

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

**REGULAR MEETING**

**November 10, 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 **Tabled or Withdrawn Items.**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 October 13, 2015, Special BCC Meeting Minutes.
    - 2. Approval of October 13, 2015, BCC Meeting Minutes.
  - H. Honoring Our Veterans and Service Men and Women
  - I. Employee Recognitions
    - 1. Santa Fe County Employee of the Quarter, 3<sup>rd</sup> Quarter, 2015.
- II. **Consent Agenda** (Action Item)
  - A. Final Orders
    - 1. **CDRC CASE #V 15-5160 Susan Stokes Variance.** Susan Stokes, Applicant, Requested a Variance of Ordinance No. 2007-02, Section 10.6 (Village of Agua Fria Zoning District, Density and Dimensional Standards) to Allow the Creation of Three (3) Lots (Lot 1-1.642 Acres, Lot 2-1.010 Acres, and Lot 3-1.174 Acres) on 3.826 Acres, More or Less, Utilizing an On-Site Well and Septic System Rather than Community Water or Sewer. The Property Lies within the Agua Fria Low-Density Urban Zone (AFLDUZ) Where the Minimum Lot Size is 2.5 Acres per Dwelling. The Property is

Located within the Village of Agua Fria Zoning District at 4745 Rivers Edge Lane, within Section 32, Township 17 North, Range 9 East (Commission District 2). Vicente Archuleta, Case Manager. (Approved 4-0)

2. **CDRC Case # ZMXT 13-5360 Buena Vista Estates, Inc. & Rockology LLC.** Buena Vista Estates, Inc, Applicant, Jim Siebert, Agent, Requested Zoning Approval to Create a Mining Zone, on a 50 Acre + Site, to Allow the Extraction of Aggregate for the Use as Construction Material. The Site Would Take Access off of Waldo Canyon Road (County Road 57). The Property is Located on The East Side of I-25, within Section 21, Township 15 North, Range 7 East (Commission District 3). Jose E. Larrañaga, Case Manager. (Denied 5-0)

**B. Resolution**

1. **Resolution No. 2015-\_\_\_\_, A Resolution Authorizing Condemnation Proceedings to Acquire a Sewer Line Easement to Serve the Camino De Jacobo Housing Neighborhood. (Santa Fe Housing Authority/James R. Pacheco)**

**C. Miscellaneous**

1. **Request Authorization to Enter into an Agreement to Rescind Affordable Housing Agreement, Withdraw Application for Preliminary Plat, Final Plat and Development Plan, and Rescission of all County Subdivision Approvals for the Sandstone Pines Estates Subdivision. (Growth Management/Robert Griego)**

*(End of Consent Agenda)*

**III. Action Items**

**A. Items From Consent Agenda Requiring Extended Discussion / Consideration**

**B. Miscellaneous**

1. **Request Approval to Extend the Lease Agreement between Santa Fe County and Bokum Burro Alley, LLC for the Lease of Office Space for an Additional Two Years through February 28, 2018, and Additional Compensation of \$561,425.76 and Authorization for the County Manager to Sign the Purchase Order and Lease Amendment. (Public Works/Agnes Leyba-Cruz/Michael Kelley)**
2. **Request Approval of the Collective Bargaining Agreement between the County of Santa Fe and the New Mexico Coalition of Public Safety Officers Regional Emergency Communications Center (RECC), NMCPSO-RECC. (Human Resources/Bernadette Salazar)**

### **C. Resolutions**

- 1. Resolution No. 2015-\_\_\_, A Resolution Expressing Support of Public Sector Involvement in Telecommunications, Video or Broadband Services Including Infrastructure for those Regions of New Mexico that are Underserved or Unserved with Such Services. (Commissioner Roybal and Commissioner Holian)**
- 2. Resolution No. 2015-\_\_\_, A Resolution Authorizing the Sale of County-Owned Farmland Located Near Lemitar, Socorro County, New Mexico. (Michael Kelley/Public Works Department)**
- 3. Resolution No. 2015-\_\_\_, A Resolution Supporting Alcohol Taxes, Which Save Lives and Money. (Commissioner Holian)(Withdrawn)**
- 4. Resolution No. 2015-\_\_\_, A Resolution Declaring the Intent of the Board of County Commissioners of Santa Fe County, New Mexico, to Consider for Adoption an Ordinance Authorizing the Issuance of the Santa Fe County, New Mexico Gross Receipts Tax Revenue Improvement Bonds, Series 2015, in an Aggregate Principal Amount Not to Exceed \$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 Series 2015 Bonds; and Directing the Publication of a Notice of Meeting, Public Hearing and Intent to Consider an Ordinance Authorizing the Series 2015 Bonds in a Newspaper of General Circulation Within the County. (CMO/Finance/Carole Jaramillo)(Item Added)**
- 5. Resolution No. 2015-\_\_\_, A Resolution Amending Exhibit A to Resolution No. 2015-88 to Make Fund Balances for Affordable Housing Funds Uncommitted. (CMO/Finance/Carole Jaramillo)(Item Added)**

