

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**  
**April 30, 2024**

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

SFC CLERK RECORDED 06/24/2024

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1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:06 p.m. by Chair Hank Hughes in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

**B. Roll Call**

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

**Members Present:**

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

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. O'ga P'ogeh Owingeh Land Acknowledgement**

**F. Moment of Reflection**

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

**G. Approval of Agenda**

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

GREG SHAFFER (County Manager): Mr. Chair and Commissioners, there are no recommended changes to the agenda as presented. I would just note that the initial agenda for today's meeting was posted on Tuesday, April 23<sup>rd</sup> and the final agenda was posted on Saturday, April 27<sup>th</sup>, more than 72 hours in advance of today's meeting as required by the Open Meetings Act.

And the two items that were substantive changes between the two agendas were to add item 4.A under Consideration of Proclamations, Commission Resolutions and/or

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Recognitions, and Presentation item 8. D. Again, but there are no recommended changes to the agenda as presented to you today. Thank you, Mr. Chair.

CHAIR HUGHES: Okay, what's the pleasure of the Board?

COMMISSIONER BUSTAMANTE: Motion to accept the agenda as written.

COMMISSIONER HANSEN: Second.

CHAIR HUGHES: Okay, motion by Commissioner Bustamante, seconded by Commissioner Hansen.

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

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

MANAGER SHAFFER: Thank you, Mr. Chair. I do want to take a minute to acknowledge all of the employees of Santa Fe County on the various ends of the spectrum. I'm going to start years of services. We have several employees who are recognizing significant milestones with the County at five, ten, and fifteen years of service. They are as follows: The following employees are recognizing their fifth year anniversary with the County in the month of April. They are Ramon Archuleta in the Treasurer's Office, Randy Downey in the Adult Detention Facility, and Daniel Martinez with the Sheriff's Office.

In the County Manager's Office, Ronald Good in IT is recognizing his ten-year anniversary with the County. And then we have several employees recognizing their 15-year anniversary with the County and they are Gabriel Gallegos at the Adult Detention Facility, Salvatore Caputo in the Fire Administration, Kyle Gregory, Jared Kotter and Grant Lundquist, all with the Fire Department as well, members of our regional staff.

I want to also acknowledge that we have two employees who are retiring at the end of April. We want to wish them all the best in their retirement. They are Howell Caroland with the Sheriff's Department, and Johnny Baca with our Public Works Department.

Finally, I do want to recognize both new hires at the County as well as volunteer firefighters who have recently come on to the County, again, underscoring the combination nature of our department and the efforts that are being invested both by Fire Administration and our district chiefs in building out our much appreciated and needed volunteer firefighter ranks. I'll start with those volunteer firefighters. They are Paul Davis, Jose Hernandez, Andrew Jefferson, and Daniel Mallory.

In terms of employees with the County, I'd like to acknowledge Roxanne Maestas in the County Clerk's Department and in the Community Services Department, Anne Ryan. In the Sheriff's Department, Chika Uloma, in the Utilities Department, Lucas Ebnother, and in the Land Use Department, Benjamin Bachwitz-Lopez. In Public Works, Miguel Valencia-Duarte. Also Joseph Vigil. Also in the Public Works Department, Anthony Serna-Sanchez, and finally in the Utilities Department, Juan Montoya III.

So again, I want to recognize and welcome both those new County employees as well as volunteers. I appreciate them, everyone joining our team. Thank you, Mr. Chair.

CHAIR HUGHES: Thank you, and congratulations to all the people who met their five, ten and fifteen years, and our new employees. That's great. Again, it's nice to see that new employees are exceeding the number of retirements, although congratulations on the people retiring for their help. Any other comments from the staff?

**1. I. Employee of the Quarter, 1<sup>st</sup> Quarter 2024**

MANAGER SHAFFER: Thank you, Mr. Chair and Commissioners. We're going to try and do something a little bit different today relative to the Employee of the Quarter award. I'm going to go ahead and indicate who the nominees are from the various groups and we're going to then invite either the department director or more immediate supervisor of the individual employee to come up and sing the employee's praises and present to the Board what exactly caused them to be nominated for this award.

So this is a significant component of our employee recognition program. The nominees for Employee of the Quarter from the various groups were from the Community Services group, Dominic Sisneros in our Growth Management Department. From the Public Safety group, Ignacio Dominguez, currently of the Fire Department. In our Public Works group, Michael Sandoval and Millicent Fallis. And then finally, also in our Community Services group, Devin Baldwin. So we're going to go ahead and invite individuals, and Valerie, I'm not sure if you're directing traffic, but the department directors or supervisors to come up and say a few words relative to their stellar employees. Thank you.

JORDAN YUTZY (Building & Development Services Manager): I'd like to nominate Dominic Sisneros as Employee of the Quarter. Over the last quarter Dominic has gone above and beyond to ensure the department is meeting the needs of the customers. Dominic has stepped up and assisted with permit intakes including taking permits in while staff members were on extended absence while completing his current caseload.

Dominic has accelerated the advancement of current software by finding time weekly to dedicate to the projects in the push to get it online. He has identified areas to be improved so the final permit system is more user-friendly. As a team leader, Dominic sets the bar for the employees with his customer service skills, consistently fast follow-up, attention to details, and willingness to assist anyone in need. When Dominic is involved with an application or permit he is on top of all issues and will own the case and make sure that it moves forward appropriately and the applicant remains informed. Thank you.

CHAIR HUGHES: Thank you.

JACOB BLACK (Fire Chief): Mr. Chair, Commissioners, thank you for this afternoon where we have the opportunity to recognize the nomination of Ignacio Dominguez. Ignacio Dominguez has been a long-time County employee serving in RECC as well as Human Resources and now in his time with the Fire Department and specifically Emergency Management. Over the last few months he has been absolutely critical to the role within the Fire Department and really County operations. He's stepped up to facilitate to building key relationships with external partners as well as internal County departments. He's taken the lead on several pivotal programs and initiatives such



the update of our hazard mitigation plan, which as we wrap that up here in the next couple months, that will really lay the foundation for a much healthier and prepared County for the years to come.

Additionally, he did a tremendous amount of work facilitating the pilgrimage and coordinating over 20 agencies and been a liaison and spearheading that project. Ignacio's work is a true testament to his dedication to the Fire Department and to the County as a whole. His nomination came from our of our staff members but really was a collective effort from our district members, our volunteers and our staff as well, so thank you for hearing the work and the efforts of Ignacio Dominguez. Thank you.

CHAIR HUGHES: Thank you.

CELESTE SANCHEZ (Building Services): Good afternoon, Mr. Chair, Commissioners. I have the pleasure of supervising Michael Sandoval. Michael Sandoval is a natural leader and is a great asset to have at our downtown facilities. Michael goes above and beyond his work duties on a daily basis, not only at his building but at the Admin Building at 100 Catron and 102 Grant. Michael has been a great leader and takes pride in his work. Michael is stationed at 102 Grant but is always going to 100 Catron to check on staff and ensure that if they need any help he is always there to help them. He is always willing to cover when we are short-staffed at either building. Michael has been with us for 12 years and Michael has been a great asset not only to Building Services but I believe that Michael has been a great asset to all of here at Santa Fe County. Thank you.

CHAIR HUGHES: Thank you.

JENNIFER ROMERO (Health Services Director): Good afternoon, Mr. Chair and Commissioners. It's a personal pleasure to be here to speak to the nomination of Devin Baldwin for Employee of the Quarter. Devin joined our team in February of 2020 providing crucial assistance during a globally challenging period when access to basic needs was more vital than ever. Devin swiftly mastered the system of resources and has become a valuable member of our incredibly remarkable team. Over the years, Devin has successfully taken the lead of organizing site visits to our CONNECT participating organization and ensuring our involvement in community events.

His initiative has nurtured professional relationships and networking. His exceptional navigation and community outreach skills have greatly contributed to the success of our CONNECT team. Beyond his remarkable work as a navigator, Devin has further enhanced his skills by obtaining is community health worker certification. He independently researched the program and soon decided it would be beneficial for his professional development and contribute to his work as a navigator. He enrolled in the certificate program which was comprised of two eight-week courses, the community health worker certification training, and community health worker training II.

For 16 weeks and out of his personal time he took classes every Tuesday evening for 1 ½ hours. In March 2024, Devin received his certification from the New Mexico Department of Health Office of Community Health Workers, and for these reasons, Devin was nominated for Employee of the Quarter. Thank you.

CHAIR HUGHES: Thank you.

CHRIS CHAPEL (Public Works): Chairman Hughes, members of the Commission, good afternoon. I'm presenting on behalf of Millicent Fallis. I work directly with her on a daily basis. She was recently nominated and won Employee of the Month

with Public Works and here's a few words of what her coworkers have said. Millicent has taken on the responsibility of working on some of the capital assets purchase order requests and getting invoice packets ready for submittal while the main staff in charge has been out of office. She is the newest member of the ASD team and with this line of work and has already started working on bigger, more complex projects.

Millicent has picked up additional duties beyond her required tasks. She has also always asked everyone in the office if they need any help from her. She is always a delight to work with and carries a refreshing attitude. Another individual wrote, she has been a great help in ensuring that this work is getting completed and not falling behind while the other staff members have been out. She has been doing an excellent job on learning how to do things correctly and asking questions as capital asset requisitions and invoice packets have a little different process.

Personally, I can attest to Millicent's astonishing professional manners. Her coworkers find her a delight to be around while senior staff admire her leadership skills. She has an exceptional attendance record and continually sets precedents on achieving excellence. As an individual she sets and achieves goals regularly with her personal standards set high. As a team member, she supports all fellow associates with an attitude we can all strive to emulate. In the short period of time I have known Millicent, I've discovered what it means to be an A+ Santa Fe County employee. Thank you.

CHAIR HUGHES: Thank you.

MANAGER SHAFFER: Thank you, Mr. Chair. I would just take a moment to reflect on these nominees and how it underscores the diversity of County operations. It underscores how important every single team member is to the success of the County in their individual business units, and how we inspire each other through our actions and through our work and the attitude that we bring to the work of our constituents every day.

With all that said, it's my great privilege to announce that the Employee of the Quarter award goes to Michael Sandoval. I'd like to ask that all of our nominees come forward to have their picture taken with the Board of County Commissioners. Thank you.

[Photographs were taken.]

**2. Board of Finance Meeting**

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

The Board of County Commissioners temporarily recessed and convened as the Board of Finance at 2:26 with all members present. Commissioner Hansen moved to convene as the Board of Finance and Commissioner Greene seconded.

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

**C. Approval of Agenda**

Commissioner Greene moved to approve the agenda as presented and

Commissioner Hansen seconded.

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

**D. County Treasurer's 2024 First Half Report**

JENNIFER MANZANARES (County Treasurer): Good afternoon, Chairman Hughes, members of the Commission. We begin with our presentation, our 2024 first half report. I'd like to begin with the Santa Fe County Treasurer updates. The pause in the fed funds rates and possible rate cuts, the inverted yield curve, six-month to the five-year spread, something the Deputy Treasurer will be addressing in just a moment, our 23 property tax update and our property tax outreach program that has already been established and is going in our many locations.

Our fiscal agent balance as of March 31, 2024, we have 36 accounts, \$40,707,195.01 at 35 basis points. We're currently in our second half property tax rush which has been steady. I wouldn't say it's been as busy as the first half but definitely there's a steady flow of individuals paying their property taxes.

Here we have our portfolio balances that I will share the total amount of \$56,367,298.20, and moving into our other holdings, our LANB Studios CD is at \$4,267,167. Our local CDs are at \$1,245,000. Our BNY-Mellon, \$6,510,611.60, for a grand total of \$12,022,778.16, and our yearly draw-down has already been completed for this year.

Grant total of all of our holdings, this is including all of our bank accounts, our total is \$509,097,271.37. Our earnings, from our LANB Studios CD, we are at 250 basis points. Our FICAs, 40 basis points. Our UBS account, 455 basis points, Wells?? 522. Investments, between 50 to 600 basis points.

Our yield income: \$13.2 million.

And now we will shift to our economic update and our investment outlook.

Deputy.

PATRICK VARELA (Deputy County Treasurer): Good afternoon, Chair, Commissioners. Here are three different yield curves. The green is the current yield curve as of April 9<sup>th</sup>, before I prepared this package, and you can see that the yield curve inverts at the six-month to the five-year. There's still relatively high – you're still getting between 5.41 at the four-month which right now is a sweet spot, and I'll go over that in a little bit, to 4.52, 4.37 in the operational portfolio that we can invest out to two to five years. And you're looking at 4.36 in the ten-year that we can invest in.

Compared to last year we're gaining quite a bit more in our portfolio. I did put the 2014 ten years ago because we're one of the only counties in the State of New Mexico that has a core portfolio which we can out to ten years, meaning that ten years ago we could have gotten a ten-year for 2.71, and for at least eight years we could have gotten that high income with the last two years being quite a bit different, going to the three and four percent that we can get now. So that's the benefit of having a core portfolio and we're one of the few. I think Doña Ana is the only other one that has a core portfolio, so you can see we're getting a little more gains in that area.

This is the famous dot plot chart that's been announced, those of you that are

watching, there's a fed fund meeting going on today and tomorrow. This was the predictions of the fed governors in December. You can see at the end of the year they were at 5.35. They were looking at a trend line of this year 24, because they were announcing since I think October, November of last year, that there was going to be six or eight cuts. Those of you that attend the Investment Committee meeting, I've state several times that I don't see that happening at all in 2024 and I still don't.

Looking at the fed fund dot plot in 3/20, this was just before a lot of data came out. The majority of the governors are saying that we'll end the year at about 4.60. They backpedaled after a lot of the data came in. Today, after this meeting for instance, it had to do with the CPI and here's a line showing the CPI, excluding food and energy and then the red line is the CPI excluding housing and energy. But they never put food in the mix, and that's something – or household operations, but they're starting in include that data in there now.

This is the day after the last meeting, the whole market went red. Today the S&P went down, I think four percent, so it's showing a representation of what's going on because they just got data that the GDP went down, meaning that the growth is slowing down, which could equate to a recession.

This is the IFMO monitor off of Bloomberg. This was April 17<sup>th</sup>. They're saying that the headline inflation is at 3.5. The target is at 2.0. If you look to the right, to the money supply, we still have a large supply of money in the system with only 1.7 circulating in the system, meaning that there's money out there but it's not going out anywhere besides into necessities.

The inflation – this is a model that was captured in March. You looked at the categories of apparel increase, household operations increased, care of individuals, the elderly at home – it raised 5.9 percent and that's the most ever. Motor vehicle insurance, motor vehicle repair, video discs and other media that you buy over the airwaves, MP3s, those have been – they went up 14 percent and that's the most ever. And funeral expenses have went up. All these have been between 2020 and last year so they've all gone up and this is what's capturing a lot of that inflation.

This is the IRP chart. This is a probability chart of fed fund cutbacks. Every month since they announced the six months, every month that it gets closer to the fed meeting date it changes. This was in April 10<sup>th</sup> when I captured this one. You can see the next probable rate cut will be in November, and that's starting to dwindle away as more figures are coming in that the feds are going. So the dovish aspect that the feds had is starting to look like they're going to need a hawkish – meaning that there could be a rate hike coming up in the future to bend that inflation.

I look at several different indexes. The Treasurer kind of laughs at me somewhat at what I look at, but some of them show when inflation hasn't come down yet. One of them is the egg market. And you can see from this slide, you can see the points of recession. You can see that the dot com, back in the early 2000s. You can see the housing and you can see the 2020 and you can see where we're at now in the egg prices haven't come down. You can see stability, between 2016 and 2021 where it still remained about \$2.50 for a dozen, but since then it hasn't really come down to a stability level yet.

Looking to the CPI, you can see where they're almost mirroring each other. Again, this is one of the indices I look at. I look at that, I look at cardboard. She laughs at

me because I look at socks and women's makeup because as the prices go up women tend to use less make up and men seems to use more socks. They don't reuse them. I know it sounds funny, but there's also the pallet industry. When there's a slowdown in the making of pallets you know the GDP isn't going out. It means there's not enough demands for pallets anymore.

So there are different indices that I watch and this one that just pops out was the egg indice.

When we stood here in November, this was the inflation rate in America. There was a lot of positivity, especially on TV saying it's coming down. The ones that were down were in the northeast and the rust belt area. They were down but you look now, those areas – it's still the northeast but you're looking at the east coast and west coast, the high stability, and we're one-tenth of a point off from being in the Texas area by the 3.5. So you can see that we're still in a high inflationary area.

Does that mean that we'll be in a recession? Probably. We've been holding on so long with these high interest rates that there's nothing now – especially with the price of labor that's really skyrocketed, meaning that we're paying more for labor so they can match prices of everyday goods. So that's called the wage-price spiral, so we're kind of caught in that. That's one of the factors that they're weighing in right now. This is the old Lehman Brothers' ticker for fixed income. This is pretty much what our snapshot looks like for what we can invest in. So we're still in a high bond market. Our yield to worse in a bond would be 4.98 or almost five percent.

This is the 30-year mortgage index and it's weighing in. It's been hovering over seven percent for the last few weeks. If the feds raise the rates these are going to track it. This also hurts homeowners that want to buy a home or refinancing. So like I said, high rates are good for governments investing but it's a double-edged sword because if you're doing a bond sale, the bond sales are more high. The fed tool that the feds use is called Tiger's rule. That's a measurement of employment, inflation and GDP. If in a perfect environment, this prediction is saying that the interest rates should be at 6.38 to tame the inflation right now.

Two years ago I looked at this and it was saying that it should be at eight percent. So we're still looking at about an 88 spread between what the tiger's rule is looking at and what the fed rate is doing now. Like I said, there's a meeting going on. I don't think that they're going to cut interest rates right now. I still don't think they're going to higher them yet, but I think if inflation cannot bend, there was no other choice for them to raise it one point. That would be during the next fed meeting which would be in June.

This is one point that could cause a softer landing if needed. Some of you may remember back in 2021 when the Manager had asked this question a while back about recession and if there's going to be a soft landing. When we came out of the COVID there was a lot of jobs open but there was no participation. That little square box there was an area of concern but now you can see that it's coming closer together. Why's that? It's migration. A lot of immigrants are working and they're filling that gap. So there's still a gap and as you can see there's still the labor supply isn't where it should be but it's coming down. That could equate to a softer landing but again, we still have the labor. The cost of labor is still pretty high.

So this is the dot plot we were looking at. This is also – the green dots – because I

don't think where it's coming down. We're investing in these – where we can invest in the red for the window of opportunity to the blue which would be to capture and anchor the higher interest rates before the start to come down. That's the benefit of having the ten-year so you can put some of those higher interest rates to anchor in those higher rates for a more longer time.

Again, we've been following – we look closely. We talk about this pretty much all the time. We're looking at what the future looks like. I wish we had a crystal ball to know because right now they are offering six percent investments right now, fixed income, but they're six percent – what they call a three-nine, which is a three year nine months. So meaning that if the interest rates go down that will be called in nine months. So we'll have a nine-month opportunity of getting six percent. So we look at those and we see the benefits and see what we're going to be at in six months when they would get called, or nine months when they would get called.

So the strategy.

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

MS. MANZANARES: So our six-month investment strategy: to invest and reinvest in short treasuries, one month, 1 ½ year window; to invest in coupons with sensible cash flow when available; to invest in supras, CDs, and GSEs with sensible spreads over the treasury as fixed incomes are trading; and anchor higher interest rates by purchasing bullets to maintain a higher interest rate in the lower interest environment. This being our six-month investment strategy, is there any questions>

CHAIR HUGHES: Any questions? Don't see any questions.

TREASURER MANZANARES: This is an action item. We need a motion.

CHAIR HUGHES: Would someone care to make a motion?

COMMISSIONER BUSTAMANTE: I'd like to make the motion to accept the six-month investment strategy as presented by someone who will actually count pallets to make sure that we are making a good decision.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Motion by Commissioner Bustamante, seconded by Commissioner Hamilton.

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

CHAIR HUGHES: Madam Treasurer, you have your investment strategy.

TREASURER MANZANARES: Thank you.

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

The motion was made by Commissioner Hansen and the second by Commissioner Greene. Upon unanimous voice vote the Board of Finance adjourned and the Board of County Commissioners reconvened at 2:44.

**3. Approval of Meeting Minutes: March 26, 2024**

CHAIR HUGHES: Any comments, questions about the minutes?

COMMISSIONER HANSEN: Move to approve the meeting minutes of March 26, 2024.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay. There was a motion by Commissioner Hansen, seconded by Commissioner Hamilton.

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

**4. Consideration Proclamations, Resolutions, and/or Recognitions**

**A. Resolution No. 2024-053 Resolution to call for a Permanent Ceasefire, Release of all Hostages, Delivery of Humanitarian Aid, and Affirmation of Opposition to Antisemitism and Islamophobia in the Gaza Strip**

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. So this is a resolution to call for a permanent cease fire, release of all hostages, delivery of humanitarian aid and affirmation of opposition to antisemitic and Islamophobic in the Gaza Strip. I brought this forward because of constituent requests. This was something that the constituents have reached out to me and asked for. I wanted to make sure that the Board of County Commissioners had a chance to read this but I think it is pretty straightforward that we are concerned with what is happening in Israel and it is an actuality affecting the entire world because of the suffering that is going on in Israel and the Gaza Strip.

One person said, why are you commenting on this and this Board has a long history of sharing statements on issues happening throughout the world that impact our constituents here at home and in this moment and we are advocating to our state and federal leaders to use their power to call for peace. And that is really what this resolution is about. It is about the call for peace.

I am completely saddened by what is happening there. It is a biblical situation that we are in and so much suffering is happening in the Middle East at this time that it is so important that we as the Board of County Commissioners take a minor stand. We do not have the ability to influence world decisions here but I do feel that because of constituents' requests we have the right and we should say that we are concerned for the humanity of our world and our communities. So with that, I ask Commissioner Bustamante to say a few words also.

COMMISSIONER BUSTAMANTE: Thank you, Commissioner Hansen. I have to say that when I was initially asked to co-sponsor this by Commissioner Hansen it took me back. We're a county. What are we doing? And it became very evident that we're in absolutely great company with over 100 municipalities and other governments who have done something similar if not identical to this process.

It is true that we actually do have some voice when we all work together. I think

that if I were to bring up – or if any of us were to bring up specific situations of when we saw this or if that was what would happen it would somehow insinuate that any portion of this war is okay for either side. The atrocity of what happened in October was abominable. It all continues to be.

I would like to take this moment to thank Commissioner Hansen for asking me to co-sponsor this because it gave me an opportunity to really reflect on this problem that we've had and look at the work of Rabbi Lynn Gottlieb who said let us build societies that are able to co-exist in a dignified way, in a way that protects life. Let us come together and remain hopeful as we defend and care for the earth and all of its spirits and living beings.

Another quote by Rabbi Lynn Gottlieb, militarism will never transform conflict, protect children from harm or create lasting peace. Those words are deep and they start here. They start wherever they are heard. Militarism had not ever, has not ever – and I know that's evers and nevers and alwayses should never be used – I just used the word never again. The bottom line is it has never proven that going in with violence and militarism creates more peace. To the contrary, it's when peace starts is when the peace actually happens. It's after the militarism, and this isn't necessary.

So I'm grateful for the opportunity to co-sponsor this with you and to bring it forward so that the Commission can see this, so that our communities can see this, because I'm grateful to hear from community as we have since it was put on the agenda about feelings and thoughts about what is happening. It does affect us in our neighborhoods in Santa Fe, New Mexico. People here have family members there. So thank you, Commissioner. The call for peace is important. It's warranted. Citizenry doesn't thrive when the extremes are taking the lead. Thank you.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. I appreciate from one side us calling for peace, but I don't know that a resolution has any effect as you mentioned. I don't know if this resolution is accurate in the sense that we've never, as far as I can tell, put a request like this. I asked for some research regarding this and if a resolution similar to this was done in the past. This resolution says that we did do something in the past but I see no proof and I would have liked to have seen a reference to that in something that we had done in the past, as our Board had done in the past, and then in fact maybe seeing some results of this.

We can talk, talk, talk, up here. Our constituents and the taxpayers ask us to come up here and get things done and talking is great and it's nice to get on your bully pulpit, but honestly, I'm here to get some action done. I really don't think a resolution is the right method of this. A resolution is an internal document. We can deliver this letter to our delegation and so on, but we could have delivered a letter to them and not a resolution. So I think this is wrong vehicle.

In terms of hearing from constituents, I heard from constituents, not only my constituents but some of your own constituents from other districts that said, boy, this is completely in appropriate and I don't know if they reached out to you but they reached out to me and so it doesn't mean that I am for the militarism there. In fact I am not. I am completely aghast by what happened on October 7<sup>th</sup> and I think the Israeli government is overplaying its hand, but again, it is not the appropriate method for us to bring peace to



this. If we want to go over there and do it, I ask you to do it, not to just talk about it.

And so I really think that this is inappropriate considering our position here on the Board. I wish we had better methods to do this but maybe that should have been discussed previously. Thank you for the discussion, but I really do think that this is an inappropriate method.

CHAIR HUGHES: Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. Something like this is always tough because this particular resolution was well written and I am wholly in support of pushing for peace in the Middle East. Totally in support of it. And what's happening to women and children in Gaza is horrible. What happened at the beginning of October was horrible. But it's not a straightforward situation. And the truth is we haven't, interesting had some similar concerns in that we don't need a point of doing this. I want to point out that nobody was motivated to bring a resolution for peace and not bombing women and children and committing genocide in Ukraine, which is at least as much similar suffering.

Part of the reason there is so much push for this is because of sudden swell of activism, which is in part really well motivated and in part really poorly motivated. The activism is a combination of river to the sea as well as you shouldn't be bombing Palestinians because of what Hamas did. So it's a mix. And no matter how well written this is one of my concern is that it will be taken as support of that kind of activism which includes death to Americans as well as death to Israelis, because the extremists – not the people who are well motivated, and it has nothing to do with being for the military at all, for military responses for something that should be negotiated and should be done in a way that preserves life.

But the fact is there are those overtones as well. So I just have similar concerns. I too have nobody reach out to me to ask for this but many people reach out and show appreciation for the fact that we are not trying to address a really complex, multi-faceted issue in a simplistic way. That was the way it was expressed because it can be so easily misunderstood. And so I am conflicted about what to do. Because I fully agree with the intent and respect the intent and not only the intent of Commissioner Hansen and Commissioner Bustamante in bringing this forward but the words they said up here. But that's not my concern is the way it then gets perceived as supporting the kind of activism and violence that is going on that is misdirected, not just antisemitic, not just antisemitic but – well, I'll leave it at that. It gets very deep.

CHAIR HUGHES: I have similar concerns. I certainly agree with the intent of the resolution but I have many people like Commissioner Greene who have expressed concerns about the resolution. I think people who are Jewish feel threatened by this, even though it is not worded that way. It may be seen as Commissioner Hamilton as supporting one side or the other when it's really just supporting peace which of course I support peace for sure.

So I mean I guess what I would do is vote for it but with concerns that I don't want anyone to feel that this is anything except for asking the people in the Middle East to get along and live together in peace.

COMMISSIONER HANSEN: And I think that what the resolution says. I don't believe it takes sides on any side. As somebody who was on the frontlines of the

anti-war movement in the sixties, in the seventies, on Vietnam, I am well aware of the diversity that can be created. I have been in the streets like many of the young protesters today and I understand how passionate they can feel about the situation. And what I learned from that and what has driven me to be an elected official is to make sure that people are allowed to have their expressions heard on a governmental level, because that is where things get changed.

And I respect all my fellow Commissioners up here but I think that it is important to take a stand and say we believe in peace. We believe in negotiations. We believe in dialogue. Those are the things that are important. Those are the ways that we are going to solve the world's problems. Those are the ways we are going to solve our own problems right here in Santa Fe, right here in New Mexico. And so with that I would like to make a motion to approve this resolution.

COMMISSIONER BUSTAMANTE: I'll second.

CHAIR HUGHES: Okay. Any further questions? Commissioner Greene.

COMMISSIONER GREENE: I reiterate my concern that this is an inappropriate method for this. We may be all peace-loving people up here on this Board. I would argue that all five of us are peace-loving, but I think that this highlights more of the concern of what Israel is doing and is going to be perceived as a wrong solution for both in the vehicle and part of it is written somewhat forcefully pointing fingers at Israel.

COMMISSIONER HANSEN: I disagree with that.

COMMISSIONER GREENE: That's fine. Thank you for interrupting. But the profound concern about the support of certain governments for Israel's strategy of warfare I do have some concerns about that. I do not think the Netanyahu administration is doing the right thing by this but I do not think that it is our place as a County Commission to be doing that. If you as a Commissioner feel like writing a letter to President Biden or the State Department, feel free. Just please do not put my name on it. I can voice my own way but a resolution – a resolution asking the Treasurer not to invest or to divest County assets might be something that is internally focused and appropriate to what we are asked to do up here. But to ask us to deliver this out there is going to be perceived as sticking our head into something that we shouldn't be in and that is – I guess it is your right to put this forward and I'm very disappointed that you're posturing this way. But this is you. Congratulations and best of luck. I'm just somewhat offended by the putting this out there for all of us to have to vote on.

