

8. B. Miscellaneous Updates

MANAGER MILLER: I'll go to the Miscellaneous updates. We have the Santa Fe County holiday party the County Employee Benefits Committee is sponsoring a County holiday party this Saturday, December 18th, and there will be lots of fun for individuals who are there for the event. Also, just a reminder on County Administrative Office closures: December 24th is the Christmas Eve holiday. Christmas Day, December 27th, 28th and 30th are administrative leave in accordance with the COVID-19 vaccine mandate, and December 31st is the New Year's Eve holiday.

And also, you may see in your emails, but we are definitely rolling out a training in response to the growing threat of cyber attacks. We are having a cyber security training program and you will be required as an employee's annual evaluation mandatory trainings that we have beginning January 1, 2022. And I just want to highlight that cyber attacks in the municipal space are on the rise and increasing exponentially, so we really believe that our best defense is having a well trained staff. If you would like to participate in those trainings, the ongoing trainings we will make sure that you are sent a link in order to do that, since cyber attacks can come through just about any avenue or email.

So those are all my miscellaneous updates and I think that Hvtce Miller is here for a quick update on the special session and the regular legislative session.

8. C. Interim Legislative Update [Exhibit 1: HB22021 Highlights; Exhibit 2: NM Congressional redistricting map]

HVTCE MILLER (County Manager's Office): I have two items to pass out. Mr. Chair and Commissioners, so currently the special session is going on right now and what I've provided to you through the BoardDocs information is a report basically going over the different items that the legislature is currently undertaking. Starting on page 2, it shows that these are the particular items. Number one being redistricting. The second item is the allocation of ARPA funds. And the last item, which was actually introduced as the special session had already gotten underway was an issue regarding fixing a medical malpractice language issues that's already currently in law.

So what the legislature has currently done regarding the redistricting relates to the two items that I have handed out to you, and that is, one, is Senate Bill 1, which is the US Congress redistricting map. And that is the particular map that has been passed by both the House and the Senate, and it has been provided to the Governor's Office for consideration. So that demonstrates that particular map there. The major change there is that the three different congressional districts converge there within the major metropolitan area of Albuquerque. The current map right now is more linear and there's a top, like a northern section, a southern section and a mid region which encompasses the Albuquerque area. So the change there is that each district is getting a little slice of the pie in the Albuquerque area.

The second – well, concluding on the redistricting progress, the House has currently passed the state House map, the redistricted maps for the House, and so those have been passed on to the Senate and are awaiting their actions on the state House maps. And the House has also taken action and passed the public education districts, so those

were passed on through the House and they're waiting on action from the Senate.

Currently, what's been going on is the holdup, which has stalled everything at the current special session is action on Senate Bill 2. There was a committee substitute introduced on Sunday and that has caused a roadblock for everything else. The problem there was the tribal governments had worked out before the start of the legislature, the special session, a proposed map for Senate districts within the state, and the substitute that happened on Sunday in the Senate Judiciary Committee changes a lot of those boundaries which the tribal governments had worked out previous to the special session. So Monday as well as today there's been ongoing discussions about where they can come to some sort of compromise regarding those changes for the state Senate Districts.

So Senate Bill 2 right now is the hold up for all the redistricting, but the Senate did meet as a whole this afternoon and they took action on House Bill 2, which is the allocation of the American Rescue Plan Act, the ARPA funds. So in the other handout that I provided you it shows you what has been okayed. So once again, this has been passed through the House and just this afternoon has passed through the full Senate. And so on that page 1 and also continuing on to page 2, those were all the allocations which were included in the original version of the bill. So what I have done there is provided strikeouts through items to the current process that's undergoing that have taken effect. So those items which have strikethroughs through them, they're no longer in the House Bill 2

Just a point of clarification, right there at the top it talks about there's over a billion dollars that the state received in ARPA funds and what they are doing is only allocating about half of that. So they're allocating about half through the special session and they're going to get to the other half in the regular session starting in January.

On the very last page of that handout regarding the House Bill 2 I have the summary there that the allocation for House Bill 2 of the special session is approximately \$478 million. And so I don't have any particular items within the list of allocations to point out so that's what's currently going on during the special session.

I just wanted to add one more thing regarding the redistricting is that most likely, any of the results of the redistricting maps could be contested in court. So as what has occurred over the past few decades after the census and the legislature taking redistricting action, there has been opposition to the maps that were decided upon and they ultimately ended up in state court. There's been a lot of different proposals put forth for the different districts that are considered so I don't think that everybody is on the same page, once again, after this census. So it's probably going to end up in court again, so I would just wait and see.

With that, that concludes the synopsis of the special session so far and upon its conclusion I'll make sure and provide the Commission with the latest actions that are taking place.

CHAIR ROYBAL: Thank you, Mr. Miller. Are there any questions?
Commissioner Hamilton.

COMMISSIONER HAMILTON: So you mentioned that they were going to allocate the other half during the regular session. Do you suspect some of the projects that were crossed off now are just being postponed until the regular session? Or are these crossed off because they don't want to be considered? Because I find some of the choices

astounding. It's astounding that they've taken off all the broadband, all the water projects, but they left in highway beautification. I'm all for beautiful highways, but there priorities seem odd to me for ARPA money.

MR. MILLER: Mr. Chair, Commissioner Hamilton, based on the discussions had within the committees where the amendments were being made – for instance, the \$26 million related to broadband, is that there was enough funding already within the state budget for that particular matter at the state level. So it does sound like it's going to be reconsidered in the upcoming regular session. So it's not that nobody wanted it. It just needed further vetting to know specifically where they needed to target the budget amount for.

Also not shown out in the report, which is provided in BoardDocs, but there was also consideration providing a giant allocation to behavioral health within the state, and there was large support within Senate Finance Committee for that proposal, but once again, it just wasn't fully vetted out and the Senators at the time didn't feel that the special session was allowing the full amount of time and consideration for such a large amount, so they more or less made a promise that they would take up that consideration once again in the regular session in January.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Any other questions, comments?

COMMISSIONER HANSEN: [microphone off]

MR. MILLER: Mr. Chair, Commissioner Hansen, right now, I'm not sure any map that I can provide regarding the Senate districts would be accurate at this time, because they are discussing that particular matter right now as to what changes they want to make. As far as the House, I can get you that as well. It's just difficult to, I would say, keep track of all the different changes between now and what's going to be finally voted on. But I'll make sure and get that to you. I can provide you a little bit of analysis about what the changes were and what the considerations were in the current map that's being considered right now.

