

Board of County Commissioners of Santa Fe County
County Commission Chambers
County Administrative Building
102 Grant Avenue
Santa Fe NM 87501

REGULAR MEETING

December 8, 2015, at 2:00 p.m.

Please turn off cellular phones during the meeting.

Amended Agenda

- I. **Opening Business**
 - A. Call to Order
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. State Pledge
 - E. Moment of Reflection
 - F. Approval of Agenda (Action Item)
 - 1. **Amendments.**
 - 2. **Tabled or Withdrawn Items.**
 - G. Approval of Minutes (Action Item)
 - 1. Special BCC Meeting on November 2, 2015.
 - 2. Regular BCC Meeting on November 10, 2015.
 - H. Honoring Our Veterans and Service Men and Women
 - I. Employee Recognitions
 - 1. A Presentation Recognizing Fire Training Captain Jim Lovell for his Twenty Years of Service to Santa Fe County and his Retirement from the Santa Fe County Fire Department. (Fire Department/Fire Chief Sperling).

- II. **Consent Agenda** (Action Item)
 - A. Final Order
 - 1. **CDRC CASE # V/FDP 15-5170 Jacona Collection Center.** Santa Fe County, Applicant, Received Conditional Approval from the County Development Review Committee (CDRC) for Final Development Plan to Allow a Facility to be Utilized as a County Collection Center on 19.63 Acres \pm . The Applicant Requested Approval by the Board of County Commissioners for a Variance of

Ordinance No. 2002-6, Article III, Section 4.4.4(C) (Maximum Height) to Allow the Structure to Exceed 24 Feet in Height, a Variance of Ordinance No. 2000-01, Section 2.3.6.D.2, to Allow Retaining Walls to Exceed 10 Feet in Height and a Variance of Article VII, Section, 3.4.1.1.C.1 (No Build Areas) to Allow 5 Isolated Disturbances of 30% Slope for Access Roads Totaling 1,313 Square Feet. The Property is Located Off of Highway 502, within the Jacona Land Grant, within Section 15, Township 19 North, Range 8 East, (Commission District 1). (Approved 4-0) Jose E. Larrañaga, Case Manager.

B. Resolutions

- 1. Resolution No. 2015-___, A Resolution Authorizing the Donation of Fixed Assets in Accordance with State Statute. (Finance/Carole Jaramillo)**
- 2. Resolution No. 2015-___, A Resolution Requesting a Budget Decrease to the EMS Fund (206) to Adjust the Budget for the Current Year Allocation to the Actual Distribution Amount /(-10,374). (Finance Department/Carole Jaramillo)**

C. Miscellaneous

- 1. Request Approval for Waiver from Section I of Ordinance No. 2012-5 to Purchase Fourteen (14) Police Interceptors in the Sum Amount of \$337,932.25, Utilizing the State of New Mexico Purchasing Agreement and Authorizing the County Manager to Sign and Execute the Purchase Order. (Purchasing/Bill Taylor)**

(End of Consent Agenda)

III. Action Items

A. Items From Consent Agenda Requiring Extended Discussion / Consideration

B. Miscellaneous

- 1. Approval of Application for Business Lease to the New Mexico State Land Office for 320 Acres of State Trust Land Adjacent to the Thornton Ranch Open Space. (Public Works/Colleen Baker)**
- 2. Amendment No. 2 to a Memorandum of Understanding Between the New Mexico Department of Transportation and Santa Fe County for the Northeast Connector from Saint Francis Drive to Richards Avenue. (Public Work/Chuck Vigil)**
- 3. Direction of an Alternate Means of Compliance Request for La Pradera and **Authorize the Land Use Administrator and County Manager to Execute any Agreements necessary to Implement the Board of County Commissioners' Direction.** (Growth Management/Penny Ellis-Green)**

4. **Memorandum of Understanding between the City of Santa Fe and Santa Fe County for the Senior Campus @ Caja del Rio Allowing Discharge into County Wastewater Collection System and then into City Wastewater Collection and Treatment System. (Public Works/Claudia Borchert)**

