

Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

To: Board of County Commissioners of Santa Fe County
From: Gregory S. Shaffer, County Attorney 
Via: Katherine Miller, County Manager
Date: May 6, 2015

Re: Approval of Memorandum of Understanding Between Santa Fe County and North Central Regional Transit District Regarding Mountain Trail Pilot Project

Issue: At its March 31, 2015, meeting, the Board of County Commissioners (Board) of Santa Fe County (County) committed \$25,172 toward the first, trial year of the Mountain Trail Route, subject to the Board approving an agreement between the County and the North Central Regional Transit District (NCRTD). Before the Board for consideration is a proposed Memorandum of Understanding (MOU) with NCRTD concerning the funding.

Background: The Mountain Trail Route is proposed to provide service from the City of Santa Fe to Ski Santa Fe, with stops along the route. During the trial year of the Mountain Trail Route, service is anticipated to be provided for a Winter Season (October, 2015 – March, 2016) and Summer Season (July, 2016 – August, 2016) with 7 day a week service. The most significant aspects of the proposed MOU are as follows:

- The County's contribution is contingent upon the County Manager's receipt of a final pro forma budget and schedule as well as proof of non-fare revenue. [MOU, § (B)(1).] This ensures that the final service is financially viable and in-line with the County's expectations.
- NCRTD would be required to provide the County with 15 days' advance written notice of service changes. [MOU, § B(3).]
- In the event of early termination of the MOU, NCRTD would be required to return the unmatched and unexpended portion of the County's contribution to the County, since the County's funding is specific for the Mountain Trail Route. [MOU, § E.]
- The MOU specifies that the source of the County's contribution is funds budgeted in Fiscal Year 2015 for economic development purposes. [MOU, § N.]

Recommendation: Approve the proposed MOU.

B7

**MEMORANDUM OF UNDERSTANDING
BETWEEN
SANTA FE COUNTY AND
NORTH CENTRAL REGIONAL TRANSIT DISTRICT**

This **MEMORANDUM OF UNDERSTANDING** ("MOU") is entered into by and between Santa Fe County ("County") and the North Central Regional Transit District ("NCRTD").

RECITALS

WHEREAS, the NCRTD is a political subdivision of the State of New Mexico; and

WHEREAS, the County is a political subdivision of the State of New Mexico and a member of the NCRTD; and

WHEREAS, the NCRTD is authorized to finance, construct, operate, maintain, and promote an efficient, sustainable, and multi-modal transportation system subject to compliance with the Regional Transit District Act, NMSA 1978, Chapter 73, Article 25 ("Act"); and

WHEREAS, NCRTD does not have sufficient funds to operate any new or additional routes at present without financial contribution and support beyond the NCRTD's current revenues; and

WHEREAS, County wishes to provide some of the required funding to develop and operate a new route in Santa Fe County named the "Mountain Trail Route", which is proposed to provide service from the City of Santa Fe to the Ski Santa Fe, with stops along the route; and

WHEREAS, the NCRTD wishes to operate the Mountain Trail Route as a "premium" service which requires funding from parties other than the NCRTD and its members; and

WHEREAS, the parties mutually acknowledge that the Mountain Trail Route is only being funded for one year on a trial basis; and

WHEREAS, the NCRTD and County agree to expend resources in fiscal year 2016 and 2017 (FY16 & FY17) to test the viability of the Mountain Trail Route as further set forth herein.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, including mutual covenants between the parties hereto the receipt of which is acknowledged, the parties do hereby agree as

follows:

A. PURPOSE.

The purpose of this MOU is to provide Twenty Five Thousand One Hundred Seventy Two Dollars and No Cents (\$25,172.00) no later than August 31, 2015, to the NCRTD as the County's contribution to the funding of the proposed Mountain Trail Route.