COMMISSIONER HANSEN: Thank you. So this is the congressional map that they're set on, both the House and the Senate?

MR. MILLER: Mr. Chair, Commissioner Hansen, that map is the one that has been sent to the Governor's Office.

COMMISSIONER HANSEN: So it's now up to her.

MR. MILLER: Yes.

COMMISSIONER HANSEN: And does it look – is this likely going to go to court?

MR. MILLER: Mr. Chair, Commissioner Hansen, based upon the different introductions from I would say the other parties, it's most likely that it will go to court.

COMMISSIONER HANSEN: Okay. Thank you. And then this allocation that they're doing right now is for the special session and then they're going to come back and do another allocation in the regular session. Is that correct?

MR. MILLER: Mr. Chair, Commissioner Hansen, yes. The reason behind that is that these allocations that are presented in the special session, House Bill 2, are

more of what they call the low hanging fruit. It's more seen that these are the immediate need and it's easily supported by both sides of the aisle that an allocation can be made for this particular expense. So the items that will be brought forth in the regular session are items that need a little bit more analysis and a little bit more support to get the votes needed to get it put in the budget.

COMMISSIONER HANSEN: And so on these pages it says, #7 on the second page it says Cerrillos Road, Santa Fe County. To the best of my knowledge, most of Cerrillos Road is in the city.

MR. MILLER: Mr. Chair, Commissioner Hansen, that's a confusing point. All the capital projects presented in the legislature they always say Santa Fe County. So whether it's a project managed by the County government or the state government or the City government it always has that language there saying it's within Santa Fe County.

COMMISSIONER HANSEN: And so did I hear you say that they're going to provide funds to behavioral health but they're going to break it back in the regular session? Is that what you said?

MR. MILLER: Mr. Chair, Commissioner Hansen, that's correct. It was during the committee discussion in Senate Finance, it was a broadly supported item, behavioral health and the need for additional funding within the state. They just felt that maybe it wasn't specific to the particular needs of New Mexico at this time in a more definitive matter. So it was thought better to analyze it more rather than rush in now within the limited time of the special session.

COMMISSIONER HANSEN: I also see that they crossed out \$5 million to Game and Fish. Is that something that could possibly be brought back or is that just – Game and Fish is kind of at the bottom of the barrel? It's on the first page.

MR. MILLER: Mr. Chair, Commissioner, I don't know the specifics of that particular strikethrough, so I will have to actually research that further, as to why it was felt it wasn't in need right now.

COMMISSIONER HANSEN: Okay. Any analysis on the tribal version of the Senate map? Is that having some weight, the meeting they had with the tribes?

MR. MILLER: Mr. Chair, Commissioner Hansen, just based on media reports, it looks as though the issue was regarding Senate districts located around the McKinley County area, but in addition to that, I don't know. There's also reports around – I guess it would be Sandoval County, Zia Pueblo area as well. So I don't know exactly where the lines were changed for those particular areas but just off the basic look at the matter regarding tribal governments and they're concerns regarding the Senate Judiciary substitute, those were the issues brought forth.

COMMISSIONER HANSEN: Thank you for your analysis. I appreciate it very much, and thank you for putting all of this together. Thank you, Hvtce.

MR. MILLER: Absolutely.

COMMISSIONER HANSEN: Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments, requests? Thank you, Mr. Miller. We appreciate it, sir.

MR. MILLER: You're welcome.

8. D. Resolution No. 2021-120, a Resolution Establishing Santa Fe County 2022 State Legislative Priorities for Community Development

CHAIR ROYBAL: From our Community Development Department we have our director, Mr. Joseph Montoya once again.

MR. MONTOYA: Mr. Chair, members of the Board, I'll be very brief as it is getting late. Usually this is kind of our catch-all resolution that includes many items important to community development, so it includes anything from making sure that the state tax systems ensure that the county revenue systems aren't interrupted in any real way, making sure that we're always made whole, all the way to broadband. I was really disheartened to hear that broadband got taken out, because we are in desperate need of more funds for broadband. Even though we have applied for several different grants, we still are in great need of broadband.

So with that I'll just leave it to any questions. I know that you've already looked at this resolution in detail as we had this discussion with the state legislators.

CHAIR ROYBAL: Okay. Thank you, Mr. Montoya. Any questions?
Commissioner Garcia.

COMMISSIONER GARCIA: I move to approve.

CHAIR ROYBAL: So we have a motion from Commissioner Garcia.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second from Commissioner Hamilton.
Anything else under discussion? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair, and thank you, Joseph. So in this resolution we are requesting one million for broadband infrastructure. Do you think we request more?

MR. MONTOYA: Mr. Chair, Commissioner, if we can get more I certainly would want to get it, I can tell you that. We are one of the few entities that can actually receive state funds and deploy them fairly quickly, because of REDI-Net. And so that makes us a step ahead of just about everybody else in the state. So we're a good bet to deploy state funds quickly and efficiently and not violate the Anti-Donation Clause issues.

COMMISSIONER HANSEN: So we know that each of these legislators in our district are going to get around – Commissioner Garcia, do you want to help me out on this? How much is each legislator going to get?

COMMISSIONER GARCIA: Mr. Chair, I was at a New Mexico School Board Association meeting a week and a half ago and Senator Soules, the Education Committee Chairman, said roughly – obviously, it's moving, depending on the oil and gas revenue, each Senator is roughly going to receive about \$6 million. So that means the House individuals will probably be about \$5.2 million.

COMMISSIONER HANSEN: So it looks to me like that's a fair amount of money.

MR. MONTOYA: Mr. Chair, Commissioner, and I think providing broadband services is a good political bet for everybody concerned.

COMMISSIONER HANSEN: So maybe it needs to be \$2.2 million.

MR. MONTOYA: Mr. Chair, Commissioner, I'm happy to increase it if

that's what you so choose.

CHAIR ROYBAL: Well, I don't think we need to change the resolution but I think that we need to be asking for as much as we can. I know that in this resolution that we're advocating for the City of Santa Fe's airport. Or was that in the other resolution?