COMMISSIONER BUSTAMANTE: Mr. Chair, Commissioners, it's unfortunate, because this is yet more of the demonstration of divisiveness that has come with this situation. And I don't believe in my heart of heart, and the fear, the creation of trauma and the disgust that comes from being on either side is exactly where I think two nights ago my heart was going. And that not being the intent at all, I am grateful to have the opportunity to join right now over 100 localities. Approximately 70 municipalities and county governments, in joining with them in a voice that says there's a bigger way to get along.

So it's not in any interest, it wouldn't serve anyone to hold either extreme perspective, because the extremists are running the show. So to take offense buys into one of them, somehow, wherever you take the offense from. The goal is to stop the anguish. Stop the disturbance and the trauma that we have felt since – and I've not been

alive that long, but since the 40s that was horrific, that had to do something to answer these questions. And since then, not ever having been able to come up with an answer.

We can't be disgusted by calls for peace. We need to step and find out how to find that peace, I beg. I'm sorry. That's only the truth. But that's not the intent.

So I think our opportunity – I'm sorry that you wouldn't be a part of it and that's your right, but to stand with the other municipalities and localities who have passed this, including Chicago – many of them. I'm sorry. I can't start it; I just remember Chicago. But to be able to stand with that group that says we are on board with peace. We have to find ways to get there. I'm amenable. No one's trying to offend anyone. To the contrary. That's the extremes winning out again. And amen. That's where it comes.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Mr. Chair, thank you, Commissioner Bustamante. Did you read the other 70 resolutions? Were they resolutions? Were they proclamations? Were they just letter of support for a cease fire, or were they actually resolutions with the same language of this? Or are they – there are some 3,000 counties and jurisdictions in the United States – I think more, but I once heard that number. Seventy is a very small fraction and I guess you could be asking for momentum to build towards this but I have heard some that are way out of line and some that are probably softer on this issue. So I understand the call for peace and I appreciate the call for peace. I just think that this is the wrong mechanism. That's really my issue here.

COMMISSIONER HANSEN: So, Mr. Chair, 70 cities have passed resolutions by the end of January 2024. As of March 2024, resolutions have passed in over 100 localities including major cities of Atlanta, Chicago, Dayton, Detroit, Minneapolis, Providence, Sacramento, Seattle, St. Paul, St. Louis, San Francisco and Toledo. So resolutions seem to be the process and the avenue. Our City of Santa Fe has also introduced a resolution that I think is even a little more strongly worded than this resolution. Not that I'm copying their resolution in any way. I used a resolution that was sent to me by constituents and we modified it to be more equal across the board and it says that we are the – the most important thing is a call for peace. And with that I would like to call for the vote.

CHAIR HUGHES: Okay. Commissioner Hamilton, did you –

COMMISSIONER HAMILTON: Yes, I did. It's very difficult not to disagree with the fact that this is not a common thing for us to do. But that's not even the most important thing. Our intent – your intent in the way you have this written in one thing. What it's supporting, what it will go out and support is an entirely different thing, potentially. And most of the movement – you likened the demonstrations that are happening to the anti-Vietnam War demonstrations and they are not necessarily similar. And it's naïve to think that they are. Things are very different today. Nobody demonstrated back in the seventies calling for death to Americans because we were in Vietnam. Nobody was calling for an end to civil rights for certain kinds of Americans because we were in Vietnam.

Now, there are a lot of things going on in this particular movement that are unacceptable, and I have a problem knowing that we might be asking for the right thing but it's supporting some misguided activism. And there are other ways to do it. Once again, it's really wonderful. You have to ask why are constituents more concerned about

this genocide than all the – it’s not genocide yet, thank god, but hopefully everything has to settle. Why are we more concerned about this than the Ukrainians, the Rohingas? Should I go on?

We don’t make a point of doing this for exactly the reason that it would be almost an endless task. And so activism in this regard is really wonderful but I plan on abstaining because I have a problem with how this is going to be perceived and what it says to some of our constituents.

COMMISSIONER BUSTAMANTE: Mr. Chair, I’m sorry. In the interest of correcting the note of history, exactly 44 years ago to the day, the building that was – Columbia, the building that was taken over was just taken over, exactly 44 years ago to the day.

COMMISSIONER HAMILTON: What are you correcting in my statement?

COMMISSIONER BUSTAMANTE: During the Vietnam war –

COMMISSIONER HAMILTON: Taking over buildings has nothing to do with what’s different between the protests then and the protests now. Mechanisms –

COMMISSIONER BUSTAMANTE: I will say there have been conversations now in the *Atlantic* and nationwide about the comparisons to both the Vietnam and what’s happening now. And sadly, sadly, there were calls for death to Americans while we were in Vietnam. So I wouldn’t think it would be completely clear to say that they’re very different. It’s unfortunate. It’s common that the college students are the most radical in their gathering of their voice. That’s just an observation in stating that it was brought to my attention they’re taking over the highest academic building at Columbia was 44 years ago to the day.

COMMISSIONER HAMILTON: I’m sure it’s relevant. Appreciate the point.

COMMISSIONER HANSEN: I called for the vote.

CHAIR HUGHES: So Commissioner Hansen made the motion, seconded by Commissioner Bustamante.

**The motion passed by [3-0] voice vote with Commissioner Greene and Commissioner Hamilton abstaining.**

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

5. **Consent Agenda**

- A. **Resolution No. 2024-054, a Resolution Imposing an Annual Liquor License Tax Upon Persons Holding State Liquor Licenses (County Treasurer’s Office/Patrick “Pat” Varela)**
- B. **Request (1) Approval to Utilize Cooperative Educational Services (CES) Contract 2023-01-C2112-ALL for Design Services with Miller Engineers, Inc., d/b/a Souder, Miller & Assoc., Inc., in the Amount of \$431,951.15, Exclusive of NM GRT, Related to the Installation of a New 10-inch SR-14 Sewer Interceptor from Richards Avenue to the**

- Calibri Subdivision and Oshara Interconnect and (2) Delegation of Signature Authority to the County Manager to Sign the Agreement and Purchase Order(s) (Utilities Division/Paul Choman and Purchasing Division/Bill Taylor)**
- C. Request (1) Approval to Utilize an Outside Contract for Job Order Contract Project Delivery Method with Sweep Construction for Installation of Tactical Lockers at the Santa Fe County Adult Detention Facility for a Total Contract Sum of \$392,479.97, Exclusive of NMGRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Contract and Purchase Order(s) (Adult Detention Facility/Warden Derek Williams and Purchasing Division/Bill Taylor)**
- D. Request (1) Approval to Utilize Statewide Price Agreement 40-00000-23-00034 with Davenport Construction Management, LLC, in the Amount of \$326,540.52, Exclusive of NM GRT, to Complete the Installation of a Draft Tank for the Madrid Fire Department for the Purposes of Training and to Provide Water for the Fire Suppression System and (2) Delegation of Signature Authority to the County Manager to Sign the Contract and Purchase Order(s) (Public Works Department/Curt Temple and Purchasing Division/Bill Taylor)**
- E. Resolution No. 2024-055, a Resolution Requesting a Budget Increase to the General Fund (101) in the Amount of \$12,000 (Finance Division/Yvonne S. Herrera and Community Services Department/Matilda Byers)**
- F. Resolution No. 2024-056, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$53,802 (Finance Division/Yvonne S. Herrera and Public Safety Department/Jacob Black)**
- G. Resolution No. 2024-057, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$31,300 (Finance Division/Yvonne S. Herrera and Public Safety Department/Jacob Black)**
- H. Resolution No. 2024-058, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$15,852 (Finance Division/Yvonne S. Herrera and Public Safety Department/Jacob Black)**
- I. Resolution No. 2024-059, a Resolution Requesting a Budget Increase to the State Special Appropriations Fund (318) in the Amount of \$1,500,000 (Finance Division / Yvonne S. Herrera and Community Development Department/J. Jordan Barela)**

CHAIR HUGHES: Any items that people would like to remove from the Consent Agenda?

COMMISSIONER GREENE: Move to approve the Consent Agenda as put up there on the agenda.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HUGHES: Motion by Commissioner Greene, seconded by Commissioner Bustamante.

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

**6. Appointments/Reappointments**

None were presented.

**7. Miscellaneous Action Items**

- A. Final Order for Case# 21-5070, Sierra Vista Subdivision. Ron Sebesta Realty Profit Sharing Plan, Applicant, New Mexico Land Solutions LLC, Agent, Requested Approval of (i) an Affordable Housing Agreement and (ii) Preliminary and Final Subdivision Plat for a 23-Single-Family Lot Subdivision. The 80.71-Acre Property is Comprised of 4 Separate Parcels and is in the Residential Estate Zoning District (RES-E). The Site is Located at 10 & 15 West Camino del Cielo, and 7 & 16 East Camino del Cielo, in the Vicinity of Camino La Tierra and within Township 17 North, Range 9 East, Section 18. SDA-2 (Commission District 2) (Growth Management Department/John Lovato, Case Manager) (Approved 4-1)**

MANAGER SHAFFER: Mr. Chair, if I could just interject for a second. This is only on Miscellaneous Action Items as opposed to the Consent Agenda because the vote was not unanimous. So staff is here to answer any questions about the final order but did not intend to make a presentation for those reasons. So again, staff is here if there are questions of the Board relative to the order.

CHAIR HUGHES: Okay, can I have a motion?

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER BUSTAMANTE: Second.

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

**7. B. Resolution No. 2024-060, a Resolution Adopting the Santa Fe County Health Action Plan FY 2024-2029**

CHAIR HUGHES: So that would be Rachel O'Connor.

RACHEL O'CONNOR: (Community Services Director): Good afternoon, Mr. Chair, members of the Commission. I would like to also state that this proposal is put forward in tandem with our Santa Fe County Health Policy and Planning Commission, and our current chair, Steven Berkshire, is with us today. I'd like to acknowledge him in the audience.

Mr. Chairman, this is the second Santa Fe County Health Action Plan that we've initiated since my tenure at the County over 12 years ago, and the first really led us up to

the pre-COVID time and was based on a community needs assessment that we had done starting in 2011. To date, the Santa Fe County staff working in conjunction with the Health Policy and Planning Commission members to outline new priorities, some of which were contained in the old plan, some of which are new priorities in the Health Action Plan, and I'm putting those forward today.

I would like to say that there were a series of documents that were reviewed, including the Christus community health needs assessment, the Presbyterian community health needs assessment, the YRRS and multiple Department of Health documents that contributed to the development of the plan, as did some presentations made to the Health Policy and Planning Commission about healthcare priorities in Santa Fe County.

I'm going to go briefly over the highlights of the plan and point out what's different. I would like to say that it is compatible with the Santa Fe County strategic plan, and I won't belabor those issues that you've already approved within that plan. It's also compatible with the Community Services Department's multiple plans including the Senior Services strategic plan, the behavioral health strategic plan, the DWI strategic plan and others.

Mr. Chair, this really outlines about seven areas, and I'm going to talk just briefly about those areas and try to abbreviate my comments. Some of the highlights in the first which is increase access to social determinant of health support, which means healthcare, food, housing, utilities, environmental needs. This really refers to our CONNECT program. And expanding CONNECT in a manner that serves as many people as possible in Santa Fe County. The CONNECT has served as a model. I believe that Bernalillo County or the City of Albuquerque just signed onto CONNECT, and multiple other jurisdictions – Doña Ana, we have multiple areas across the state that we are connected with. The State of New Mexico is also rolling out the CONNECT program.

I think the unique thing that I noted within the development of the plan or in the process of developing the plan is when we started this years ago our vision was to take all the divisions that we had at the Community Services Department and wed and weave them through the connective tissue of the CONNECT program so that CONNECT served as a centralized program to provide services to people with behavioral health needs, people with health needs, senior services, and youth services. And I'm pleased to say that this plan does achieve that.

We are expanding our CONNECT program in ways that are large and small, but significant. For example, we have added as a contractor Life Circle who provides supports to people, to seniors with cognitive issues. They now can be supported through the CONNECT program. We are increasing food distribution in tandem with some of the strategic plan priorities that were identified by this Commission. We are trying to maximize our ability to provide food out into the community.

Mr. Chair, the second priority is reducing substance use related harms in Santa Fe County. You're well aware that New Mexico has the highest rate of alcohol involved fatalities. We also have the sixth highest rate of overdose deaths. We continue to prioritize these issues as we had in 2010 but with much more ammunition and so some of the things that are included in the plan would include what is now our Law Enforcement Assisted Diversion program, named engage. In addition to that we have just funded two new programs, one with Life Link, which is the RISE program. We are also funding

Innovate+Educate to work with people that are transitioning out of the detention center to maximize employment opportunities for them here at the County. So we continue to have a focus on substance use related harms in multiple ways in Santa Fe County.

I would like to just state that we continue as well to reduce other substance use related deaths. For example, we are working in tandem with the Public Safety Department who is part of the Building Bridges program, which is looking at alternative ways to provide medication assisted treatment at the Santa Fe County detention center. We're meeting with multiple providers externally to try to build up a community based program that will meet people's needs once they are released from the detention center program. We also are continuing our harm reduction programs out of the Youth Services Division.

Increasing behavioral health supports – I'm going to talk about this. I have it broken up in the plan between adults and youth. We continue to build out the La Sala Center. For example, we added assertive community treatment to the array of services that people can get. That's the most intensive external program that can be provided on an outpatient basis to people with severe behavioral health issues. So we now have a very robust continuum of crisis services in Santa Fe County for people that are experiencing a behavioral health crisis.

We continue to partner with our federally qualified health centers to stabilize the network in Santa Fe County as well, and we are in the process in the Youth Services Division of developing new programming for Santa Fe County youth. As I've mentioned previously, the incredible rise in anxiety and depression amongst youth, not just in Santa Fe County but across New Mexico and across the county is alarming. We are working with CYFD and I believe today released a request for proposals to develop – or to provide startup funding for a youth mobile crisis and stabilization services. We are in the process of hiring to develop a youth case management program out of CSD. Chanelle is in the process of making final decisions on her first hire, and we are also reaching out and developing, hopefully in partnership with an agency, increased family services so that family members as well as adolescents can receive support through this process.

Mr. Chair, I think the things that are new that are included with the plan and certainly all of those are new programs that I've talked about, is we included in here a goal, and I call it develop immediate humanitarian response network. Certainly during COVID, as our Health Services Director, Jennifer Romero stated earlier, CSD played a very active role in providing transportation, utilities support, rent support, supports of all sorts of kinds to people that were without resources during the COVID pandemic. We created in many ways the CONNECT network to do that. We would like to work in conjunction with other County departments to develop a plan so that we are ready as an entire department to provide those services should we have a crisis event that occurs, whether it's a climate crisis, a pandemic, or an act of violence that changes our community and needs service.

The other new thing in the Health Action Plan is providing the awareness of the public health harms due to climate change. We have received some education and will continue to educate ourselves as staff members and as Health Policy and Planning Commissioners about the health impacts of the rising temperatures that we're perceiving here in the county. We applied for and received specific funds to redo, for example, our



HVAC centers so that this year we can have consistent cooling areas for seniors. We are certainly looking at how we inform the public about these kinds of events and continue to work in conjunction with, for example, CDD, Public Works, and other departments that are invested in climate change issues.

Mr. Chair, the last couple of priorities, which are 6 and 7, are really internal priorities of CSD. The first is to diversify our funding. We're serving as the state's model on CONNECT. We get very little state funding for CONNECT, and we did receive, thanks to Representative Szczepanski, we did receive funding this year for our Senior Services program. We received some limited funding for CONNECT. We have also received congressionally directed spending funding for our program that services as law enforcement assisted diversion program. We are continuing to apply for funding so that we can reduce County spending and continue to work with other funders so that our programs are sustainable over time, and we've been very successful in that in the past year.

And then last of all but not least of all, increasing transparency and evaluation. We have hired evaluators. We're in the process of hiring the University of New Mexico to evaluate CONNECT over a three-year time period. We have hired Aspen Solutions to work with us on evaluation of our DWI program. We have multiple programs that are currently being evaluated. Written into those contracts is the need to work with us to determine exactly what data we should be collecting, incorporate in our internal processes for evaluation of our programs, and improvement where it's necessary.

I know that's a lot. Thank you very much, and I'm happy to answer any questions that you might have.

CHAIR HUGHES: Certainly. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Rachel. Thank you for – it's one of the things that I am the proudest of is the work that you have done at Community Service during my time here at the County. I am incredibly honored to know such hardworking individuals in your department. Community Services is providing something that is a model. You got an award from the National Association of Counties for your work on CONNECT. CONNECT is something that we can all be incredibly, incredibly proud of. And this next reiteration of the Health Action Plan is just shows how important it is to provide these kinds of services in the community.

Like the engage, the RISE, working with Life Link, working with making sure we have the ability for transition from the jails – all of those things are so important to our constituents and to us up here on the dais is really – makes me just proud to be part of Santa Fe County and to have this as an example of the state. Thank you for including climate change because that is a real issue. I know myself during the summer, I cannot function very well because of the heat, because it is so much hotter here. And after living here for 50 years I know the difference. I never would even think of having air conditioning in my house but now it is a thought to have air conditioning and that is scary to me because it's only going to get worse until we decarbonizes the planet, until we really make strong strides in that direction.

So I can't thank you enough for doing this hard work, to your entire staff. I see Jennifer sitting here. I see a number of other people. I think hiring Anne Ryan was a great move. I think she's in the audience too. And I apologize to anybody else I'm not

mentioning, but all of you that are here, I can see you all. I think that it's something I'm grateful for. So I just want to express that from my heart. So thank you.

MS. O'CONNOR: Thank you, Commissioner.

CHAIR HUGHES: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Rachel, this is excellent, and I'm really grateful as well. I really see such a comprehensive picture here and having spent a lifetime and having accessed the County public health resources, that I think used to be right behind Salvador Perez Pool. What you're doing now is just really dynamic and meeting so many aspects of how we will be there for both our youth, the judicially involved, looking to all points of our community and where we can provide support. I just have to commend you on this effort. It is exceptional and it has been since day one. Day one, when I started, started seeing what you're doing.

The thing that I also have to bring up, and I had sent it to the County Manager immediately, when a neighbor was having some issues, his son was having some mental health problems and he sent me a text, and I flew it to the County Manager, so I hope that you heard it. But he said, wow, if there's anything that you can do to make sure La Sala has everything they need, this is a lifesaver. And every entity, NAMI, everyone you're connected with here, it's life-changing. These aren't just superficial; these are life-changing things that help people get on their feet and be productive in society again. So thank you for all your good work, Rachel. I'm sincere.

MS. O'CONNOR: Thank you. Thank you, Commissioner.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Thank you, Rachel, and thank you to the whole CSD crew for putting this together and the hard work that you guys do, day in and day out. It's pretty impressive and actually I think one of the real high performing aspects of Santa Fe County that I'm the most proud of. I look at this and I see it as pretty comprehensive and I want to acknowledge that I think that this is a very nice, tight document.

I kind of wonder about places where Santa Fe County can support sort of – I would say pro-active youth engagement, right? So before we even get to the point where youth is in trouble, at that point we're almost late. And so these are things that working, whether it's with the school districts in our area, or looking at those after-school programs, and the things that sort of keep kids out of trouble and give them something to thrive under and that might be filling the gaps that the schools don't. So we have the schools that have scaled back a lot of their programs, their after-school programs, and I'm wondering if that's a place that we could look at.

Maybe obviously not in this version, iteration of this, but as a founder, co-founder of Warehouse 21 back in the day, Santa Fe has created a lot of great artists and a lot of great artists went through Warehouse 21. And the fact that the City, and maybe to a lesser extent the County, had pulled its support forcing Warehouse 21 to close has created a gap in the arts education and engagement for youth. And it was a very alternative arts program. It gave you a spray paint can and taught you how to be a graffiti artist. But you know what? Constructive graffiti is sometimes better than destructive idle time. And I'm wondering where something that is sort of pro-active fits in this program, in this Health Action Plan to say try to find those ways to engage kids before it's too late.

MS. O'CONNOR: Mr. Chair, Commissioner, I'm really glad you brought that up. We actually do have some programming dollars that we spend on pro-active things through our Teen Court program. But it has been on my mind for two reasons. One is that I had lunch yesterday with Cynthia Delgado who works for NDI and NDI does a terrific job of promoting joy amongst children. And I think that there is widespread recognition that the experience of joy is not something we see like we used to. And programs like that do support that kind of joy and play.

The second thing is the Surgeon General's report on loneliness and the issues that surround it and the expanded need, certainly amongst our youth but also amongst our Senior Services to promote community engagement wherever possible. And so that's on my mind. And we do consider that inclusive in our plans and are looking for ways to support those programs. We support NDI some now but other programs that we have, particularly amongst the arts, we are interested in. So thank you.

COMMISSIONER GREENE: Thank you. And if I just can follow on. So I appreciate the things like NDI. Don't get me wrong. NDI is a great example, a fantastic example of a program, but it's a niche. It is one of the niches and there's a lot of niches that need to be engaged. Sometimes it's sports. It's not like, oh, I want to be a football player, because team sports organized at the high school level is one level of stuff but it's for the kids that are the casual sports players, or the casual artists.

So it's amazing that we have the School for the Arts, the Santa Fe School for the Arts, or New Mexico School for the Arts here located in Santa Fe, but because that school is pretty selective it only can have an impact on a couple hundred kids and we need those sort of casual drop-in gateways to the arts and gateways to dance. NDI does that for movement and that's wonderful, but it's still pretty organized and it's the Warehouse 21 is an example that has allowed kids to just pop in and not be a member or not have to go through some entrance exam to prove that they're going to be an artist at the end of their life or for their career that we need to sort of work on these casual opportunities for kids to drop in, discover something that they like in a broad-based sort of like, oh, who are you? Oh, I'm not a fine artist. I'm a musician. Or I'm a curator. Right? It's these sort of freeform programs that I think that we need to work on both here in Santa Fe at the heart of the county, but also in all of our districts where we have youth. I think that that's one of those programs that we need to look at.

But I'm glad it's in here. I'd love to talk to you about how we can support that in the future. Tell me how we can help.

MS. O'CONNOR: Okay. Thank you.

CHAIR HUGHES: Well, I have to add my own comment which is as I was working with homeless people, almost everybody I housed was basically disabled, behavioral health disabled. And I think we need to continue working towards solutions that combine behavioral health services with housing, because otherwise people can't control their behavioral health if they don't have a place to live.

MS. O'CONNOR: Mr. Chair, I agree, and housing, I should have pointed out, is one of the overarching. We also recognized overarching issues. It's an overarching issue embedded within our plan because it impacts all of our divisions. It impacts Youth Services. It impacts Behavioral Health and it impacts Senior Services. Housing is one of the most difficult things to solve for us when we're reaching out and working with

vulnerable populations. And we continue to work on it, certainly, Jennifer with real grit and hopes that we can move the needle.

CHAIR HUGHES: Thank you. Do we need to approve – yes.

COMMISSIONER BUSTAMANTE: Move to approve the resolution adopting the Santa Fe County Health Action Plan for FY 2024.

COMMISSIONER HANSEN: Second.

CHAIR HUGHES: Motion by Commissioner Bustamante, seconded by Commissioner Hansen.

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

7. C. **Resolution No. 2024-061, a Resolution Authorizing Santa Fe County to Apply to the Federal Home Loan Bank of Dallas for Up to Two Million Dollars in Grant Funding Through the Federal Home Loan Bank Affordable Housing Program for Each Phase of the Nueva Acequia Affordable Housing Project**

CHAIR HUGHES: Go ahead.

JORDAN BARELA (Housing Authority Director): Thank you, Mr. Chair. I'm here before you today to request approval of this resolution authorizing the County to apply for up to \$2 million from the Federal Home Loan Bank of Dallas for each phase of the Nueva Acequia affordable housing development there on Camino de Jacobo.

Each year the Federal Home Loan Bank provides affordable housing program grant awards to affordable housing projects within various bank regions within the US. The Federal Home Loan Bank grant awards provide \$35,000 on gap financing per unit of affordable housing provided with a maximum award of up to \$2 million. FHLB grants provide a significant source of gap financing for affordable housing projects all across the US and traditionally, affordable multi-family housing projects created through the tax credit program have been the largest recipients of those awards.

FHLB grant requirements, as far as compliance, mirror those of the tax credit program itself so what we would already be doing for tax credit compliance would also apply to FHLB and really, FHLB would view an award for that tax credit or reduced compliance monitoring project. As this Board is aware, the County is moving forward with the Nueva Acequia affordable housing development. We have gone out to RFP for a development partner we are in negotiations with now to aid us in the development of this project, and as proposed, that project would include two phases of development including a four percent phase and a nine percent phase. The four percent phase being for families; the nine percent phase being for seniors with a set-aside for permanent supportive housing within both of those developments as well as a 15 percent set-aside for market rate units to get a good income mixing.

In preparing for this application staff met with the Nueva Acequia development team to include our consultant, Project Moxie. We've also had discussions with the development partner, TWG, as well as staff from the Federal Home Loan Bank of Dallas to try to determine if this project – well, one, what the application project would be like, but two, how competitive this project could potentially be, and staff believe that each

phase of this project would be competitive for a number of reasons.

First, additional application points for FHLB are awarded if the applicant is a government entity, or the housing project is sponsored by a government entity, which is the case here. Additional application points are awarded if the land is donated or leased to a development partner at below-market rates by a local government and a land-lease is likely part of the proposal here as well. Thirdly, additional application points would be provided if the project is solely within the State of New Mexico because New Mexico is the most underserved market within the entire Dallas region for these types of awards. And in 2023, all awards in this region were for tax credit project. So the very nature of this project and the type of project that we're proposing certainly makes it competitive.

All applications for the FHLB grant are due to the FHLB Dallas office by May 1<sup>st</sup>. In anticipation of that we have compiled the application. It is there and in place and ready to submit if we receive approval. In addition, we also have to identify a member bank to actually review the application prior to its submission. After recommendations from our development partner, TWG, we've identified Southwest Capital Bank in Albuquerque to go ahead and do that.

As far as process from this point forward, if the application was submitted that would not obligate the County to take the funding. We were notified on or about October of 2024 the notification for awards for projects would go out, assuming that the County decided to accept the grant and the terms of the grant agreement. That grant agreement would need to be executed by the end of the calendar year. Subsequent to that we would have four years to expend all affordable housing program grant funds.

Thank you, Mr. Chair. I stand for any questions.

COMMISSIONER HANSEN: Mr. Chair.

CHAIR HUGHES: Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Jordan, for bringing this forward since Nueva Acequia is in District 2 I am going to make a motion to authorize Santa Fe County to apply to the Federal Home Loan Bank of Dallas for up to \$2 million in grant funding through the Federal Home Loan Bank affordable housing program. This is something that I think is really important what we are doing at Nueva Acequia. Thank you for finding this resource and being able to apply for the grant, and obviously, it's incredibly timely since tomorrow is May 1<sup>st</sup>, so I definitely want to move this forward. So with that I've made a motion.

COMMISSIONER GREENE: And I'd second this, but I'd like to be clear that this is a two-part application and it is \$2 million for each phase.

COMMISSIONER HANSEN: Right.

COMMISSIONER GREENE: But you didn't say each phase, so I just want to make sure that the motion says we're applying for both. So I will second.

COMMISSIONER HANSEN: Yes, we are applying for both.

CHAIR HUGHES: Okay. Motion by Commissioner Hansen, seconded by Commissioner Greene.

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

7. D. **Resolution No. 2024-062, a Resolution Adopting the Santa Fe County Home Rehabilitation and Energy Efficiency Program Regulations Providing for the Provision of Housing Assistance Grants to Support All or a Portion of the Cost for Residential Rehabilitation Projects, Energy Efficiency Upgrades, Residential Connection to Public Utility Systems and Residential Hazard Remediation or Mitigation, Including Americans with Disabilities Act Home Modifications for Qualified Affordable Homeowners Pursuant to the County's Affordable Housing Plan, Santa Fe County Ordinance 2023-05, the New Mexico Affordable Housing Act and the New Mexico Mortgage Finance Authority Act Rules**

CHAIR HUGHES: And then Jordan, I think this next thing is yours also.

MR. BARELA: Yes, Mr. Chair. That is me again. And for this particular action item, the Housing Division is requesting approval of a resolution adopting the Santa Fe County Home Rehabilitation and Energy Efficiency program. So for some background in regards to this particular program, on July 25, 2023, the BCC approved Resolution 2023-83, and Ordinance 2023-05. Those documents formally adopted the County's new affordable housing plan as well as its Housing Assistance grant and loan ordinance.

Those documents were put together to ensure they were in compliance with state statutes, primarily the New Mexico Affordable Housing Act and the New Mexico Affordable Housing rules and were reviewed and approved by MFA. In addition, the plan itself looked at a wide array of community needs as it relates to housing. One side of that spectrum was how do we promote additional housing production in the county, and that's a very important item. But one other area that it also addressed is how do we preserve current and existing affordable housing, and that is also critical, specifically for seniors and particularly in the more rural areas of the county, but across the county nonetheless.