B. SCOPE OF MOU.

1. County agrees to provide to the NCRTD Twenty Five Thousand One Hundred Seventy Two Dollars and No Cents (\$25,172.00); provided, however, that the County's obligation to contribute these funds is contingent upon the following occurring no later than August 31, 2015:

a. The County Manager's receipt of a final pro forma budget and service schedule for the Mountain Trail Route; and

b. The County Manager's receipt of documentation sufficient to establish that the non-fare revenue reflected in the final pro forma budget has been received or is the subject of a binding commitment.

2. The NCRTD agrees to utilize the funds provided under this MOU solely for the purposes of developing and implementing (on a trial basis) the proposed Mountain Trail Route.

3. The NCRTD currently proposes to develop and implement transit services for a Winter Season (October, 2015 – March, 2016) and Summer Season (July, 2016 – August, 2016) with 7-day a week service. However, nothing herein shall limit the NCRTD's ability, in its sole discretion, to amend the routes, dates of operation, hours of operation, or service levels depending on the availability of funding, the viability and safety of the Mountain Trail Route, and other criteria that the NCRTD may use in testing the viability of the Mountain Trail Route during its trial; provided, however, that NCRTD shall provide the County with 15 days' advance written notice of any such changes, in accordance with Section K of this MOU.

4. The NCRTD agrees to make best efforts to implement the Mountain Trail Route but the parties acknowledge that the development and implementation of the route will depend on revenues in excess of those covered by this Agreement. Neither party shall be obligated to

appropriate or expend funds on the Mountain Trail Route unless properly budgeted and approved by their respective governing bodies. Any and all services by the NCRTD shall be contingent upon sufficient funding.

5. The NCRTD agrees to strictly account for all the funds received under this MOU and to allow the audit of its books by the County or its independent auditor upon reasonable notice and during normal business hours to ensure such compliance.

C. COSTS.

All costs of the parties in implementing this MOU shall be borne by the respective parties.

D. TERM AND EFFECTIVE DATE.

This MOU shall be effective upon execution by both parties and shall expire on September 30, 2016, unless earlier terminated pursuant to Paragraph E of this MOU. Payment of the amounts due under this MOU shall be made promptly after satisfaction of the conditions set forth in Section B(1)(a)-(b).

This MOU may be terminated by either of the parties hereto upon written notice delivered to the other party (30) days prior to the intended date of termination. Upon termination, any funds contributed by the County under this MOU that remain unmatched by federal grants or unexpended, shall be returned by the NCRTD to the County.

F. LIABILITY.

Each party shall be solely responsible for fiscal or other sanctions occasioned as a result of its own violation of requirements applicable to the performance of this MOU. Each party shall be liable for its own actions or inactions in accordance with state law and nothing herein shall be deemed a waiver of immunity, an agreement to indemnify the other party, or to create or effect liabilities between the parties.

G. THIRD-PARTY BENEFICIARIES.

By entering into the MOU, the parties do not intend to create in the public, or any member thereof, a third party beneficiary or to authorize anyone not a party to the MOU to maintain a suit

for wrongful death, bodily and/or personal injury to persons, damage to property, and/or any other claim(s) whatsoever pursuant to the provisions of this MOU. No person shall have any right, title or interest under this MOU or be entitled to seek to enforce this MOU as a third party beneficiary of this MOU.

H. NEW MEXICO TORT CLAIMS ACT.

By entering into this MOU, neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this MOU. Any liability incurred in connection with this MOU is subject to the immunities and limitations of the New Mexico Tort Claims Act, Sections 41-4-1, et seq., NMSA (1978). This paragraph is intended only to define the liabilities between the parties hereto and it is not intended to modify, in any way, the parties' liabilities as governed by common law or the New Mexico Tort Claims Act. No provision in this MOU modifies and/or waives any provision of the New Mexico Tort Claims Act.

I. WRITTEN AMENDMENTS REQUIRED.

This MOU shall not be altered, changed or modified except by an amendment in writing executed by the parties hereto.

J. SEVERABILITY.

In the event that any of the items or provisions herein are found to be in conflict with any applicable statute or rule of law or are otherwise held to be invalid, then such provision shall be deemed inoperative to the extent of such conflict or invalidity, and the remainder of the provisions shall, to the extent possible, remain in full force and effect.