MR. MONTOYA: Mr. Chair, Commissioner, yes. That's actually in this one. Part of this resolution was done in coordination with the City of Santa Fe as we're trying to coordinate some of our legislative efforts together. That was a request that they made of us.

COMMISSIONER HANSEN: Oh, right. I see it here for facility improvement and transportation infrastructure. So another place where maybe we ask for \$2 million for solar expansion projects in the county. I think we have a real ability though, with the broadband and with REDI-Net to actually deploy more money than other things. So I think that's something that we need to think about. I personally do not support the regional airport and I think people know why. I don't like planes flying over my house at a low altitude, and I think that they need to change the runways. But if there's money that they would get that would change the runways I might be more happy about it.

Anyhow, I think this is a good resolution and thank you for bringing that forward. Thank you to your team for working on all the resolution, but I do think maybe we need to increase our monetary ask.

MANAGER MILLER: Mr. Chair, Commissioner Hansen, I just would like to remind the Board that the chart that we provided to the legislature had a \$20 million ask for all the things. If we got that, we can't spend it. I don't mean that to be rude. We just can't spend it fast enough. We're struggling to spend what we already have. If we get the \$30 million in broadband – and then I've got the federal delegation asking for a list of projects for federal money. There's a point at which we just don't have enough staff to spend the money fast enough.

So I just caution us for trying to take on biting off more than we can chew. Because we just hurt our relationship with legislators if we can't get the money spent. And I'm not trying to be negative Nelly, I'm just saying there's a certain amount we physically cannot spend and we're struggling – we'd like money on those things that we already have money for that we know the cost of those things have gone up, and to try to get those projects completed. So it's my only caution on asking for too much in too many new areas.

COMMISSIONER HANSEN: Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments, questions, for Director Montoya? Commissioner Garcia.

COMMISSIONER GARCIA: No, Mr. Chair. I'd just like to kind of reiterate that we do have an application into the federal government for roughly about \$29 million still. I think we're this close. So we're asking for broadband from all angles, right? Two, three, four different angles. So I just wanted to remind us. We do have that grant. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

COMMISSIONER HANSEN: So, Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. So just on that, if we are considering doing this IRB, which I'm glad we are, making sure that the studios have really high speed broadband I think is really important for the film industry to be able to grow in this community. So I'll just once again remind us of that. Thank you.

MR. MONTROYA: Just so you know, our current plan for part of the use of the \$27 million we have from the federal government does actually go directly through there. So we would be able to enhance the capacity.

CHAIR ROYBAL: Okay. Thank you, Director Montoya. If there's not any other questions, what's the pleasure of the Board.

COMMISSIONER HUGHES: I thought we already had a motion on the floor.

CHAIR ROYBAL: So we have a motion and a second already.

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

9. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

COMMISSIONER HANSEN: Mr. Chair, I wanted to ask if we could move my resolution up to the beginning because Adeline, one of our County staff, is waiting to go home and she would be really grateful if we would bring that resolution forward and allow her to go home.

CHAIR ROYBAL: Okay. So we're going to go ahead and move that to our first item.

COMMISSIONER HANSEN: Thank you. I appreciate that.

CHAIR ROYBAL: Absolutely.

9. B. Resolution No. 2021-121, a Resolution Establishing Santa Fe County 2022 State Legislative Priorities for Sustainability and Climate Action

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much. I want to thank the Sustainability staff from Community Development who worked on this bill and took many of our ideas that we have passed and brought forward over the past number of years, and rolled this into one. I wanted to say that one of the most interesting things from NACo at a meeting that I was at was that Bridget Shea, who is the president of the board of IGLI, she also attended COP26 and she said one of the most important things of her takeaway from COP was what local governments could do to promote sustainability, reduce greenhouse gases, and that that was really an important part of her takeaway from COP26. I thought that was interesting because Santa Fe County is clearly a leader in bringing forward many of the things that were brought forward in COP26 from the little bit that I have heard, and I am grateful that the Sustainability Department wrote this in a way that is very broad and allows Hvtce and Tessa Jo to be able to advocate for many, many resolutions that could be brought forward in the 30-day session. Adeline, since

you're here, would you like to say a few words, since you have been sitting and waiting so patiently and we are grateful? Thank you.

ADELINE MURPHY (Sustainability): Thank you, Chair. Thank you, Commissioners. Yes, I'm here today if you have any questions about any of the items in the resolution. As Commissioner Hansen stated, as a local government, Santa Fe County is well positioned to effectively act on climate, so these items in the resolution also support Santa Fe County's sustainability goals.

CHAIR ROYBAL: Okay. Great. I'm not sure what Commissioner Hansen said. It's Adeline, correct?

MS. MURPHY: That's correct. Yes. My name is Adeline Murphy. I'm the Sustainability Specialist for Santa Fe County in the Community Development Department.

CHAIR ROYBAL: Okay. Thank you, Ms. Murphy. Do we have any questions for Ms. Murphy from the Board? Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. I had a question the other day. Does anybody know why in La Cienega or throughout Santa Fe County why PNM does not allow anybody to connect to the grid anymore? Because that means if I go get some solar panels on my house or on my property, I cannot connect to the grid? Thank you, Mr. Chair.

CHAIR ROYBAL: Commissioner Hamilton.

COMMISSIONER HAMILTON: I actually asked at least one PRC member, and registered an opinion. They needed to investigate that. The response I got was that PNM is indicating that they're at capacity there and there's nothing they can do about it. I provided my opinion that I thought that needed to be investigated a little more objectively, and that's as far as the appropriate conversation could go. I would be skeptical that that's the case, but that was the information I got.

MS. MURPHY: And if I may, I could add a bit to that as well. So their substation there is maxed out and in order to upgrade it it's a several million dollar project. Currently, the interconnection manual puts that on the customer. So they're currently in the process of updating the interconnection manual, but I don't know what the rules and regulations will be once it is updated. But there is a map online where you can see throughout PNM's service area which areas are maxed out in terms of solar installations, and La Cienega is currently the only place in Santa Fe County that is impacted by that.

CHAIR ROYBAL: Thank you, Adeline. Commissioner Hamilton, and then I'll come to Commissioner Hansen.

