

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

**REGULAR MEETING**

**October 27, 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 **Tabled or Withdrawn Items.**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. Approval of September 29, 2015 BCC Meeting Minutes
- H. Honoring Our Veterans and Service Men and Women
- I. Employee Recognition
  - 1. Introduction of New Employees.
  - 2. Recognition of Years of Service for Santa Fe County Employees.

**II. Consent Agenda (Action Items)**

- A. Final Orders
  - 1. **CDRC CASE # V 15-5110 Marta And Dolores Perez Variance.** Marta and Dolores Perez, Applicants, Request a Variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to Allow a Land Division of 2.5 Acres into Two Lots; Each Lot Consisting of 1.25 Acres. The Property is Located within The Traditional Historic Community of La Cienega at 19 B Las Estrellas, within Section 27, Township 16 North, Range 8 East, (Commission District 3). Mathew Martinez, Case Manager (Denied 2-1).

2. **CDRC CASE # V 14-5310 Patrick Lysaght Variance.** Patrick Lysaght, Applicant, Requested a Variance of Article VII, Section 3.4.1.c.1.c (No Build Areas) of The Land Development Code, to Allow the Construction of an Accessory Structure on Slopes Greater than 30%, A Variance of Article VII, Section 3.4.1.d.6 (Development Site), to Allow the Finished Floor of a Structure to Exceed (5') Above Natural Grade, and a Variance of Article III, Section 2.3.6.b.1 (Height Restrictions) of The Land Development Code, and Section 3.8.2.d of Ordinance 2000-13 Tesuque Zoning District to Allow the Accessory Structure to Exceed the 18' Height Limitations for Structures on a 15% Slope or Greater. The Property is Located at 11 Via Vecino in The Traditional Community of Tesuque, within Section 31, Township 18 North Range, 10 East, (Commission District 1). John Lovato, Case Manager (Denied 2-2).
3. **CDRC CASE # V 15-5120 Cynthia Carter Variance.** Cynthia Carter, Applicant, Requested a Variance of Article III, § 10 (Lot Size Requirements) of Santa Fe County Ordinance 1996-10, The Land Development Code (Code), to Allow Two Dwelling Units on 1.458 Acres. The Property is Located at 17 Cloudstone Drive, within the Vicinity of Old Santa Fe Trail, within Section 6, Township 16 North, Range 10 East, (Commission District 4). John Lovato, Case Manager (Approved 3-0).

#### **B. Resolutions**

1. Resolution No. 2015-\_\_\_, A Resolution Approving the County Manager's Signature on Grant Agreement 15-0553-STB, and Designating Official Representatives for Grant Agreement 15-0553-STB for Utility Line Improvements for the Village of Agua Fria in the Amount of \$190,000. (Public Works Department/Erik Aaboe)
2. Resolution No. 2015-\_\_\_, A Resolution Approving the County Manager's Signature on Grant Agreement 15-0550-STB, and Designating Official Representatives for Grant Agreement 15-0550-STB, and Designating Official Representatives for Grant Agreement 15-0550-STB for Vista Aurora Sewer System Improvement in the Amount of \$40,000. (Public Works Department/Erik Aaboe)
3. Resolution No. 2015-\_\_\_, A Resolution Authorizing the Disposition of Fixed Assets in Accordance with State Statute. (Finance Department/Carole Jaramillo)
4. Resolution No. 2015-\_\_\_, A Resolution Requesting an Increase to Capital Projects Federal Fund (305) to Budget a Grant from the Federal Highway Administration to Construct Segment 4 of the Santa Fe Rail Trail Project from Avenida Vista Grande to Avenida Eldorado in the Amount of \$96,798. (Finance/Carole Jaramillo/Public Works/Michael Kelley)

