

New Mexico Land Grant Council (NMLGC)
June 21, 2024 – 10:00am
UNM Continuing Education
South Building – Room 204
1634 University Blvd. NE - Albuquerque
Zoom Meeting I.D. – 986-7025-0222

**Final Meeting Minutes
Regular Council Meeting**

1. Call to Order - Roll Call

Chairman Juan Sánchez called the meeting to order at 10:09 am MDT. Roll call of the Council members: Andrea Padilla, Steve Polaco, and Juan Sánchez were present.

2. Introduction of Guests

Juan Sánchez (NMLGC); Andrea Padilla (NMLGC); Steve Polaco (NMLGC); Arturo Archuleta (NMLGC/LGSP); Jacobo Baca (NMLGC/LGSP); Greta Archuleta (NMLGC); Anissa Baca (NMLGC/LGSP); Camila Romero (NM SLO); Enrique Romero (NM DOJ Treaty Division); Ricardo Dow y Anaya (NM DOJ Treaty Division); Eric Chavez (Office of Sen. Ben. R. Lujan); Leonard Martínez (San Joaquín del Río de Chama LG); Melvin Apodaca (Tierra Amarilla LG); Joe Valencia (CES); Paul Benoit (CES); Aurora Valdez (Office of Sen. Martin Heinrich); Lesley Elser (BLM); Abel Sillas (Arroyo Hondo); Jason Quintana (Manzano LG); Monica Rodríguez (New Mexico Acequia Association /San Joaquín del Río de Chama LG); Chris Chávez (Territorial Land Surveying); Macario Griego (Cañón de Carnué LG); Priscilla Sillas Rael (Arroyo Hondo).

3. Approval of Agenda

Councilor Polaco made a motion to approve the agenda; Councilor Padilla seconded the motion. Roll call vote:

Councilor Padilla – aye
Councilor Polaco - aye
Chairman Sánchez – aye

The motion was passed.

4. Approval of Meeting Minutes from May 17, 2024 Regular Meeting and June 7, 2024 Special Meeting

Councilor Padilla made a motion to approve the meeting minutes of the May 17, 2024 Regular Council meeting; Councilor Polaco seconded the motion.

Roll call vote:

Councilor Padilla – aye
Councilor Polaco - aye
Chairman Sánchez – aye

The motion was passed.

Councilor Polaco made a motion to approve the meeting minutes of the June 7, 2024 Special Council meeting; Councilor Padilla seconded the motion.

Roll call vote:

Councilor Padilla – aye

Councilor Polaco - aye
Chairman Sánchez – aye

The motion was passed.

5. Discussion and Possible Action on Presentation on Procurement Opportunities by Cooperative Educational Services (CES)

John Valencia (CES) introduced CES, Cooperative Educational Services, a purchasing cooperative which since 1979 has provided procurement and other services to public schools and with purchasing, procurement, professional services and more. They serve 98% of charter schools and a JPA expanded to include counties, municipalities, other political subdivisions like land grants and acequias. All income for CES is made through a 1.25% administrative fee that is included in vendor quote. There are sometimes restrictions on the using grant funding to pay the 1.25% admin fee, but CES can help to determine if this restriction applies. Applying for membership is a simple form and Paul Benoit is the CES representative for the northern half of New Mexico, but also covers parts of Valencia County. Mr. Valencia added that the traditional / legacy process is usually used for construction. The CES online portal allows users to manage a project, review pricing, and assists them in chasing down bonds. CES issues a PO to the vendor, less the admin fee, and will even do progress payments. The vendor invoices CES and CES invoices the member (i.e., land grant).

Jason Quintana (Manzano LG) asked how CES compares with the statewide price agreement. Mr. Valencia responded that State Purchasing does bids and CES does RFPs. Bids are awarded based on low price and RFPs are more technical based than just price. By example, under the statewide price agreement, vehicles have to follow exact specifications, where under an RFP, through CES, a buyer can purchase off of the lot, with different colors and specs. The state is part of a national agreement (NASPO) that administers a 3% fee where CES assesses a 1.25% fee. Monica Rodriguez (New Mexico Acequia Association) commented that acequias receive Acequia and Community Ditch Infrastructure Funding and asked if CES has issues working with some agencies to spend these funds. Mr. Valencia responded that when he worked with the state he needed to convince them that he had to go through CES and had to create a justification. Some state agencies, state employees and state purchasing don't want to use CES. Ms. Rodríguez asked if CES works directly with DFA for invoicing, draw downs, etc. Mr. Valencia responded that CES does not get into administrative portion of spending their funding the entity needs to do that on their own. CES does the procurement portion of spending the award.

Councilor Padilla and Councilor Polaco expressed interest in using CES to help with projects at their respective community centers in Tomé and Tierra Amarilla. Paul Benoit (CES) responded that if they sign a PE agreement and become a member, they can use CES's services. The agreement is a simple 2 page application that needs board approval. Mr. Arturo Archuleta (NMLGC) commented that local public bodies need to adopt their own procurement and we recommend that land grants adopt the state procurement code. Mr. Benoit discussed regions and did a walkthrough of the CES online bluebook.