K. NOTICES.

Any notices required to be given pursuant to this MOU shall be in writing and served by personal delivery or by mail, postage prepaid, to the parties at the following addresses:

County:

Katherine Miller, County Manager
Santa Fe County
102 Grant Avenue
Santa Fe, New Mexico 87504

NCRTD:

Anthony Mortillaro, Executive Director
North Central Regional Transit District
1327 North Riverside Drive
Española, New Mexico 87532

... sent by mail as provided in this section shall be deemed to have been received five (5) calendar days after mailing. A party may change the person to whom or address to which notices shall be sent by providing the other party with written notice of such change as provided in this paragraph.

L. AUTHORIZATION.

The parties warrant that each signatory to this MOU has the appropriate authority and is authorized to execute this MOU on behalf of its respective party.

M. MERGER AND INTEGRATION CLAUSE.

This MOU contains the entire agreement of the parties with respect to the subject matter hereof. This MOU supersedes any prior agreements, understandings, or negotiations, whether written or oral.

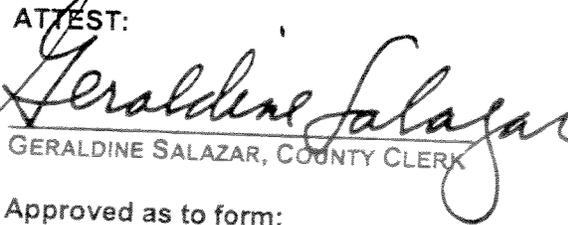
N. SOURCE OF COUNTY CONTRIBUTION.

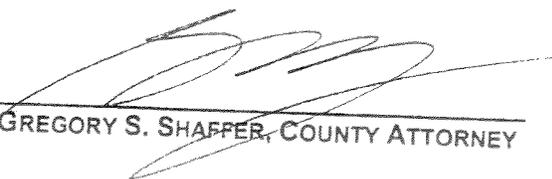
The County's \$25,172.00 in funding under this MOU shall come from funds budgeted in Fiscal Year 2015 for economic development purposes.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding on the dates set forth below.

SANTA FE COUNTY

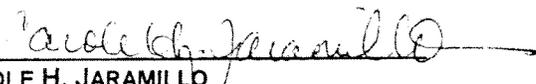
BY: 
ROBERT A. ANAYA, CHAIR
BOARD OF COUNTY COMMISSIONERS

ATTEST:

GERALDINE SALAZAR, COUNTY CLERK
6-2-2015

Approved as to form:

GREGORY S. SHAPPER, COUNTY ATTORNEY

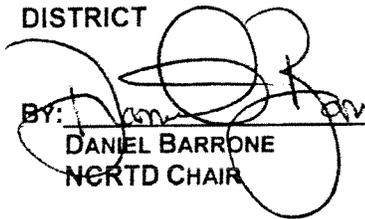


FINANCE DEPARTMENT

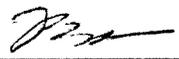


CAROLE H. JARAMILLO
FINANCE DIRECTOR

NORTH CENTRAL REGIONAL TRANSIT
DISTRICT

BY:  _____ DATE
DANIEL BARRONE
NCRTD CHAIR

Approved as to form:



PETER. A. DWYER, NCRTD ATTORNEY

Maricela C. Martinez

From: Kristine Mihelcic
Sent: Monday, May 18, 2015 1:25 PM
Subject: BCC Summary for May 12, 2015



Immediate Release

BCC Summary for May 12, 2015

Santa Fe, NM – May 18, 2015 - Below is a summary of the actions taken by the Santa Fe Board of County Commissioners (BCC). Four of the five Commissioners were present (Commissioner Anaya was excused for the first quarter of the meeting, but did give direction to vote in favor of all the items he was not present for).

The meeting minutes from the April 14, 2015, FY 2016 Budget Study Session Meeting were passed by unanimous vote 5-0.

The meeting minutes from the April 14, 2015 BCC Meeting were passed by unanimous vote 5-0.