5. **Resolution No. 2015-\_\_\_, A Resolution Requesting an Increase to Capital Outlay GRT Fund (313) to Budget Project Funds for the Santa Fe County Fairgrounds Site Improvements Including an Extension Office in the Amount of \$239,500. (Finance/Carole Jaramillo/Public Works/Michael Kelley)**
6. **Resolution No. 2015-\_\_\_, A Resolution Requesting an Increase to Capital Outlay GRT Fund (313) to Budget Project Funds for the La Barbara Road Improvements Project that were Liquidated in Prior Year Purchase Orders in the Amount of \$56,620. (Finance/Carole Jaramillo/Public Works/Michael Kelley)**
7. **Resolution No. 2015-\_\_\_, A Resolution Requesting a Budget Increase to the General Fund (101) to Budget a Grant Awarded to the Community Services Volunteer Program / \$8,200.00. (Finance Department/Carole Jaramillo)**
8. **Resolution No. 2015-\_\_\_, A Resolution Requesting a Budget Increase to the Fire Protection Fund (209) to Budget the FY-2015 Availability Cash Balances for Various Fire Districts and to Reconcile the Current Year Allocation to the Actual Distribution Amount for the County Fire Department / \$1,675,656. (Finance Department/Carole Jaramillo)**
9. **Resolution No. 2015-\_\_\_, A Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget One (1) Grant Awarded Through the New Mexico Department of Transportation for Highway Safety Projects in the Amount of \$60,500 to fund the DWI Vehicle Forfeiture Clerical Position. (Finance Department/Carole Jaramillo)**
10. **Resolution No. 2015-\_\_\_, A Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget a FEMA Grant Awarded to the Fire Department / \$56,819. (Finance Department/Carole Jaramillo)**
11. **Resolution No. 2015-\_\_\_, A Resolution Requesting a Budget Increase to the Fire Tax Fund (222) to Budget a Grant Match for a FEMA Grant Awarded to the Fire Department / \$5,681. (Finance Department/Carole Jaramillo)**
12. **Resolution No. 2015-\_\_\_, A Resolution Requesting a Budget Increase to the Alcohol Programs Fund (241) to Budget a Grant Awarded to the DWI Program / \$60,000.00. (Finance Department/Carole Jaramillo)**
13. **Resolution No. 2015-\_\_\_, A Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget a Grant Awarded through the Department of Justice/Edward Byrne Memorial/JAG and a Grant Awarded Through the Bureau of Land Management / \$28,584.50. (Finance Department/Carole Jaramillo)**

C. Miscellaneous

1. Approval of County Health Care Assistance Claims in the Amount of \$76,603.00. (Community Services Department/Patricia Boies)
2. Request Acceptance of the Three Temporary Construction and Permanent Utility Easement Agreements for the La Cienega Waterline Extension Project. (Public Works Department/Michael Kelley)
3. Request Acceptance of the Full Assignment of Right-Of-Way Easement No. R-34372 with the New Mexico State Land Office from the Pena Blanca Partnership. (Public Works Department/Robert Martinez)

*(End of Consent Agenda)*

III. Action Items (Public Comment)

A. Items from Consent Agenda Requiring Extended Discussion / Consideration

B. Appointments/Reappointments/Resignations

1. Acceptance of Resignation of William Baker from County Open Lands, Trails and Parks Advisory Committee (COLTPAC) (Maria Lohmann/ Growth Management)
2. Appointment of Primary Member to the NMAC Workers Compensation Pool Board. (County Manager's Office/Tony Flores)

C. Resolutions

1. Resolution No. 2015-\_\_\_, A Resolution Authorizing the Chairperson of the Santa Fe County Commissioners to Sign the Four Year Plan Proposal and Enter into a Contract for Approved Four Year Area Plan (2016-2020) for Senior Services in Santa Fe County. (Community Services Department/Greg Smith)
2. Resolution No. 2015-\_\_\_, A Resolution Authorizing Holiday, Closing of County Offices and the 2016 Santa Fe County Employee Calendar. (Human Resources/Bernadette Salazar)
3. Resolution No. 2015-\_\_\_, A Resolution Governing Incentive Pay for Appraisers Employed in the County Assessor's Office. (Human Resources/Bernadette Salazar)
4. Resolution No. 2015-\_\_\_, A Resolution Urging the U.S. Supreme Court to Uphold the Right of Unions to Charge Union Dues to All Bargaining Unit Employees as Established in *Abood v. Detroit Board of Education*, 431 U.S. 209 (1977). (Commissioner Stefanics)

D. Miscellaneous

1. Request Approval of Amendment No. 3 to Agreement No. 2013-0115-CORR/PL with BI Incorporated for an Increased Contract Amount of \$630,000.00 and Extend the Contract Term One (1) Additional Year for Electronic Monitoring Services and Grant Signature Authority to the County Manager to Sign the Purchase Order. (Purchasing/Bill Taylor)

2. **Request Approval of Amendment No. 3 to Agreement No. 2014-0002-LG/MS with Daniels Insurance, Inc. for an Increased Contract Amount of \$60,000.00 and Extend the Contract Term One (1) Additional Year for Insurance Broker and Consulting Services and Grant Signature Authority to the County Manager to Sign the Purchase Order. (Purchasing/Bill Taylor)**