The rehab program is really designed for just that – to address the preservation of affordable housing within Santa Fe County. As designed, the program would provide one-time grants for each qualified grantee and affordable home for up to \$50,000, and those grants would cover a number of different types of projects that really address preserving affordable housing. The first one is residential rehabilitation projects that would really be aimed at addressing the building envelope of the residence. So: roofs, stucco, windows. Those projects, one, increase energy efficiency and there may be some additional funding sources that are available to address those outside of just affordable housing funds or County general funds. But in addition, putting a new roof and stucco on a unit extends the useful life of the property by quite some time and really mitigates a lot of other interior issues you may have within a unit once those systems are upgraded.

Secondly, an eligible expense would be allowing for energy efficiency upgrades of affordable homes, including the installation of solar panels, high efficiency furnaces and water heaters, low-flow toilets, aerators, faucets and fixtures, and smart thermostats. So that covers the energy efficiency component to a degree.

Thirdly, it would also cover residential connections to public utilities, so qualifying residents in the county that are currently on well and septic system and had the

ability to hook into a public utility but did not have the means for the infrastructure costs associated with doing that could apply to a grant to get that done.

And lastly it covers residential hazard remediation and mitigation projects. And this can include a number of things. So the traditional items usually are abatement of lead-based paint, asbestos, mold, particularly because the county – there's quite a bit of the population in rural areas. We would also cover testing and remediation for groundwater contaminants for those homes on domestic wells. And lastly, more so on the mitigation side, a person with disabilities could apply to the program to modify the interior of their home, specifically for ADA modifications to make that unit more accessible, or that residence more accessible for current residents.

Also, as structured this program would cover low to moderate income households. So traditionally, the low income definition is a federal definition and that is 80 percent of AMI or below, but this program would go up to 100 percent of AMI for qualifying grantees.

COMMISSIONER HANSEN: Mr. Chair, so just to make sure, and I mentioned this before. But it will include utility hookups of sewers and grinder pumps and well testing and well metering.

MR. BARELA: Mr. Chair, Commissioner Hansen, yes, that is the intent, though that is not spelled out explicitly, either through hazard mitigation for the well concerns, or residential hookups to public utilities, those broadly would cover those types of projects.

COMMISSIONER BUSTAMANTE: Mr. Chair, Jordan, so this means that it would also include – I'm just trying to understand, hazard mitigation for contaminated well water. If filtration is deemed to be useful, this could apply to that?

MR. BARELA: Mr. Chair, Commissioner Bustamante, yes, that is correct. And I guess that brings me sort of to the next point which is where we are in the process. And so the application for this particular program has already been drafted. And we have been working specifically with some of the issues and within CDD we realized there are some significant community needs right now and we've had discussions both internally and with the Purchasing Division and we are ready to get out some components of this program, specifically hazard mitigation and building envelope issues relatively quickly. And that application can get out into the community within the next couple weeks.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Thank you, Jordan. I really appreciate this program. One of the things that I kind of – obviously it's too late for this sort of thing right now but I wonder if there was a way to make a sort of ranked level of things. Like a flat \$50,000 for a program has its benefits, no doubt, but if hazard mitigation is eligible for \$10,000. But if you are going to put a new roof on your house, \$10,000. But if you're going to put a new roof on your house and add energy efficiency to it then you would then get a bump, right? So that we would start to prioritize the type of word, especially when it's a capital sort of improvement project that has a lifespan much longer than just some minor upgrade or maintenance. And we might look at doing one, a revision to this soon that has a – oh, hey, if you're going to do high efficiency or more environmentally sensitive or more strategically prioritize things, you might be able to have a ranking system to say, look, we encourage you to fix your house, no doubt. But

if you do it in an energy efficient way you would get twice as much money, or whatever the right amount is. I'm just wondering if there is a way – if there was discussion about that or if you've ever thought about that, that we might be able to implement that in the future.

MR. BARELA: Mr. Chair, Commissioner Greene, thank you for that and I do agree and we certainly – when putting this program together we reached out to other local governments that operate similar programs to have discussions about best practices. Though that is certainly a consideration in terms of coming back. And I think a lot of what we'll learn from this program is once it gets implemented and what are better ways to do it and how can we amend the program to make it better. And to my knowledge, there is not a rehabilitation program in the State of New Mexico that is as comprehensive as this.

So, one, it's a good thing because it meets a wide array of community needs, but two, I think there will be a learning process and there will be opportunities to address whether it's a tiered system or how do we incentivize things, and then of course make those recommendations and bring them back to the Board for adjustments.

COMMISSIONER GREENE: I would love to see that, because whether it's for water purification in an area where there might be like La Cienega community that needs this, that's a great health right, so that might score higher. And things that are safety, that's one level. Just maintenance, that's another level. Just sort of prioritizing things in a way that encourages people to be health, safety, efficient first. Thank you.

CHAIR HUGHES: Anyone else? I think this is a really important program and we've got to get it launched quickly so that we can get people's water tested and treated.

COMMISSIONER HANSEN: Mr. Chair, yes, I think it's been a long time coming. I'm happy to see it finally arrive and probably, most likely, they'll still have to meet SLDC standards, right? So that in and of itself creates a certain level of efficiency, because they will be meeting the SLDC. So I think that's an important thing to point out. Thank you.

CHAIR HUGHES: Somebody want to make a motion?

COMMISSIONER HANSEN: I'll make a motion to approve a resolution adopting the Santa Fe County Home Rehabilitation and Energy Efficiency Program regulations providing for the provision of housing assistance grants to support all or a portion of the cost for residential rehabilitation projects, energy efficiency upgrades, residential connection to public utility systems and residential hazard remediation or mitigation, including Americans with Disabilities Act Home modifications for qualified affordable homeowners pursuant to the County's Affordable Housing Plan, Santa Fe County Ordinance 2023-05, the New Mexico Affordable Housing Act and the New Mexico Mortgage Finance Authority Act Rules.

COMMISSIONER GREENE: Second.

CHAIR HUGHES: Okay, Commissioner Hansen's motion seconded by Commissioner Greene.

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



[The Commission recessed from 3:57 to 4:08.]

7. E. **Resolution No. 2024-063, a Resolution Amending Resolution No. 2012-164, a Resolution Adopting the 2012 Santa Fe County Human Resources Handbook to Replace the 2008 Santa Fe County Human Resources Handbook, to Modify the Social Media Policy, Modify Provisions and Practices Governing Sick Leave, and to Expand the Availability of Educational Leave**

[Audio difficulties were experienced.]

VALERIE AGHAEI PARK (Human Resources Director): ...sick leave period for over a period of six months. That will be discontinued and we will now allow employees to use sick leave in as small of increments as one minute, so it will be more advantageous for them to use their sick leave instead of not using sick leave. We need people to, if they are not well, be able to take that day off and not feel like they're being penalized, but they can take it off in smaller increments now.

We are also proposing a change to the educational leave in which we are not going to require in person classes. We will now be able to have qualifying virtual classes qualify for their educational leave. So I would stand for any other questions or clarification you need.

CHAIR HUGHES: Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: So with this sick leave, would you just kind of explain Santa Fe County's family medical sick leave policy?

MS. PARK: They're kind of two different things. Family medical leave is a federal program. We follow the federal leave policy of allowing 480 hours of family medical leave. It is paid only in the instance the employee has available leave for paying that time off. It is still protected leave, but the employee uses their sick leave, their annual leave, their comp time, or in the event they do not have those they are able to request donations under the donation policy.

COMMISSIONER HANSEN: Okay. Thank you.

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

COMMISSIONER BUSTAMANTE: No questions. I would motion to approve the resolution amending Resolution No. 2012-164, a resolution adopting the 2012 Santa Fe County Human Resources Handbook to replace the 2008 Santa Fe County Human Resources Handbook, to modify the social media policy, modify provisions and practices governing sick leave, and to expand the availability of educational leave.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay. Motion by Commissioner Bustamante, seconded by Commissioner Hamilton.

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

MS. PARK: Thank you. And I'd also mention that this was supported by AFSCME 1782, our local union here.

CHAIR HUGHES: Well, that's good.

7. F. **Resolution No. 2024-064, a Resolution Adopting the Santa Fe County 2024 MS4 Permit Stormwater Management Program Plan** [*Exhibit 1: Resolution Text and Supporting Material*]

CHAIR HUGHES: Hello, Jacqueline Beam.

JACQUELINE BEAM (Sustainability Director): Mr. Chair,

Commissioners, I have some added packet material for you. Thank you, Mr. Chair, Commissioners, and what I have handed out is slightly revised with some minor edits to page 2, Section 1, which just details a little bit more of the plan itself, as far as the target audience is concerned for the plan. And then also in the resolution, the references to the Exhibit A is directly in the resolution.

And with that I will also just state that unfortunately, BHI, Sarah Ganley, our consultants with Bohannon Huston, is unable to be here today to present due to a family emergency and so our thoughts are with her and we have really valued her guidance and as a resource – we use her a lot. So I hope everything goes well for her and we will continue seeing her in the future.

The Santa Fe County Sustainability Division, in an effort to comply with Federal MS4 required reporting, and creation of an updated MS4 Permit Stormwater Management Program Plan, spearheaded the procurement of consultant, Bohannon Huston in May of 2022. Reporting requires significant operational data information from several departments including, Public Works, Growth Management, and educational outreach programs as well. And here in the audience also is John Lovato from Growth Management, as well as Brian Snyder from Public works to address any questions regarding the Public Works and Growth Management side of this permit.

BHI and Sustainability staff led the coordination of gathering data from stakeholder departments to prepare the County's fiscal year 21, 22, and 23 municipal separate storm sewer system, MS4 – which is much easier to say – annual report to the Environmental Protection Agency, which were submitted to EPA following a required 30-day public comment period. Santa Fe County is also required to present an updated MS4 stormwater program, which is in the packet for your review, and in that effort worked simultaneously with BHI to prepare updates to the County's stormwater management program plan and reporting procedures. The last update of this plan was 2013.

This plan serves to minimize pollutant loading to waterways from stormwater runoff, ensure compliance with MS4 requirements, and prepare for future permit changes. And I do have a presentation as well. I'll just add while we're waiting for the presentation slides that climate change projections show increasing incidents of extreme weather events such as flooding, which will also increase the potential for contamination in surface water. And while the County is operating under the 2007 MS4 permit, staff participates in monthly interdepartmental meetings quarterly for collaborative meetings with the City of Santa Fe and the New Mexico Department of Transportation to collaborate on stormwater management and prepare for the expected issuance of a new updated MS4 updated permit from the EPA in fiscal year 25. Thank you.

And so this is just a brief overview of the plan, and as you can see in the map the lavender area is the area that Santa Fe County is responsible for, and this is a permit that's required to discharge stormwater from MS4s and all of the outfalls within those areas fall upon our jurisdiction and our responsibility for testing and tracking and maintaining healthy stormwater. The MS4 include publicly owned as well facilities, and so the dark purple areas are our facilities within the urban boundary and it is currently administered by the EPA, for a permit area.

So the permittees must have a stormwater management program, which addresses six minimum control measures and must report annually to the EPA on this program. The goal of the stormwater management program is to reduce the discharge of pollutants from all sources to the maximum extent practicable to protect water quality and to satisfy applicable surface water quality standards using best management practices, or BMPs.

This plan includes measurable strategies and goals for each of the six minimum control measures.

So the six measures are: public education and outreach, and one example of that would be the staff and community education newsletters, website resources, and this is not an exhaustive list, this is just an example of certain things that we do already and we'd like to expand upon. Public involvement and participation, such as the community cleanups, adopt-a-road programs, our Earth Day events, also fall into this category, and illicit discharge detection and elimination which as example of that would be our ordinances prohibiting illicit discharges and illegal dumping, a method for the public to report illegal dumping, such as a hotline, and spills to the county.

Number four is construction site stormwater runoff control and that would be – an example would be review of the site plans for water quality impacts, construction site inspections and tracking, so code enforcement. And five, post-construction stormwater management in new development and redevelopment, and examples of that would be stormwater retention standards, rainwater capture requirements, enforcement of existing ordinances related to new construction and redevelopment. And then number six, finally, pollution prevention, good housekeeping for municipal operations, and that looks at our facilities and preventing stormwater pollution at vehicle fueling and maintenance yards, etc.

So the responsibility by department, as far as the report is concerned is largely based upon Public Works and their involvement and programs through roads and storage. Growth Management is very much involved as far as ordinances are concerned, and all of the departments, including Sustainability have activities that are covered by the MS4 permit and strategies that need to comply with the plan.

So the Public Works Department, again, we are still pending an FTE for the environmental compliance officer position and that would be the point person for this MS4 permit reporting in the future. But they're heavily involved in the MS4 requirements due to road maintenance, capital improvement projects, fleet management, open space management, property control, solid waste and recycling, and then the general housekeeping for municipal operations and staff training.

And in Growth Management as well, stormwater related ordinances review so the construction and development plans, code enforcement actions and authority, and then staff training also for the code enforcement officers and public education such as the

master naturalist program, another part of our stormwater related plan.

The Sustainability Division, even though we are managing much of these report and kind of helping, BHI is really the heavy lifter in all of this and has brought our groups together so that we can create this plan and we're incredibly grateful to everyone who's been a part of that process. We focus in our division on outreach and education programs, newsletters, and we have definitely been focused more on the GSI component, or the green stormwater infrastructure component, in our Earth Day events, as you know, and we would love to see that expand throughout the county.

So many of these strategies are heading as a focus towards the GSI and we did just recently have a training where 15 staff members were in attendance, and this training was for the specifics around green stormwater infrastructure, how to test for plans that come through the County and whether the options that are being provided by stormwater harvesting are actually viable and can work, and so this is a baby step. We will continue in our trainings and continue to provide that education so that we are looking at our SLDC and ways that we can improve upon it, but also so that we are supporting some of these changes that need to happen throughout the county.

In addition, the County's April 20<sup>th</sup> Earth Day event promoted GSI and we unveiled a new rain garden at the Hondo Fire Station #1. The infrastructure feature was designed to enhance local climate resilience by mitigating the impacts of water, of droughts and flooding and unlike traditional gray stormwater infrastructure which directs water away from landscapes, GSI promotes water retention onsite. The rain garden features native plants, stone plunge pools and [inaudible] and will not only prevent erosion but also contribute to soil health and carbon sequestration.

So moving forward, we will continue to look at that environmental compliance officer so that this can have a real head and lead in processing this plan and working with all the departments on setting up the procedures, and follow goals set in the County's stormwater management program, which is the plan you have before you, and we will be continuing with our MS4 annual reporting requirements and for the first year, I'm very proud to say again that fiscal year 2023 was on time with the EPA submittal, and we will continue to collaborate with the City of Santa Fe, and the Department of Transportation, as well as Los Alamos County and Rio Arriba County because of the border and shared concerns.

We also will be looking at a new MS4, unfortunately. So we just finished this plan and it will be a foundation for the next MS4 to come. The new MS4 is expected in fiscal year 25. The EPA has let us know, it was a review, almost an 80-page read, and much more stringent and highly regulated as far as what they've presented to us. So we have made comments for our first review. It's by no means over, and there will be many iterations, I think, to come, as a result of the whole state looking at this. But they are proposing that we have a cooperative MS4 permit, so we would be working with the City of Santa Fe and Department of Transportation as a group, a collective. And with that I stand for any questions. And also again, John Lovato and Brian Snyder are here as well.

CHAIR HUGHES: Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: First of all, Jacqueline, thank you. I know how hard it is to do this. I have been involved on and off, with MS4 permits for the last 15 years and they are really an important part of the Clean Water Act and that really sets

the standard. Now that we on the state level are going to be working on Waters of the State rule for surface water protection I'm hoping that will help us. These MS4 permits are strenuous and I am really happy to see that we're in compliance, so congratulations.

Also, I have my own issues with EPA and what region we're in. I don't know if you remember or if you've heard me say this but we do not belong in Region 6. Region 6 consists of New Mexico, Texas, Oklahoma, Arkansas, Mississippi. We do not belong in that region. And why New Mexico is part of that region is way beyond me but it is something I have advocated for and I will continue to advocate for, that we have maybe the need to create a new region or maybe they need to move us into a region with at least Arizona or Colorado or Utah. I think a Four Corners District would be a really much more harmonious place for us to be. But that's nothing we can change here.

I do appreciate the hard work on this document and thank you for your hard work because it's really important that we are in compliance with the MS4. So thank you.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. I appreciate the Commissioners acknowledging that it is something that we can't change here and yet we pass resolutions earlier in the day of things that we can't change. But that's passed.

To the point here, one of the areas that I'm a little concerned about is some of the mountainous areas that are not necessarily our jurisdiction. I don't know how we manage those. And example is the power line that is being built by Jemez Power Electric Coop from the Ski Basin to Nambe Pueblo and through Nambe Pueblo. And so in that case, it appears like they got an exclusion, but they also didn't do a SWPP plan and so this is I think something that we need to still address with them now that spring is happening and trying to make sure that some of the spring runoff doesn't affect the downstream folks in Rio Chupaero and Rio en Medio. So first, can you address that from those things in our forest and our federal lands up there? And then I have another question.

MS. BEAM: Mr. Chair, Commissioner Greene, so the MS4 is more related to contaminants in the urban boundaries. The areas of concern that you are referring to I think are better addressed in the watershed resiliency groups and organizations, which there are quite a few reclamation grants that have been administered up north and I know the Santa Cruz Irrigation Association is – they've asked up to play a part as a technical advisory membership, and we have included many of our MS4 ideas and our Climate Action Plans in the hazard mitigation plan, so there is some cross-pollination that's happening that's outside of the MS4 and what they are looking at in particular.

COMMISSIONER GREENE: Okay. So with contaminants, natural contaminants are just as bad – maybe not in order of magnitude, but one somebody cuts down a bunch of trees and bulldozes sides of hills up in the mountains, wouldn't that still be considered a man-made contaminant. Maybe not urban per se, and maybe who knows what's in the dirt?

MS. BEAM: Well, absolutely it's a contaminant but it's not covered under our MS4 permit.

COMMISSIONER GREENE: And then in the areas that were burn scars up there, that's another area. Is that again a different area for this?

MS. BEAM: So what the plan is and what we're reporting on is what's

contained within the urban boundary. And so what you're referring to is outside of that boundary and there might be, for instance, facilities or factories that have a separate stormwater permit through the EPA, and that would be covered under theirs. So if they were to discharge any illicit contaminants then they would be responsible for that under their own permit. This permit is just for the urban boundaries. And so what you're referring to is certainly important, absolutely, it's just not covered in this particular report.

COMMISSIONER GREENE: Thank you.

CHAIR HUGHES: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you for this. Two things. The first one, the references to the La Cienega/La Cieneguilla area being urbanized. They're not urbanized by US Census definition. They would still be rural. The population to 2,000, or houses up to 5,000, population, and we're not there yet. I don't know if that makes a difference in our ability to address or if this impacts any of those protections. I don't know anything about that but I do know and I think – let me just back up a little. They are in the planning phase right now and they are – it is a community with a long history of wanting to remain rural all the way down to having bumper stickers in the neighborhood that says La Cienega – keep it rural.

So when we refer to things as urbanized, there will be people who will grab their chests and fall over. So we want to make sure that in the interest of aspiration, like we aspire to remain because we have the opportunity to aspire towards things here and we want to make sure that we still refer to that rural community as such, yet that community has been the recipient of those issues from various sources. And I am very concerned. It hasn't really been highlighted though it's been mentioned. And it was assumed to have been the source of the contamination, but the EPA just recently removed perchlorates as a regulate product, if you will, an analyte, and the perchlorates at the airport – perchlorates are problematic and I've long wondered about how those are being managed from the Santa Fe Airport.

So there's a lot to unwrap there. First, it's an important technology and it is a rural community because it intends to, and I'm grateful that people are going to be measuring those constituents that have been found in drinking water in their gardens and in their farms and in their livestock but where and how are people under this, how does this actually address that or how are people protected under that, I guess is where I'm trying to go.

MS. BEAM: Mr. Chair, Commissioner Bustamante, so the MS4 measures the contaminants in the outfalls that headed towards the waterways, and it's mainly towards the Santa Fe River. So as far as the County's concerned currently, the new MS4 will be a collective and it will be much more broad and more of a watershed approach. And so I think when we're looking at the nitty-gritty details of this plan, it's really just a foundation for the future and it is going to be more comprehensive to come. So any of those outfalls that are leading to La Cienega would still be considered a part of our MS4 plan now, but it's probably not covered as comprehensively as we would all like to see it currently. If that makes sense.

COMMISSIONER BUSTAMANTE: Yes. Thank you. And any references to urban – if we could make those rural would help.

MS. BEAM: That's an EPA terminology and that's – the report is measuring everything from within the urban – it's urbanized, unincorporated urbanized boundary.

COMMISSIONER BUSTAMANTE: Right. And I think for the record, where it's problematic is that when we have people in an otherwise by US Census definition, rural, having livestock and crops, and we're looking at these analytes heading towards those artifacts, there's a different type of concern and response that might need to be taken or addressed. So for the record, the US Census and the EPA should align their definition of rural and urban, given the lifestyles in those more sparse areas. Thank you. Appreciate it.

CHAIR HUGHES: Anybody else?

COMMISSIONER HANSEN: So Commissioner Bustamante, one of the things that happened with the flood in 2018 was the flood was from the urbanized area that impacted La Cienega and therefore caused a tremendous amount of damage in the village, which was incredibly unfortunate. But it is also along the same line of things that we can advocate for. I will always advocate, and I have for probably ten years, to get moved out of District 6 and to be in a different EPA district, even though I can't change the EPA I'm still – and I will always advocate for that to happen. So I just want to put that on the record. So I think that that's part of the reason why it's included because you were so impacted but I completely support what you're saying about urban and rural. Because Santa Fe County is actually considered rural. At NACo, the National Association of Counties, we are considered a rural county. We are not considered an urban county.

MS. BEAM: Right. Mr. Chair, Commissioner Hansen, it's the unincorporated urbanized area. And that does cover La Cienega and I understand the terminology is hard coming from a rural perspective.

CHAIR HUGHES: Okay. What's the pleasure of the Board?

COMMISSIONER HANSEN: I have my agenda here and I will make a motion, a resolution adopting the Santa Fe County 2024 MS4 permit stormwater management program plan. Congratulations, Jacqueline.

MS. BEAM: Thank you.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay, motion by Commissioner Hansen, seconded by Commissioner Hamilton.

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

MS. BEAM: Mr. Chair, Commissioners, I also want to thank Public Works and Growth Management. They've been a huge part of meeting every month to go over this document and make sure we create a plan that's workable. So thank you.

**8. Presentations**

**A. Presentation and Report from Santa Fe Business Incubator**

CHAIR HUGHES: Go ahead.

JUAN TORRES (Economic Development): Mr. Chair, Commissioners, the item before you today is a presentation from the Santa Fe Business Incubator, their activities in calendar year 2023. Since 2019 Santa Fe County has worked with the Santa Fe Business Incubator for professional services relate to business outreach, tracking and training for Santa Fe County businesses located outside the incorporated areas of the county. The deliverables for this contract, which is PSA 2019-0266, are a report and presentation and I'll turn it over the Marie Longserre, the CEO of the Santa Fe Business Incubator to present her report.

MARIE LONGSERRE: Thank you, Mr. Chair and members of the Commission. It's a pleasure to be here and to see all of you in person. The report I'm going to give you, some of you have seen the template and a lot of these pictures before. Juan asked me if there was something wrong because there's some red lettering in here and some scratch-outs. I wanted to highlight to you that some things have changed. Some things have improved. Some new things have happened. I'll make this very brief but that's what I'll concentrate on is sort of what's changed since the last time I stood before you.

So going really quickly through these first few slides, and most all of you are familiar with us, which is wonderful. It makes my job easier here today. So on the next slide it's basically business incubation at a glance. Believe it or not, 1997 is when we opened the doors. I've been at this work for 27 years now as of February 14<sup>th</sup>. We have 30,000 square feet. The footprint of the building stayed pretty much the same. As most of you know, we offer meeting rooms, broadband, specialty laboratories, shared equipment, a place for companies to start. A place for entrepreneurs to get going.

The kind of industries we help are very broad. I hate to read stuff people can see. I will say right now that the fastest growing that we have are bio-tech and life sciences, IT software, energy and film and digital media. A few sample programs – actually the next few slides are about our programs. The one I highlighted here in red is a program called Runway. And it's to help somebody who has an idea or thinks they want to start a company, go through a six-week program with others who are trying to start something to validate it, to map it out and to see if they really can start it, if there's a market for it, if they're ready for it. So this is a service we're very happy with because it helps people know when to be ready and when to jump in and if this is something they can pursue, if there's a market, and it helps them map out their plans.

We're actually starting a next cohort of Runway tomorrow afternoon. We have seven want-to-be entrepreneurs signed up for it and I love the way they help each other while we're doing this.

Additional programs that we have – I think the note here is the expansion of our Council of Business Advisors and through the pandemic, as we were able to offer things virtually, more people were able to join us and so volunteers from actually all over the country now have stepped in to say, oh, I heard about this program, or I come to Santa Fe a lot, I'd like to see if I can help. So having that cadre of people who are willing to help our companies is part of our secret sauce, actually.

Our metrics – this metric scans 22/23 but I can't say right now we've gone to 21 client companies. The interesting thing to point out here is the payroll is more than the revenue for our companies. And that's because a lot of these companies are pre-revenue.



They're working on research grants, investment money, loans and so forth, so they're having a lot of impact even before they're realizing all of their growth and income.

Partners and collaboration, we have a lot and they're wondering and we continue to grow programs and resources. Since you're looking at 25 percent of the workforce for the incubator, we can't do this without help and without our partners. They're very valuable and important to us.

As I mentioned before, bio-tech and life sciences are our fastest growing sector right now, and it encompasses an awful lot. It encompasses making medical devices, delivery systems for drugs, actual drugs, chemical studies of reactions, plants and biome sciences and how that affects our food chain, healthcare industry. So there's just so much going on in all these health and life science sectors and a lot happening. And this beautiful share bio-lab that we were able to offer and open a few years ago has helped attract companies to grow, to transfer technology out of UNM, MSU, New Mexico Tech, our national labs, etc.

The notable change here is the Santa Fe Community College Tech & Trade Center is also working with us to help a number of our companies. Pebble Labs, which came down from Los Alamos and joined us for about six months has just moved most of their operation over there because they've got the space for it. We've also been working with – there's a really enhanced focus from the state level on bio-tech and bio-science and the city level too and we're really happy to see that, because that's where a lot of great career opportunities and growth is happening.

These are challenges for the start-ups I talked about last time and the ones that are different right now. I didn't put access to capital last time because everything else was bigger than that, but access to capital is always an issue. Regulatory issues have affected companies. Sometimes it's good; sometimes it's bad, in manufacturing, energy, those that are doing business internationally. So that can be a challenge. Our GRT system that's unique to New Mexico has been very difficult for the software companies. We did lose a really promising software company that moved because of the double taxation and being able to compete in their industry.

But the supply change issues – they're still bad but they're really, really improved and that's been great. And companies having healthcare available for their employees has changed.

For our own challenges at the incubator, we continue to get increased requests for assistance. Entrepreneurship is on the rise across the entire country and I see no slow-down of that whatsoever. They have a lot of needs. We've got new technologies that they're dealing with and we're dealing with. The costs of everything have gone up and that's one of the challenges they have is inflation and cost. Sponsor support keeps shifting from wildfire to homelessness to food. There's a lot of need out in the community right now. Labor availability, fortunately, that has improved. Notes and observations – I think I've covered most of these already, that there's an increased focus on entrepreneurship. Cost of capital has gone up.

We continue to have the need to diversify our economic base in our community and certainly the breadth and depth of companies we're working with are addressing that.

We sent you in the packet a highlight reel of things that had happened through 2023. Better clients, media coverage, awards, etc. I always come before you all and say,

oh, it's all great. It really is doing well. It's still a challenge. Entrepreneurship is hard. Startups are hard. It is not easy for them; it's not easy for us, but they make it a pleasure and we're still seeing a lot of peer help and a lot of support for what they're doing.

Speaking of labor we lost our fabulous program director of five years, Jessica Mintz last spring to Sandia Labs where she went to work and she lives in Albuquerque. But she was great, and it took a little while to find the right person to replace her and we're delighted to have welcomed full time in January of this year Mr. Carl McLendon. Carl's been coming to Santa Fe for a long time. He and his wife were planning to move here and he had been in education in Austin, Texas and had been running entrepreneurship programs in the schools there because he loved it. So for a while he quit his job and went and got a degree from the Macombs School of Business and the University of Texas in technology commercialization and entrepreneurship, and worked for startup companies.

But he had a child who wanted to continue their own university education so he went back to his old job for a while and then said I've got to get into this entrepreneurship work. I've got to work for a business incubator, found out about us, and the experience he brings and the maturity in the field and his knowledge and connections have just been wonderful. He has a tremendous passion for the work and so I hope one day to be able to introduce you to him.