C. Resolutions

1. **Resolution No. 2015-___, A Resolution Reallocating Proceeds from Santa Fe County's General Obligation Improvement Bonds, Series 2013 from Water and Wastewater Projects to Roads within the County in Compliance with Voter Approved Project Limits. (Finance Department/Carole Jaramillo)**
2. **Resolution No. 2015-___, A Resolution Requesting a Budget Increase to the 2013 GOB Fund (351) and Capital Outlay GRT Fund (313) from Cash Carryover and an Increase to the State Special Appropriation Fund (318) and Corresponding Decrease to the Water Enterprise Fund (505) for an Overall Budget Increase for Various Capital Projects/\$108,201. (Finance Department/Carole Jaramillo)**
3. **Resolution No. 2015-___, A Resolution Determining Reasonable Notice for Public Meetings During Calendar Year 2016 of the Board of County Commissioners of Santa Fe County and for Boards and Committees Appointed By or Acting Under the Authority of the Board of County Commissioners; Establishing Permissible Meeting Locations and a Webcast and Broadcast Policy; and Rescinding Parts of Resolution No. 2015-59. (Legal/Gregory S. Shaffer)**
4. **Resolution No. 2015-___, A Resolution in Support of the New Mexico Grown Fresh Fruit and Vegetables for School Meals Program. (Commissioner Holian)**

D. Ordinances

1. **Request Authorization to Publish Title and General Summary of Ordinance No. 2015-___, The Place at Caja Del Rio, a Senior Living Project, Local Economic Development Act (LEDA) Project Ordinance. (Growth Management/David Griscom)**
2. **Request Authorization to Publish Title and General Summary of An Ordinance Amending the Dedication of the Third One-Eighth Increment of the County Gross Receipts Tax Imposed By Ordinance No. 1987-6. (Legal/Gregory S. Shaffer)**

IV. Matters From the County Manager

A. Miscellaneous Updates

V. Matters of Public Concern

VI. Discussion/Information Items/Presentations

A. Matters from County Commissioners and Other Elected Officials

- 1. Elected Officials Issues and Comments - These are Non-Action Items by Elected Officials, Such as Constituent Concerns, Elected Official Recognitions, and Requests for Updates or Future Presentations.**
- 2. Commissioner Issues and Comments - These are Non-Action Items by Commission District, Such as Constituent Concerns, Commissioner Recognitions, and Requests for Updates or Future Presentations.**

VII. Matters From the County Attorney

A. Executive Session

- 1. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, and Discussion of Competitive Sealed Proposals Solicited Pursuant to the Procurement Code, as Allowed by Section 10-15-1(H)(6) NMSA 1978.**
 - a. Proposal Submitted in Response to RFP # 2015-0031-PW, La Bajada Ranch Development.**
 - b. Proposals for General Liability and Law Enforcement Insurance Coverages for Calendar Year 2016.**
 - 2. 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, Including the Following:**
 - a. Arbitrations Involving the City of Santa Fe.**
 - b. Potential Breach of Contract Actions.**
 - c. Litigation Involving Santa Fe Film and Media Studios, Inc. and La Luz Holdings, LLC.**
 - d. Prohibited Practices Complaints Filed Against the Board of County Commissioners of the County of Santa Fe with the Public Employees Labor Relations Board.**
 - e. City of Espanola, et al., v. County Commission of Santa Fe County, et al., State of New Mexico, County of Santa Fe, First Judicial District, No. D-101-CV-2015-01396.**
- B. Resolution No. 2015-___, A Resolution Authorizing the County Manager to Negotiate the Terms of General Liability and Law Enforcement**

Insurance Coverages for Calendar Year 2016 and to Execute Purchase Orders and Other Documents Necessary to Effectuate Such Coverages. (Action Item) (Administrative Services Department/Jeff Trujillo)

C. Possible Action(s) with Respect to Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant Discussed in Executive Session. (Action Item)

VIII. Public Hearings (To Begin No Earlier Than 5:00 P.M.)

A. Ordinances (Action Items)

- 1. Ordinance No. 2015-_____, An Ordinance Authorizing the Issuance and Sale of the Santa Fe County, New Mexico Hold Harmless Gross Receipts Tax Revenue Bonds, Series 2015, in an Aggregate Principal Amount of \$25,000,000 for Purposes of Defraying the Costs of Planning, Designing, Constructing, Reconstructing, Renovating, Rehabilitating, Equipping, and Furnishing Necessary County Buildings and Facilities, Including, Without Limitation, County Facilities Located at the County Administration Building and at the Old Judicial Complex, and To Pay Costs of Issuance of the Bonds; Approving the Principal Amounts, Maturities, Prices, Redemption Features, and Other Details of the Bonds; Ratifying the Distribution of a Preliminary Official Statement in Connection with the Sale of the Bonds; Providing that the Bonds Shall Be Special, Limited Obligations, and for the Payment of the Principal of and Interest on the Bonds from the Revenues of the Hold Harmless Gross Receipts Tax which are Distributed to the County by the New Mexico Taxation and Revenue Department Pursuant to Section 7-1-6.13 NMSA 1978; Providing for the Pledge of Such Revenues by the County; Ratifying Action Previously Taken in Connection With the Bonds and Repealing All Ordinances in Conflict with this Ordinance. (First and Final Public Hearing)(Finance Department/Carole Jaramillo)**
- 2. Ordinance No. 2015-_____, An Ordinance Establishing Development Permit and Review Fees for Projects in Santa Fe County, New Mexico; and Repealing Ordinance 2008-12 and Section 9.A (Fee Table) of Ordinance No. 2010-6 (Motion Picture and Television Productions). (Second and Final Public Hearing)(Vicki Lucero/Growth Management)**
- 3. Ordinance No. 2015-_____, An Ordinance Amending and Restating in Its Entirety the Sustainable Land Development Code (SLDC), Ordinance 2013-6. (Second and Final Public Hearing) (Penny Ellis-Green/Growth Management)**
- 4. Ordinance No. 2015-_____, An Ordinance Adopting the Zoning Map of Santa Fe County Applicable to Lands to Which the Santa**