COMMISSIONER HAMILTON: Thank you. This would be the opportune time to offer technical opinion that advancing the ability for everybody and for all individuals in the county and in the state to be able to connect to solar, is the remaining thing in that avenue of effort to become sustainable. And it is clearly linked to the ability to have grids that support that sort of thing, which are not entirely what you need if you're a national service company. And so I would hope that there's the insight between our sustainability group and people who focus on the energy aspects of sustainability and what not, to change some of those rules and regulations and to update our grid in a way that supports individual solar more effectively than just using PNM's

grid alone.

I recognize it's a big hill to climb. That might be a hill that looks like a brick wall. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. Thank you, Commissioner Hamilton and Commissioner Garcia. So this is where I become slightly frustrated because we have all this money, supposedly, at the state, and we have passed the Energy Act and all of these things. So where is it that we cannot use some of that money to increase capacity for the grid? As PNM, do we have to go through them? We can't build a grid outside of that? So if we have to, can we negotiate with PNM as a County, now that they're not moving forward with Avangrid can we create a utility? A way to increase the grid and use this money that we have – each of the Senators and Representatives? Okay, we can't spend it at the County because we're already at capacity, but can we move it to some place where we can start to improve the grid to actually provide more solar so that when Commissioner Garcia wants to put solar on his house, he can connect to the grid.

I don't know how to do it. I just know what I can envision and see as a possibility. Okay, we need to improve the grid. We need to make it possible for Commissioner Garcia and his community to get solar on their houses.

COMMISSIONER GARCIA: So just on that note, if I may, Mr. Chair. Thank you, Commissioner Hansen. So it's been – so are you the staff that actually works with the County in regards to whenever we do upgrades to the SLDC, the Sustainable Land Development Code? Are you the staff that actually looks and works with the Public Works Department, so when they build a new facility, look at the solar or all these energy efficiency appliances, per se. So can you – are you actually the staff that – Commissioner Hansen is correct. We have PNM that's still wanting to do the merger. We have solar capacity already built out.

We have legislation that's wanting to get passed to have PNM open some more grid, gridlock that we have going on. We have a lot of these things that are moving forward. So you are actually the staff that is going to put it all together to figure us out and let us know how this is working?

MS. MURPHY: Well, so the role of the Sustainability Office, is, like you said, we do collaborate with Public Works to make sure that energy efficiency measures are implemented in new constructions and renovations. As to the political involvement with the PRC, that's less in our wheelhouse. However, Santa Fe County is a founding member of the Coalition of Sustainable Communities, and they advocate on our behalf for these PRC rule making processes and other sustainable legislation. So I would recommend getting in contact with them at the new office, the executive director. What we do is we keep track of the PRC cases but we don't play a role in influencing the rule making through the Sustainability Office.

And then I also want to mention community solar is a really excellent piece of legislation to allow someone in La Cienega to access solar without having an actual solar panel on their roof. So that's a really great opportunity for Santa Fe County to be able to expand solar when we face these issues of maxed out substations in some areas.

COMMISSIONER GARCIA: Thank you. Sorry I got your name wrong as well, Ms. Murphy.

COMMISSIONER HANSEN: So as vice chair of the Coalition of Sustainable Communities this is something that I definitely think we need to start working on because if it's happening here it's most likely happening somewhere else in the state, where the capacity is not happening or not being made available. I think that we have to start thinking outside the box. We have to be more creative. We have to be more inventive. We have to use the expertise that we can find and I wish I could have gone to COP26 because maybe there was an answer there, but I will definitely question Beth and our team that went there. Mark Hayden who is from the General Services Department at the state also attended COP26, and he might be somebody who is an out-of-the-box thinker who would think about how General Services could be part of developing a larger grid that we can connect to. And I see that Joseph wants to say something.

MR. MONTOYA: Mr. Chair, Commissioner, two very specific things that we can start to look at and do. The first [inaudible] but PNM is going through a rule making process. To have influence over that rule making process is inviting – the reason is right now, it's the consumer that's responsible for improving that effectively, right? That has to change, right? There's different rules that could be made in order to make sure that PNM's responsible and financially has to be able to upgrade to a certain level.

The other issue that I would like to have considered, quite frankly, is franchise agreements, which allow us to be able to have a little more opportunity to be able to have some discussions with utilities, including broadband, to be able to have those kinds of discussions. And that provides a lot of opportunities and provides a forum, at which of course, we'd ask Public Service Company of New Mexico to provide electricity to us, but there may be certain conditions that we can insist on. Those are two very practical, very clear things that we can do immediately or work on immediately, at least in an investigative way.

COMMISSIONER HANSEN: And with that, thank you for the good discussion, and I would like to make a motion to approve the resolution establishing Santa Fe County's 2022 state legislative priorities for environmental sustainability and climate action.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Okay, so we have a motion from Commissioner Hansen, a second from Commissioner Hamilton, and I believe I heard a third from Commissioner Garcia, and a third from Commissioner Hughes and a fifth from Commissioner Roybal. So we have a motion and a second. Anything else under discussion?

COMMISSIONER HANSEN: No, but thank you for the lively discussion.

CHAIR ROYBAL: Yes. Thank you, Commissioner Hansen, and just once again to thank you to staff and Ms. Murphy for your presentation and we're excited to see how we're going to move forward and see what kind of ideas we can come with, as Commissioner Hansen said, to think outside the box. So we appreciate that.

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

9. C. **Resolution No. 2021-122, a Resolution Establishing Santa Fe County 2022 State Legislative Priorities for Affordable Housing**

CHAIR ROYBAL: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. This is a resolution that adds some affordable housing items to our list, and we have Director Montoya to thank for putting this more complete list together. So this of course covers anything that benefits affordable housing in Santa Fe. It adds the request for the improvements we need to our own public housing. It talks about New Mexico Housing Trust fund and specifically the very important request that it be made an annual appropriation of 3.5 percent of the severance tax bonding capacity.

One of the things that has interfered with the fund really being effective is the fact that the funding is dependent upon different levels and legislative interests from year to year and this would provide a steady stream of money of about \$30 million a year, which would at least make a bigger dent in the affordable housing crisis. It also talks about some other increases in affordable housing specifically. The Linkages program, which is targeted toward people experiencing homelessness who have behavioral health disabilities, and we would support doubling that program.

And then of course the tax reform is something we talked about last year. I don't know if it's coming up this year, but to eliminate the three percent on the annual property tax increases on residences that are not owner-occupied as the owner's principal place of residence. So we would support that if it comes up. And thank you, and I see that Director Montoya is also here if we have any questions, or if he wants to add something.