And that concludes my report. I hope I kept it under ten minutes and I'll be happy to answer any questions. And before I say my final word I want to thank you all. Every one of you as an individual have encouraged me, have encouraged our clients, have encouraged this program through the years and I really, really appreciate it. Thank you.

CHAIR HUGHES: Thank you. Questions: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Marie, great to see you. Thank you for the presentation. Always love what the incubator does and I just have one sort of request and I think I brought this up a year ago at the same time. Santa Fe is for all intents and purposes is a bilingual town. It has a very large Spanish-speaking population. And I think probably the low-hanging fruit of entrepreneurial programs and outreach would be having programs for Spanish-speaking entrepreneurs. I'm not necessarily trying to create the next Uber but just trying to create the local businesses that make Santa Fe special, whether it's restaurants or childcare or senior care of whatever the size or scale of the business. It doesn't have to be a "homerun" to win the game. You can win a baseball game with a lot of singles.

I just encourage you to look in this next year at setting up some Spanish-speaking entrepreneurial programs so that some of the folks that are sort of living at the margins understand or have irregular businesses. Some people have businesses that are just not licensed or not actually working at all of the organized state regulation and insurance and so on. It would be great if we could find a way to support that and Juan really looks like he has something to say about that. So I look forward to hearing that too.

MS. LONGSERRE: Thank you, Commissioner Hughes and Commissioner Greene. I'm delighted to say that in two weeks time we're having an evening training in Spanish for Spanish-speaking businesses on the south side. This will be the third one we've hosted in the past several months. It will have childcare available. And we're not doing this on our own and it's actually not our program because we don't

have the resources to do it, but we're working with partners and that's where we're addressing this issue, so working with the Santa Fe Chamber of Commerce, which is doing some wonderful outreach, and their partner in this program, working with WESST and SCORE, working with the Hispano Chamber.

So it is something my board is very passionate about trying to address and if any of you know of opportunities where we can partner with other organizations or we can support what these organizations are doing, we'd be delighted to do it. But we did hear you and we want to continue to do that and we're always seeking where the best opportunities where we can play a role.

COMMISSIONER GREENE: Wonderful. Thank you.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Marie, always. Juan, do you want to go ahead?

MR. TORRES: I just wanted to follow up on Commissioner Greene. Mr. Chair, Commissioner Greene, so we did hear you last time we made a presentation as Marie said. We are currently partnering with the City of Santa Fe to kind of piggy-back on their existing Spanish language translation program. We've been having a challenge in terms of the technical aspects of the technical technology side of things and getting somebody who's conversant in translating that kind of information. But we're definitely working towards having a more formalized Spanish language program, hopefully we can present that to you at some point in this next fiscal year.

COMMISSIONER GREENE: I really appreciate that. Thank you very much, both of you.

MS. LONGSERRE: Thank you.

COMMISSIONER HANSEN: Thank you, Marie. I just want to suggest maybe Somos un Pueblo Unido as a partner. They spend a lot of time working with immigrants and people of Spanish-speaking language. Also the Northern Rio Grande National Heritage Area has developed a grant program to teach Tewa or to incentivize Tewa programs that are already existing on the pueblos. And the National Historic Spanish Cultural Center is also working on preserving the Spanish language that is so unique to northern New Mexico that has its own special dialect which is an interesting thing in itself.

But I think that I'm very happy that since 2019 that we have partnered with you and I think that that comes from the leadership of this Board, caring about entrepreneurship and how important it is. When I went to the spring runoff last weekend there was lots of entrepreneurs out there, young men and women building their business and it was really great to see. Like some of them asked me some questions and I congratulated them on being entrepreneurs because they need encouragement, we know. And especially when they're young. So I was happy that Santa Fe County was part of that spring runoff, because there were so many small, little businesses there, trying to figure out what they can do as a business.

And thank you for just all you do. I appreciate it.

MS. LONGSERRE: Thank you, Chairman Hughes, Commissioner Hansen. Thank you. We do have a fair number of small companies that are run by immigrant business owners, some of which speak a small amount of English. You don't

hear about them as much as some of the big stuff that gets in the newspapers because the impact might be smaller but it's just as important.

CHAIR HUGHES: Okay, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Yes, Mr. Chair. Thank you. I will just clarify, and I think you understated – I'm glad you said what you just said. WESST does an amazing job and regularly – my office for the last – for a year, a year ago, was right there down the hall from WESST, and the business development in the different languages – I don't know how much business and economy we're going to develop with the old Spanish, but when we work with those people in the community, WESST is – that door is going every day and we have people up and down that hall who are Spanish-speaking, starting their own businesses.

So what you just said is absolutely what I observed and I really see the work being done. I don't know you necessarily have to stretch out. I see that you want to partner with anyone who's able and committed to developing more, but there's quite a bit of business development from small business entrepreneurs who are solely Spanish-speaking. You have an incredible team there in that hallway. So you're doing it, it's clear.

MS. LONGSERRE: Chairman Hughes, Commissioner Bustamante, thank you. I mostly hear a lot of negativity about this and have a few times had to take people out and walk them around and introduce them to Spanish-speakers so that they would understand what's happening. So I really, really am touched and appreciate your talking about your observation, but it doesn't mean that we won't keep trying and we won't keep having programs and so forth. We will never be a nexus of small retail businesses because that's not possible in the context of our program and our building. But we can help people who are starting and we can partner with people, and there's so much we can do and we want to keep doing it. So thank you all for paying attention to this and thank you for your observation.

CHAIR HUGHES: Thank you very much.

MS. LONGSERRE: Thank you.

**8. B. Presentation and Update on Strategic Plan 2.4.4: “Develop a Council and Programming to Support the Arts”**

CHAIR HUGHES: Andy Seeger, welcome.

ANDY SEEGER (Economic Development): Mr. Chair and Commissioners, I'm here to give you a slight update and some background research that we've been doing on the Arts and Culture Commission, and to seek your guidance on a couple of notes. With that, as part of the Santa Fe County strategic plan, Santa Fe County Economic Development has been tasked with strategy 2.4.4, develop a council and programming to support the arts. We want to give you a little bit of background. I know I've met with each of you regarding this but we wanted to give you a little bit of background about current efforts that are already underway here at the County to support arts and the creative industries.

Public Works currently utilizes the state's program of New Mexico Arts, one percent for the arts funding to requisition art and do other installations across the public throughout the county. In addition, Public Works works with construction funding,

budgeted funding within construction projects here at the County to install art in certain select public places. I believe you were updated on the 100 Catron building and the artwork that's being installed there, so that's some of the work that they're doing already with County funding, and then additionally, at that point and above that was state funding.

Separately, Economic Development is in the process of creating funding and support for the creative industries provided that we've now created a target industry or a target cluster of the creative industries, highlighting its importance in the community. To that end we'll be working to provide sponsorships, funding, a number of training initiatives going forward and we try to enhance and develop funding for the creative industries.

So then getting into an Arts Council and that strategy, we've been looking across the country, across the state, across counties here locally to see what are people doing, how are they organizing it, how are they structuring it, how are they supporting their arts and what can we bring in here in terms of sponsorship or showcasing local artists or doing that training, making grants and other programs.

So with that, like I said, we've done a little bit of the research of looking kind of near and far. We're going to bring this a little bit closer with some near examples just on structures of how this is structured in surrounding areas. So in New Mexico Arts, the state's division of the New Mexico Department of Cultural Affairs, is fully staffed with a 15-member commission that sits next to it as an advisory body, and this is the program that operates the One Percent for the Arts program at a state level, so they have a collection of art that the County can then engage with and decide and select some art to bring into the county from a larger budget. It gets allocated through this program. Santa Fe County currently has roughly \$4,000 to \$6,000 of these funds that they're working to do various installations as part of Art in Public Places.

The City of Santa Fe has undergone a little bit of redevelopment in terms of arts and culture. They now have a newly created five-member staff that is full time. It's partially funded by lodgers' tax. It's partially funded by a One Percent for the Arts program here at the city level. In addition to that it has a nine-member advisory council that they've kind of restructured and tasked with creating a strategic plan, a recently completed strategic plan, I might add, to be that advisory body to them, bringing forth things from the community, so acting as a listening organ, as well as acting that advisory body to review grants and do a number of other things. But it's hosted and solely anchored within this Department of Arts and Culture.

Then we took a look at Los Alamos. Los Alamos has changed up their structure a little bit. They had had a One Percent for the Arts program itself. They are now contracted as part of Community Services with the Los Alamos Arts Council. This council is currently operated and staffing the Fuller Lodge Arts Center as their community anchor as they support their arts through newer initiatives up there and a number of galleries, but using that contracted status to offer that support and promotion of the arts within Los Alamos County.

In addition we took a look at funding, so using County Finance, the Department of Finance here, we were able to look at what would a One Percent for the Arts mechanism look like here in Santa Fe County. Bernalillo to my knowledge, and I believe

Los Alamos at one point had had a similar structure, similar to what the state's structure is but at a county level. And here in Santa Fe we generate somewhere in the neighborhood of \$233,000 a year, with a high amount of variability. We see the low point of the pandemic here in 2020, offering \$45,000, and a high point last year when we would generate somewhere in the neighborhood of \$610,000. So a lot of variability across these years, pointing us to probably recommend a general allocation be used rather than some one percent of the funding to be able to smooth out some of this variability. Typical allocations, past research has kind of targeted about \$100,000 for granting, sponsorship, other uses, as a target budgeted fund.

So with that we wanted to come before you because we have a number of questions that are still to be answered. We've looked at these structures, we've looked at these staff structures and how it's anchored in various communities. We've looked at how this has happened in the past here in Santa Fe County. We've had a number of councils that have been enacted and embodied here in the County in the last 20 years or so. It's happened roughly three times to my knowledge, and they've run into some issues in terms of how they're supported, how they're anchored, how they're funded, and usually sunset. So with that we wanted to come before you and ask some questions in terms of getting guidance from this Board, from the Commissioners of what they're looking for.

How will this be structured? Where will it be anchored and staffed? How will we determine the responsibilities and objectives and then how will we measure that? And with that, we have a couple of options for recommendations as we're still in the planning process here and any permanent body is slightly premature but that's why we're here today to ask questions of you to garner this feedback and bring it in as we develop this.

So Option 1 would kind of embody an advisory council of one member per district, to meet quarterly, initially organized and directed by experts. We would probably seek expert help as we formulate this, bringing in these members of the public to be those advisory volunteers, and begin to task them, similar to the City's structure of building up to a strategic plan for their body, really being exploratory in the initial stage, possibly a survey of current work being done, current people and organizations in the community, moving on to identifying what that programming and those needs would be, and then establishing that five-year strategic plan with funding source recommendations. On an ongoing basis they would become the advisory consultation and community input, so that listening organ.

Option 2, we'd take a little bit of a step back and work with a contractor to conduct the feasibility study, begin to do much of the same work from Option 1 but before we would build any actual council structure, before we'd bring in any of those volunteer members, doing some of the preliminary work to really be robust and direct in terms of what we are doing, what we are looking for in terms of objectives and responsibilities, drafting that plan and establishing a funding source and staffing resources, and then beginning to embody this council.

So those are the two options. This is the option that Economic Development and Santa Fe County would recommend, as we believe that it would help us foster this and continue this work, leading to greater stability and a greater amount of clarity, focus and responsibility for this, all to promote and support our arts institutions and organizations.

So with that, we'd love to have your questions and feedback.

CHAIR HUGHES: Any questions?

COMMISSIONER HAMILTON: Mr. Chair.

CHAIR HUGHES: Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. I don't actually have a particular question. It was a well organized and informative presentation, and I would generally agree with staff recommendation of Option 2 to gather the information professionally and then come back, for my input. Thank you.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Thank you, Andrew.

Welcome to presenting at the County Commission.

MR. SEEGER: Thank you so much. First time in a long time.

COMMISSIONER GREENE: Two questions. I see that the City funds its Arts Commission and stuff through the lodgers' tax. Is there any availability or analysis of whether we could fund this through lodgers' tax?

MR. SEEGER: We haven't directly looked at that at the County level. I know that the City, they're newly developed, so they're still finding out those resources. I believe they get one-seventh of the lodgers' tax, which is a small fraction of that. How that would be put together at the County, we can continue to study.

COMMISSIONER GREENE: It would be great to know if that's an eligible funding source, given that Santa Fe County is an arts community and a lot of our tourism dollars is generated through this. Maybe most of it goes to marketing, but maybe some of it could go towards arts, support of arts stuff. I know we give stuff to programming to help them with marketing but maybe it's not necessarily only for marketing, but it's actually to run some of the organizations.

Second question is I see in here arts programming support, potentially, and I wonder about arts infrastructure support. As you've probably heard, and actually we've discussed previously, working on an initiative to work on a new amphitheater for the region. And this would be not necessarily the direct programming of it but a platform for programming that otherwise wouldn't exist without some initiative by the County or the City or some private organizations but it's a piece of infrastructure that would allow for a lot of arts and cultural programming to happen that otherwise might not happen. So I'm wondering in the sort of direct art spending – a piece of art on a roundabout or in a public building. And then direct arts programming support – okay, great. Those make sense and they're in your plan. And then really working on the infrastructure and the places that arts will be vibrant to happen. And so I'm wondering where that finds itself in there, not necessarily for today but if you have some thoughts on it it would be great to hear that.

MR. SEEGER: Mr. Chair, Commissioner, thank you for the question. I believe that's why we're advising that there is some sort of expertise within this building out process. In the near term, we're already looking – as I talked about to support the creative industries of events and workforce training, but getting up into that higher order level of those more durable, long-term, strategic items, you mention the amphitheater, something that would be, again, structurally important to this. It seems to be slightly beyond the purview of a council or a volunteer body that isn't necessarily empowered with some of those decision making capabilities, and that's why we're looking to really

build this out before we get to any sort of generative process. So I agree with you; there is a need to do some of that long-term strategic planning at this stage. Even before we get to some of these we would like to support [inaudible] in Madrid, for exactly that reason, to be a little bit more strategic with how are our resources going to be expended, who is going to be tasked with them, what are their objectives and responsibilities, and how can we have accountability within those?

COMMISSIONER GREENE: Wonderful. Thank you very much.

CHAIR HUGHES: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you for this. Appreciate it. I see that your recommendation is to contract with a hired expert as opposed to what I will consider a more grassroots community-based type of endeavor, which just to be candid, and I think maybe all of us got that email, almost every week, for a year. That there is a interest for more of a community-generated type of activity in working with these individual artists and pulling these artists to build their own community, if you will. It's part of what one individual was very much forwarding.

I'm curious to hear what type of – to have a hired expert, I'm assuming that would be someone who understands an arts economy. What type of expert would this be? And what would their feasibility – when we talk about needs and opportunities, would that go again to the needs of the individual artists? The needs for infrastructure, as Commissioner Greene was saying? What types of needs? And then would it be this external entity also looking at how to make recommendations with a partnership, with an internal working group. Would that internal working group be County members, County staff? Would that be the individual artists? I need to understand better of that that is.

On thing that I absolutely do know from the effort that was passed through Representative Szczepanski's legislation is that they are very much looking to support the individual artists and the goal, in my mind, in forwarding this, is as we are getting those artists supported, then they would have an opportunity to get further support in ways that their venues would be established. So putting art in public places or assisting event similar to, and I've shared it with you in our meeting, it was a ball out of the park when Austin, Travis County, met with the South by Southwest folks. It hasn't looked back. And there was a great presentation on that and that type of thing, where working with those individual artists in forwarding their particular endeavor.

So can I understand better what this feasibility, the working group, where they come from, and how it would fit into that more organic, grassroots type of model that comes in Option 1?

MR. SEEGER: Yes, certainly, Mr. Chair and Commissioner. Thank you for the question. I think there's recent examples and some examples nearby that show us that when we have an advisory body like this, and Santa Fe County has done this a number of times in the past year and then they've either sunsetted or disbanded, and it's usually that they get overwhelmed. So one of their first tasks is usually a survey of current assets, current artists, a number of things, and that task can overwhelm a volunteer body very early on unless they are really anchored with some sort of staffed resource or an expert like this.

So with that we've also been talking to New Mexico Arts at the state level, and then a couple of other surrounding counties – Taos, Los Alamos, a number of them of



how they conduct theirs, and that's where we've kind of gotten this idea that there are people here already with this expertise. Santa Fe as a County and as a City is full of these people. From an economic development standpoint we have that question of should we be funding things that are more monetary in value? Artist markets, that's one direction we could go. We want to open this up a little bit more, have some of that consideration that could be possible with somebody, possibly from New Mexico Arts, the state level, or even involving the City as they go forward to help us out. But bringing in – there are a number of near experts, very, very close that have a grounded understanding of what's happening here in our community already that we would probably task. We have a number of people in mind that would fit this kind of bill.

And with that, I think that part of that group, working group internally, and I would expect that Public Works, given that it's doing some of the things with art installation within buildings or within roundabouts already, and I want to thank them for their work as they've been guiding us in their efforts in economic development and partially tourism. There are various people with stakes in something like this that I'd like to pull together and use as a listening body as this potential consultant, forming a core that would be tasked with finding out how do we go forward. And as part of that, really doing a listening session with the community. So bringing in some of that grassroots aspect of saying we want to use this time and be very concerted and very focused, while also being very cognizant of what's needed: where are the gaps within our community that need to be supported? Does that answer your question?

COMMISSIONER BUSTAMANTE: Mr. Chair, Andrew, can we so then say that Option 2 is a precursor for Option 1, to be more structured, informed, stronger body, so essentially Option 2 is sort of the groundwork that would need to happen to identify all of those resources, and then tie in the grassroots who really don't have that technical expertise in developing that type of network and where and how things would need to go. Am I understanding that correctly?

MR. SEEGER: Mr. Chair, Commissioner, exactly. I think we've learned from some other localities in that if you put it together, something like this, then they can be quickly overwhelmed or it can be subsumed by the monumental tasks of the meeting to do some of these very structured thinking. So bringing in those voices when needed and when we would like to hear their level of input, but then having some more focus.

COMMISSIONER BUSTAMANTE: Mr. Chair, if there are no questions I'd like to make a motion.

COMMISSIONER HANSEN: Thank you, Commissioner Bustamante. Thank you, Mr. Chair. So I like the idea that Option 2 builds to Option 1. I think that's a good thing. But I think eight years ago we had an Arts Council. We had an Arts something that was supposed to analyze or do something and nothing really ever came from it. So I understand the idea of overwhelming. But what I find really important is I really think the one percent for the arts, or however we want to do it, if it requires an ordinance to create a budget source, I think \$50,000 to \$100,000 is way too low and it needs to be at least \$300,000 to \$500,000 to actually make an impact of art in the community.

Thank you, Rob, for shaking your head. You didn't tell me that; it came from my own mind, but I think that if we're going to make an impact with our artist community,

which I feel like we need to do, we need to go big. Not like, oh, we'll do – because I'm frustrated. Because for seven years I've been pushing something about the arts and the funding source for one percent or however that is done, \$300,000 to \$500,000 every year to like buy art from artists in New Mexico help young entrepreneurs, artists, grow and have their work displayed.

The Bernalillo County Building is like the prime example of an incredible art, and so is the Roundhouse. And Santa Fe County, even though we might not have that much wall space, we do have wall space, and we do have plenty of roundabouts – more roundabouts than probably anybody else has right now. So I think that's important. So that's one of the things I'd like to see.

But there's also a whole other aspect that I don't feel like it's been touched upon, which is theater and performance. And theater and performance in New Mexico is really important. And I don't mean the opera. The opera can fund itself. We don't need to be funding the opera. We need to be funding New Mexico Actors Lab, New Mexico Playhouse. These small theater companies that are really struggling to survive, who can really provide art exchange and give actors and actresses a chance for exposure to grow into the film industry which we support here.

I see this as a way of helping develop artists and support their careers. I'm an artist. I have struggled most of my life here as an artist but I was incredibly fortunate to be supported and figured out a way to stay alive. So I want to make sure that we think about those. And the big responsibility of yes, do the consultant first. I think that that is an important part of it, but not do that for years. Do that for six months. Something like that. And then start thinking about, okay, well, we've hired this consultant. This is what they recommend. This is how we should build the artist support system, because we're looking to support our constituents. We're looking to help them be better artists. We're looking to encourage artists in the broadest form because that's what we're known for nationally. We're nationally recognized so we want to encourage that status.

MR. SEEGER: Mr. Chair, Commissioner, absolutely. And I think that's some of why we recommend this. An advisory body would not have any control over the funding, and if we are talking about funding as large as this – the City of Santa Fe Arts and Culture Department operates a budget of about \$1.2 million, it's a lot of money. Having a council next to it to be an advisory body has value and there's a lot of worth in that and listening to our community and what they need, but at the end of the day we're going to have to determine what we need to staff and resource and build up to a level like this that we could be able to disperse funds like you're talking about. Exactly.

COMMISSIONER HANSEN: Right. And counties throughout the United States – I'm part of the Arts and Culture Commission for NACo and there are – all the counties throughout the United States, many of them have arts councils and it took one of my fellow commissioners from Michigan 12 years to get a performance space like what Commissioner Greene is talking about. And so it's not outside the path of those ideas. So I think that having a consultant first is a really good idea and so I would support that. But it's not a consultant for five years. It's a consultant for six months. Or nine months. Once they're on board.

MR. TORRES: Mr. Chair, Commissioner Hansen, yes. That's the intention is to have a consultant that can help us in the short term on projects we're

working on, but ultimately deliver a report with a set of recommendations that would be considered by the Commission for action. And that would be towards the end of their term, hopefully within a six- to 12-month period.

With respect to a lot of the activities that you mentioned, you're kind of like reading our minds. I was just talking to the Santa Fe Playhouse people the other day. We're trying to figure out how we might work with them on the kinds of things they're doing. We are actively involved in a lot of different event sponsorships, again, to specifically help and coordinate and connect with the arts industries and to that end we are sponsoring, along with the City, the Cloud Top Comedy Festival that's going to be happening next week and that's going to be at venues across the entire city, different venues, but as part of our sponsorship, we're sponsoring two specific things and I think we sent an email out regarding two workshops that are geared, one for non-profit organizations and try to help them figure out how to use comedy in their presentations and in their work, and another one geared towards entrepreneurs and using comedy in terms of their pitches.

So we are moving in those directions and I think bringing in an expert to help us continue that work as well as define the future needs would be greatly – would help us greatly to move it forward.

COMMISSIONER HANSEN: So on that topic of finding things, a number of years ago the Art Institute at the midtown, they had this incredible event that was water-related and I really believe that our Economic Development Department should be supporting the Next Generation Water Summit. I think that's a really important part of what every single one of us up here care about, but that was a great art event where they had pieces of blue and they put it in the Santa Fe River and made it look like a flowing river and they photographed it from up above, and talked about how endangered our river is and how we are now the most endangered water rivers in America. So I hope my fellow colleagues would agree that supporting the Next Generation Water Summit would be a really important thing up to like \$5,000 to \$10,000. So I'm just throwing that out at the moment. I know that's not about art but just thinking of water and art and theater and all of those things going together.

So I'll let Commissioner Bustamante make her motion.

CHAIR HUGHES: Well, I wanted to say, first, I agree with Option 2, having a consultant. Is it appropriate to make a motion, Jeff? We didn't have this as a vote.

MANAGER SHAFFER: Mr. Chair, Commissioner, I don't think there would be any harm in doing so but I think we got the direction we needed so I don't think it's necessary. Thank you.

COMMISSIONER BUSTAMANTE: If I may, Mr. Chair, I wish this was an action item that we could vote on just because I'd like to make a very specific recommendation that I believe that we would all agree with because just leaving it to – just make sure you do #2 first, it could happen. Commissioner Greene said, yes, in the first six months it's just onboarding. If this were truly an action item, and I hope I do have the support of the Commission, I do think that everybody agrees that this is important enough, but I do understand that we would like to move forward with Option 2 in the interest of within the calendar year, developing the capacity for Option 1. That

way, to be ready to have Option 1 implemented in the calendar year of 2025. I leave that for discussion, but that is something that I think gives enough time to put some boots on, figure out how to get it done, and then by January of 2025 looking for that Option 1 group.

CHAIR HUGHES: So I think you can make a motion.

COMMISSIONER HAMILTON: Could I make a comment? Because I agree, I actually totally agree with doing it expeditiously. I have to admit I'm not comfortable with the idea of putting time limits, that we've got to have something by the end of this calendar year. I'd love to think of a good way to motivate people that we're interested in this, but some of the things I think – we were certainly able to move pretty quickly with the task force that was done for emergency management and that was really important. But maybe it's not as big a task in terms of – as the Emergency Management Task Force in terms of data-gathering, but we had it pointed out how much data, how much information a task force has to gather and by the time you get a consultant on, they'd only have half a year. I don't have a good gut feeling if that's enough or eight months is enough. If we could phrase it so that it's not a hard deadline I'd be much more comfortable.

COMMISSIONER BUSTAMANTE: Mr. Chair, I made the recommendation for a year but I'd like to hear from staff what timeline is feasible. If we don't have a gut – my sense is give me a deadline; we'll work towards it; we'll get it done. But there's clearly a difference of thought here and really the most important of what can we realistically get done should come from you. So if you have that, I would like to amend my motion to say within the timeframe that you say it would be feasible to get Option 1 started.

CHAIR HUGHES: Manager Shaffer.

MANAGER SHAFFER: If I could, I would suggest just working backwards, because as I understood the presentation, which I too very much appreciated. This is the foundational ground zero laying to feed into what would the needs be, what would potential revenue be, what would potential staffing be. That's all going to hit the next fiscal year. So I would work backwards from that and that would give you a firm bogie but with a little bit more flexibility. So in other words, have that done in time for the next fiscal year's budget cycle when you would be considering all of those needs and potential uses. That would be my respectful suggestion.

COMMISSIONER BUSTAMANTE: So what would the timeline be? When would that be?

MANAGER SHAFFER: You would be looking – really we're in budget cycle now so April, May of next year. So that's within a year but it's not the calendar year; it's within the fiscal year.

COMMISSIONER BUSTAMANTE: Okay. I would amend my motion to say that by May 1, 2025 –

COMMISSIONER HANSEN: I think sooner. April.

COMMISSIONER BUSTAMANTE: Well, we're looking at the way we're doing the time, it would be May, the finances, but I'm good with that. April 1<sup>st</sup> we would have the Option 1 folks ready to be appointed and moving forward on Option 1. That's my motion.

COMMISSIONER HANSEN: I'm not comfortable with that because I think what we really need, and I agree with Commissioner Hamilton on this is you set up the Option 2 and you get the consultant's information, and you – they're going to need to present that to you.

COMMISSIONER HAMILTON: Yes. Bring it back to the Commission.

COMMISSIONER HANSEN: It's going to need to come back to the Commission, but I think that – I think what they are hearing is we feel there is some urgency. There is some timeline to do that, but I think we've got to get the budget, we've got to get the money in the budget. And the other thing that I am really wanting to see is public art, this one percent for the arts. That's kind of separate from the council.

COMMISSIONER BUSTAMANTE: I hear you. So I don't think it's necessarily separate and I don't think that the timeframe that I've proposed is actually out of that line, because we would have them working within – and I'm assuming, right? Within that calendar year they would be working towards getting us to that date while we're preparing – so the recommendations would be made to the BCC just in time to start putting together with – the council should be tasked with the arts in public places component as well. But that's something that I think all of that would go into the same bucket for this consultant. I do not see them as disparate activities.

COMMISSIONER HANSEN: I think personally, since I'm most likely not going to be here, or Commissioner Hamilton, by the time this happens to be realistic. You should get the expert hired and have the presentation presented is what the expert suggest for you to do, what the recommendations are as opposed to telling the consultant what you want, rather – because I've seen what happened with the council here and it didn't go anywhere.

COMMISSIONER BUSTAMANTE: I'm sorry, Mr. Chair, Commissioner Hansen, there is still an element where we'll tell the consultant what we want if we're going to be telling them if we want art in public places. So I will clarify the motion that they come with a presentation by April 1<sup>st</sup>, not necessarily have the group together, but that the presentation will be delivered by April 1<sup>st</sup>.

COMMISSIONER HANSEN: And the budget.

COMMISSIONER BUSTAMANTE: Prepared with budget and recommendations on how we would move forward with a council that would make efforts towards art in public places and the whole opportunities and needs process that you will go through with those interests that you have described in the meetings that you've had with us already.

CHAIR HUGHES: Do we have a second?

COMMISSIONER HANSEN: I think we have defined what we want without a motion. Juan and Andy, do you kind of understand what we're saying to you?

COMMISSIONER BUSTAMANTE: I don't – I'm not comfortable with that. I made the motion. Sorry. If we do that and you're not here, where's the accountability?

COMMISSIONER HANSEN: Okay. I'll second your motion but I would like it to be a little more flexible. I'm adding flexibility into the motion. It's a friendly amendment.