6. Discussion and Possible Action on Bureau of Land Management Update

Lesley Elser (BLM) reported that Rio Grande del Norte management plan is anticipating release of 60 day notice for public comment in September.

7. Discussion and Possible Action State Land Office Update

Camila Romero reported that the SLO has fuelwood for \$15 per cord near Tres Piedras.

8. Discussion and Possible Action U.S. Forest Service Update

Jacobo Baca (NMLGC) and Monica Rodriguez (NMAA) reported that they participated in a meeting with Carson National Forest Supervisor James Durán, discussing the forest mayordomo projects, a visit by the regional leadership team in late summer, and collaborations with entities like Taos County, who has a good neighbor agreement with the USFS. Enrique Romero added that the USFS has stewardship agreements with New Mexico State Forestry and meeting participants discussed expanding the forest mayordomo program with state forestry, especially in areas where land grants and acequias don't exist. Mr. Baca discussed continuing "Land Grant 101" presentations with the three northern forests (Carson, Cibola, Santa Fe). Leonard Martínez (San Joaquín del Río de Chama LG) reported that the Indios Fire is almost completely extinguished and fuelwood from fire lines that was promised to the San Joaquín Grant is getting stolen. There will also need to be some erosion control after the fire as all the canyons from the Mesa Alta feed the cañón and will flow more intensely after the fire.

9. Discussion and Possible Action on Project Update from Chris Chavez, contracted Land surveyor

Chris Chavez shared the recent projects he has completed for the Tierra Amarilla and Taji que Land Grants, and for the Cañon de Chama Agricultural / Irrigation Project, where he mapped the historic acequias and diversion points, mapped the prospective fields to be irrigated and located the acequia constructed by the original inhabitants and the historic San Joaquin Plaza. Enrique Romero has questions regarding the water rights for the Cañon de Chama Agricultural / Irrigation Project and Leonard Martínez stated that the Forest Service has fought the Grant on using the water rights for the irrigation project but the land grant convinced the Forest Service that the project benefits the Forest Service. The Grant will have the meeting with the Santa Fe National Forest on July 11 where Mr. Chavez will present his research on the irrigation project.

10. Discussion and Possible Action on Federal and State Legislative Update

Federal

Eric Chavez (Office of Senator Ben R. Luján) and Aurora Valdez (Office of Senator Martin Heinrich) updated that both Senators were in state and pushed for the disaster declaration for the Ruidoso Fire for Lincoln County and the Mescalero Reservation, which was approved by President Biden. Mr. Archuleta reported that Todd Ringler from Senator Luján's office alerted the Council that the National Congress of American Indians readopted a resolution opposing the traditional use bill. Once again, the opposition was led by one pueblo and was not approved by the rest of region. Several pueblos voiced opposition to the action as it wasn't an action by region. We still need to have a hearing in order for the bill to advance and we still have until December to push the bill forward.

State

The Interim Committee will be meeting in July 25-26 in Espanola at Northern New Mexico College.

11. Discussion and Possible Action on State Land Office Update

See above

12. Discussion and Possible Action on NM Dept. of Justice & Treaty Division Update

Enrique Romero (NMDOJ Treaty Division) reported that Taos training will occur on Friday, July 12, 2024, 9:00am-3:00pm at the UNM Taos Ranchos campus. People can register using a QR code or website link. An offer was made to another attorney to work at the Treaty Division. Two interns will start in September with the Treaty Division. Attorney General Raul Torrez is happy with the work of Treaty Division and complaints made to the NMAG’s office have lessened.

13. Discussion and Possible Action on Property Tax Exemption for Land Grants

Land grants reported the following regarding tax protests: San Antonio de las Huertas – filed and opposition; Tajique – filed and no response; Tomé - filed and no response; Don Fernando de Taos - filed and no response; Santa Bárbara - filed and no response; Manzano - filed and no response San Miguel del Bado – filed and San Miguel County was accommodating; Los Vigiles – filed late, received notice late, no response; San Joaquin del Rio de Chama – Rio Arriba County already does not charge taxes on land grant properties; Cristobal de la Serna filed on four linea properties and have not received a response. Chairman Sanchez reported that Torrance County is going to work with the Chililí Grant. Councilor Padilla asked if land grants can approach New Mexico Department of Taxation and Revenue if they have not heard back from the counties.

14. Discussion and Possible Action on Land Grant-Merced Assistance Fund FY25

The Council discussed reviewing the requirements for the land grant merced assistance fund. In the past, the NMLGC adopted its requirements in the June or July meeting. The NMLGC role centers around compliance with Chapter 49. Councilors reviewed the annual report certification form and added verbiage that the board understands that not complying annual report may impact their receipt of a LGMAF distribution. Enrique Romero (NMDOJ) suggested that the meeting dates be identified in the form. Other forms reviewed include the Adjusted Revenue calculation form, the bonding certification form, the election certification, the Government Conduct Act certification form, and the Tort Claims Certification form

Councilor Polaco made a motion to approve the Land Grant Merced Assistance Fund certification forms, as edited; Councilor Padilla seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

15. Discussion and Possible Action on Natural Resource Issues & Concerns - Local, State and Federal

Councilor Polaco reported that the Tierra Amarilla Land Grant has been applying since last year and has gotten the run around. They applied for a stock bond and when they received funding it was not considered an eligible purchase. JR Logan is working on a mayordomo project for the grant.