MR. MONTOYA: Mr. Chair, I couldn't have said it better, so I'm just here to answer any questions you might have.

CHAIR ROYBAL: Okay. Do we have any questions for Director Montoya? Commissioner Hansen.

COMMISSIONER HANSEN: I just want to thank Commissioner Hughes and Director Montoya. I'm a big advocate of sidewalks. It is something that in the county is not something we normally have, something that we need to take care of. So advocating for Camino Jacobo to have sidewalks and Lopez Lane where I've also advocated for it. It's really not too far away and it adds to the ability for people to actually walk to the bus or be safe, have these safe routes to schools, which are really important.

So I just want to emphasize how important I think that is, and I know that we are at capacity in many ways of our ability to do things but at the same time, anything's possible, is one of my favorite belief system. So I think this is a great resolution. Thank you, Commissioner Hughes, for bringing it forward.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments, questions from the Board? Okay, I want to go back to Commissioner Hughes.

COMMISSIONER HUGHES: I'll make a motion to approve the resolution for additional support for affordable housing things to support at the legislature.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hughes, a

second from Commissioner Hansen. Under discussion, I don't see any hands.

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

9. D. Certificate of Appreciation to 2021 Santa Fe County Fair Participants for their Hard Work, Commitment and Dedication as Role Models in the Community

CHAIR ROYBAL: This is just a certificate of appreciation. It's a certificate that I'm sending out to all the participants for the County Fair, and just recognizing them for their hard work and commitment and dedication as role models to the community. I know that the Commissioners all sent out their own thank yous to the members that participate in the 4-H. I think this is a great way for us to recognize all of our participants in the 4-H, so that was just an announcement for that certificate, so it's not an action item.

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

CHAIR ROYBAL: I'm going to go to Commissioner Hansen first.

COMMISSIONER HANSEN: Thank you, Mr. Chair, and thank you for the certificates of appreciation. Thank you for bringing that forward. I think that's really wonderful and I appreciate all the hard work that all the 4-H children did. It's great that they have that opportunity to raise animals and participate in that way.

So updates. So I had the opportunity to testify on the methane rule at the EPA last week and I was very happy to be able to take that time and make sure that I could enter a comment in support of stronger methane rules, since that is the number one greenhouse gas that is affecting us, especially here in New Mexico. And I was very honored that Secretary Kinney even noticed that I had spoke. So that was a nice comment from him at a meeting I was at with the Coalition.

I did – I wanted to just announce to everyone that I regularly attend the Agua Fria Village Association meetings, the first Monday of every month, and there are 12 meetings a year and I am always there. So if you live in the village or near the village I would like to continue to invite you to come to the Agua Fria Village Association meetings. I want to thank William and the entire board for the beautiful Christmas card that they did with the torreón, and the new placard that says the year of Agua Fria. It is really quite beautiful, the letter, and so I want to thank them for their hard work.

I also attended the EELU leadership call and NACo is going to be happening in October of this year and I am going to work on a few resolutions to introduce to NACo through the Energy, Environment and Land Use code.

And then I also, speaking of PNM and what happened in the newspaper about the helicopter flying low over the city. Some of you might not have been exposed to that but the stress that it put on the RECC was very concerning, so I did call our contact, Jamie, at PNM and expressed to her my concern about better notice about this project, because in

the city people get very nervous when helicopters keep flying around and around and over their houses. They think a SWAT team is somewhere, or they think something is happening, because that's usually what takes place. So I felt that PNM could have handled that better. They could have possibly added that to one of their big large ads. I did ask her why they hadn't put it in the paper and she said there was a small little ad in the paper, but I think that it could have been more helpful.

I had my water turned off by the City today and I got a notice in my mailbox, and so there's many ways to notice people about these kinds of things and I would have like to have seen PNM think outside the box and be more responsible, because of the impact to our Regional Emergency operations.

I also wanted to let you know that BLM has fully funded an award for a NEPA award for the shooting ranges out in the Caja del Rio and they are going out to NEPA in the new year, so I want people to know about this. I want them to be able to comment and make their information known about how they feel, because the wildcat shooting has only gotten worse and I know, as we know, Commissioner Garcia and Roybal have been out on the Caja and seen the amount of bullets and debris and cleanup take place there. I do support the movement that is being talked about making a national monument out on the Caja del Rio. I think it is a very sacred and beautiful and special place, and that it needs to be protected. So I did get an email from Pamela Mathis about that and I wanted to share it with all of you. And I think that's all I can think about at the moment, so thank you, Mr. Chair, for the opportunity.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I'm going to go to Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I have just a few things to mention. As you all know, I'm the representative for the County on the Regional Transit District board and I wanted to mention that they may be involved in a really interesting project in Taos where the ski valley and the town and the county of Taos are applying for a grant to create a sustainable recreation corridor from the Village of Taos up to the ski area there. It would involve electric buses that would run up and down the road, and you could stop at the campgrounds where the hiking trails are or at the ski basin at the top. And so that sounded like a really neat project. There'd be a lot of improvements not only to the transportation but to the parking at each place. So if that one works out we might want to do something similar in Santa Fe since we have our own ski basis and hiking trails all the way up and down.

I wanted to talk just a little bit about the Ethics Ordinance. As you know, Olivia Romo, who is my liaison for District 5 is also assigned to the Ethics Committee, so we do hope to bring that forward in January when the Ethics Committee is ready and available.

Another thing that I'd like to bring forward in the new year is the Spur Ranch Road request to create a community improvement district. They want to create a district so they can pave their road. Right now, it's about five miles of washboard and dust. It would really benefit from being paved and they're willing to set up the community improvement district to pay for it, depending on the price, of course. If it ends up being too expensive they may change their mind.

My next Hour with Hank community meeting is on January 6th, and finally, happy holidays to everybody at the County, who I may not see before then, and anybody online

who's still listening. Thank you.

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

COMMISSIONER HAMILTON: I will just chime in to wish everybody a happy and healthy and safe holiday.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Commissioner Garcia.

COMMISSIONER GARCIA: I'll just echo what Commissioner Hamilton mentioned also. Everybody have a safe, happy holiday, prosperous and be safe out there. Be careful. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So for Commission District 1, I am going to have one more community meeting before Christmas. It's going to be on the 21st at 6:00 pm at the El Rancho Community Center, so I hope to see as many constituents as possible. I know that it's close to the holidays but hopefully we'll still be able to get good participation.