**E. Ordinances**

1. **Request for Authorization to Publish Title and General Summary of 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). (Growth Management/Vicki Lucero)**
2. **Request Authorization to Publish Title and General Summary of 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. (Growth Management/Penny Ellis-Green)**
3. **Request to Publish Title and General Summary of Ordinance No. 2015-\_\_\_\_, An Ordinance Amending and Restating in its Entirety The Sustainable Land Development Code (SLDC), Ordinance 2013-6. (Growth Management/Penny Ellis-Green)**

**F. Election Precincts and Polling Places (County Clerk's Office/Steve Fresquez)**

1. **Resolution No. 2015-\_\_\_\_, A Resolution Designating the Polling Place of Each Precinct in Santa Fe County, New Mexico, Creating a New and Separate Precinct 90 and Changing the Boundaries of Existing Precinct 82, and Creating a New Precinct 91 and Changing the Boundaries of Existing Precincts 23, 59, 60, and 61.**
2. **Approval of Map of New and Changed Precincts, Nos. 23, 59, 60, 61, 82, 90, and 91.**

**IV. Matters of Public Concern**

**V. Discussion/Information Items/Presentations**

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

1. **Elected Official 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.**

- B. **Treasurer’s Office/County Board of Finance Meeting.**  
**The Board of County Commissioners will Temporarily Adjourn and Reconvene as the Santa Fe County Board of Finance.**
  - a. **Call to Order.**
  - b. **Roll Call.**
  - c. **Presentation of the County’s Investment Portfolio for the Five Months Ending September 30, 2015.**
  - d. **Presentation and Approval of the County Treasurer’s Investment Plan. (Action Item)**
  - e. **Adjourn. (Action Item)**
- C. **Presentations**
  - 1. **Presentation by New Mexico Association of Counties (NMAC) on NMAC and Legislative Priorities. (Sharon Stover, NMAC President, and Steve Kopelman, NMAC Executive Director)**
- D. **Matters from the County Manager**
  - 1. **Miscellaneous Updates.**

**VI. Matters from County Attorney**

**A. Executive Session**

- 1. **Deliberations in Connection with Administrative Adjudicatory Proceedings, as Allowed by Section 10-15-1(H)(3) NMSA 1978.**
  - a. **CDRC Case # ZMXT 13-5360 Buena Vista Estates, Inc. & Rockology LLC.**
- 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. **Election Code Litigation.**
  - b. **Arbitrations Involving the City of Santa Fe.**
  - c. **Potential Breach of Contract Action.**
- 3. **Discussion of the Purchase, Acquisition, or Disposal of Real Property, as allowed by Section 10-15-1(H)(8) NMSA 1978.**
  - a. **Acquisition of Real Property for Utilities.**
  - b. **Disposal of Real Property in Socorro County, NM.**

**B. Possible Decision on or Other Action(s) with Respect to CDRC Case # ZMXT 13-5360 Buena Vista Estates, Inc. & Rockology LLC. (Action Item)**

**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)**

**VII. Public Hearings (To Begin No Earlier than 5:00 p.m.)**

**A. 2015 Sustainable Growth Management Plan**

1. Resolution No. 2015 - \_\_, A Resolution Adopting The 2015 Sustainable Growth Management Plan and Repealing The 2010 Sustainable Growth Management Plan, Resolution Nos. 2010-210 And 2010-225 (Robert Griego/Growth Management) (Action Item)

**B. Land Use Cases (Possible Action Items)\***

1. **BCC CASE # MIS 15-5180 Ojo Caliente Holdings, Inc. Beer & Wine Liquor License.** Ojo Caliente Holdings, Inc., Applicant, Linda Aikin, Agent, Request Approval for a Restaurant Beer and Wine Liquor License. The Property is Located at 242 Los Pinos Road, Within Section 28, Township 16 North, Range 8 East (Commission District 3). John M. Salazar, Case Manager

**VIII. Information Items**

- A. Growth Management Monthly Report
- B. Public Safety Monthly Report
- C. Public Works Monthly Report
- D. Human Resources Monthly Report
- E. Administrative Services Monthly Report
- F. Community Services Monthly Report
- G. Financial Report for the Quarter Ending September 30, 2015

**IX. Concluding Business**

- A. Announcements
- B. Adjournment (Action Item)

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).