CHAIR HUGHES: So the motion as I understand it is for the expert to be

hired and to report to us by April 1<sup>st</sup>. Is that right?

COMMISSIONER BUSTAMANTE: Yes, sir.

CHAIR HUGHES: Is that flexible enough?

COMMISSIONER HANSEN: I think that's good, with that short of motion.

MR. TORRES: Commissioner, Mr. Chair, just to make sure I'm understanding. So we're talking about April 1, 2025 to have these recommendations in place and a budget to present to the Board of County Commissioners. Is that correct?

COMMISSIONER HANSEN: Right. So it can be included in the budget.

MR. TORRES: That is a very reasonable timeline and we can meet those requirements.

COMMISSIONER HANSEN: Okay. So I'll second that.

CHAIR HUGHES: Motion by Commissioner Bustamante, seconded by Commissioner Hansen. Comments?

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Greene was not present for this action.]

PAUL OLAFSON: (Community Development Director): Mr. Chair, I just want to briefly say thank you to Public Works. They helped a lot with us in working through the arts concepts. So just recognize that they were a big part of it as well.

COMMISSIONER HANSEN: We're especially thankful to Rob also, although he left the room.

#### **8. C. Presentation on the Solid Waste Cost-of-Service Study**

CHAIR HUGHES: Okay, Maria Molina.

MARIA MOLINA (Public Works): Good afternoon, Mr. Chair, Commissioners, Manager Shaffer. This presentation analyzes the County's current solid waste practice and gives us an effective cost of services study. As a brief background, Santa Fe County contracted NexGen Strategies and Solutions to develop this study through department data review and interviews with County staff among other sources. This presentation is for informational purposes only. No action is needed, but it does help open up the door for upcoming budget discussions. Here to present is Mr. David Yanke with NexGen Strategies and Solutions.

DAVID YANKE: Thank you. For the record, my name's Dave Yanke. I'm the president of New Gen Strategies and Solutions. Appreciate the opportunity to be here to present. So just real quick, so you know who we are, we're a 60-person utility consulting firm. We focus on financial issues – water, wastewater, solid waste, stormwater, electric cost of service studies. I've been doing cost of service studies for 30 years. We're very active. I'm out of our Austin office but we do a lot of work here in New Mexico. I just completed a solid waste cost of service study for Taos County and I presented them about six or eight weeks ago. We've worked with the City of Santa Fe on a cost of service study. Meeting with South Central Solid Waste Authority to do some work for them.

Just a little background also. In 2014 there was a comprehensive solid waste management plan that was completed. I was the project manager at that time. That was completed for the City, the County and the agency, the Santa Fe Solid Waste Management Agency.

So let's talk about our agenda. So today – and I'm going to go very quickly on this because you've had a full day. What I'm going to do is walk through our scope of services, give you a little background on your solid waste system, talk about the cost of service study we completed, some benchmarking, and then we'll talk about rate design options and findings and recommendations.

So first of all, in our scope of services, what we've got to do when we're completing a cost of service study, we're going to develop a cost of service study to do that. To do that we have to have a ten-year capital improvement plan. I'll talk about that in just a couple minutes. And then we develop a five-year revenue requirement forecast. Basically a five-year forecast of what it costs you to operate the solid waste utility. That's operating costs, that's equipment, capital costs, everything. And we did that for a five-year forecast, fiscal year 2024 through 2028. Then what we always do, we calculate how much revenue are you realizing right now, and so where do you stand from what it costs you to operate it versus the revenues you're generating. And then finally, we were tasked with issuing a final report and presenting the findings to staff and to your folks.

Okay, to give you a little background on your solid waste system very briefly. These are the County convenience centers that you operate. There are seven of them. You provide a high level of service. If you look at these, a number of them are open five days a week, 8:00 am to 5:00 pm. Some of the smaller ones are three days a week, but again, I've done numerous cost of service studies for rural systems in Texas, New Mexico, Arizona, so that's a high level of service you're providing there.

This just shows your current permit fees, so again, you're living in the county, you have a 12-trip punch permit, and that's \$110. You can see what the other ones are as well. And again, I understand some of you may live in other areas where you get cart service, so then you have a subscription service. But for the folks that use the convenience centers this is the pricing structure.

I'm not going to go through this other than to just show you. This shows the last three years of tonnage by the seven different convenience centers.

So let's get to the cost of service. So in developing a cost of service study the first thing to do is develop the test year. So we're using the fiscal year 2024 budget that Public Works has. Off of that we develop a revenue requirement forecast. I'll define that on the next slide, and then again we look at funding sources, how much revenue is coming in, what it costs to operate, what your rate design options are.

So what is a revenue requirement? Basically all it is, it's just your operating and maintenance expenses, if you have any debt service, and then cash capital outlays for capital improvement in rolling stock. That all adds up to your annual revenue requirement. So basically it's your County budget but what we're also factoring in, we look over a long period of time, over a ten-year forecast, what the average amount you need for capital for rolling stock, for your equipment.

Again, when we develop the test year, we also put in inflation factors, bottom line. If you look at the third bullet. For fiscal year 2024 the solid waste utilities, estimated

cost, approximately \$2.7 million to operate it. With inflation, by FY 2028 it will be about \$3.1 million.

So this is the capital outlay again. I know you were provided the report, but what we do, the capital improvement is one of the most important things we do whenever we develop these types of studies, we look at all of your frontline equipment. That's your equipment that runs day in day out. You also have backup equipment, so if something's down for preventative maintenance or it needs new brake pads or what have you, you're using a backup. You always want to be able to figure out for your frontline equipment what's its estimated useful life, what it costs to replace right now, and you're setting the money aside so you can pay cash for that equipment in the ideal situation.

Purchasing equipment, you can see when you look at this it bounces around. If you're going to buy something that costs \$450,000, or \$600,000, you can have a spike in what you need from year to year. That's why we come up with the ten-year average. And so what we're showing is you need to set aside on average \$458,000 a year.

This is just looking at your funding sources. Again, from the fiscal year 2014 study we did ten years ago, you can see if you look at the annual actual costs it was about \$2.5 million, \$2,538,000. Ten years later it's gone up only a couple hundred thousand dollars. So that's very small growth. Your first funding source is from permit sales. That's only about \$340,000. It was about \$400,000 ten years ago but you're at about \$341,000 right now. The environmental gross receipts tax, you do use that. I want to clarify that in fiscal year 2024 because the gross receipts tax comes into the general fund. It's assigned to the solid waste operation, and so the remaining amount then comes out of your general fund.

Okay, so let's do a little quick benchmarking. So one of the things we did, we looked at eight other counties. I think it's important to look at what some of your other folks are doing. So these are the counties we looked at. Like I mentioned, we just finished the similar cost of service study for Taos. So I'm not going to read through these but what is important – I want to hit the highlights and we'll talk about funding mechanisms but a number of them – we'll start with San Miguel. They charge \$167 to \$200, depending when it's paid and what have you. But you're required to pay that.

If you go to Torrance, it's \$60 a quarter that you're required to pay. So that's \$240 a year. You have a couple counties that actually do a curbside collection. Smaller counties are more dense – Rio Arriba, Los Alamos. Taos has a \$120 a year fee. I will tell you they have not raised that in about 14, 15 years. They are looking at some significant increases over the next two, three years. That fee will probably go up to around \$200 or so in the next three years and I stood before their commission when we talked about it. It hadn't been raised there, like look, inflation, all these costs have gone up.

So let's talk about some rate design options. So right now the current system you use – well, let me back up. You use a hybrid. But the first one is 100 percent punch permit funded. So for instance, some of the counties that I just showed you, they're going to have a punch card and you pay for whatever you use. The thing that's nice about it is it's pay as you throw. It's equitable because as much garbage as you generate you then use that many punch cards. The negative can be that revenue can fluctuate from year to year because it just depends how many punch cards are being used.

The hybrid system is what you have right now where you have punch cards and



the current general fund that is used to help cover the costs. So you generate about \$400,000 in punch card revenue and then the remainder is made up through the general fund and the environmental gross receipts tax.

And then finally the other option is 100 percent funded by a fixed fee or a tax. The thing that's nice about this system, it's a fixed fee. You know what's coming in. That's the example of those counties that have quarterly fees, like Taos or a couple of the others.

Just so you know, if you're looking at it from a monthly cost standpoint, the homes that – again, your budget right now for 2024 is about \$2.7 million. If you had about 26,000 properties in the county – we're not counting properties in the city, obviously. But that comes out to an annual cost of about \$100, \$110 per year per household.

So let's get to the findings and recommendations. So a couple findings. We would strongly recommend you setting aside about \$450,000 a year for equipment. You put a lot of miles on those trucks. Right now you're generating about \$350,000 a year through permits with the remainder, about \$2.3 million being funded through the environmental gross receipts tax and the general fund. As we showed you, four of the eight counties we surveyed have a mandatory user fee that's paid quarterly. Most of them are all above – well, not most of them; all of them are above \$120 per year. And then what we just showed, the one good thing, if you were to charge a fixed fee as I showed on the prior slide, you would be at \$110 to about \$120 per household. If you remember on the other slide, a lot of those other counties were like \$200, \$240. So yours is cheaper from that standpoint, which is a good thing.

So recommendations, these are the recommendations I was going to provide you. What we would recommend is you consider looking at a mandatory fixed fee. That would be about \$115 to \$120. One of the reasons for that is that it's the users of the system takes pressure off the general fund having to fund that. If you were going to do that you've got a number of other counties around you that already use that system, so you can visit with them about how they put that in place.

We definitely recommend tracking your capital equipment as far as age and life and then a couple other things. If you do stay with the current system where it's the mixture, just make sure that those funds continue to be set aside and dedicated to the solid waste utility. One of our concerns is sometimes we'll see when a solid waste utility is funded from a general fund, whether it's county or city. Hey, things get tight. We're starting to hit a slow-down in the economy. We're not going to buy those trucks, even through the trucks are old, they're breaking down, those things don't happen.

And then finally we'd recommend that you monitor the punch cards because there has been some volatility there. Ultimately, what I want to just emphasize, I gave you my opinion about a fixed fee. It's a policy decision. There's not a right or wrong way to fund the system. The key thing is to fund it, whether it's 100 percent with a user fee or a mixture of permit fees and the tax, general fund. Either of those work. And with that, I'll be glad to take any questions.

COMMISSIONER BUSTAMANTE: Mr. Chair, it's not so much a question – well, maybe it is. One thing that I've observed in our area is just in the last two years really. Maybe three. There has been a big push for the private curbside pickup now.

And I'm wondering how much that is factored into this. Less people are using the transfer station than ever before. And I don't know if that is a variable in how this was reviewed or if we were going with numbers based on history, but a lot has changed.

MR. YANKE: Sure. Now, great question. So what we're focused on is the County provides and operates seven convenient centers and so those are pretty much a fixed cost in nature. You've got those trucks running. There's a little movement in that, okay, if you're not picking up – if you're hauling roll-off containers three times a week instead of four, yes, you're saving a little bit but you've got all those costs. To the extent that you have private haulers that are providing curbside collection, absolutely. That will reduce the frequency of those trips. So this is a snapshot picture of where you are right now. One thing to consider possibly, if some of those convenience centers are seeing a decline in usage – remember I said you provide a high level of service there. It's not uncommon that convenience centers operate two or three days a week instead of five days a week. Again, you want to look at, before you just say, oh, we're going to do that. You want to look at how many trips people are making. You've got to make sure you're not going to have cars queuing up out on the road and a safety issue. But the point is that is one thing you could consider looking at.

CHAIR HUGHES: Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. So it's really interesting. Doing the system we do now with the permits that let you pay as you throw or whatever the expression is.

MR. YANKE: Sure. Yes.

COMMISSIONER HAMILTON: Only covers a little more than 12 percent of the actual costs. And yet for a fee that's not that similar for what it costs for a 12-punch card or however many punches you get, if it's charged per household it would cover all of the costs? It would cover 100 percent of those projects costs.

MR. YANKE: The short answer is yet but now I'm going to put a couple caveats on like a good consultant. So the short answer is yes. If you look at this, if you have approximately – again, we worked with the County to get these housing data. So there's about 26,800 properties in the county. Again, excluding urban areas/cities. So if everybody subscribed or paid, yes. Right now, it would be \$102.90, escalating to about \$116 four years out. That would fully fund the system. That assumes then all those folks are going to use those convenience centers, to the extent, as was just mentioned, if some of those folks are using curbside collection, then there'd be a push-back on why am I paying for that?

Now what Taos has done for that, what they do – and again, their fees are going to go up. Right now they are currently charging \$120 per household. You have a property – you're paying. If you have subscription service, Waste Management is the big operator up there, so I don't want to go to the convenience center and Waste Management comes by. I get a cart from them. By the way, they're going to charge you \$40 or \$50 a month for that because you're out far, you don't have route density. But for those customers, they pay \$30. So what the County says is okay, you're using the convenience center 100 percent, you pay \$120. Dave, you subscribe to Waste Management – I pay Waste Management \$40, \$50 a month, so I'm paying \$500 or \$600 a year for that. But then I only pay \$30 to the County versus your \$120, and then I get like six tickets. I get a

reduction. I get a quarter of those tickets and they say, yes, when you want to get rid of that sofa or whatever, stuff that's broken down, you can use it.

COMMISSIONER HAMILTON: Okay. So it's very interesting and you kind of answered my first question and my second question. So going on to my third question, which is good. And by the way, for the second question, it make sense, you could somehow figure out the logic of doing some carve outs where you would still cover essentially 100 percent of the cost but make it more fair, depending.

So one of the issues that has been brought up over and over is the problem of illegal dumping. So if you raise costs on like punch cards, we've never been able to even achieve what was from more than a decade ago as you pointed out, the intent of trying to cover the costs of dumping, or operating our system, because of tremendous complaints of to continue to raise the price of the permits. And the argument has always been that that just encourages illegal dumping. Do you have any information from counties that do this kind of per-household charge? Because then you get free use of – it's not free; you pay an annual fee, and then everybody gets to use this as much as they need to. Does that reduce the illegal dumping problem?

MR. YANKE: Sure. So I'll answer that. First of all, just to be clear, you use that – let's just wave a magic wand and the County has gone – everybody's paying a set amount. You still would get punch cards, so you can bring a certain amount of loads. If you use up more than that, then you have to buy more punch cards. What you don't want to do is just say, yes, bring everything, whatever. Because then you can folks, and we've seen this in some areas, you'll get some very ingenious folks that they run a little private collection business where they're picking up people's trash in pickups. It's happening in Taos. It happens elsewhere, and they're bringing a lot more than one person's garbage.

COMMISSIONER HAMILTON: Of course if every household – so whether I carry only my trash or my trash and my neighbor's trash, my neighbor still has to pay the same \$120 a year than I have to pay, so I'm not sure what difference it makes. Although I'm kind of with you generically. There clearly have to be some limits, and maybe there would also be limits for big ticket items. You still have to pay for that, not just bags of household trash.

MR. YANKE: So to be that clear, with that \$120, so every house in Taos pays \$120 unless they're getting a private – coming picking up their trash; then they only pay \$30. But they get a set number of punch tickets. Okay? So if they're bringing a lot of trash, again, they can't just bring unlimited. They have a certain amount of punch tickets. So if they start bringing a lot then they're going to have to purchase additional punch tickets. So that does prevent the creative guy that's bringing a pickup. Because if he brings a pickup that's heaped, that's like four punch tickets. One punch ticket is for like eight bags, eight hefty bags. You put a limit on that punch ticket. So you come with six or eight bags, that's one punch ticket. You come with a pickup with 30 bags in the back, that's going to be like four punch tickets.

COMMISSIONER HAMILTON: Okay. Why? I'm still not sure that I see exactly how it makes a difference. If the annual costs of operating the centers is based on a history of usage. So we know how much tonnage we have to do. We know how much trash everybody has to throw anyway.

MR. YANKE: Right.

COMMISSIONER HAMILTON: And so does the limit that you're suggesting or that these other counties put on represent approximately a household's annual trash load?

MR. YANKE: That's what they're doing. And then honestly, they'll be the first to tell you, when I was in Taos, and I'm talking with the operators there. They go, yes, sometimes we're – because they don't want to deal with someone getting upset. So they just say, yes, fine. One punch ticket. And you bring it in. But the reason you want to do that – you're right. In the big picture, they're getting the revenue; they're okay. But what it's encouraging is these folks on the side that are bringing trash in and making – they're hauling illegally. They're not certified garbage haulers. You have to have a license to do that. So they really don't want to encourage that. That's the biggest thing.

You're correct. From a revenue standpoint you're going to be okay. Let's go back to the illegal dumping question though. So there's always a balance with that and I actually about 20 years ago spent a good amount of time – we were developing environmental enforcement on illegal dumping, manuals for the states of Missouri and Iowa. And we would do workshops. We had code enforcement officers out and all those things. So the big thing you'd emphasize is convenient and affordable garbage collection. So you want to make it reasonably priced. Okay? It's got to be affordable. Didn't say free; it's got to be affordable. It's got to be convenient. And so there's always a balance with that.

One of the things they found though. You can have people and you can have free and there's going to be people that will just – and they've seen it. They're going to go dump it in an arroyo anyhow. You could have it free and they're still going to dump. They're going to do that.

So from our standpoint you want to have a reasonable price. If you – and again, I'm not saying you should go to this system. I like it, but if every house were charged \$115, \$120 where you did a discount if they have a private service, you can fund the system and it puts you in good shape financially, and that price, right there, is pretty close to what you're paying. They're paying \$110 right now for dozen punch tickets. So your costs are very comparable. Your costs aren't going up. Nine dollars a month for garbage is cheap. It just is in reality.

COMMISSIONER HAMILTON: I actually like this idea. At least on first presentation. So one final question. You mentioned – everything you said made sense about the capital and saving money and stuff. One of the recommendations was that we really carefully track that. Do we not do that? I thought we actually did track that in our budgets.

MR. YANKE: You're tracking the equipment, the age, the mileage. And we run into this problem, so trust me, when I say this, this is not like, oh, Santa Fe County, this is the first time I've ever send it. Everybody gets busy. One of the biggest challenges we see with our clients on fleet services is good tracking of repair costs. What's called preventative maintenance and then brake jobs. These trucks put a lot of miles on. There's wear and tear on them. But it would be if you can track better those costs by year you can really track those trucks that have to be replaced and those that don't, and not do it just based on age. We had a client in Wyoming. They had a 20-year-

old truck. That thing just kept going. And they tracked their operating costs. Instead they had a lemon they had gotten that was like four years old that was just costing them an arm. So they got rid of the four-year-old and they kept the 20-year-old for a while longer.

So just tracking that cost data and that's something a lot of solid waste utilities – because now solid waste is coordinating with fleet services and that can be a challenge sometimes.

COMMISSIONER HAMILTON: So it's really more specific asset management.

MR. YANKE: Yes. Yes.

COMMISSIONER HAMILTON: Great. Thank you so much. It's really interesting.

MANAGER SHAFFER: If I could, Mr. Chair, if I'm getting a detail wrong. The other component of that is the option being presented would set this up as a true enterprise fund which it is not now. And so if it were set up in that way you would be tracking the accumulated capital in that fund and we're going to make those revenue replacements now as a practical matter that's being done outside of the revenue stream because we fund fixed assets through budgeted cash. So I think that was a component that I also heard the consultant try to articulate is that if it was a true enterprise fund you would be making sure to capture those costs internally, build up that fund balance so that you could pay for those assets in cash. Did I miss the point of that?

MR. YANKE: No. That's spot on.

COMMISSIONER HAMILTON: That's great. I get it. Thank you very much. Thank you.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. So like eight years ago, before we were on this Board the County basically decided to have some experimental areas like Rancho Viejo. I don't know if Eldorado does it, Las Campanas, but areas around the city and we kind of ordered them to have haulers. I worked with my constituents in Las Campanas because they were having like five different haulers. I said, just make a deal with one hauler, less tear and wear, and they did that and they're completely happy.

So we've done this kind of thing of making constituents that live around the city basically have haulers. They're required to do that. And they don't use our transfer stations. Maybe some of them do but most of them are done through the HOAs. So I see where you're going. I understand the idea. Trash in general is expensive. And \$9 a trip to a transfer station is cheap, as you said. So we've already set up this one way for residents/constituents to have their trash taken care of by requiring them to have these haulers, and then we're going to tell them, oh, you don't need to have a hauler you can just pay this amount or you pay \$30 additional a year. I assume it's a year, \$30 additional a year, and –

MR. YANKE: What I would do there, just I think to help with that, those folks that have private haulers – and you're right. You want to contract with one hauler versus having four or five because it's a huge wear and tear on streets. It just tears them up. So most of those folks, they probably are not going to want to get rid of their private hauler. They like that. I know my wife would rather haul the garbage can when I'm traveling out to the street, versus hauling it ten miles. So those folks aren't going to get

rid of that. So if you were to go to this fee, again, I'll use the example of Taos. It's \$110, \$115 dollars, that's for the households that do now have a curbside collection and then you can do that fee for the folks that have curbside. They pay \$20 or \$30. They get a handful of permits that they can use when they have those big bulky items.

Here's the other way to look at it. Right now those folks, they live in the county. They're paying for subscription and then the shortfall that's funded through the general fund, they're paying for it there, so paying one way or another.

COMMISSIONER HANSEN: I get it. I was just bringing that up as an example. I appreciate the presentation. Trash is always an issue. I'm happy I live in the city and they collect it right outside my door. And it's like \$20 a month, so that's \$240 a year.

CHAIR HUGHES: Okay. Thank you.

[The Commission recessed from 6:15 to 6:22.]

**8. D. Presentation on New Mexico County Insurance Authority: History and Recent Developments**

CHAIR HUGHES: Now we're ready for Manager Shaffer to tell us about County Insurance Authority history and recent developments.

MANAGER SHAFFER: Thank you, Mr. Chair. I was going to subtitle or give this an alternate title of Shot of Novocain to the Brain relative to insurance basics. But I hope that this is part of a continuing trend to have representatives of the Board of County Commissioners on our various boards report back to the full Board in terms of things that are happening so that you have that feedback loop from your representatives.

So the presentation is going to be brought up. I'm not going to wait for it to start in that I want to keep us on track and Sara gave me a strict seven-minute time limit in terms of doing a presentation. So the things I hope to cover today are to go over a little bit of pooling basics. In addition, I want to talk a little bit about the purposes behind governmental risks pools, give you a brief overview of New Mexico County Insurance Authority history in terms of how we got to our current setup to talk briefly but really give you information about the governance of a NMCIA. And then finally talk about some of the recent developments at the New Mexico County Insurance Authority.

So in terms of pooling basics, and this is a very simplified version. Generally speaking, governments as well as individuals or businesses, you can insure risk through self-insurance. You're setting aside your own resources to pay claims as they come in, or you can transfer that risk to another entity through insurance and then again, sometimes those work in tandem and often due. Your car insurance with a deductible is a combination; the deductible is your self insurance; the part of the risk that's taken on by your insurance company is what's insured.

So governmental risk pools consist or member governments who pool their self-insurance reserves and purchase insurance, including re-insurance for the benefit of their members. And the simplest illustration I could give with this is if you had ten government entities or counties that each reserved \$1 million for third party liability claims, if they pooled those resources together then they're able to cover ten \$1 million claims, five \$2

million claims, or one extraordinary \$10 million claim. That's pooling in a nutshell.

There are benefits to doing that because if you look at the County's claims experience or the claim experience of any other governmental entity, it's not consistent. There are good years and there are bad years, and so you have to plan for those bad years. And by pooling resources you're better able to do that collectively than if you're doing it on your own.

In terms of why those governmental risk pools exist, first, there is the benefit I just described about being able to pool your assets, but the reality is that the pools came to exist and have grown and have changed the way they do business because of the vagaries or instability, if you will, the private insurance market. Oftentimes private coverage is not available at all. It could be not renewed on minimum notice, or it could be not available at reasonable, stable, or sustainable rates. In addition, because they're member-owned organizations, then the members have greater control over significant program features, such as what the coverages are, what loss prevention services are offered, as well as the settlement of claims. Generally speaking pools are going to have lower or reduced overhead and administration costs and there's no profit motive, so they're not building into the rate structure profits that are necessary to pay investors for the money that they're having.

There's also stability in terms of long-term coverage being offered and in the particular case of the New Mexico County Insurance Authority and New Mexico Counties, a large portion of New Mexico Counties' budget comes from the New Mexico County Insurance Authority in that New Mexico Counties is the administrator for the insurance pool and gets paid for those services.

So providing a little bit of examples relative to those topics, I am told, in 1995, just in terms of the short notice and lack of stability, the Risk Management Division of the State of New Mexico used to provide coverage for law enforcement and jail operations. That was canceled on 60 days notice and that caused the counties to augment the offerings of their then multi-line pool.

In terms of flexibility over program features and coverages, you might recall a few years ago those who were on the Board when we were looking at medical malpractice through the private market, the last quote that we received was a million dollars in premium for coverages that were a million dollars per occurrence and three million aggregate. So basically, we were going to pay the insurance carried a million dollars in order to potentially get one million dollars in coverage back.

New Mexico County Insurance Authority worked with Santa Fe County to offer medical malpractice coverage to the County at a much more reasonable rate for fully staffed, it would be this year \$120,000. So again, it gives you that sense of member control over those program features.

The reduced administration costs, New Mexico County Insurance Authority has a legal bureau, so a lot of claims are handled by in-house attorneys. That creates great efficiencies because you're paying them a salary rather than paying them for the work they do on an hourly basis. And stability in terms of the coverage will be there in the long run. I am told in talking to New Mexico County Insurance Authority staff, current and previous, that there's only ever been one county who was expelled and denied coverage in the history of the various pools due to their inability to control their claims. So again,

the coverage will be offered; the terms may vary but it's that notion that unlike a private carrier who can just exit a market and say we're no longer prepared to underwrite wildfire risk, or we're not going to provide hurricane coverage in hurricane-prone areas. New Mexico Counties and other governmental pools are in it for the long run.

So I'm just going to give a brief overview. The first pool was created in July 1987, and that was the Workers' Compensation Fund. That's when the Workers' Compensation Fund JPA went into effect. Approximately a year and a half later another separate entity was created to offer multi-line coverages which would include general liability, slip and fall cases as well as law enforcement coverages. In addition, the current state came into existence January 1, 2020, which was the effective date of the New Mexico County Insurance Authority joint powers agreement. So formerly you had two pools and two boards. They were consolidated down into one. The governance was consolidated under a single board of directors. While they're separately tracked, the assets and liabilities of all of the lines of coverage are now accounted for collectively and in addition, while this has not yet been utilized, the NMCIA was authorized to provide coverages to non-county political subdivisions and other public entities to diversify its business.

The board of directors, generally speaking, there is geographic and population representation for all of the non-Class A counties. And then Class A counties each get their own individual representative or their own director on the board, and Bernalillo County, because of its size, has two directors. There are also some non-voting members that are able to participate in board meetings as well.

I'm not really going to spend too much time talking about the duties of the board. Suffice it to say the board has decision-making authority over big picture items such as what coverages are going to be offered, what the contributions are going to be, any special assessment, whether it's to settle and if so, at what price, significant claims would be the things that I would highlight. Separate and apart from the board of directors, each county that is a member has a member representative and they meet once a year. Their powers are really high level such as to elect directors to serve on the board of directors, amend the joint powers agreement, or to decide to terminate the joint powers agreement and to terminate NMCIA.

So I wanted to really focus my attention on a few recent developments from NMCIA that are really designed to help ensure the long-term sustainability of NMCIA. First, the entity began operating January 1, 2022, but NMCIA actually created a separate insurance company. It's name is New Mexico County Re-insurance, Inc., and it's what's known as a captive insurance company, which means that it only exists to insure its parent. And so this entity is set up only to provide insurance, primarily re-insurance, to New Mexico County Insurance Authority. So again, it's wholly owned by NMCIA. It's domiciled in Utah. The reason it's not domiciled in New Mexico is that New Mexico doesn't have a captive insurance law, and so we had to find another state that would allow us to do that.

It is a regulated insurance company, so it is regulated by the Utah Insurance Department, and again, it's purpose is limited to providing insurance to NMCIA.

So the reasons that this was done is that it provides, hopefully, increasing or stabilized access to the re-insurance market. Pools are not insurance companies. The New



Mexico County Insurance Authority is not an insurance company. We're not regulated by the Superintendent of Insurance. As a result, some private carriers are leery of doing business with a pool because it's not a regulated entity and they are more comfortable dealing with entities such as themselves who are actually regulated by insurance regulators of a state.

In addition, because we set up a separate entity to specifically help with the re-insurance needs of NMCIA, it is a source of re-insurance to NMCIA, but again, can partner with other insurance companies to cover those claims and those claim limits that are above what are self-retained or self-insured by NMCIA. In addition, because it is a regulated entity it is a means, frankly, to protect ourselves from ourselves, because the fund balance is now in a separate entity that has separate governance that is overseen by an insurance carrier. So if you want to try and do something with that fund balance, you would actually have to get the approval of the regulators.