### **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.**
3. **Presentation and Approval of a Proclamation Declaring the Week of November 16, 2015, through November 20, 2015, as “DWI Awareness Week”. (Commissioner Anaya)**
4. **Presentation and Approval a Proclamation November 15, 2015 to be America Recycles Day. (Commissioner Holian)**

**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.**
  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. **Litigation Concerning Applications of O Centro Espirita Beneficente Uniao Do Vegetal, Nucleo Santa Fe for Development Approvals or Permits for a Community Service Facility Located at 5 Brass Horse Road Santa Fe NM (“UDV Litigation”).**
    - b. **Arbitrations involving the City of Santa Fe.**
    - c. **Potential Breach of Contract Action.**
    - d. ***AFSCME, Council 18, AFL-CIO v. Board of County Commissioners of the County of Santa Fe, State of New Mexico, Public Employees Labor Relations Board, PELRB Case No. 121-15.***
  3. **Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations, as Allowed by Section 10-15-1(H)(5) NMSA 1978.**
    - a. **Negotiations with Santa Fe County Fire Fighters Association, Local 4366, International Association of Firefighters.**
- B. Settlement Agreement Concerning UDV Litigation, Including the Following Lawsuits: *Seigel, et al. v. Santa Fe County Board of County Commissioners and UDV, New Mexico Court of Appeals, Case No. 34,508, and Seigel, et. al. v. Santa Fe County Board of County Commissioners and***

**UDV, First Judicial District Court, Case No. D-101-CV-2015-00586.  
(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)**

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

**A. Ordinances**

- 1. Ordinance No. 2015-\_\_\_\_, An Ordinance Establishing Development Permit and Review Fees for Projects in Santa Fe County, New Mexico; and Repealing Ordinance No. 2008-12 and Section 9.A (Fee Table) of Ordinance No. 2010-6 (Motion Picture and Television Productions). (First Public Hearing) (Growth Management/Vicki Lucero)**
- 2. Ordinance No. 2015-\_\_\_\_, An Ordinance Amending and Restating in Its Entirety The Sustainable Land Development Code (SLDC), Ordinance 2013-6. (First Public Hearing) (Growth Management/Penny Ellis-Green)**

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

- 1. CDRC CASE # V 15-5060 Homero Arras Variance. Homero Arras, Applicant, Requests a Variance of Article III, Section 3.5 of Ordinance No. 2008-10 (Flood Damage And Stormwater Management) to Allow an Existing Illegally Constructed Retaining Wall, Gazebo, and a Chicken Coup within a FEMA Designated Special Flood Hazard Area on a 2.53 Acre Lot without Submitting the Required Technical Analysis. The Property is Located at 12 N. Paseo De Angel, within the Traditional Historic Community of La Cienega/La Cieneguilla, within Section 27, Township 16 North, Range 8 East, (Commission District 3). John Lovato, Case Manager.**
- 2. CDRC CASE # V 15-5140 Vernon DeAguerdo Sign Variance. Vernon Deaguero, Applicant, Alberto Alcocer, Agent, Request a Variance of Article VIII, § 7.15 (Prohibited Signs) of the Land Development Code in Order to Allow an Existing 96 Square Foot Sign Advertising an Off-Site Business on 2.213 Acres. The Property is Located at 267 Rabbit Road, within Section 10, Township 16 North, Range 9 East, (Commission District 4). John M. Salazar, Case Planner.**
- 3. CDRC CASE #Z/V 15-5210 28 Main Street Master Plan/Variance. Patrick and Kelly Torres, Applicants, Request Master Plan Zoning Approval to Allow a 1,211 Square Foot Restaurant within a 3,257 Square Foot Structure with the Remaining 2,046 Square Feet to Remain as Residential Use on a 0.656-Acre Tract. This Request**

also Includes a Variance of Ordinance No. 2003-6 (Rainwater Catchment Systems), so the Applicants will not Have to Construct a Rain Water Harvesting System. The Property is Located at 28 Main Street within The Los Cerrillos Traditional Community, within Section 17, Township 14 North, Range 8 East, (Commission District 3). John M. Salazar, Case Planner.