I also wanted to mention an event that I got some information on from Española. As most people may know or may not know, the City of Española, about half of the city is within Santa Fe County. They are doing a first annual UTV toy drive, so they're going to do that on December 18th. Basically, they're asking for any rider that will be in the UTV to bring a toy that's unwrapped and they're going to be meeting at the Española Valley Eagles, 1217 South Riverside Drive. So the procession starts at 4:30 but I just wanted to make that announcement and just ask for support. We have a lot of different sponsors that actually it looks like they came forward to sponsor this. This is being put on by the Española Dirt Band and different sponsors. So I just want to encourage people to participate if you can in that. I know there's a lot of different toy drives, but this is the time of year that we try to make a difference in some of the young kids' lives out there that may not have a Christmas without these donations.

With that, I do want to thank my liaison, Ambra Baca for her hard work. Every week she has to do quite a bit so I really appreciate all her hard work and effort, and I just want to wish everybody a merry Christmas, a prosperous new year and we look forward to working with you again next year. I think this is going to be our last BCC meeting of the year so I just wanted to wish staff and all of our constituents just a blessed holiday season. Enjoy family and friends. Commissioner Hansen.

COMMISSIONER HANSEN: Speaking of Española, you reminded me that the Northern Rio Grande National Heritage Area got an award from the City of Española for community improvement. What they did is they did a mural contest and they actually had three murals painted by three different county artists – one from Santa Fe, one from Rio Arriba and one from Taos. And the City of Española was so impressed with the improvement of this community area that they gave us an award for community improvement and beautification of Española. So I thought that was really great. And also, I do want to wish everyone a blessed winter solstice which is coming right up, and happy holidays and blessings to everyone, and please be safe and remember that there is the New Year's Eve on the plaza where the zia drops. Or maybe it rises up. I think maybe it rises up. The zia rises up. It's always a fun event and I hope to see some of my other Commissioners there with me on New Year's Eve,

CHAIR ROYBAL: Thank you, Commissioner Hansen. Did you have something else, Commissioner Garcia?

COMMISSIONER GARCIA: Mr. Chair, I just wanted to thank Brittany, P.J. Montano, actually Sheriff Mendoza. We had a meeting last week in the Village of Cerrillos. We had about 40-some people there, and we actually discussed some of the projects out there, the ongoing projects and the future projects. But I just wanted to thank staff for coming out there on a beautiful Saturday morning. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia.

9. E. Other Elected Officials Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations

CHAIR ROYBAL: I'm going to go to our County Clerk.

KATHARINE CLARK (County Clerk): Thank you, Mr. Chair. I just had some reminders about our holiday hours. So the Santa Fe County Clerk's Office will be closed December 21st for our holiday party from 12:00 to 2:00 pm. The County also, the County building is going to be closed Christmas Eve, December 24th, and the building is planning on being closed the last week, Monday, Tuesday, Thursday and Friday of December. So we are planning on offering online e-recording for our title companies that Tuesday, the 28th, and Thursday, the 30th, but we will not have in-office services.

CHAIR ROYBAL: Thank you for that announcement, Madam Clerk, and thank you for working on a solution for us to still support our customers. So thank you for doing that.

CLERK CLARK: Thank you, Mr. Chair.

CHAIR ROYBAL: Tessa Jo, do we have anybody else, any other elected officials online right now?

MS. MASCARENAS: No, Mr. Chair. We do not.

CHAIR ROYBAL: Okay. Just in case there's a call-in, if there is an elected official that would like to address us or make any announcements, please unmute yourself with star 6. Okay, hearing none, I'm going to close that item.

11. MATTERS FROM THE COUNTY ATTORNEY

A. Statement for Inclusion in Meeting Minutes Concerning November 30, 2021, Executive Session

CHAIR ROYBAL: Attorney Shaffer, can you give us a summary of what we're going into executive session for?

MR. SHAFFER: Thank you, Mr. Chair. Our first item under Matters from the County Attorney is actually 10. A, which is a statement for inclusion in meeting minutes concerning the November 30, 2021 executive session. And as a housekeeping item, I'd just ask for a motion confirming that the only items discussed in the November 30, 2021 executive session were those that were listed in the motion to go into executive session.

COMMISSIONER HANSEN: So moved.

COMMISSIONER GARCIA: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen, a second from Commissioner Garcia.

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

- B. 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. Rights-of-Way for County-Maintained Roads within Exterior Boundaries of Pueblos**
 - 2. In Re: National Prescription Opiate Litigation, US District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-md-2804**
 - 3. Potential Breach of Purchase Agreement**

CHAIR ROYBAL: Now we'll get a summary of what we're going into executive session for.

MR. SHAFFER: Thank you, Mr. Chair. Executive session is for the purposes of discussing 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, one, rights-of-way for County-maintained roads within exterior boundaries of pueblos, two, in re: the National Prescription Opiate Litigation, US District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-MD-2804; and three, potential breach of purchase agreement.

CHAIR ROYBAL: Okay, so do I hear a motion? Commissioner Hamilton.

COMMISSIONER HAMILTON: Mr. Chair, I move that we go into executive session to discuss the matters as outlined by the County Attorney.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: And a second from Commissioner Hughes. Can we get a roll call vote, Madam Clerk?

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

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye
Commissioner Roybal	Aye

[The Commission met in executive session from 6:30 to 9:00.]

CHAIR ROYBAL: Commissioner Hamilton.

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

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton, a second from Commissioner Hansen.

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

10. C. **Resolution No. 2021-123, a Resolution Authorizing Santa Fe County to Enter Into Settlement Agreements with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. to Resolve the County's Pending Litigation Consolidated and Currently Pending in the Northern District of Ohio, in re: Opioid Litigation, MDL 2804, and Authorizing the County Manager to Execute on Behalf of the County All Documents Necessary or Proper to Effectuate the County's Participation in the Settlement Agreements**

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. I would like to make a motion approving a resolution authorizing Santa Fe County to enter into a settlement agreement with McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Corporation, Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc., etc., etc. in the Northern District of Ohio, in re: Opioid Litigation, MDL 2804, and authorizing the County Manager to execute on behalf of the County all documents necessary or proper to effectuate the County's participation in the settlement agreements.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen, a second from Commissioner Hughes. Anything under discussion? Seeing none.