A second significant recent development is that the NMCIA board of directors undertook a capital adequacy study and developed a new policy on capital adequacy. The prior policy established as an aspirational intention that the NMCIA would maintain a minimum one year of budget as unrestricted fund balance that would equate to approximately \$42 million. The need to do a more robust analysis was identified by the board of directors during an October 2022 strategic planning, and what resulted from that was a capital adequacy assessment that was performed by Price Waterhouse Coopers. And in essence, what PWC did was sort of quantify the risk that faced NMCIA as an entity, and applied similar modeling as to what an insurance company would do. And as indicated in the slide, it referenced standards that are applicable to insurance companies by rating agencies and regulators, and presented the board with a couple of different options with ranges.

Ultimately, what the board of directors of NMCIA chose was that the minimum net position or unrestricted fund balance that the board should have is \$31 million, which would allow NMCIA to meet a one in twenty year capital event. So if there was a draw on capital, meaning an extraordinary number of claims, high frequency, high dollar amounts, or other potential risk, that the board would be able to withstand that one in twenty year capital event.

The range that was developed above the minimum, the lower bound was a net position of \$54 million, which correlates to a one in a two hundred year capital event, and the upper bound translates to a twice one in two hundred year capital event should that happen. And the point being that there does come a point at which reserves become excessive and that's why the upper bound is put in place. The ultimate target is right in the middle of that range which is \$81.5 million.

The assessment showed that currently NMCIA needs to increase its net position to get to that lower bound. The policy provides that that should be accomplished over a reasonable period of time, and the board opted to do that over three fiscal years, from fiscal year 25 to fiscal year 27. Special assessments were issued in April, so this month, based upon members' contributions to the various lines of coverage. The County's total of capital adequacy assessment is just north of a million dollars, which we have the option to pay over three years. Again, that's the goal of getting to the minimum or lower bound of the capital adequacy range.

And then the final thing that I want to emphasize in terms of long-term sustainability, and this gets back to the benefits you have of being a member of NMCIA, or that we have, is that it's able to do creative things in order to meet the needs of its member. One of the consistent challenges throughout the state is policy development and training with regard to law enforcement operations. Number one, you need subject matter experts who are staying abreast of changes in the legal environment. You also need the bandwidth, the capacity, to write and update policies, and then you can further need regular training on those policies.

And so when you stack all those things up against daily operations of law enforcement operations it can be a challenge to make sure that your policies are up to date, legally compliant, and that folks are regularly trained on them. Recognizing that need, the board of directors agreed to invest almost \$1.4 million in a contract with an entity called Lexipol, and Lexipol will provide services to all county sheriffs statewide to provide them with policies and updates that are developed by public safety attorneys and other subject matter experts. They continuously keep apprised of both changes to legal requirements as well as evolving best practices and recommend policy changes proactively in real time. In addition, they offer daily training bulletins and a knowledge management system to help keep track of those policies, make sure that they've been acknowledged by officers, make sure that the officers are doing their regular trainings.

I want to emphasize this doesn't mean that our Legal Department or the County Sheriff's Office is no longer involved in that. Ultimately, they have to be signed off on, but the point is that you're now bringing a resource to bear that benefits the entire county, benefits all law enforcement operations, and by extension all of our citizens, by making sure that everybody's policies are up to date and comply with current legal standards and best practices, whether that's with proceeds?? of vehicles, use of force, what have you.

So again, I'm just going to summarize what I hope to get across in the presentation. New Mexico County Insurance Authority, you wouldn't think of it as an insurance company; it's not. It's really a partnership among member counties. The contributions and assessments are really investments to ensure the long-term viability of that partnership, and that the NMCIA will continue to be able to there when other options are not. That probably counsels us to think about coverages as a commodity, where you're looking for the lower price, because, again, we're a partner in NMCIA and it's there for our long-term benefit.

I'd like to think that the NMCIA board of directors is being pro-active to ensure that as an entity it's built to last. And then finally, I just want to emphasize the focus of NMCIA on loss prevention and risk management as well to help our operations be as top-notch as they can. I mentioned the Lexipol services. There are others. They have an accreditation program for adult detention facilities, for county sheriffs, and for other operations. And finally, they are very pro-active in providing pre-claim advice. Even before you have a claim you can call and talk to NMCIA attorneys about potential personnel matters, what have you, which is a great benefit, both to smaller counties that might not have on staff legal departments but I think Jeff would attest to it, it can also be a benefit even to counties who do because you have an outsider and another set of ears and eyes to provide advice.

Included in the packet material are some reference documents, including the joint

powers agreement, the bylaws, the deductible and coverage options that we selected for calendar year 2024, as well as the special assessment we received for capital adequacy and the board's policy on capital adequacy. I'd be happy to answer any questions.

CHAIR HUGHES: Thank you. Any questions? Commissioner Hamilton.

COMMISSIONER HAMILTON: That was great. It was so easy to understand. I wish we had gotten this years ago. But of course we couldn't have. I'm sure of it developed. Plus I think it's amazing that a capital adequacy study was done. That's right now. And frankly, \$81 million is higher than \$42 million in capital assets and have to build it up. We're in back fall off?? So very quickly that you did that. I think that's really good hear.

But there's a piece I just don't understand and it has to do with the reinsurance. So probably it may not be necessary for me to understand but if we – that is our partnership, the New Mexico Counties partnership, started this re-insurance company just to be able to do re-insurance for us, which is like when you need more insurance than what your capital lets you do. Right? Isn't that – you might want to clarify. Maybe that's part of my misunderstanding what we use re-insurance for. How are they funded? Isn't it like – our insurance pool is for the main companies funded by inputs from each county, right? It's our money. We're just pooling it to do stuff with. Did we fund the re-insurance company?

MANAGER SHAFFER: Mr. Chair, Commissioner Hamilton, yes. And so part of – and in the capital adequacy assessment, just to be clear, that is factored into because it is a wholly owned subsidiary. So that is captured.

COMMISSIONER HAMILTON: Okay.

MANAGER SHAFFER: But part of the available fund balance was invested in the re-insurance company so that it had adequate capital to start doing business. When it agrees to re-insure New Mexico County Insurance Authority, we pay a premium to it. So it builds up its own – so it's two things. There was an initial capital investment and then we pay a premium for any risk that it's agreeing to take on for the benefit of NMCIA.

COMMISSIONER HAMILTON: That's great. Thanks a lot.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Thank you for the very dry topic. You made it interesting. Good job. So the re-insurance company, is it all the pool of money that they have, sort of building on Commissioner Hamilton. Is all the money coming from us or have they entered into deals with other re-insurers to pool their re-insurance program? Because you said other companies wouldn't be so thrilled to do business with somebody that wasn't regulated. We created one that regulated. Was that so that they could re-insure the re-insurance companies? Or create a re-insurance pool?

MANAGER SHAFFER: Mr. Chair, Commissioner Greene, yes, that could be done in time. At this time, because of the hard market for law enforcement, it does not have any such active main insurance arrangements. But our hope is that over time, it could explore those options as commercial carriers become less leery of covering law enforcement risks to include county jails. I hope that answers your question.

COMMISSIONER GREENE: Sort of. Ninety-nine percent of it. So the goal of that re-insurance was for that ability to go out there to play in that other pool

because we would be regulated and then we would have a track record over five years. Maybe the market changes and then we can go to a different format.

MANAGER SHAFFER: That's exactly correct.

COMMISSIONER GREENE: Wonderful. Thank you.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Yes. So with this Lexipol, the training company, so it's required by all the companies to participate in that? And is it also required for the Risk Management to get the training there also?

MANAGER SHAFFER: Mr. Chair and Commissioner Hansen, it is specific to law enforcement, and so it's specific to county sheriffs and their policies. And so the training is specific to their deputies. It was not made mandatory as a condition of coverage, but we did actively solicit feedback from county sheriffs who were, to the best of my knowledge, uniformly in favor of this, because of the struggles that I mentioned just in terms of keeping up to date and updating your policy. So I believe my expectation is that participation will be close to 100 percent if not 100 percent by county sheriffs statewide.

COMMISSIONER HANSEN: And then what about Risk Management?

MANAGER SHAFFER: Mr. Chair, Commissioner, so certainly they'll have access to the policies, but because they don't arrest people or implement them, the training would not be of value or as much value.

COMMISSIONER HANSEN: Okay. Thank you.

CHAIR HUGHES: Anyone else? Well, thank you, Greg. That was very interesting.

## 9. Matters of Public Concern

CHAIR HUGHES: Someone is here to speak to us. You may come forward. Daniel, do you want to set a three-minute timer.

PHYLLIS BACA: Hopefully, this will only take one minute. First, apologies. I didn't understand the process and I should have spoken when it was being talked about, the La Cienega/Cieneguilla well water contamination. My name is Phyllis Baca. I have a 40-year home there and we're also part of the Baca Ranch, which has about 1,500 feet of river frontage through our property, which has deposits coming through. We do have one well on the ranch. We were proposing to do another well for a piñon farm this year but we're going to put that off to see what happens with everything.

I would like to thank all of you for your support at the townhall. You saw what happened there. Most of you were able to attend and there was 250 people plus streaming out the doors. Thank you for coming. That's when I decided to get involved. I wanted to do three things with everybody, and thank you, Santa Fe County. They've all left. Thank you, Commissioners. Thank you, Commissioner Bustamante, La Cienega Valley Association.

I'm a separate entity from all of those but I've had support from all of you to start reaching out to all of the people from a grassroots point of view to get information out to them, to keep the narrative consistent. What people know, how they know it. I have little filters from *Consumer Reports*. Their big concern. What's my water? Should I drink it? I

can't afford anything.

Thank you, thank you for passing the grant today. This is going to be such good news at the pancake breakfast, and it sounded like within a couple of weeks we'll have grant applications for these people. In the meantime, we will just get the word out to them. Hopefully we'll have everybody who is eligible start applying to these to put something under sink and get their water tested. This has been a huge concern. All I can say is thank you, everybody. Wherever I reached I had immediate response from the County, La Cienega Valley Association, everybody.

I'm just a grandma with a chemical engineering degree who stands on the side of the road and says I can understand whatever's given at me and I want to get the word out to you, because I'm retired.

But thank you again, so much for everything that you've done and the future support – Rachel, Shelly, Commissioner Bustamante. Just everything. Thank you.

CHAIR HUGHES: Thank you. Is there anybody online?

DANIEL FRESQUEZ (Media Specialist): Mr. Chair, we did have one person pre-register to speak virtually by the name of Chris Mechels. I do not see him online nor do I see any other members of the public online.

COMMISSIONER BUSTAMANTE: Mr. Chair, may I address the Board in noting that Phyllis Baca has been standing on Saturdays out near the Las Golondrinas, putting signs up on her own and giving information to community members, and noting, counting each one that comes by, all on her own and stepped up. I'm super grateful for you – the trust the community has in you, given your chemical engineering degree, and your willingness to spend time to be here all afternoon to just tell us thank you. So I'm very grateful for the work that you're doing, sincerely.

She goes to meetings and people trust what she has to say and that goes a long way. She's been working very closely with Shelly. We're absolutely grateful. So thank you.

CHAIR HUGHES: Okay, so no more public comment. Okay. That's closed. Greg, were you going to suggest that we move the executive session up a little bit?

MANAGER SHAFFER: Mr. Chair, Commissioners, I think that we are – yes. That was going to be my suggestion and we're getting there in due time so I think that would be appropriate to go there now.

**11. Matters from the County Attorney**

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

**Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:**

- 1. Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations with AFSCME 1782, AFSCME 1413, AFSCME 1413-M, IAFF 4366, NMCP SO-Deputy Sheriffs, and NMCP SO-RECC**

JEFF YOUNG (County Attorney): Before we go into executive session I wanted to give some ideas of what we might talk about. Thank you, Mr. Chair and Commissioners. I would ask that we go into executive session to discuss 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). And specifically including discussion of bargaining strategy preliminary to collective bargaining negotiations with AFSCME 1782, AFSCME 1413, AFSCME 1413-M, IAFF 4366, NMCP SO-Deputy Sheriffs, and NMCP SO-RECC. And I don't expect it will take too terribly long, approximately maybe 30 minutes or so.

CHAIR HUGHES: Okay.

COMMISSIONER HAMILTON: Mr. Chair, I move that we go into executive session for the purposes that the County Attorney just delineated.

COMMISSIONER GREENE: And I'll second that.

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

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

[The Commission met in executive session from 6:55 to 7:44.]

COMMISSIONER HANSEN: I would like to make a motion to come out of executive session and the only thing that was spoken about was what was on the agenda and no action was taken.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay. Motion by Commissioner Hansen, second by Commissioner Hamilton.

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

**10. Matters from the County Manager**

**A. Miscellaneous Updates**

MANAGER SHAFFER: Thank you, Mr. Chair and Commissioners. I have a few miscellaneous updates. First I just wanted to acknowledge the efforts of the community and volunteers and County staff relative to Earth Day. I believe all County Commissioners were present at Hondo Fire Station #1 and were able to witness the new rain garden and its various features. In addition, we did receive information from the Keep Santa Fe Beautiful's executive director, Carol Branch, about the Great American Cleanup event which shattered previous records, I'm told. There were 28.5 tons of trash that were collected as part of that event. There were 2,442 volunteers who participated, and 20 schools that participated in the Great America Cleanup event. So Ms. Branch wanted to thank and acknowledge which I will also pass along, the special efforts of Nav Khalsa, the County's Volunteer Coordinator who helped organize our cleanup efforts, as well as Justin Martinez, the Utilities Operations Foreman, who collected the trash throughout the county.

There are special meetings, budget study sessions planned that should all be on your calendar for this Friday, next Monday, next Wednesday, as well as next Friday. We look forward to working with you on the operating budget.

In addition, the Sundance Film Institute is looking to potentially relocate its annual film festival starting in 2027. The Santa Fe Film Office is working on a response to a request for information to potentially participate in that process as a potential location and I'll keep you informed as that process moves forward. So those are really all the updates that I have. Thank you, Mr. Chair.

CHAIR HUGHES: Okay. Thank you.

**11. Matters from County Commissioners and Other Elected Officials**

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

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Ambra and myself went up to Chupadero yesterday to meet with the water co-op. They were having their monthly meeting. We were happy to tell them that their new well had come online and it was producing. It is in its 30-day testing period and they will be testing for production as well as water quality over the next 30 days with the goal of turning that portion of the system over to them once the contractor is done with that.

They have also requested a look at a community plan. They've watched how Tesuque and San Marcos went through their community plan recently and they actually discussed a way to maybe see if we could do one for them up there. And so I will be bringing that forward and putting that request to Growth Management and the Planning folks to see how we can cycle that into our capacity to do that.

On the subject of broadband, the broadband working group is doing its thing. We are in a portion of our planning that is the challenge period and so what's going on now is

the FCC and the State Broadband Office have maps that delineate eligibility to census block groups for broadband money that has come from the federal government through to the state. The state receives \$675 million and if your census block group, which there are 124 of them in Santa Fe County. If those census block groups show as served, they're not going to be eligible for money. So what we're asking everybody to do around Santa Fe County, and it's on the front page of Santa Fe County's website, we put together a survey to ask people to tell us how their broadband is at home, and to test it and to tell us how it works, whether they're having good customer service, something like 30 questions or something – 25 questions in the survey, and we posted that survey late last week and as of this morning we had 83 submissions to the survey which I am being told was spectacular. People expected like a dozen, and to have 83 in just a few days, and we have a few more weeks to get them. We need these to produce these challenges.

And so there's a bunch in each one of our districts. And so we're putting together a master plan, a broadband plan. All of your districts, all of our districts need people to challenge their map. So whether it's in Glorieta, Commissioner Hamilton. Whether it's in La Cienega, Commissioner Bustamante. Whether it's in Eldorado, Commissioner Hughes, and Agua Fria Village, Commissioner Hansen. All of our districts have areas that we need people to challenge the map. And then when we challenge the map we can potentially overturn and update the map to allow these areas to be eligible for money.

COMMISSIONER HANSEN: I think Las Campanas might be a better solution.

COMMISSIONER GREENE: Possibly. So in District 2 there's a bunch of them. Each of our districts have them and we'd love to go over them with you in the next few weeks but if you can – I know that your liaisons have already sent out some information regarding this. That's probably one of the reasons why we have 83 submissions. I reviewed some of them this morning and it was spectacular. People tell us a lot of great information about what they're bummed out about, what they're happy about – you name it. And hopefully we'll get hundreds of these and be able to use this to challenge the map and then go for money for this.

Tomorrow I'm going down to Albuquerque to meet with the UNM students with a draft presentation of the Collaboration Center, and I will hopefully tell you that it was spectacular, but we're optimistic about that. The other portion of UNM-Anderson's feasibility study is working its way through their process and they are putting together a working group that hopefully will be empanelled in the next 30 or so days with participation from 16 member organizations around the state.

As you probably heard, there is going to be a special session at the legislation, regarding mostly to public safety. And given that we deal with public safety here at the County, and the City of course as well, but because we deal with it at the jail, with our jail, I had this conversation with the County Manager and with some folks at the DA's office to say do we want to start to put together some recommendations, so it's not just legislators in the Governor's Office that putting together suggestions, but that we actually get ahead of this and maybe work with our legislators to have some better solutions for the problems that we see chronically on our streets and in our neighborhoods.

And so I don't know how and when but we have about two months until that special session and so I throw it out to all of us to say do we want to maybe create a



working group that works with counties around the state to sort of say this is how we're dealing with it on the ground and maybe we can come up with some better solutions.

Also the interim legislative sessions are going through their organizing meetings in the month of May, starting very shortly, and if there are any policy issues that we want to start to talk about, this is the time. If they're not on the agenda for the interim meetings they won't get talked about during the interim, and if they're not talked about during the interim they have a low likelihood of getting dealt with during the session. So this is the time right now for us to decide what our priorities are that we would like to get on the interim for discussion and then get it cycled through for the session and again, if you remember, this is going to be a 60-day session this coming year, and if we do not take this opportunity this year it's another two-year wait for the next one. So this is your last chance to work on this for 2 ½ years right now.

So I'd recommend that we think about a few topics that we want to put on the work plans for these things. It doesn't mean you have to have the presentation ready right now but it's a topic that you want to have discussed some time during the interim sessions.

Lastly, my apologies for stepping out for 30 minutes. I had to address the proposed PNM tree cutting and City of Santa Fe tree cutting over in Fort Marcy Park. I gave a nice little speech over there for three or four minutes. It was well received and I appreciate you carrying on without me and thank you for dealing with all of that.

COMMISSIONER HANSEN: So on Saturday, even though it was kind of a rainy, cold day, I went to the Spring Run-Off that we had sponsored out at the Brewing Company, and it was really highly amazing. First of all, it was like cars packed beyond what you could even imagine and so I visited Juan and Andy and a number of other booths. They had music and food and it was really a great event. As I said earlier, a lot of young entrepreneurs. I was really surprised.

I went there because I figured we should show up since we were sponsors. I had no idea it would be such a great event. So next year I highly recommend everybody go there.

I was happy to attend the Keep America Beautiful with all the City Councilors and the ribbon-cutting or the kick-off in the morning at the Siler Road area, and that was fun and people cleaned up in their neighborhoods and I met some of my neighbors cleaning up and handed out bags and it was fun.

And then the next thing I want to mention is I know that we are a small sponsor of the Next Generation Water Summit this year, but we're only doing \$1,000. The City of Santa Fe does \$40,000. It seems like it would be a good idea if we found some extra money to help support the Next Generation Water Summit I think everybody on this Commission supports water and attends the water summit. I know Commissioner Hamilton does. I know myself, Commissioner Hughes, and Commissioner Greene has. So it may be Juan, since he seems to like sponsoring these kinds of things, has some extra money in his budget. Maybe they could go in with Sustainability because I know Sustainability doesn't seem to have any more money in this budget. But maybe Juan Torres could find some money to take it up to at least \$5,000 for this year. Then we could in the future years do \$10,000.

Because I think the Next Generation Water Summit has some really important

speakers and this year it will be at the Roundhouse on June 20<sup>th</sup>. So if any of my other colleagues here on the Board want to support that idea I would appreciate it. And that is all I have to say. Thank you.

CHAIR HUGHES: Okay. I'll speak to that later. We'll go to Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: So a few things. I've got some really cool information about micro-grids in Taos County. And I know that I wanted to mention that here today because one thing that we don't have in certain parts of our county is the ability and I recognize it's not our utility; it's not what we do. At least not right now. But we don't have the ability in certain parts of District 3 to put any more solar. It's beyond capacity. And right now, after hearing about what was happening in Taos County and that they're setting up three separate micro-grids in partnership with Sandia National Labs. Or I shouldn't say partnerships. It's not exactly how it rolls, but I've mentioned before that we've worked with Sandia that got us some batteries and having the capability of islanding.

It's about energy resilience. It was so great to hear about it happening at their pueblo and then two other more remote locations, and it would actually lessen some of the concerns that community members are having with regard to these large, macro-grid structures, solar structures that are being proposed.

As well, May 4<sup>th</sup> is the famous burro race in Cerrillos. And I invite you to go because it's fun. Cerrillos is a nice place to be but when you watch those donkeys – they get mad if you call them a donkey – so burros come across – some of them are trained for pack racing, which who knew? But some of them are like, come on. And it's just fun to be there. So if there's something that you want to do and get out on Saturday, go check out the burro races. It's just a hoot.

And then lastly, we all came together and I'm still grateful, but I believe it was unnecessary to have the special meeting. And I raise this as more of a – why were we all required to meet and approve something that was essentially civilians doing County work. What it boiled down to, and I'm grateful for everybody who showed up along the road, taking it to the County transfertainer, the roll-off bin. But the fact was they weren't like cleaning up their yards. This wasn't private use. These were community members cleaning up County roads.

Why are we having to pull together a special meeting to allow them to do otherwise what the County should be responsible for maintaining. We should be grateful, happy, give them the roll-off, go clean up the streets. Thank you very much. Life is good. But that's not what we did. We all got together very quickly, and it's fine. It's the way it was, but for future reasons, for future purposes, when we have a cleanup day and they're cleaning County roads, I think we should consider that it maybe isn't appropriate that we have a special meeting or a meeting at all in the event that they're cleaning up something that is otherwise public property.

So I got that off my chest. Thank you. That's all I have. Thanks.

CHAIR HUGHES: Commissioner Hamilton.

COMMISSIONER HAMILTON: I actually just wanted to thank the County Manager, thank everybody for the Earth Day event, which actually took place in District 4 and it was so cool. And what the County Sustainability Department and

working with Public Works and other departments developed an incredibly good project, did it beautifully, organized the event so that there was strong public participation and everybody seemed to enjoy it and there was so much information. It was just really well done. The County does a lot of really amazing things. I'm actually quite pleased that it was in District 4 because I think we need a lot more of those kinds of installations and there are a lot more applications we can do using that sort of thing. It helps individuals and it also helps the County in general, society in general, for retaining water and conserving water. And it just is going to become more and more important, and associated soil conservation things.

And extemporaneously, I want to say that what Commissioner Bustamante just brought up about micro-grids also seems incredibly important and I'd like to get more information from you but it's something that would be very interesting to figure out how we could apply it, especially for particular communities that don't have options already, but also for long-term sustainability and as a good option to some other solar installations that may have less issues in the future but clearly give some concerns to people. So very interesting to bring up and thank you for that. Thank you, Mr. Chair.

CHAIR HUGHES: Thank you. I also appreciated the Earth Day and I just wanted to especially thank the ranger who gave a presentation about beavers. I thought that was fascinating. With pictures and everything.

And then in terms of the Next Generation Water Summit, I understood from the County Manager that we could authorize \$5,000. Is that true?

MANAGER SHAFFER: Mr. Chair, Commissioners, we're evaluating the potential budgetary resources and savings to see if that's something that we can support. I'll report back to the Board during one of our budget study sessions as to those efforts and confirm that that's an expenditure that the Board would like to see made.

CHAIR HUGHES: Okay. Thank you. There are no objections from the Board?

COMMISSIONER GREENE: I'm amenable.

COMMISSIONER HANSEN: There's no objections.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: I forgot to mention, Commissioner Bustamante reminded me. May 4<sup>th</sup> is also Love Your Watershed Day and Alto Park and the City of Santa Fe, and since I'm on the River Commission, we'll be having a booth there. It's from 10:00 to 1:00 so you can still go to the donkey races. And then on May 11<sup>th</sup> I'm going to have Coffee and Tea under the Trees at Reunity Resources. It will be the first one for this season and the City Water Director John Dupuis will be there along with Hannah from the Interstate Stream Commission. So we'll have a duo pair speaking about water. So the theme I guess for the month of May is Love Your Watershed on May 4<sup>th</sup> and water protection and Interstate Stream Commission issues on May 11<sup>th</sup>.

CHAIR HUGHES: Okay. Thank you.

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

CHAIR HUGHES: Daniel, are there any elected officials online?

MR. FRESQUEZ: Mr. Chair, there are not.

CHAIR HUGHES: Madam Deputy Clerk, anything from your Clerk's Office? Okay.

**13. Public Hearings**

**A. Ordinance No. 2024-07, an Ordinance Amending Ordinance No. 2012-5 to Repeal the Restriction on the Procurement of Outside Contracts by Competitive Bid, and Repeal the Requirement that Multi-Term Contracts Procured through Competitive Procurement Begin with a Term of One Year**

CHAIR HUGHES: Bill Taylor come on up and tell us about this ordinance.

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners, just a brief refresher on this. We came to the Board in March, presented a request to publish title and summary of a repeal on Sections 1 and 2 of County Ordinance 2012-5 that pertained to the use of outside contracts for goods and services, requiring BCC approval, and also Section 2, regarding rebidding of our contracts and making our contracts more than one year if the ordinance pertained to basically requiring Board approval if we wanted to have a longer term contract for more than one year.

So the ordinance was published and we have not received any objections at the Purchasing Office or comments or questions pertaining to that publication. And then before you today is the resolution that would modify the County purchasing regulations and policy regulation manual to be consistent with state statute, County ordinances, and our manual – they would all be consistent.

So adoption of the ordinance repeals Sections 1 and 2 of the Ordinance 2012-5, and staff recommends adoption of the subject resolution today that would account for the repeal of those two sections There would be an additional new article or section in the manual, 50, that would allow longer term contracts. And so that's basically what we're here before the Board to recommend approval of the subject resolution that would achieve those efficiencies in purchasing and be more consistent with state statute and our ordinances, our regulations. With that I'll stand for questions.

CHAIR HUGHES: Okay. Questions? We have to have a public hearing. Is there anybody in the audience to speak to this? And if not, is there anyone online? Okay. So that was the public hearing. Go ahead, Commissioner Hansen.

COMMISSIONER HANSEN: I would like to pass an ordinance amending Ordinance No. 2012-5 to repeal the restriction on the procurement of outside contracts by competitive bid, and repeal the requirement that multi-term contracts procured through competitive procurement begin with a term of one year. So we're repealing that.

COMMISSIONER GREENE: And I'll second that.

CHAIR HUGHES: Okay, motion by Commissioner Hansen, seconded by Commissioner Greene. Let's do a recall.

COMMISSIONER GREENE: I will, if I may, say a little statement. Just very quickly. I appreciate bringing this up for the efficiency of things. As I see anything with a 2012 ordinance on it, it usually seems like that came from a different era when we needed to clean things up and we've done a great job of cleaning Santa Fe County up over the last decade-plus. Good job, Bill. And if we can make your job easier to make good decisions and make our life easier to make good decisions, more power to you and more power to us. So thank you for bringing this forward.

CHAIR HUGHES: I agree. Now, we do a roll call for an ordinance, I believe.

**The motion to approve Ordinance No. 2024-07 passed by unanimous roll call vote as follows:**

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

**13. B. Resolution No. 2024-065, a Resolution to Amend the Santa Fe County Purchasing Regulations and Policy Manual with Regard to the Procurement of Outside Contracts and the Award of Multi-Year Contracts**

CHAIR HUGHES: We need to do the resolution too I think.

COMMISSIONER HANSEN: Okay, I'll make a motion to amend the Santa Fe County Purchasing Regulations and Policy Manual with regard to the procurement of outside contracts and the award of multi-year contracts.

COMMISSIONER GREENE: Second.

COMMISSIONER HAMILTON: Do we need a separate public hearing for that, since they're both under public hearings?

COMMISSIONER HANSEN: It's a resolution.

COMMISSIONER HAMILTON: I know. I'm just double-checking. I'm sorry.

MR. YOUNG: The public hearing was intended, Mr. Chair, Commissioner Hamilton, for the ordinance and they're in tandem with each other. They work together.

COMMISSIONER HAMILTON: I was assuming but I just thought I should – thank you. Sorry.

CHAIR HUGHES: We have a motion and a second.

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

14. **Informational Items / Reports**

- A. **Community Development Department March 2024 Monthly Report**
- B. **Community Services Department April Monthly Report**
- C. **Finance Division February 2024 Monthly Report.**
- D. **Growth Management Department March 2024 Monthly Report**
- E. **Human Resources and Risk Management Division March 2024 Monthly Report**
- F. **Public Safety Department March 2024 Monthly Report.**
- G. **Public Works Department March 2024 Monthly Report (Public Works Department/Brian Snyder)**
- H. **Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 2019, Chapter 194 (HB 364) (Public Safety Department/Warden Derek Williams)**


There were no questions or comments on the reports.