Honoring our Veterans and Service Men and Women

- **Michael Seiyzs** - Bachelors of Science in Nursing (BSN), Registered Nurse (RN) was born in Okinawa, Japan to a military family. His father was a fighter pilot 1st class from the United States Air Force Academy. Mike spent 12 years (1982-1994) in the United States Air Force as a survival Master instructor (SERE). He left military services to obtain his bachelor of science in nursing degree. He has spent 4 years working in the ER in Albuquerque and has worked at Santa Fe County Corrections for 2 years.
- **Lisa Leiding** - Bachelors of Science in Nursing, (BSN) Registered Nurse,(RN), Certified Correctional Health Care Professional – Registered Nurse (CCHP-RN) comes from a long line of military service dating back to the Revolutionary War. Lisa joined the 2291st United States Army Reserve (USAR) after completing her RN degree and spent 8 years in reserve service (1995-2002). Lisa has been a 20 year nurse in September. She is currently the only Certified Correctional Health Care Professional – RN at Santa Fe County. In October she will have completed 10 years working for Santa Fe County Corrections.
- **Captain Wade Ellis** - Starting in 1998 Captain Wade Ellis served four years active duty in the 1st of the 75th Ranger Regiment. During this time he had several deployments that sent him to every continent with the exception of Australia and Antarctica. Once Captain Ellis had completed his active duty contract he continued his service in the US Army Reserves. While in the US Army Reserves Captain Ellis was deployed two times spanning three operations. Currently he is serving in the US Army Reserves where he is an instructor for Non Commissioned Officer Schools. Captain Ellis' total years of service are 17 years and growing. He has been with Santa Fe County Corrections for 9 ½ years.
- **Mark Currier** - Both of Marks parents served in the Marine Corps during Desert One , his paternal grandfather in Vietnam, both great grandfathers in WW II, and his Great, Great grandfather in WWI. In

2007 at the age of 17 Mark enlisted in the New Mexico National Guard, as a Military Police Officer and is currently still serving. Mark has also served in Iraq. He has been employed with Santa Fe County corrections since September 2014.

Mark is a certified NRA firearms instructor in handgun/shotgun, and Precision Rifle.

Consent Calendar (all items passed by unanimous vote 5-0)

Resolutions

- Approved Resolution No. 2015-67, Authorizes the donation of fixed assets in accordance with State Statute.
- Approved Resolution No. 2015-68, Authorizes the donation of fixed assets in accordance with State Statute.

Miscellaneous

- Approved Letter of Support for La Familia's application for a Health Resources and Service Administration (HRSA Infrastructure Grant),

(End of Consent Agenda)

Action Items (all action items were approved by unanimous vote, 5-0)

Appointments/Reappointments/Resignations

- TABLED: Appointment of Trustee for Stanley Cyclone Center
- Karolyn Wilson was appointed to the County Fair Board

Miscellaneous

- Approved Memorandum of Understanding between Santa Fe County and North Central Regional Transit District Regarding Mountain Trail Pilot Project.
- Presentation by Deputy Assessor Gary Perez and Assessor Gus Martinez of the Annual Report and Property Valuation Program.
- Approved Resolution No. 2015-69 accepting The County Assessor's Property Valuation Program in Accordance with State Statute.

Presentations

- Presentation of Certificate of Recognition to Santa Fe Girls' School Project P.R.E.S.E.R.V.E Participants
- Approved and Presented Proclamation recognizing May 17-May 23, 2015 as Santa Fe County Public Works Week.
- Approved and Presented Proclamation honoring National Correctional Officer, Correctional Nurse and National Teacher Appreciation Week.
- Approved and Presented Proclamation proclaiming the week of May 6 to May 12 to be Santa Fe County Nurses Week.
- Approved and Presented Proclamation honoring the Young Students of the Global Warming Express.
- Approved and Presented Proclamation honoring the Town of Madrid and the restored Oscar Huber Memorial Ballpark Grandstand.