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

11. INFORMATIONAL ITEMS / REPORTS

- A. Community Development Department November 2021 Monthly Report**
- B. Community Services Department December 2021 Monthly Report**
- C. Growth Management Department November 2021 Monthly Report**
- D. Human Resources Department December 2021 Monthly Report**
- E. Public Safety Department December 2021 Monthly Report**
- F. Public Works Monthly Report for November 2021**
- G. Finance Report will be available at the January 11, 2022 Board of County Commissioners Meeting**

CHAIR ROYBAL: Thank you, staff, for those reports.

12. CONCLUDING BUSINESS


A. Announcements

Holiday greetings were exchanged.

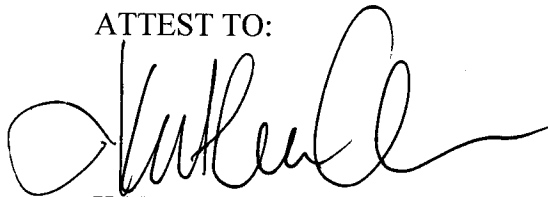
B. Adjournment

Commissioner Hamilton moved to adjourn and Commissioner Hughes seconded, and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 9:03 p.m.

Approved by:

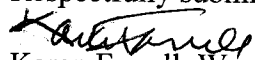

Henry Roybal, Chair
Board of County Commissioners

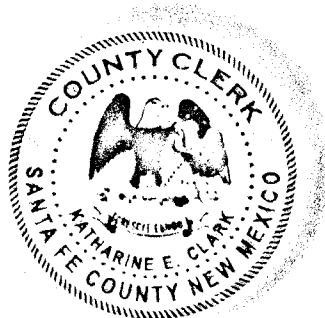
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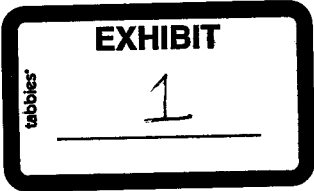
KATHARINE E. CLARK
SANTA FE COUNTY CLERK

Respectfully submitted:


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



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HB2 2021 2nd Special Session

Transfers \$1,069,175,000 to the Appropriation Contingency Fund of the General Fund from funds received pursuant to the federal American Rescue Plan Act of 2021; and **from that amount, makes the following appropriations** for use in FYs 2022 through 2025:

As introduced

- \$500,000 to the Administrative Office of the Courts for pretrial services monitoring.
- ~~\$26 million to the Department of Information Technology to plan, design, construct, renovate and equip broadband infrastructure statewide.~~
- \$20 million to the Energy, Minerals and Natural Resources Department to plan, design, construct, improve, renovate, furnish and equip facilities and infrastructure at state parks statewide.
- \$3.5 million to Energy, Minerals and Natural Resources Department for orphan well planning and implementation.
- \$7 million to Economic Development Department for outdoor recreation grants contingent on a 50% local match for the same purpose.
- \$10 million to Department of Environment to plan, design and construct projects to improve surface water quality and river habitats statewide.
- ~~\$5 million to the Department of Game and Fish to acquire property for the State Game Commission statewide.~~
- \$20 million to Department of Finance and Administration to provide housing assistance for homeless persons and affordable housing contingent on a 100% local match.
- ~~\$10 million to Department of Finance and Administration for the Water Project Fund at the New Mexico Finance Authority for projects in need of funding to complete or fully fund and complete.~~
- \$435,000 to DFA’s Local Government Division for personal services and employee benefits for the Grants Administration Program.
- \$500,000 to Department of Finance and Administration for temporary employees and contractors to assist DFA’s Local Government Division in advancing capital outlay projects and projects funded through the federal American Rescue Plan Act of 2021.
- \$15 million to Tourism Department for tourism marketing advertising.
- \$5 million to Human Services Department to assist food banks in meeting the needs of food-insecure New Mexicans.
- \$15 million to the Employee Group Health Benefits Program of the General Services Department for public employee health care costs and testing related to Coronavirus Disease 2019.
- \$10 million to Department of Transportation to plan, design, construct, renovate and equip electric vehicle charging stations statewide.
- \$10 million to Department of Transportation to plan, design, construct, renovate and equip upgrades to regional airports statewide.
- \$10 to Department of Transportation for the Clean UP New Mexico Roadway Beautification Program.
- \$142.5 million to Department of Transportation for rights of way acquisition, planning, design and construction and to match federal and other state funds for the following statewide infrastructure projects:

- (1) Interstate 40 corridor in McKinley and Cibola Counties
- (2) A new state road in Santa Teresa, Dona Ana County

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- (3) NM Hwy 128 from Carlsbad to Jal, Eddy and Lea Counties
- (4) NM Hwy 180 in Grant County
- (5) Bobby Foster Road to Mesa Del Sol, Bernalillo County
- (6) Interstate 25 from Montgomery Boulevard to Comanche Road, Bernalillo County
- (7) Cerrillos Road, Santa Fe County
- (8) Pinon Hills Boulevard, San Juan County
- (9) NM Hwy 39 in Mosquero in Harding and San Miguel Counties.

Of the \$1,069,175,000 transferred to the Appropriation Contingency Fund, the following amounts are transferred to the following Other State Funds:

- \$3 million to Economic Development Department for the Outdoor Equity Grant Program Fund.
- \$15 million to Higher Education Program Development Enhancement Fund to expand enrollment in and graduation from nursing programs at state institutions of higher education.

Contingent on the transfer of \$133,066,812 in the Capital Projects Fund pursuant to the federal American Rescue Act of 2021, the following amounts are appropriated for FYs 2022 through 2025:

- \$23,066,812 to the Department of Information Technology for broadband infrastructure statewide
- \$100 million to the Department of Information Technology for alternative broadband infrastructure, including satellite broadband, statewide
- \$10 million to Public Education Department to plan, design, construct, renovate and equip libraries and broadband infrastructure for Native American communities statewide.

Of the \$1,069,175,000 transferred to the Appropriation Contingency Fund, \$1 million (nonreverting) is appropriated to Legislative Council Service for use in FY2022 and subsequent fiscal years to initiate planning and design of a legislative processing system.