15. **Concluding Business**

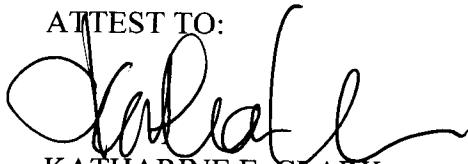
- A. **Announcements**
- B. **Adjournment**

Having completed the agenda and with no further business to come before this body, Chair Hughes declared this meeting adjourned at 8:13 p.m.

Approved by:

  
 \_\_\_\_\_  
 Hank Hughes, Chair  
 Board of County Commissioners

ATTEST TO:

  
 KATHARINE E. CLARK  
 SANTA FE COUNTY CLERK

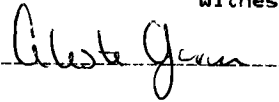
COUNTY OF SANTA FE )  
 STATE OF NEW MEXICO ) ss

BCC MINUTES  
 PAGES: 115


I Hereby Certify That This Instrument Was Filed for Record On The 24TH Day Of June, 2024 at 09:37:29 AM And Was Duly Recorded as Instrument # 2036226 Of The Records Of Santa Fe County

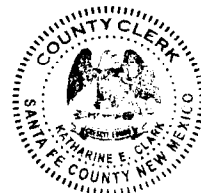
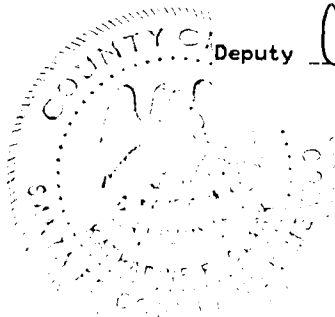
Witness My Hand And Seal Of Office  
 Katharine E. Clark  
 County Clerk, Santa Fe, NM

Deputy

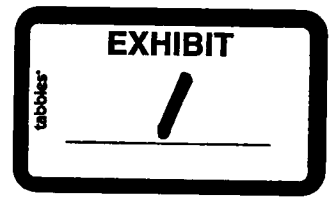


Respectfully submitted:

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



SEC CLERK RECORDED 06/24/2024



**SANTA FE COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION NO. 2024 - \_\_\_\_\_**

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**A RESOLUTION REQUESTING APPROVAL OF THE SANTA FE COUNTY  
MUNICIPAL SEPARATE STORMWATER SEWER SYSTEM PERMIT (MS4) PLAN  
TO DECREASE STORMWATER CONTAMINANTS AS REQUIRED BY THE  
ENVIRONMENTAL PROTECTION AGENCY UNDER THE MS4 2007 PERMIT**

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**WHEREAS**, untreated stormwater runoff from rain and snow events can wash pollutants, such as sediments, oils, bacteria, chemicals, and trash, into local waterways; and

**WHEREAS**, to protect water quality, a permit is required under the federal National Pollution Discharge Elimination System (NPDES) program to operate municipal separate storm sewer systems (MS4s) located within urbanized areas as determined by the United States Census Bureau; and

**WHEREAS**, MS4s include stormwater conveyances such as ditches, curbs, gutters, and storm drains; and

**WHEREAS**, permitting is administered by the Environmental Protection Agency (EPA) in New Mexico; and

**WHEREAS**, the County is required to submit an annual MS4 report to the EPA for which the County must obtain significant operational data information from several departments, including Growth Management, Public Works, and educational outreach programs; and

**WHEREAS**, sustainability staff has led the coordination of gathering data from stakeholder departments to prepare the County's FY 21, and FY 22, MS4 annual reports for the EPA, which were submitted following a 30-day public comment period; and

**WHEREAS**, Santa Fe County prepared required updates to the County's stormwater management program from 2013 to update reporting procedures to minimize pollutant loading to waterways from stormwater runoff, ensure compliance with current 2007 MS4 requirements, and prepare for future permit changes; and

**WHEREAS**, the County is in compliance with 2007 MS4 reporting requirements; and

**WHEREAS**, the purpose of the updated MS4 Stormwater Management Plan (SWMP), attached hereto as exhibit A, is to support building and land management practices that improve the cleanliness of stormwater in New Mexico and also to meet an MS4 compliance requirement to include six minimum control measures:

1. Public education and outreach on stormwater impacts;
2. Public involvement and participation;
3. Illicit discharge detection and elimination;

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4. Construction site stormwater runoff control;
5. Post-construction stormwater management in new development and redevelopment;
6. Pollution prevention and good housekeeping for municipal operations; and

**WHEREAS**, meeting these control measures requires cross-departmental collaboration, and if adopted, the 2024 SWMP will supersede the 2013 SWMP; and

**WHEREAS**, if adopted, the County would continue to work interdepartmentally with eligible entities such as the Public Works and Growth Management Departments and Sustainability Division, the Department of Transportation, City of Santa Fe, soil and water conservation districts and watershed health focused groups, tribes, pueblos, and acequia associations, to promote stormwater health; and

**WHEREAS**, the County is responsible for the stewardship of stormwater health and cleanliness; provides the SWMP to the EPA as required to address minimum control measures; and serves as a guide for directing ongoing procedural MS4 related processes, education and awareness, code requirements and/or updates, trainings and workshops, collaboration with technical service providers, and public education about the importance of stormwater stewardship; and

**WHEREAS**, under the SWMP, the County will support the reduction of stormwater contamination for the community and provide assistance in watershed health endeavors in Santa Fe County and help the watersheds to remain viable for future generations; and

**WHEREAS**, the SWMP provides a wide range of benefits, including improved watershed health and water quality, better water infiltration and retention of soils, reduced soil erosion, increased resistance to drought and pests, greater resilience to extreme weather events and sequestration of atmospheric carbon, enhanced pollinator and wildlife habitat, and overall rural communities; and

**WHEREAS**, increasing stormwater health will boost the livability, drinking water and food security and viability of New Mexico's waterways, working lands and lead to greater vitality of our rural communities.

**NOW, THEREFORE, BE IT RESOLVED** by the Santa Fe County Board of County Commissioners that:

1. The Santa Fe County Commission approves the 2024 SWMP for the County's 2007 MS4 Permit, attached hereto as Exhibit A, to be submitted to the EPA.
2. The Santa Fe County Commission supports the updated 2024 SWMP which supersedes previous MS4 SWMP Plans.
3. The Santa Fe County Commission advocates continued interdepartmental coordination and compliance to the current and future MS4 Permits.

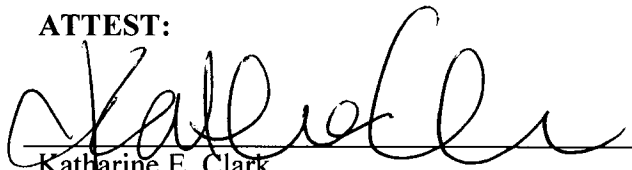


PASSED, APPROVED, AND ADOPTED ON THIS 30<sup>th</sup> DAY OF APRIL, 2024.

SANTA FE COUNTY  
BOARD OF COUNTY COMMISSIONERS

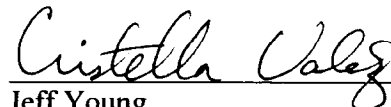
By:   
Hank Hughes, Chair

ATTEST:

  
Katharine E. Clark  
Santa Fe County Clerk

Date: 05/31/2024

Approved as to form:

 for  
Jeff Young  
Santa Fe County Attorney

SFC CLERK RECORDED 06/24/2024



**Santa Fe County  
National Pollution Discharge Elimination System**

**Stormwater Management Program (SWMP)**



**APRIL 2024**



SFC CLERK RECORDED 06/24/2024

## **Santa Fe County Stormwater Management Program (SWMP)**

**April 2024**

### **Introduction**

In order to continue and improve compliance with the National Pollution Discharge Elimination System (NPDES) regulations governing small municipal separate storm sewer systems (MS4s), Santa Fe County (County) completed a thorough update of its 2013 Stormwater Management Program (SWMP).

As the operator of a small MS4, Santa Fe County must develop, implement, and enforce a SWMP to reduce the discharge of pollutants from all sources to the “maximum extent practicable” (MEP) to protect water quality and to satisfy applicable surface water quality standards using Best Management Practices (BMPs). Santa Fe County’s SWMP was created in 2009 and revised in 2010, 2011, and 2013.

This SWMP includes measurable strategies and goals for each of the six minimum control measures within the current NMR040000 NPDES Small MS4 Permit for New Mexico, May 2007. This permit expired June 30, 2012, and has been in administrative continuance since. EPA issued a draft proposed NPDES Small MS4 Permit for New Mexico in July 2015 and started discussing a Statewide MS4 Permit with New Mexico permittees in March 2024, but no permit changes have been implemented since 2007.

The six minimum control measures in this SWMP are:

1. Public Education and Outreach on Stormwater Impacts
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post Construction Stormwater Management in New Development and Redevelopment
6. Pollution Prevention/Good Housekeeping for Municipal Operations

## 1. Public Education and Outreach on Stormwater Impacts

**Permit Requirements:** Implement a public education program to distribute information and/or conduct equivalent outreach activities about the impact of stormwater discharges on water bodies and steps that the public can take to reduce pollutants in stormwater runoff. The SWMP includes: 1) A description of education and outreach programs and activities; 2) Measurable strategies/goals; 3) Methods for disseminating information; 4) Target audiences and/or pollutants, as well as how these were selected; 5) Estimated number of people reached; 6) County position responsible for implementing and coordinating the education and outreach programs and activities; and 7) Target dates for strategies/goals.

The target audiences and/or pollutants are described in the 'Program Goal' and in the 'Objective' statements at the top of each table below. The target audiences were chosen based on the MS4 permit requirements and needs of the public customers that the County serves. The County public customers tend to be more rural or "non-urban", and operate on a different, more independent, level of service than city and town customers. The County also has traditional, agricultural areas with established ditch irrigation systems. The County processes an average of approximately 850 permits per year for new developments within the County. Applicants for development permits, developers, and professional organizations (e.g., builders associations, land use consultants) will be target audiences for various public outreach and education strategies. Targeting development permit applicants, developers, and professional organizations for public outreach and education may encourage stormwater management practices to be integrated during the design, construction, and post-construction phases of new development. Pet waste is a common pollutant at County open space properties. Accordingly, the County has selected users of County properties, such as trails and parks, for outreach and education regarding proper pet waste management. The County has six solid waste drop-off locations (convenience centers) located throughout various communities in the County. Targeting users will allow the County to educate a diverse group of County residents, including those residents in rural and non-urban areas, about the reduction of stormwater pollution through proper management of pet waste, household waste, trash, and recyclables.

The County currently sponsors annual meetings or events, such as the Land and Water Summit and the Next Generation Water Summit. These annual meetings bring County staff, stormwater professionals, and developers together in a collaborative setting. Continuing to provide such annual meetings will allow County staff to learn how to integrate the prevention of stormwater pollution prevention into their job duties. Stormwater professionals and developers are selected as a target audience to share best practices and innovative stormwater pollution prevention techniques with each other. The 'Strategy' column in the tables below include the measurable strategies/goals, including a description of the programs and activities, methods for disseminating information, and target audiences and/or pollutants, if applicable. The 'Documentation' column in the tables below include how the County will estimate the number of people communicated with, if applicable to the strategy. The County position responsible for implementing and coordinating the education and outreach programs and activities is listed in the 'Responsible Department and *Position*' column, and the 'Targets' column provides target dates for strategies/measurable goals.

**Public Education and Outreach on Stormwater Impacts Program Goal:** Increase education and outreach activities to inform the community about the impact of stormwater discharges and steps that can be taken to reduce pollutants in stormwater discharges from construction and post-construction stormwater practices, pet waste, household waste, and trash/recyclables/litter. In addition, promote, publicize, and facilitate the use of Green Stormwater Infrastructure (GSI)/Low Impact Development (LID)/Sustainability Practices in development.

Public Education and Outreach on Stormwater Impacts				
Objective 1. Education & outreach program for construction and post-construction stormwater practices - provide education to development permit applicants and developers on construction and design for stormwater management.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
1.1.1	Provide web resources for the public and development permit applicants with stormwater management information and design standards (this relates to Strategy 5.3.2 in the SWMP).	Record number of page visits per Fiscal Year (FY).	<u>Responsible Department and Position for input on web materials for this strategy:</u> Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>  <u>Responsible Department and Position for creating and maintaining central stormwater webpage:</u> Public Works <i>Environmental Compliance Officer</i>  Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.	Collaborate with County Departments to create a central stormwater webpage within 9 months of approved SWMP.  Webpage review and updates, if applicable, to be made quarterly.  The County has an average of approximately 850 development permits a year (from small additions to single family residences and commercial). The web resources are expected to reach this number of people in an average year.

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<b>Public Education and Outreach on Stormwater Impacts</b>				
<b>Objective 1. Education &amp; outreach program for construction and post-construction stormwater practices - provide education to development permit applicants and developers on construction and design for stormwater management.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
1.1.2	Include stormwater management information in the development permit packets. Leverage existing EPA, national, state, regional and public interest stormwater educational resources for this strategy.	Record number of packets distributed per FY.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	Begin distribution of information with development permit packets within 1 year of approved SWMP.  The County has an average of approximately 850 development permits a year (from small additions to single family residences and commercial). The information packets are expected to reach this number of people in an average year.
1.1.3	Work with local professional organizations (e.g., builder's associations, land use consultants) and community groups to distribute information on GSI/LID/Sustainability Practices and County stormwater management requirements.	Record number of organizations that the resources are shared with per FY.	Growth Management: Building and Development Services, Planning <i>Building and Development Services Supervisor</i>  Growth Management: Planning <i>Planning Manager</i>	This strategy is already being implemented and will continue to be implemented by sharing resources with organizations annually.

<b>Public Education and Outreach on Stormwater Impacts</b>				
<b>Objective 1. Education &amp; outreach program for construction and post-construction stormwater practices - provide education to development permit applicants and developers on construction and design for stormwater management.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
1.1.4	Sponsor annual meeting(s) or event(s) (e.g., Land and Water Summit, Next Generation Water Summit) related to water quality, GSI/LID/Sustainability Practices, and/or stormwater management to support education of County staff, stormwater professionals, and developers.	Track number of sponsorships and funds expended per FY. Track number of County staff who attend these meetings.	Sustainability Division <i>Sustainability Specialist</i> <i>Sustainability Manager</i>	This strategy is already being implemented and will continue to be implemented by continuing to sponsor at least 2 events per FY.

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Public Education and Outreach on Stormwater Impacts				
Objective 2. Promote environmental stewardship generally and encourage residents to prevent stormwater pollution through proper management of pet waste, household waste, trash, and recyclables.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
1.2.1	<p>Include Objective 2 messaging on central stormwater webpage.</p> <p>This relates to Strategies <b>3.2.1</b>, <b>3.2.2</b>, and <b>3.3.1</b> in the SWMP.</p>	Record number of page visits per FY.	<p><u>Responsible Department and Position for messaging on webpage for this strategy:</u> Sustainability Division <i>Sustainability Specialist</i></p> <p><u>Responsible Department and Position for creating and maintaining central stormwater webpage:</u> Public Works <i>Environmental Compliance Officer</i></p> <p>Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.</p>	<p>Collaborate with Public Works and Growth Management Departments to shift this material to a central stormwater webpage within 9 months of approved SWMP.</p> <p>Webpage review and updates, if applicable, to be made quarterly.</p>



Public Education and Outreach on Stormwater Impacts				
Objective 2. Promote environmental stewardship generally and encourage residents to prevent stormwater pollution through proper management of pet waste, household waste, trash, and recyclables.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
1.2.2	<p>Include Objective 2 messaging in Sustainability newsletters.</p> <p>This relates to Strategies <b>3.2.1</b>, <b>3.2.2</b>, and <b>3.3.1</b> in the SWMP.</p>	Record number of newsletter subscribers per FY.	Sustainability Division <i>Sustainability Specialist</i>	This strategy is already being implemented. Continue to publish at least 3 articles per FY on preventing stormwater pollution in the Sustainability newsletters. Aim for a newsletter subscriber base list of at least 4,100 people with a goal of 10-percent growth per FY. In the future, consider language translation if the subscriber base identifies this as a need.
1.2.3	Purchase hands-on materials for tabling and school demonstrations to support Objective 2 messaging.	Track number of tabling events or presentations per FY.	Sustainability Division <i>Sustainability Specialist</i>	This strategy is already being implemented. Continue to use materials to participate in at least 3 education events per FY.

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Public Education and Outreach on Stormwater Impacts				
Objective 2. Promote environmental stewardship generally and encourage residents to prevent stormwater pollution through proper management of pet waste, household waste, trash, and recyclables.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
1.2.4	Promote proper waste management on County properties through signage and by providing and maintaining trash receptacles or pet clean-up stations.	Maintain updated list of locations of pet waste stations.	Public Works <i>Facility OPS Maintenance Manager</i>	Place QR code "Pack it in pack it out" stickers on receptacles and trailhead posts, maintain signage and receptacles at applicable parks and greenway trailheads.  Document a process for maintaining an updated list of locations of pet waste stations.  This strategy will be implemented within 12 months of approved SWMP.
1.2.5	Provide recycling education on County webpage and through signage at convenience centers and where the public purchases solid waste punch cards.	Record webpage visitation to recycling page per FY.  Record volume of trash and recyclables collected at convenience centers per FY.	Public Works: Solid Waste <i>ASD Administrative Manager for Utilities</i>	This strategy is already being implemented.  Maintain educational signage at all 6 convenience centers and where punch cards are purchased (Public Works Building, Catron).  Maintain existing solid waste webpage.

<b>Public Education and Outreach on Stormwater Impacts</b>				
<b>Objective 2. Promote environmental stewardship generally and encourage residents to prevent stormwater pollution through proper management of pet waste, household waste, trash, and recyclables.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
1.2.6	Offer free composting systems and resources to residents to divert waste from the landfill.	Record number of composting systems distributed per FY.	Sustainability Division <i>Sustainability Specialist</i>	This strategy is already being implemented. Provide at least 40 composting systems to County residents each FY.
1.2.7	Continue to host annual Earth Day events to promote environmental stewardship.	Record participation per FY.	Sustainability Division <i>Sustainability Specialist and Sustainability Manager</i>	This strategy is already being implemented. Continue to host 1 event per FY.
1.2.8	Promote environmental stewardship by supporting Master Naturalist education program to provide classes on biology, geology, local environmental issues, stormwater, and land ethics.	Number of participants who attend classes per FY.	Growth Management: Planning <i>Open Space Resource Management Specialist and Volunteer Coordinator</i>	This strategy is already being implemented. Continue to educate at least 30 participants per FY through this program.

**2. Public Involvement and Participation**

**Permit Requirement:** Develop and implement a plan to encourage public involvement and participation in the development and implementation of the County’s SWMP. Create a process to receive, review, and incorporate public comments into the SWMPs, make the SWMP publicly available, and support public participation opportunities. Include in the SWMP: 1) A description of plan/strategy for informing the public of involvement and participation opportunities; 2) Types of activities for public involvement that the program will include and the target audiences; 3) The procedure for receiving, reviewing, and incorporating public comments; 4) How interested parties may access the Notice of Intent (NOI) and the SWMP; 5) Measurable strategies/goals; 6) Target dates for strategies/goals; and 7) County position responsible for implementing and coordinating the public involvement/participation activities. Requirements 1-5 are provided in the ‘Objective’ statements and ‘Strategy’ column in the tables below. The ‘Documentation’ column in the tables below includes how the County will estimate the number of participants and/or people communicated with, if applicable to the strategy. The County position responsible for implementing and coordinating the education and

outreach programs and activities is listed in the 'Responsible Department and *Position*' column, and the 'Targets' column provides target dates for strategies/goals.

**Program Goal:** Inform and encourage engagement, involvement, and participation of the public (citizens, businesses, and other organizations) in the County's SWMP.

Public Involvement and Participation				
Objective 1. Maintain transparency in the SWMP.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
2.1.1	<p>Create a central stormwater management webpage to house the NOI, SWMP, and all MS4 annual reports to allow access by all interested parties.</p> <p>Until the website and online resources are in place, copies of all MS4 related documents, including this SWMP, will be made available from 8 a.m. to 5 p.m., Monday - Friday, at the County's Administration Complex front kiosk located at 100 Catron and at the Public Works Complex located at 424 New Mexico 599 Frontage Rd.</p>	Record number of page visits per FY.	<p><u>Responsible Department and Position for creating and maintaining central stormwater webpage:</u> Public Works <i>Environmental Compliance Officer</i></p> <p>Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.</p>	<p>Collaborate with County Departments to create a central stormwater management webpage within 9 months of approved SWMP.</p> <p>Webpage review and updates, if applicable, to be made quarterly.</p>

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Public Involvement and Participation				
Objective 1. Maintain transparency in the SWMP.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
2.1.2	Continue to follow the County's internal procedure to advertise and solicit public comments when annual reports are available for public comment in the "News" section of the County website, in the Sustainability newsletter, and on the stormwater management webpage.	Record number of public comments received, and the responses given.	Public Works <i>Environmental Compliance Officer</i>  Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.	Begin this system of advertising the annual reports for the FY annual report following the approval of the SWMP.
2.1.3	Follow the County's internal procedure to share draft annual report with local advisory boards and interested community organizations.	Record comments received from local advisory boards and interested community organizations and the responses given.	Public Works <i>Environmental Compliance Officer</i>  Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.	Begin this system of sharing draft annual report with local advisory boards and interested community organizations for the FY annual report following the approval of the SWMP.

Public Involvement and Participation				
Objective 1. Maintain transparency in the SWMP.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
2.1.4	Follow the County's internal procedure to advertise and solicit public comments updates to the SWMP in the "News" section of the County website, in the Sustainability newsletter, and on the stormwater management webpage.	Record number of public comments received and the responses given.	Public Works <i>Environmental Compliance Officer</i>  Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.	Begin this system of advertising the SWMP updates within 4 months of the approval of the SWMP.
2.1.5	Follow the County's internal procedure to share draft SWMP documents with local advisory boards and interested community organizations.	Record comments received from local advisory boards and interested community organizations and the responses given.	Public Works <i>Environmental Compliance Officer</i>  Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.	Begin this system of advertising the SWMP updates within 4 months of the approval of the SWMP.

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Public Involvement and Participation				
Objective 2. Encourage public involvement in meeting natural resource protection and/or stormwater program goals.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
2.2.1	Continue to support the County's Adopt-a-Road and Community Clean-up Program.	Track the number of adopters who have committed to twice annual clean-ups. Track number of clean-ups per FY.	Sustainability Division <i>Volunteer Coordinator</i>	Secure resources to support continuation of the County Adopt-a-Road and Community Clean-Up program for approximately 35 clean-ups per FY. Continue to update the Geographic Information System (GIS) map of adopt-a-road and clean-up program sites.
2.2.2	Continue to collaborate with community groups on septic to sewer conversion projects in Agua Fria and stormwater master planning in Eldorado.	Regular community meetings as the Preliminary Engineering Report (PER) work continues to progress as funding allows.	Public Works: Utilities <i>Utilities Director</i>	This project is anticipated to continue for approx. 10 years. Community collaboration will continue throughout project.
2.2.3	Provide trash pick-up for large community clean-up events.	Track volume of trash per year from Santa Fe Solid Waste Management Agency reports. Track method of notifying public of events.	Public Works: Utilities <i>Administrative Manager for Utilities</i>	This strategy is already being implemented. Continue to provide secure container(s) for trash disposal for large scale community clean-up events 2 times per FY.
2.2.4	Continue to sponsor river clean-ups.	Track number of river clean-ups	Public Works <i>Public Works Facilities and Projects Division Director</i>	This strategy is already being implemented. Continue to sponsor at least 1 river clean-up per FY.
2.2.5	Continue to support the County's Open Space volunteer program, including working with Master Naturalists on providing restoration and conservation projects in County open spaces.	Record volunteer workdays per FY.	Growth Management: Open Space <i>Open Space Resource Management Specialist and Volunteer Coordinator</i>	This strategy is already being implemented. Continue to carry out 15-25 volunteer workdays per FY through this program.

### 3. Illicit Discharge Detection and Elimination

**Permit Requirement:** Develop and implement a program to detect and eliminate illicit discharges into the small MS4. “Illicit discharge” is defined in the MS4 permit (as defined at 40 Code of Federal Regulations [CFR] 122.26(b)(2)) as any discharge to a MS4 that is not composed entirely of stormwater except discharges pursuant to a National Pollutant Discharge Elimination System [NPDES] permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from firefighting activities. Prepare and maintain a storm system outfall map, prohibit non-stormwater discharges through ordinance, implement enforcement procedures as needed, develop a plan to detect and address non-stormwater discharges (including illegal dumping), inform staff and the public on the hazards of illegal discharges and improper disposal of waste, conduct dry weather field screening of non-storm flows, provide a list of allowable non-stormwater discharges, provide staff training, and address on-site sewage disposal systems that flow into the storm drainage system.

The following non-stormwater discharges are allowed in the Santa Fe small MS4 because they are considered by EPA to generally be non-significant contributors of pollutants. The following categories of non-stormwater discharges or flows (i.e., illicit discharges) are allowed in Santa Fe County: water line flushing, landscape irrigation, diverted stream flows, rising groundwaters, uncontaminated groundwater infiltration (as defined in 40 CFR 35.2005(20)), uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, spills, street wash water, discharges from emergency firefighting activities (however, emergency firefighting does not include discharges from firefighting training exercises or facilities, discharges from activities intended to prevent fires, or from the testing of firefighting equipment), and other similar occasional incidental non-storm water discharges (e.g. noncommercial or charity car washes, etc.). These non-stormwater discharges are not reasonably expected to be significant sources of pollutants to the MS4. Santa Fe County prohibits any individual non-stormwater discharge that is determined to be contributing significant amounts of pollutants to the MS4.

Santa Fe County has established ordinances used to prohibit illicit discharges. These, along with enforcement policy, are described in the Objective 4 table below. County ordinances are effective within the boundaries of the County. However, County ordinances are not effective within the limits of any incorporated municipal limits. County code enforcement officers may be authorized to issue citations for violations of County ordinances.

In addition to the requirements listed above, include in the SWMP: 1) A description of illicit discharge detection methods; 2) Methods for informing/training employees about illicit discharges; 3) Measurable strategies/goals; 4) Target dates for strategies/goals; and 5) County position responsible for implementing illicit discharge detection and elimination activities. Requirements 1-3 are provided in the 'Objective' statements and 'Strategy' column in the tables below. The 'Documentation' column in the tables below include how the County will track measurable goals, if applicable to the strategy. The County position responsible for implementing and coordinating the program elements is listed in the 'Responsible Department and *Position*' column, and the 'Targets' column provides target dates for strategies/goals.



**Program Goal:** To detect and eliminate illicit discharges into stormwater drainage systems within Santa Fe County MS4 jurisdiction.

<b>Illicit Discharge Detection and Elimination</b>				
<b>Objective 1. Maintain data on stormwater outfalls.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
3.1.1	Create and maintain a map of Santa Fe County's stormwater outfalls and conveyance systems within the County's MS4 jurisdiction.	GIS map and identify outfalls within the County's MS4 jurisdiction.	Public Works <i>Environmental Compliance Officer</i>  Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.	Sustainability Department to work with Bohannon Huston, Inc. to create a map of stormwater outfalls. This will be completed within 9 months of approved SWMP.  Public Works Department to maintain and update the outfalls map when new construction occurs within the MS4.
3.1.2	Conduct initial dry weather field screening, sampling, and reporting at outfalls within the County's MS4 jurisdiction.  Regular dry weather field screening program procedures will be created after the initial screening and report.  The dry weather screening will also support Objective 2, detect illicit discharges.	Report on screening and sampling of identified outfalls within the County's MS4 jurisdiction.	Public Works <i>Environmental Compliance Officer</i>  Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.	Sustainability Department to work with Bohannon Huston, Inc. on initial screening report. within 12 months of approved SWMP.  Regular dry weather field screening program procedures will be created after the initial screening and report.  The County's goal will be to continue to conduct dry weather screening annually thereafter and within 15 days of a reported illicit discharge.

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Illicit Discharge Detection and Elimination				
Objective 1. Maintain data on stormwater outfalls.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
3.1.3	Carry out culvert mapping throughout the County. Focus for this SWMP will be for areas within the County's MS4 jurisdiction.	Completed culvert map.	Public Works <i>Traffic Manager</i>	Completed culvert map by 2030.