4. **CDRC CASE # Z 06-5033 Village at Galisteo Basin Preserve (“Trenza”) Master Plan Amendment.** Commonweal Conservancy (Ted Harrison), Applicant, Requests a Master Plan Amendment for the Village at Galisteo Basin Preserve (aka “Trenza”) to Reconfigure the Planning Envelope from 10,360 Acres to 2,502 Acres, to Reduce the Size of the Development from 965 Dwelling Units and 150,000 Square Feet of Commercial and Civic Land Uses to 275 Dwelling Units and 71,000 Square Feet of Mixed Use, Commercial and Civic Land Uses, a Green Cemetery and a 60-Seat Outdoor Amphitheater. The Applicant also Requests a Revision of the Original Five Phase Development to Seven Phases that Would Take Place Over a Period of 10 Years. The Property is Located South of Eldorado, West off US 285, South of the Railroad Tracks, within Sections 1, 3, 11-14 23 and 24, Township 14 North, Range 9 East; Sections 5-7 and 18, Township 14 North, Range 10 East; Sections 34-36, Township 15 North, Range 9 East; and Sections 30 and 31, Township 15 North, Range 10 East (Commission District 5). Vicente Archuleta, Case Manager.
5. **CDRC CASE # ZA 15-5041 La Entrada Master Plan, Preliminary Plat, Final Plat and Development Plan Amendment.** Uninvest-Rancho Viejo, Applicant, James W. Siebert, Agent, Request an Amendment of the Master Plan, Preliminary Plat, Final Plat, and Development Plan for La Entrada Phase 1 to Sub-Phase the Previously Approved La Entrada Phase I Residential Subdivision into Four (4) Sub-Phases. Sub-Phase 1 will Consist of the 500 Series Lots (58 Lots), Sub-Phase 2 will Consist of the 600 Series Lots (24 Lots), Sub-Phase 3 will Consist of the 700 Series Lots (35 Lots), and Sub-Phase 4 will Consist of the 800 Series (49 Lots) for a Total of 166 Lots. The Property is Located North of Rancho Viejo Blvd and West of Avenida Del Sur, within the Community College District, within Sections 19 and 20, Township 16 North, Range 9 East (Commission District 5). Vicente Archuleta, Case Manager.
6. **CDRC Case 06-5212 La Bajada Ranch (Santa Fe Canyon Ranch) Time Extension.** Santa Fe County, Applicant, Requests a Two-Year Time Extension of the Previously Approved Master Plan for the La Bajada Ranch (Formerly Santa Fe Canyon Ranch) for a Residential Subdivision Consisting of 156 Residential Lots on the 470.55 Acres

to be Developed in Three (3) Phases. The Property is Located off Entrada La Cienega along Interstate 25 in the La Cienega/La Cieneguilla Traditional Historic Community within Sections 1, 2, 10, 12, 13, Township 15 North, Range 7 East and Sections 5, 6, 7, 8, Township 15 North, Range 8 East (Commission District 3). Vicente Archuleta.

7. **CDRC CASE #Z 15-5200 Spotlight RV Park Master Plan.** Rick Anaya, Applicant, Requests Master Plan Zoning Approval to Allow an RV Park Consisting of 54 RV Spaces, 20 Horse Stalls, Public Bathroom/Shower Facilities and an Existing Residence on an 11.57-Acre Tract. The Property is Located at 16 Ella Dora Road, within Section 31, Township 10 North, Range 9 East, (Commission District 3). John M. Salazar, Case Planner.
8. **BCC CASE # APP 15-5250 Robert and Bernadette Anaya Appeal.** Robert and Bernadette Anaya, Applicants, Karl H. Sommer (Sommer, Karnes & Associates, LLP), Agent, are Appealing the County Development Review Committee's Decision to Reject a Submittal for Master Plan, Preliminary and Final Development Plan as it was Deemed Untimely. The Property is Located at 2253 Ben Lane, within Section 31, Township 17 North, Range 9 East, (Commission District 2). Jose E. Larrañaga, Case Manager.
9. **CDRC CASE # Z/PDP/FDP 15-5130 Ashwin Stables.** Don Altshuler, Applicant, James W. Siebert & Associates, Agent, Request Master Plan Zoning, Preliminary and Final Development Plan Approval to Allow an Equestrian Facility on 2.71 Acres ±. The Property is Located at 10 Heartstone Drive, within Section 4, Township 17 North, Range 9 East, (Commission District 2). Jose E. Larrañaga, Case Manager.
10. **CDRC Case No. S/V 10-5363 St. Francis South.** Vegas Verdes LLC., Applicant, JenkinsGavin Design and Development Inc., Agent, Request a Master Plan Amendment and a Variance of Article III, Section 10 (Lot Size Requirements) of the Santa Fe County Land Development Code to Establish the Maximum Density for the St. Francis South Mixed-Use Subdivision. The Request is to Allow a Maximum Density of 250 Dwelling Units on 68.9 acres. The Property is Located on the Northwest Corner of Rabbit Road and St. Francis Drive, within Section 11, Township 16 North, Range 9 East, (Commission District 4). Vicente Archuleta, 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).**