Matters from the County Attorney

Executive Session

- Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978.
Amendment No. 3 of County Manager's Employment Agreement.
- Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978.
 - Possible Litigation concerning Laws 2014, Chapter 79.

- Arbitration against the City of Santa Fe concerning the Water Resources Agreement
- Employment claims by a Santa Fe County Employee.
- Robert Seigel, et al., v. Board of County Commissioners of Santa Fe County, First Judicial District Court, State of New Mexico, Santa Fe County, Cause No. D-101-CV-2015-00586.
- Possible Litigation Concerning a Road in Commission District 4.

Actions taken in open session after closed executive session (all action items were approved by unanimous vote, 5-0)

- Amendment No. 3 to the Employment Agreement between Katherine B. Miller and the Board of County Commissioners of Santa Fe County.
- With respect to threatened or potential arbitration against the City of Santa Fe concerning the Water Resources Agreement and the City of Santa Fe's unreasonable withholding of consent with respect to Meter House No. 4 as an additional point of delivery of water from the City to the County a motion was approved to authorize the County Attorney, through his staff or outside counsel, to initiate and prosecute, in the name of the BCC, arbitration and all necessary or appropriate ancillary proceedings concerning the City's unreasonable withholding of consent.
- With respect as to whether the City of Santa Fe duly authorized and initiated arbitration under the Water Resources Agreement over the amounts the City claims are due from the County under that agreement a motion was approved to authorize the County Attorney through his staff or outside council, to initiate and prosecute, in the name of the BCC, appropriate actions in court or otherwise to determine whether arbitration has been duly authorized and initiated by the City. Such actions may include, but are not limited to, an action under the Opens Meetings Act to declare City Council action to authorize arbitration in closed session void.
- With respect to the City of Santa Fe's claim that the County owes it money under the Water Resources Agreement a motion was approved that County Staff and Counsel participate in mediation and that two Commissioners, appointed by the Chair also participate in such mediation, with any mediated resolution being subject to formal approval by the BCC.
- With respect to potential litigation concerning a Road in Commission District 4 a motion was approved to authorize the County Attorney, through his staff or outside counsel, to initiate and prosecute, in the name of the BCC, an appropriate action in court to establish the extent of the La Cueva Road easement on this property and cause the removal of unauthorized steel poles and fencing that have been erected in the County's easement.

Matters from the County Manager

- Santa Fe County 2014 Annual Report was presented to the Board
- Annual Santa Fe County Housing Community Clean-Up Days
 - Saturday, May 16th from 8:00 a.m. to 12:00 p.m. at the Santa Cruz Public Housing Site located at 153 Camino de Quintana.
 - Saturday, May 23rd from 8:00 a.m. to 12:00 p.m. at the Valle Vista Public Housing Site located at 6B Las Lomas Drive.
- A Tiger Grant application is being prepared for the Southwest Chief line. If funded, the NM portion will be between \$500k and \$750k and will be used in the replacement of railroad ties. A local match of \$12,500 by the County and \$3,000 towards application process for La Junta will be made by SFC Economic Development Division.
- Board Recommended Special Presentation BCC Meeting every other 1st Tuesday of the month starting July 7th.

- Presentation and discussion of FY 2016 Budget, Budget Development Process and Cash Reserve Policy
- Direction from the Board of County Commissioners was given concerning FY 2016 Budget Priorities and Cash Reserve Policy