Fe County Sustainable Land Development Code Applies. (Second and Final Public Hearing) (Robert Griego/Growth Management)

B. Land Use Cases (Possible Action Items)*

1. **CDRC CASE #Z/DP 14-5370 PNM Caja del Rio Solar Energy Center Project.** In Accordance with an Order from the First Judicial District Court in Case D-101-CV-2015-01488, Public Service Company of New Mexico, Applicant, Laurie Moye, Agent, is Requesting to Vacate a Master Plan Zoning, Preliminary and Final Development Plan Approval which Allowed a 5 Megawatt Electric Solar Facility on a 40 Acre Site. The Property is Located North of New Mexico Highway 599 and Takes Access Via Caja Del Rio Road, within Section 3, Township 16 North, Range 8 East, (Commission District 2). Jose E. Larrañaga, Case Manager.
2. **CDRC CASE # V 15-5220 Heidi Seizys Home Occupation Variance.** Michael and Heidi Seizys, Applicant, James Siebert, Agent, Request a Variance of Article III § 3.2 (Home Occupation Performance Standards) to Allow a Dog Rescue Facility which Exceeds 50% of the Floor Area of the Existing Dwelling on 6.52-Acres. The Property is Located at 94 Turquoise Trail Court, within Section 24, Township 15 North, Range 8 East, (Commission District 5). John M. Salazar, Case Planner.
3. **CDRC CASE # S 15-5310 Cienda Partners (Las Terrazas Phase III) Preliminary Plat, Final Plat, and Development Plan Amendment.** Cienda Partners, Applicant, Scott Hoeft, Agent, Request a Preliminary Plat, Final Plat, and Development Plan Amendment to Sub-Phase the Previously Approved Las Terrazas Phase III Residential Subdivision (46 Lots on 43.63 Acres) into Two Phases. Sub-Phase 3A Will Consist of 24 Residential Lots and Sub-Phase 3B Will Consist of 22 Lots. The Property is Located Along Paseo Las Terrazas, off of Trailhead Drive and Las Campanas Drive within Sections 2, 11 and 12, Township 17 North, Range 8 East (Commission District 2). Vicente Archuleta, Case Manager.
4. **BCC CASE# MIS 10-5552 Tessera Phase II Preliminary Plat and Development Plan Time Extension.** Homewise, Inc., Applicant, Design Ingenuity (Oralynn Guerrerortiz), Agent, Request a 36-Month Time Extension of the Previously Approved Preliminary Plat and Development Plan for the Tessera Phase II Residential Subdivision Consisting of 78 Residential Lots on 69.40 Acres. The Property is Located off of the NM599 West Frontage Road, West of the La Tierra Exit within Section 20, Township 17 North, Range 9 East (Commission District 2). Vicente Archuleta, Case Manager.
5. **CDRC CASE # MP/DP 13-5000 Amma Center.** Amma Center of New Mexico, Applicant, Dolores Vigil, Agent, Request Master Plan,

Preliminary and Final Development Plan Approval to Allow Existing Structures to be Utilized as a Religious Institution on a 40 ± Acre Site. The Property is Located at 48 Stone Cabin Road, via Old Santa Fe Trail, within Section 27, Township 16 North, Range 10 East, (Commission District 4). Jose E. Larrañaga, Case Manager.

IX. Concluding Business

A. Announcements

B. Adjournment (Action Item)

***These land use cases are administrative adjudicatory proceedings. Among other things, this means that Commissioners generally may not discuss a case with the applicant or other members of the public outside of the public hearing on the case. In addition, the Board of County Commissioners may not announce its decision on a land use case at the conclusion of the public hearing tonight.**

Santa Fe County makes every practical effort to assure that auxiliary aids or services are available for meetings and programs. Individuals who would like to request auxiliary aids or services should contact Santa Fe County Manager's Office at (505) 986-6200 in advance to discuss specific needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).