16. Discussion and Possible Action on Council FY 2024, FY 2025 & FY 2026 Budget

FY 2024

Mr. Archuleta provided a budget update. As of end of May, over \$4,500 will be reverted in Council travel. There is \$190,751 remaining under the IGSA. He presented an estimate from New Mexico

State Printing and Graphics to print selections from the Center for Land Grant Studies (Malcolm Ebright) and land grant law books.

Councilor Polaco made a motion to approve estimate 13378 from New Mexico State Printing and Graphics for \$2,519.90; Councilor Padilla seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

Councilor Padilla made a motion to approve estimate 13388 from New Mexico State Printing and Graphics for \$2,452.16; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

FY 2025

IGSA not reviewed yet; NMLA contract is under review

FY 2026

None

17. Discussion and Possible Action UNM Intergovernmental Services Agreement

Mr. Archuleta spoke with Camila Gonzales of DFA regarding the FY 2025 IGSA and it may take some time to be approved.

Councilor Polaco made a motion to authorize Chairman Juan Sánchez to sign FY 2025 IGSA, provided there are no significant changes. Councilor Padilla seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

Councilor Padilla made a motion to approve invoice 6265 from CB4U for \$145.29; Councilor Polaco seconded the motion.

Roll call vote:

- Councilor Padilla – aye
- Councilor Polaco - aye
- Chairman Sánchez – aye

The motion was passed.

Councilor Polaco made a motion to approve invoice 6113 from CB4U for \$290.59; Councilor Padilla seconded the motion.

Roll call vote:

Councilor Padilla – aye
Councilor Polaco - aye
Chairman Sánchez – aye

The motion was passed.

Councilor Padilla made a motion to approve invoice 2024-13 from Del Medio Forestry for \$5000.00; Chairman Sanchez seconded the motion.

Roll call vote:

Councilor Padilla – aye
Councilor Polaco - abstain
Chairman Sánchez – aye

The motion was passed.

Mr. Archuleta presented Pay Request #6 for May 2024, including \$25,984.62 in personnel, \$2,758.66. in staff travel, \$6,158.14 in staff out of state travel \$13,881.64 in surveyor services, and \$10,866.11 in F&A for a total of \$65,196.66.

Councilor Polaco made a motion to approve Pay Request #6 for \$65,196.66; Councilor Padilla seconded the motion.

Roll call vote:

Councilor Padilla – aye
Councilor Polaco - aye
Chairman Sánchez – aye

The motion was passed.

18. Discussion and Possible Action on Professional Surveyor Services Contract Update & Requests

Council member Padilla made a motion to approve Invoice #06202024 from Territorial Land Surveying for \$8,433.25; Councilor Polaco seconded the motion.

Roll call vote:

Councilor Padilla – aye
Councilor Polaco - aye
Chairman Sánchez – aye

The motion was passed.

19. Discussion and Possible Action on Legal Services Contract Update & Requests

Council member Padilla made a motion to approve Pay Request #2 from New Mexico Legal Aid for \$11,655.00; Councilor Polaco seconded the motion.

Roll call vote:

Councilor Padilla – aye
Councilor Polaco - aye
Chairman Sánchez – aye

The motion was passed.

20. Discussion and Possible Action on Land Grant Merced Institute Update

None.

21. Discussion and Possible Action on Land Grant Registry Update

The Town of Tomé Land Grant submitted the updated membership of their board.

22. Discussion and Possible Action on Correspondence

None.

23. Discussion and Possible Action on Staff Assignments

None.

24. Public Comments – discussion only

Macario Griego attended the meeting to raise concerns over administration of the Community Governance Attorney Commission by the Utton Center.

25. Miscellaneous Announcements

Councilor Padilla reported that Town of Tomé Grant is purchasing properties. Chairman Sanchez reminded that land grants need an asset management plan in their audits. Councilor Polaco reported that most of the electrical work is complete at the Mercedes Unidas Center. The 2025 Consejo annual meeting will take place June 29 in Talpa, NM, hosted by the Cristobal de la Serna Land Grant.

26. Date and Location for July Council Meeting

The July 2024 special meeting on July 12, 2024 @ 3:30pm in Taos, NM.

The July regular meeting of the NMLGC will be on July 18, 2024, 10:00am in Albuquerque, at UNM Continuing Education.

27. Adjournment

Councilor Polaco made a motion to adjourn; Councilor Padilla seconded the motion.

Roll call vote:

Councilor Padilla – aye

Councilor Polaco - aye

Chairman Sánchez – aye

The motion was passed. The meeting adjourned at 2:55pm MDT.

Approved:

 Chair

 Date