Public Hearings

Land Use Cases

- CDRC CASE # MIS 13-5051 Patrick Christopher and Marga Friberg. Patrick Christopher and Marga Friberg, Applicants, Request Reconsideration of a Condition Imposed by the BCC Requiring a 0.25 Acre Foot Water Restriction for an Approved Variance of Article III, § 2.4.1a.2.b (Access) of the Land Development Code and a Variance of Article 4, § 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to Allow the Construction of a Residence on 14.981 Acres. TABLED
- CDRC CASE # V 15-5000 Victor Duran Variance. Victor Duran, Applicant, Requests 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 Two Dwelling Units on 2.5 Acres, approved 5-0.
- CDRC CASE # V 14-5310 Patrick Lysaght Variance. Patrick Lysaght, Applicant, Requests 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, Motion for denial of Variance tied 2-2 (Commissioner Holian was not present)
- CDRC CASE # V/ZA/S 10-5352 Rio Santa Fe Business Park. Peña Blanca Partnership, Applicant, Jim Siebert, Agent, Request a Master Plan Zoning Amendment to an Existing Zoning Approval and Preliminary and Final Plat and Development Plan Approval to Create Four (4) Commercial Lots on a 31.44 + Acre Parcel to be Utilized as a Commercial/Industrial Use. The Applicant Also Requests a Variance to Allow a Cul-De-Sac (Dead End Road) to Exceed 500 Feet in Length, approved by unanimous vote, 3-0 (Commissioners Holian and Stefanics were not present for vote).

The BCC Packet is available online by clicking the BCC meeting event on the Events calendar or visiting the BCC committee page www.santafecountynm.gov/committees/board_of_county_commissioners_bcc. All approved Ordinances and Resolutions are available on the County website at www.santafecountynm.gov/ordinances_and_resolutions once they are approved and recorded. All BCC meetings are broadcast live at www.santafecountynm.gov, on Comcast Ch. 28 and on Que Suave AM 810. To view recorded video of this BCC meeting, visit www.santafecountynm.gov/video_on_demand/. Transcripts of the meeting will be available within 10 working days at www.santafecountynm.gov, once approved.

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Jennifer LaBar
 Santa Fe County Manager's Office
jlabar@santafecountynm.gov
 505.986.6293

Santa Fe County is on Facebook and Twitter



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

REGULAR MEETING

May 12, 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 April 14, 2015, FY 2016 Budget Study Session Meeting Minutes.
 - 2. Approval of April 14, 2015, BCC Meeting Minutes.
 - H. Honoring Our Veterans and Service Men and Women**
- II. Consent Agenda (Action Item)**
 - A. Resolutions**
 - 1. Resolution No. 2015-___, A Resolution Authorizing the Donation of Fixed Assets in Accordance with State Statute. (Finance Department/Carole Jaramillo)
 - 2. Resolution No. 2015-___, A Resolution Authorizing the Donation of Fixed Assets in Accordance with State Statute. (Finance Department/Carole Jaramillo)
 - B. Miscellaneous**
 - 1. Approval of Letter of Support for La Familia's application for a Health Resources and Service Administration (HRSA Infrastructure Grant)(Commissioner Stefanics)

(End of Consent Agenda)

III. Action Items

A. Items From Consent Agenda Requiring Extended Discussion / Consideration

B. Appointments/Reappointments/Resignations

1. Appointment of Trustee for Stanley Cyclone Center. (Community Services Department/Anna Bransford)
2. Appointment of Member to the County Fair Board. (Community Services Department/Anna Bransford)

C. Miscellaneous

1. Approval and Presentation of A Proclamation Recognizing May 17- May 23, 2015 as Santa Fe County Public Works Week. (Commissioner Chavez and Commissioner Roybal)
2. Approval and Presentation of A Proclamation Honoring National Correctional Officer, Correctional Nurse and National Teacher Appreciation Week. (Commissioner Anaya)
3. Approval and Presentation of A Proclamation Proclaiming the week of May 6 to May 12 to be Santa Fe County Nurses Week. (Commissioner Stefanics)
4. Approval and Presentation of A Proclamation Honoring the Young Students of the Global Warming Express. (Commissioner Holian)
5. Approval and Presentation of A Proclamation Honoring the Town of Madrid and the Restored Oscar Huber Memorial Ballpark Grandstand. (Commissioner Anaya)
6. Approval of Memorandum of Understanding Between Santa Fe County and North Central Regional Transit District Regarding Mountain Trail Pilot Project. (County Manager's Office/Tony Flores)
7. County Assessor's Annual Report and Property Valuation Program
 1. Presentation of Annual Report and Property Valuation Program. (County Assessor's Office/Gary C. Perez)
 2. A Resolution Approving the County Assessor's Property Valuation Program in Accordance with State Statute.