House Appropriations and Finance changes

House Appropriations and Finance Committee amendment to HB2 eliminates the appropriation for Department of Game and Fish, makes several adjustments to existing appropriations, and reduces others.

1) Strikes the following appropriations:

- \$5 million to Department of Game and Fish, DoGF, to acquire property for the State Game Commission
- \$10 million for the water project fund at New Mexico Finance Authority, NMFA.

2) Adds the following appropriations:

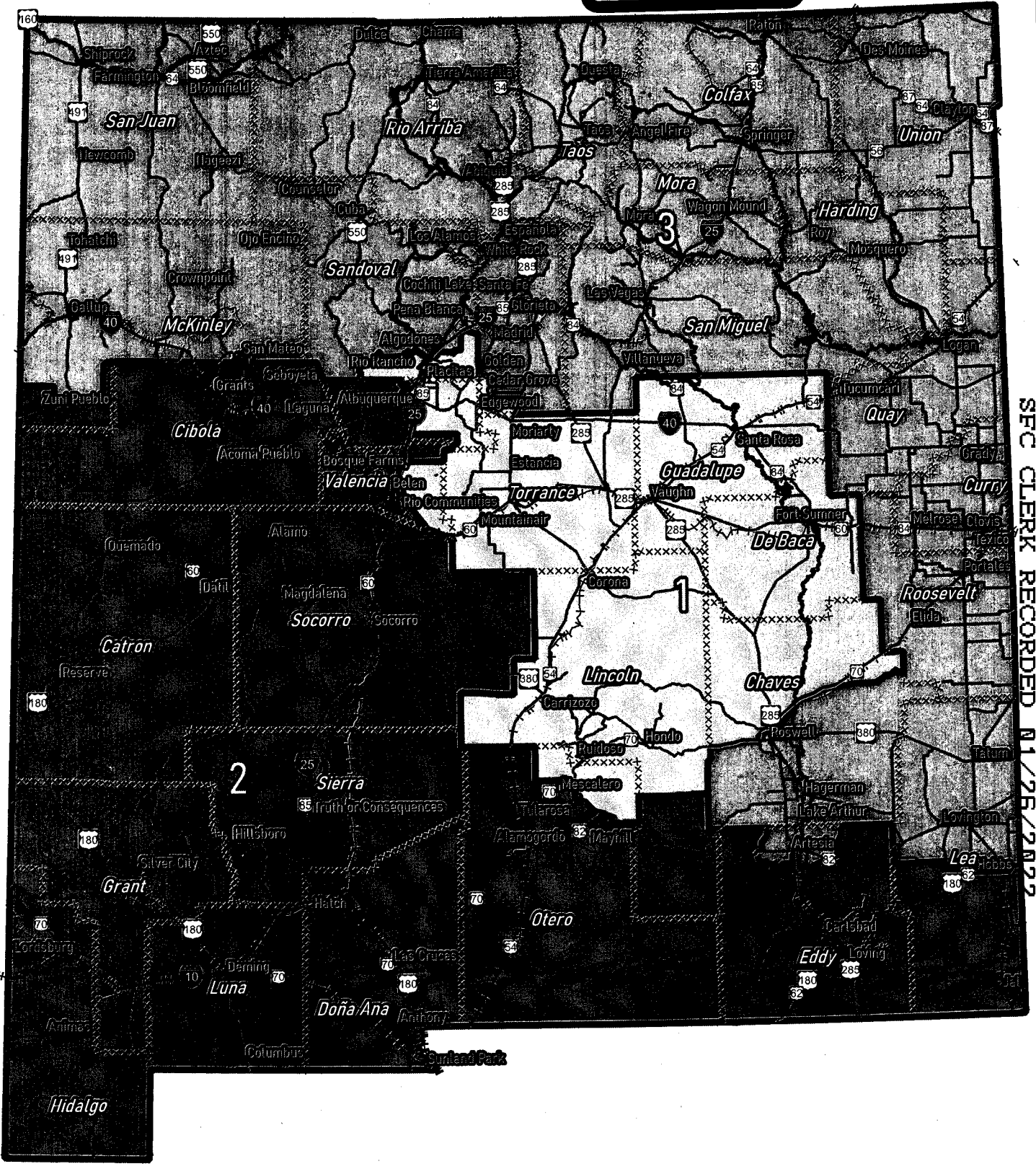
- \$15 million to the New Mexico Finance Authority, NMFA, for energy-efficient affordable housing pursuant to the Housing Trust Fund Act, with the caveat that the funding may not be used to match federal funds but may be used to match private or local funds

- \$50 million to Department of Finance and Administration, DFA, for the construction of an acute care hospital in a county with a population of less than 100,000
 - \$2 million to Higher Education Department, HED, for the Teacher Preparation Affordability Fund.
- 3) Reduces from \$20 million to \$10 million the appropriation to Department of Finance and Administration, DFA, for housing assistance on a 100% local match.
- 4) Changes the recipient for the \$435,000 appropriation for personal services and employee benefits for the Grants Administration Program from DFA's Local Government Division to the Department of Finance and Administration, DFA.
- 5) Removes the grant fund matching requirement for the \$142.5 million appropriation to Department of Transportation, DOT. Match requirements with Other State Funds for the infrastructure projects remains.
- 6) Removes the 50% local match contingency requirement for the \$7 million appropriation to Economic Development Department, EDD, for outdoor recreation grants.
- 7) Broadens the scope of the authorization for the \$123,066,812 appropriation to Department of Information Technology, DoIT, to plan, design, construct, renovate, and equipment broadband, including alternative and satellite broadband, statewide.
- 8) Clarifies that the transfer of \$1,069,175,000 to the GF Appropriation Contingency Fund is to replace lost revenue due to the ongoing Covid-19 public health emergency.

Senate Finance Changes

- Removed \$26 million appropriated for broadband and reduced the overall funding package to about \$478 million.
- Bill amended to move \$2 million previously intended to help pay for teacher certification scholarships to, instead, be used for teacher loan repayments.
- Also amended to provide clean up language around the orphan well program, but did not change the appropriation of \$3.5 million to the Energy, Minerals and Natural Resources Department.

House Bill 2 passed the full Senate today (12/14/21) 36-4. Approximate total allocation is \$478 million.

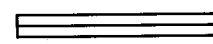


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For the New Mexico Legislative Council Service



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