Illicit Discharge Detection and Elimination				
Objective 2. Inform the public of hazards associated with illegal discharges and improper disposal of waste and provide method to report illicit discharges by public and County staff. The reporting mechanisms will assist the County with detecting Illicit discharges.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
3.2.1	<p>Maintain a phone number where the public can report illegal dumping and illicit discharge. This phone number and information for the public on the hazards associated with illegal discharges and improper disposal of waste will be provided on the central stormwater management webpage.</p> <p>This relates to Strategies <b>1.2.1</b> and <b>1.2.2</b> in the SWMP.</p>	Record number of calls and location of reported dump sites per FY.	<p>Public Works: Solid Waste <i>Solid Waste Superintendent</i></p> <p><u>Responsible Department and Position for creating and maintaining central stormwater webpage:</u> Public Works <i>Environmental Compliance Officer</i></p> <p>Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.</p>	<p>Continue to maintain a system to report illegal dumping. Add Solid Waste Department to existing Public Works work order system (e.g., Lucity or Maintenance Connection) to track calls and responses within 9 months of approved SWMP.</p> <p>Collaborate with Public Works and Growth Management Departments to create a central stormwater webpage within 9 months of approved SWMP.</p> <p>Webpage review and updates, if applicable, to be made quarterly.</p>

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<b>Illicit Discharge Detection and Elimination</b> <b>Objective 2. Inform the public of hazards associated with illegal discharges and improper disposal of waste and provide method to report illicit discharges by public and County staff. The reporting mechanisms will assist the County with detecting illicit discharges.</b>				
No.	Strategy	Documentation	Responsible Department and Position	Targets
3.2.2	<p>Maintain a system where the public can report stormwater violations. Information about this reporting system and on the hazards associated with illegal discharges and improper disposal of waste will be provided on the central stormwater management webpage.</p> <p>This relates to Strategies <b>1.2.1</b> and <b>1.2.2</b> in the SWMP.</p>	Record number of complaints and location per FY. Document when complaints are remedied.	<p>Growth Management: Building and Development Services <i>Building and Development Supervisor</i></p> <p><u>Responsible Department and Position for creating and maintaining central stormwater webpage:</u> Public Works <i>Environmental Compliance Officer</i></p> <p>Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.</p>	<p>Develop and maintain system to report stormwater violations within 9 months of approved SWMP.</p> <p>Create map of large illicit discharges within the MS4 jurisdiction within 9 months of approved SWMP.</p> <p>Collaborate with Public Works and Growth Management Departments to create a central stormwater webpage within 9 months of approved SWMP.</p> <p>Webpage review and updates, if applicable, to be made quarterly.</p>

Illicit Discharge Detection and Elimination				
Objective 3. Support programs to eliminate illicit discharges.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
3.3.1	Continue to maintain trash, recycling, and green waste collection at County convenience centers. Offer free trash and green waste days as funds permit. This strategy is intended to reduce illegal dumping.  This relates to Strategies 1.2.1 and 1.2.2 in the SWMP.	Volume of trash, green waste, and recyclables collected per FY.	Public Works: Solid Waste <i>Solid Waste Superintendent</i>	This strategy is already being implemented. Continue to strive to offer at least 2 free drop off days per FY for specific kinds of waste (e.g., tires, green waste) as funds permit. Free waste days require Board of County Commissioner (BCC) review and approval, pursuant to the guiding ordinance.
3.3.2	Continue to carry out clean-up of illegal dumpsites and litter clean-up, as needed, on County-owned properties.	Volume of litter collected from these clean-ups per FY.	Public Works: Solid Waste <i>Solid Waste Superintendent</i>	This strategy is already being implemented. Problem sites will be cleaned and maintained throughout FY.  Develop a work order system to track clean-ups within 9 months of approved SWMP.
3.3.3	Continue to provide recycling education to incoming staff during employee orientation.	Number of staff orientations held per FY.	Sustainability Division <i>Sustainability Specialist</i>	This strategy is already being implemented. Continue to provide recycling training at all staff orientation trainings.
3.3.4	Convert septic systems to sewer in the Agua Fria area to prevent illicit discharges from aging septic systems and cesspools.	Number of new connections made per FY.	Public Works: Utilities <i>Utilities Director</i>	This strategy is already being implemented. Continue to convert septic systems to sewer in Agua Fria per the Master Plan as funding allows.

<b>Illicit Discharge Detection and Elimination</b>				
<b>Objective 4. Enforce ordinances to prevent illicit discharge. This includes providing information and training to County employees about illicit discharges to support an effective program.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
3.4.1	Review and update County codes and enforcement process to ensure prevention of illicit discharges. Update Sustainable Land Development Code (SLDC) 7.19 and Ordinance No. 2016-9, as amended.	Conduct a review and create a report on code review.  Updated codes.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	Completed code review by Bohannon Huston, Inc. in November 2023.  Review codes internally within 12 months of approved SWMP.
3.4.2	Enforce County codes to address illicit discharges, including those that require recycling (50.7), prohibit illegal dumping (50.11), prohibit littering (93.03), require proper waste storage (93.04), require proper hazardous waste disposal (93.08), prohibit fugitive water release (SLDC 7.13), and declare dumping of pollution into waterways a public nuisance (131.40). The SLDC has enforcement mechanisms in Sections 14.3.2, 14.4, and 14.5.	Electronic tracking of illicit discharges, related inspections, and code enforcement actions.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>  Public Works: Solid Waste <i>Solid Waste Compliance Officer (illegal dumping)</i>	This strategy is already being implemented. Continue to utilize a spreadsheet as an electronic tracking tool to track illicit discharge locations, inspection results, and enforcement actions.  Coordinate with the County GIS Department to ensure illicit discharge data (including documentation for related inspections and code enforcement actions) is mapped.

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<b>Illicit Discharge Detection and Elimination</b> <b>Objective 4. Enforce ordinances to prevent illicit discharge. This includes providing information and training to County employees about illicit discharges to support an effective program.</b>				
No.	Strategy	Documentation	Responsible Department and Position	Targets
3.4.3	Coordinate with the City of Santa Fe, NMDOT, Rio Arriba County, and Los Alamos County to address situations where illicit discharges originate outside the County's MS4 jurisdiction.	Record attendance at MS4 collaborative meetings per FY.	Public Works <i>Environmental Compliance Officer</i>  Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.	This strategy is already being implemented. Continue to collaborate through consistent attendance, representation, and participation in quarterly MS4 collaborative meetings.
3.4.4	Ensure all Code Enforcement staff and appropriate Public Works staff have current stormwater certification and have necessary tools, equipment, and IT support to allow staff to respond to, track, and document incidents.	Maintain records of names and titles of staff trained; date(s) of training(s).	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>  Public Works <i>Administrative Manager</i>	Continue to maintain current stormwater inspector certifications for Code Enforcement staff and provide training to appropriate Public Works staff. This relates to Strategy 6.2.2 in the SWMP.
3.4.5	Ensure all appropriate Public Works staff have current spill prevention training and have necessary tools, equipment, and IT support to allow staff to respond to, track, and document incidents.	Maintain records of names and titles of staff trained; date(s) of training(s).	Public Works <i>Administrative Manager</i>	Develop or choose a commercially available training program within 12 months of approved SWMP. Consider this training when developing future procedures, obtaining tools/equipment, etc. This relates to Strategies 6.1.12 and 6.1.13 in the SWMP.

**4. Construction Site Stormwater Runoff Control**

**Permit Requirement:** Develop, implement, and enforce a program to reduce pollutants in stormwater runoff from construction activities that disturb one or more acres of land. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. Requirements for this SWMP include using/creating an ordinance or other regulatory mechanism to require construction site operators to practice erosion and sediment control and properly manage waste. In addition, site plans must be reviewed for potential water quality impacts and reviewers must ensure the BMPs for pollution prevention are appropriate. The SWMP must include procedures for site inspections and enforcement of control measures.

In addition to the above requirements, the SWMP includes: 1) Measurable strategies/goals; 2) Target dates for strategies/goals; and 3) County position responsible for implementing and coordinating the activities. The program permit requirements are provided in the 'Program Goal' below, as well as in the 'Objective' statements and 'Strategy' column in the tables below. The 'Documentation' column in the tables below include how the County will track measurable goals, if applicable to the strategy. The County position responsible for implementing and coordinating the program elements is listed in the 'Responsible Department and Position' column, and the 'Targets' column provides target dates for strategies/goals.

**Program Goal:** Reduce pollutants in stormwater runoff from construction activities within the County MS4 jurisdiction.

<b>Construction Site Stormwater Runoff Control</b>				
<b>Objective 1. Review site plans for water quality impacts &amp; verify that Construction General Permit (CGP) is in place for project.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
4.1.1	Continue to review site plans for water quality impacts, confirm NOI is in place, verify Stormwater Pollution Prevention Plan (SWPPP) is in place.  Continue to work with the Technical Advisory Committee on review of site plans for water quality impacts.	EPA database for filing of permits. Future written procedures for this strategy will address documentation.	Growth Management: Building and Development Services <i>Building and Development Supervisor</i>	Create written procedures for reviewing site plans within 12 months of approved SWMP and work towards development of electronic tracking system.

<b>Construction Site Stormwater Runoff Control</b>				
<b>Objective 2. Carry out construction site inspections.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
4.2.1	Prioritize all active construction sites 1 acre or larger that fall within the County's MS4 jurisdiction for inspection.	Written inspection criteria, tracking of inspections, permit checklists. Retain documentation from inspections for construction fund release.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	This strategy is already being implemented. Continue to inspect all active construction sites that are 1 acre or larger and fall within the County's MS4 jurisdiction.
4.2.2	Establish frequency for site inspections on construction sites 1 acre or larger that fall within the County's MS4 jurisdiction. Carry out initial and final inspections to release construction funds for projects over 10,000 square feet.	Permit checklists, tracking of inspections, written inspection criteria.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	This strategy is already being implemented. In addition to initial and final inspections, require a pre-development inspection for all projects 1 acre or larger within the County's MS4.



<b>Construction Site Stormwater Runoff Control</b>				
<b>Objective 2. Carry out construction site inspections.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
4.2.3	Develop electronic tracking tool to track locations, inspection dates and results, and enforcement actions of active construction sites.	Reports from electronic tracking tool.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	<p>This strategy is already being implemented and tracking is ongoing.</p> <p>Continue to utilize a spreadsheet as an electronic tracking tool to track locations, inspection dates and results, and enforcement actions.</p> <p>Coordinate with the County GIS Department to ensure data collected for construction projects is mapped, which will help staff ensure that they are inspected regularly and documented.</p>

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Construction Site Stormwater Runoff Control				
Objective 2. Carry out construction site inspections.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
4.2.4	Provide construction general permit (CGP) training to all staff carrying out construction site inspections or involved with CGP NOI processes.	Names and titles of staff trained; date of training(s).	<p>Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i></p> <p>Public Works <i>Environmental Compliance Officer</i></p> <p>Until the Public Works <i>Environmental Compliance Officer</i> is hired, appointed Sustainability staff will function as a designated backup to this position.</p>	Continue staff training. This relates to Strategies 3.4.4 and 6.2.2 in the SWMP.

<b>Construction Site Stormwater Runoff Control</b>				
<b>Objective 3. Enforce ordinances to prevent construction site stormwater runoff.</b>				
<b>No.</b>	<b>Strategy</b>	<b>Documentation</b>	<b>Responsible Department and Position</b>	<b>Targets</b>
4.3.1	Enforce codes to require erosion and sediment control, construction waste control, and plan review. These include SLDC inspection requirements (5.10.2), requirements to clean-up construction sites after improvements (5.10.5), overlay district requirements, and terrain management requirements (7.17). The SLDC has enforcement mechanisms in Sections 14.3.2, 14.4, and 14.5.	Tracking of who is authorized to stop work in the event of a violation.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	Enforcement is ongoing.  Continue to utilize a spreadsheet as an electronic tracking tool to track enforcement actions.  Coordinate with the County GIS Department to ensure data collected on ordinance enforcement is mapped and tracked.
4.3.2	Review and update County codes as needed to ensure prevention of stormwater pollution from construction. In particular, review and update SLDC 7.19.	Conduct a review and create a report on code review.	Growth Management: Planning, Building and Development Services <i>Planning Manager and Building and Development Services Supervisor</i>  Sustainability Division <i>Sustainability Specialist</i>	Completed code review by Bohannon Huston, Inc. in November 2023.  Review codes internally within 12 months of approved SWMP.

**5. Post-Construction Stormwater Management in New Development and Redevelopment**

**Permit Requirement:** Develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb one acre or more within the County’s MS4 jurisdiction. Reduction of stormwater discharges from new development and redevelopment, within the County’s MS4 jurisdiction, disturbing less than one acre must be included in the program if it is part of a larger common plan of development or sale that would disturb one acre or more. Requirements include implementing structural and/or non-structural BMPs, using ordinances or other regulatory mechanisms to address post-construction runoff, and ensuring long-term operation and

maintenance of BMPs. The SWMP must describe management practices to reduce post-construction runoff, the ordinance to address runoff control, the procedure to ensure compliance, the education program for developers and the public about project designs to minimize water quality impacts, and program targets.

The SWMP includes: 1) Measurable strategies/goals; 2) Target dates for strategies/measurable goals; and 3) County position responsible for implementing and coordinating the post-construction management activities. The program permit requirements are provided in the 'Program Goal', 'Objective' statements, and 'Strategy' column in the tables below. The 'Documentation' column in the tables below include how the County will track measurable goals, if applicable to the strategy. The County position responsible for implementing and coordinating the program elements for this minimum control measure is listed in the 'Responsible Department and Position' column, and the 'Targets' column provides target dates for strategies/measurable goals.

**Program Goal:** Develop, implement, and enforce a program to manage stormwater runoff from new development and redevelopment projects. This includes the goal of increasing the adoption of GSI and other BMPs to maximize stormwater infiltration in new development and redevelopment.

Post-Construction Stormwater Management in New development and Redevelopment				
Objective 1. Enforce existing ordinances to manage runoff in new development and redevelopment.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
5.1.1	Enforce SLDC 7.13.11.7 to require rainwater catchment systems for all new residential and all new or remodeled nonresidential development.	Documentation of enforcement actions.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	Enforcement is ongoing.  Continue to utilize a spreadsheet as an electronic tracking tool to track enforcement actions.  Coordinate with the County GIS Department to ensure data collected on ordinance enforcement is mapped and tracked.

Post-Construction Stormwater Management in New development and Redevelopment				
Objective 1. Enforce existing ordinances to manage runoff in new development and redevelopment.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
5.1.2	Enforce SLDC 7.17.5 and 7.17.5.2, which establishes setbacks from streams, rivers, or arroyos, identifies no build areas, requires that peak discharge of stormwater resulting from developments not exceed pre-development levels and be retained on-site, and establishes ponding requirements.	Documentation of enforcement actions.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	Enforcement is ongoing.  Continue to utilize a spreadsheet as an electronic tracking tool to track enforcement actions.  Coordinate with the County GIS Department to ensure data collected on ordinance enforcement is mapped and tracked.
5.1.3	Enforce SLDC 7.15 to ensure open space requirements are met for all new or remodeled non-residential development.	Documentation of enforcement actions.	Growth Management: Building and Development Services <i>Building and Development Services Supervisor</i>	Enforcement is ongoing.  Continue to utilize a spreadsheet as an electronic tracking tool to track enforcement actions.  Coordinate with the County GIS Department to ensure data collected on ordinance enforcement is mapped and tracked.

Post-Construction Stormwater Management in New development and Redevelopment				
Objective 2. Review and update stormwater ordinances to manage runoff in new development and redevelopment, as needed.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
5.2.1	Review and update County codes as needed to manage runoff in new development and redevelopment by promoting the use of GSI. In particular, update SLDC 7.19.	Conduct a review and create a report on code review.	Growth Management: Planning, Building and Development Services <i>Building and Development Services Supervisor and Planning Manager</i>  Sustainability Division <i>Sustainability Specialist</i>	Completed code review by Bohannon Huston, Inc. in November 2023.  Review codes internally within 12 months of approved SWMP.
5.2.2	Assess feasibility of creating an incentive program for incorporating GSI and rainwater capture into existing development.	Feasibility report.	Growth Management: Planning <i>Planning Manager</i>  Sustainability Division <i>Sustainability Specialist and Sustainability Manager</i>	Complete feasibility report within 12 months of approved SWMP.

Post-Construction Stormwater Management in New development and Redevelopment				
Objective 3. Provide GSI resources to staff, contractors, and the public to project designs to minimize water quality impacts.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
5.3.1	Send staff from Public Works, Growth Management, and Sustainability to the annual Land and Water Summit or other GSI meetings.	Number of staff registrations per FY.	Growth Management  Public Works  Sustainability Division  <i>Positions to be determined each year</i>	This strategy is already being implemented. Continue to have at least 4 staff attending annual Summit (minimum of one staff from Public Works, Growth Management, and Sustainability Departments).
5.3.2	Develop a low impact design and maintenance guide for developers, contractors, County staff, and the public modeled after the <u>Bernalillo County guide</u> . Post to the County's stormwater management webpage and provide to permit applicants.	Completed guide.	Growth Management: Planning <i>Planning Manager</i>  Sustainability Division <i>Sustainability Specialist and Sustainability Manager</i>	Completed guide within 18 months of approved SWMP.

Post-Construction Stormwater Management in New development and Redevelopment				
Objective 4. Support County MS4 program goals, water conservation goals, and implement nature-based climate solutions.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
5.4.1	Integrate nature-based climate solutions, including GSI, into the countywide climate action plan.	Completed climate action plan.	Sustainability Division <i>Sustainability Specialist &amp; Sustainability Manager</i>	This target has been met. Completed climate action plan in December 2023.  Following the plan will be ongoing.

Post-Construction Stormwater Management in New development and Redevelopment				
Objective 4. Support County MS4 program goals, water conservation goals, and implement nature-based climate solutions.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
5.4.2	Protect pollinator species and their habitats by encouraging native plantings and discouraging use of pesticides.	Resolution 2020-51 and any reporting on progress for this resolution.	Growth Management: Open Spaces Parks and Trails <i>Open Space Resource Management Specialist</i>  Sustainability Division <i>Volunteer Coordinator and Sustainability Specialist</i>	This strategy is already being implemented. Continue to secure resources for and offer Master Naturalist trainings and volunteer opportunities.  Continue to prioritize native, pollinator friendly plantings in County landscaping and Earth Day events.  Continue to improve pollinator habitat in specific Open Space areas.

**6. Pollution Prevention/Good Housekeeping for Municipal Operations**

**Permit Requirement:** Develop and implement an operation and maintenance program with a training component to prevent or reduce pollutant runoff from municipal operations within the MS4 jurisdiction. Address maintenance activities, schedules, and inspection procedures; controls to reduce or eliminate pollutant discharge from municipal operations; procedures to properly dispose of waste; and procedures to ensure flood management projects are assessed for impacts on water quality.

The SWMP includes: 1) Measurable strategies/goals; 2) Target dates for strategies/measurable goals; and 3) County position responsible for implementing and coordinating the employee training and pollution prevention activities. The program permit requirements are provided in the 'Program Goal', 'Objective' statements, and 'Strategy' column in the tables below. The 'Documentation' column in the tables below include how the County will track measurable goals, if applicable to the strategy. The County position responsible for implementing and coordinating the program elements is listed in the 'Responsible Department and Position' column, and the 'Targets' column provides target dates for strategies/measurable goals.



The County does not own or operate any industrial facilities within the MS4 jurisdiction that are subject to the Multi-Sector General Permit (MSGP) or an individual NPDES permit for discharges of stormwater associated with industrial activity. Therefore, a map and EPA permit authorization numbers are not required in this SWMP.

Municipal operations within the MS4 jurisdiction include: County Public Works complex (includes a fueling station), County public parks and recreation areas within the MS4 jurisdiction, County properties where landscape management activities occur, and County roadways within the MS4 jurisdiction.

**Program Goal:** Prevent or reduce pollutant runoff from municipal operations, such as operation of facilities, parks and open space, fleet maintenance, County road maintenance, new construction, and stormwater conveyance maintenance.

Pollution Prevention/Good Housekeeping for Municipal Operations				
Objective 1. Implement an operation and maintenance program to reduce pollutants in stormwater runoff from County facilities within the MS4 jurisdiction.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
6.1.1	Develop SWPPPs for County public parks and recreation areas within the MS4 jurisdiction.	Completed plans.	Public Works <i>Facilities Operations and Maintenance Manager</i>	Develop plans within 18 months of approved SWMP.
6.1.2	Develop a SWPPP for the County Public Works complex.	Completed plan.	Public Works <i>Projects and Facilities Division Director</i>	This target has been met. Completed plan in 2023.
6.1.3	Update Maintenance Plan to include stormwater aspects related to landscape management activities within the MS4 jurisdiction.	Completed plan.	Public Works <i>Operations Maintenance Manager</i>	Update plan to include stormwater aspects within 18 months of approved SWMP.

Pollution Prevention/Good Housekeeping for Municipal Operations				
Objective 1. Implement an operation and maintenance program to reduce pollutants in stormwater runoff from County facilities within the MS4 jurisdiction.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
6.1.4	Continue to follow County SWPPP for municipal vehicle fueling, operation, and maintenance activities within the MS4 jurisdiction. The only County fueling area in the MS4 jurisdiction is located at the Public Works complex.	Completed plan.	Public Works <i>Roads, Utilities, and Fleet (RUF)</i> Division Director	Following the plan will be ongoing.  The only County owned fueling area is located at the Public Works complex and this will be incorporated into the existing Public Works Facility SWPPP within 18 months of approved SWMP.
6.1.5	Continue to follow County SWPPP for County Public Works complex.	Completed plan.	Public Works <i>Roads, Utilities, and Fleet (RUF)</i> Division Director	Following the plan will be ongoing.
6.1.6	Incorporate GSI into the design of new or updated County parks, paved walking trails, and facilities, within the MS4 jurisdiction, where feasible.	List of GSI to be incorporated into new facility designs within the MS4 jurisdiction.	Public Works <i>Facilities and Projects Division</i> Director	Create standard operating procedure to ensure that GSI is considered in all County construction and retrofit projects. Target date is 18 months from the approval of the SWMP.

Pollution Prevention/Good Housekeeping for Municipal Operations				
Objective 1. Implement an operation and maintenance program to reduce pollutants in stormwater runoff from County facilities within the MS4 jurisdiction.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
6.1.7	Include GSI and new stormwater infrastructure into maps, building asset, and maintenance lists. Carry out as part of building maintenance review. Prioritize facilities that fall within the MS4 jurisdiction. This also supports Objective 4 in Section 5 of the SWMP, Post-construction stormwater management in new development and redevelopment.	Map or list of stormwater infrastructure currently maintained by the County within the MS4 jurisdiction.	Public Works <i>Facilities and Projects Division Director</i>	Update map or list per Public Works schedule. This will be ongoing.
6.1.8	Provide GSI design and maintenance training to County staff in projects and maintenance (This relates to Strategy <u>5.3.1</u> ).	Maintain records of names and titles of staff trained; date(s) of training(s).	Public Works <i>Facilities and Projects Division Director</i>	This strategy is already being implemented. Continue to have at least 5 staff attend trainings annually.
6.1.9	Create stormwater pollution prevention inspection schedule and prioritization plan for County facilities within the MS4 jurisdiction.	Completed inspection schedule and prioritization plan.	Public Works <i>Facilities and Projects Division Director and Public Works Director</i>	Target date for the completed schedule and prioritization within 9 months of approved SWMP.
6.1.10	Hire a stormwater inspector to carry out inspections of County facilities within the MS4 jurisdiction for the pollution prevention and good housekeeping program.	Contract out for an inspector. Contract and inspection reports will serve as documentation.	Public Works <i>Public Works Director</i>	Inspections of facilities within the MS4 jurisdiction to begin by the end of 2025.

Pollution Prevention/Good Housekeeping for Municipal Operations				
Objective 1. Implement an operation and maintenance program to reduce pollutants in stormwater runoff from County facilities within the MS4 jurisdiction.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
6.1.11	Create list and map of County facilities that may discharge pollutants of concern to the MS4, including any commercial industrial facilities subject to MSGP or individual industrial NPDES permit.	Completed list and map with information in ProjectMates.	Public Works <i>Production Controller</i>	Target date for the completed list by the end of 2025.
6.1.12	Develop procedures to manage spills and prevent water quality pollution in County roads, fleet, facilities, and solid waste activities. The focus will be within the MS4 jurisdiction.	Identify key procedures needed, and completed procedures will serve as the documentation.	Public Works <i>Public Works Director</i>	Target date is to complete identified procedures by the end of 2025. The goal is to embed procedures within the work order system.
6.1.13	Provide staff training on pollution prevention and spill prevention and response/clean-up.	Maintain records of names and titles of staff trained; date(s) of training(s).	Public Works <i>Public Works Director</i>	Develop staff training for roads, facilities, fleet, and solid waste after procedures are drafted in Strategy 6.1.13. The target date to start these trainings is within 12 months of approved SWMP.

Pollution Prevention/Good Housekeeping for Municipal Operations				
Objective 2. Implement stormwater runoff controls at County construction sites.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
6.2.1	Continue to follow County SWPPP for municipal construction activities greater than 1 acre.	Completed plan.	Public Works <i>Project Managers (Utilities, Vertical, and Roads)</i>	Ongoing strategy.
6.2.2	Provide staff training on pollution prevention in municipal construction activities.	Maintain records of names and titles of staff trained; date(s) of training(s).	Public Works <i>Administrative Manager</i>	Set up staff training for appropriate public works staff within 12 months of approved SWMP. This relates to Strategies 3.4.4 and 4.2.4 in the SWMP.
6.2.3	Develop an inspection schedule and prioritization for County construction sites for county construction projects over \$2M located within the MS4 jurisdiction.	Inspection schedule and prioritization plan.	Public Works <i>Project Managers</i>	Inspections of construction to begin within 12 months of approved SWMP.
6.2.4	Identify all projects occurring within MS4 jurisdiction for Capital Advisory Committee.	List of projects occurring within MS4.	Growth Management: Planning <i>Capital Planner</i>	Projects identified within 9 months of approved SWMP.

Pollution Prevention/Good Housekeeping for Municipal Operations				
Objective 3. Manage stormwater runoff to reduce or eliminate the discharge of pollutants along County roads.				
No.	Strategy	Documentation	Responsible Department and Position	Targets
6.3.1	For new road construction, follow design standards in the County's complete streets resolution (2022-036) to utilize stormwater runoff and decrease stormwater pollutants.  Stormwater runoff will be managed within County right-of-way on existing roads.	Resolution 2022-036.	Public Works <i>Roads Project Manager</i>	Ongoing.
6.3.2	Coordinate with the City of Santa Fe on stormwater management along roadways in the Santa Fe River corridor.	Attend MS4 collaborative meetings with the City of Santa Fe and NMDOT.	Public Works <i>Engineering Service Manager</i>	Ongoing.
6.3.3	Maintain culverts, bar ditches, and other road drainage structures.	Tracking of maintenance actions.	Public Works <i>Roads Superintendent</i>	Ongoing.
6.3.4	Create map of culverts, bar ditches, and other drainage structures.	Completed map.	Public Works <i>Roads Superintendent and Foreman</i>	Map completed by July 2026.
6.3.5	Provide staff training on pollution prevention in road maintenance activities.	Maintain records of names and titles of staff trained; date(s) of training(s).	Public Works <i>Administrative Manager</i>	Target date for developing staff trainings developed is within 12 months of approved SWMP.

### Monitoring and Assessment

The MS4 permit has requirements for the permittee to use monitoring and assessment to evaluate program compliance, the appropriateness of identified BMPs, and progress toward achieving identified measurable goals. Stormwater monitoring within the Santa Fe area is still being developed by the County and the other MS4 agencies.

Santa Fe County has limited stormwater outfalls discharging into intermittent water courses (“arroyos”), with potential access to the waters of the United States. All storm drains are privately owned and operated; the County has neither public storm drain systems nor public storm drain facilities. Since the outfall concept does not readily apply to the County, the County has identified MS4 priority areas where pollutants have a higher probability of reaching stormwater and where the County can focus on MS4 BMPs to minimize stormwater pollution.

Santa Fe County is in the process of identifying MS4 priority areas to guide the development of a monitoring/assessment plan. The monitoring/assessment plan will address the MS4 permit requirements as they relate to monitoring discharges to impaired waters and waters with identified total maximum daily loads (TMDL).

If and when Santa Fe County conducts analytical monitoring of stormwater discharges from the permitted small MS4, the County must comply with the following permit requirements. These monitoring program requirements will be included in all monitoring plans developed by Santa Fe County.

1. Representative monitoring. Samples and measurements taken for the purpose of monitoring must be representative of the monitored activity.
2. Test Procedures. Monitoring results must be conducted according to test procedures approved under 40 CFR Part 136.
3. Discharge Monitoring Report (DMR). Monitoring results must be reported on a DMR with the results on one storm event per DMR. DMRs must be submitted along with the MS4 Annual Report required in the MS4 permit.
4. Records of monitoring information must include:
  - 4.1. date, exact place, and time of sampling or measurements;
  - 4.2. names(s) of the individual(s) who performed the sampling or measurements;
  - 4.3. date(s) analyses were performed;
  - 4.4. names of the individuals who performed the analyses;
  - 4.5. analytical techniques or methods used; and
  - 4.6. results of such analyses.