IV. Presentations

- A. Presentation of Certificate of Recognition to Santa Fe Girls' School Project P.R.E.S.E.R.V.E Participants (Commissioner Chavez)**

V. Matters From the County Attorney

A. Executive Session

1. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978.

- a. **Amendment of County Manager’s Employment Agreement.**
- 2. **Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978.**
 - a. **Possible Litigation Concerning Laws 2014, Chapter 79.**
 - b. **Arbitration Against the City of Santa Fe Concerning the Water Resources Agreement.**
 - c. **Employment Claims by a Santa Fe County Employee.**
 - d. **Robert Seigel, et al., v. Board of County Commissioners of Santa Fe County, First Judicial District Court, State of New Mexico, Santa Fe County, Cause No. D-101-CV-2015-00586.**
 - e. **Possible Litigation Concerning a Road in Commission District 4.**
- B. Amendment No. 3 to the Employment Agreement between Katherine B. Miller and the Board of County Commissioners of Santa Fe County. (Human Resources Department/Bernadette Salazar) (Action Item)**
- C. Possible Action(s) with Respect to Threatened or Potential Arbitration Against the City of Santa Fe Concerning the Water Resources Agreement. (Action Item(s))**
- D. Possible Action with Respect to Potential Litigation Concerning a Road in Commission District 4. (Action Item)**

VI. Matters From the County Manager

- 1. **Annual Report**
- 2. **Miscellaneous Updates**

VII. Matters of Public Concern

VIII. 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.**

IX. Fiscal Year 2016 Budget Presentation and Possible Direction (To Begin No Earlier Than 4:00 P.M.)

- A. Presentation and Discussion of FY 2016 Budget, Budget Development Process and Cash Reserve Policy
- B. Direction from the Board of County Commissioners Concerning FY 2016 Budget and Cash Reserve Policy (Action Item)

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

A. Land Use Cases (Possible Action Items)*

1. **CDRC CASE # MIS 13-5051 Patrick Christopher and Marga Friberg.** Patrick Christopher and Marga Friberg, Applicants, Request Reconsideration of a Condition Imposed by the BCC Requiring a 0.25 Acre Foot Water Restriction for an Approved Variance of Article III, § 2.4.1a.2.b (Access) of the Land Development Code and a Variance of Article 4, § 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to Allow the Construction of a Residence on 14.981 Acres. The Property is Located at 250-C Kalitaya Way, Within the Vicinity of Buckman, Within Section 29, Township 19 North Range 8 East, (Commission District 1). John Lovato, Case Manager.
2. **CDRC CASE # V 15-5000 Victor Duran Variance.** Victor Duran, Applicant, Requests 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 Two Dwelling Units on 2.5 Acres. The Property is Located within the Traditional Historic Community of La Cieneguilla at 18 Calle Lisa, Within Section 7, Township 16, North, Range 8 East (Commission District 3). Miguel "Mike" Romero, Case Manager.
3. **CDRC CASE # V 14-5310 Patrick Lysaght Variance.** Patrick Lysaght, Applicant, Requests 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.
4. **CDRC CASE # V/ZA/S 10-5352 Rio Santa Fe Business Park.** Peña Blanca Partnership, Applicant, Jim Siebert, Agent, Request a

Master Plan Zoning Amendment to an Existing Zoning Approval and Preliminary and Final Plat and Development Plan Approval to Create Four (4) Commercial Lots on a 31.44 ± Acre Parcel to be Utilized as a Commercial/Industrial Use. The Applicant Also Requests a Variance to Allow a Cul-De-Sac (Dead End Road) to Exceed 500 Feet in Length. The Property is Located at 54 Colony Drive, North West of N.M. 599, North of Paseo De River, Within Section 10, Township 16 North, Range 8 East, (Commission District 2). Jose E. Larrañaga, Case Manager.

XI. 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).

* 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.

