



Santa Fe County Board of County Commissioners Regular meeting July 12, 2022.

**County Commission Board Members present**

Henry P Roybal  
Anna T Hamilton  
Anna C Hansen  
Hank Hughes

**Excused**

Rudy N Garcia

**1. Opening Business**

- A. Call to Order - 2:00 p.m.
- B. Roll Call.
- C. Pledge of Allegiance. (Chair Anna T. Hamilton)
- D. State Pledge. (Chair Anna T. Hamilton)
- E. Moment of Reflection. (Growth Management Department/Adeline Murthy)
- F. Approval of Agenda. (Action Item)

**Motion and Voting**

- Motion to approve amended agenda.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes.
- Excused: Henry P Roybal, Rudy Garcia.
- Final Resolution: Motion Carries

**2. Approval of Meeting Minutes (Action Item(s))**

- A. Request Approval of the June 14, 2022, Board of County Commissioners Meeting Minutes.

**Motion and Voting**

- Motion to approve June 14, 2022, Board of County Commissioners Meeting Minutes.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes.
- Excused: Henry P Roybal, Rudy Garcia.
- Final Resolution: Motion Carries

- B. Request Approval of the June 7, 2022, Board of County Commissioners Special Meeting Minutes.

**Motion and Voting**

- Motion to approve June 7, 2022, Board of County Commissioners Special Meeting Minutes.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes.
- Excused: Henry P Roybal, Rudy Garcia.

- Final Resolution: Motion Carries

C. Request Approval of the June 17, 2022, Canvassing Board Meeting Minutes.

Motion and Voting

- Motion to approve June 17, 2022, Canvassing Board Meeting Minutes.
- Motion by Hank Hughes, second by Anna C Hansen.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

**3. Consideration of Proclamations, Commissioner Resolutions, and/or Recognitions (Action Items)**

A. Resolution No. 2022-050, A Resolution Urging the United States Department of Agriculture Forest Service (USFS) to Prepare an Environmental Impact Statement in Accordance with the National Environmental Policy Act on the Santa Fe Mountains Landscape Resiliency Project; to Request New Risk, Costs, and Benefits Assessment of USFS Forest Fuels Treatments on the Santa Fe National Forest Including Their Risk to New Mexico Health, Water Supplies and Economies; to Publicly Assess Use of Alternative Treatments Under Accelerating Climate Change; and to Request that the USFS Cease Intentional Burns in Santa Fe County Until These Public Reviews. (Commissioner Anna Hansen and Commissioner Anna T. Hamilton) (Packet Material Added)

Motion and Voting

- Motion to approve Resolution No. 2022-050, a resolution urging the United States Department of Agriculture Forest Service (USFS) to prepare an Environmental Impact Statement in accordance with the National Environmental Policy Act on the Santa Fe Mountains Landscape Resiliency Project; to request new risk, costs, and benefits assessment of USFS forest fuels treatments on the Santa Fe National Forest including their risk to New Mexico health, water supplies and economies; to publicly assess use of alternative treatments under accelerating climate change; and to request that the USFS cease intentional burns in Santa Fe County until these public reviews.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

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

Motion and Voting

- Motion to approve consent agenda items.
- Motion by Hank Hughes, second by Anna C Hansen.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

A. Request Approval of County Health Care Assistance Claims in the Amount of \$30.68. (Community Services Department/Jennifer Romero)

B. Request (1) Approval of the 7th Supplement to Addendum to Master Agreement and Schedule NM2016-001.01 for Licensed Software, Hardware, and Services Between Santa Fe County and TRTA Gov, Inc., Increasing the Amount of the Agreement an Additional \$113,406.00 and Extending the Term to July

1, 2023, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order. (Purchasing Division/Bill Taylor and Assessor's Office/Jennifer C. Romero)

**5. Appointments and Reappointments (Action Items)**

A. None

**6. Miscellaneous Action Items**

A. Request (1) Approval of Amendment No. 7 to Agreement 2018-0282-CSD/KE Between Santa Fe County and Terri Werner, Increasing the Compensation an Additional \$75,000.00, Inclusive of NM GRT, for a Total of \$374,000.00, Inclusive of NM GRT, and Extending the Term for One Year for Event Coordination at the Stanley Cyclone Center, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order. (Purchasing Division/Bill Taylor and Community Services Department/Anna L. War)

Motion and Voting

- Motion to approve Amendment No. 7 to Agreement 2018-0282-CSD/KE between Santa Fe County and Terri Werner, increasing the compensation an additional \$75,000.00, inclusive of NM GRT, for a total of \$374,000.00, inclusive of NM GRT, and extending the term for one year for event coordination at the Stanley Cyclone Center, and (2) delegation of signature authority to the County Manager to sign the purchase order.
- Motion by Anna C Hansen, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

B. Resolution No. 2022-051, A Resolution Requesting Budget Adjustments to Various Funds in the Net Amount of \$12,952,716 for Year End Budget Clean-Up. (Finance Division/Yvonne S. Herrera)

Motion and Voting

- Motion to approve Resolution No. 2022-051, a resolution requesting budget adjustments to various funds in the net amount of \$12,952,716 for yearend budget clean-up.
- Motion by Hank Hughes, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

C. Resolution No. 2022-052, A Resolution to Adopt the Santa Fe County Transit Service Plan for FY 2023 and to Direct Staff to Submit the Transit Service Plan to the North Central Regional Transit District. (Growth Management Department/Gary Clavio)

Motion and Voting

- Motion to approve Resolution No. 2022-052, a resolution to adopt the Santa Fe County Transit Service Plan for FY 2023 and to direct staff to submit the Transit Service Plan to the North Central Regional Transit District.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

D. Resolution No. 2022-053, A Resolution Adopting a Remote Work Arrangement Policy. (County Attorney's Office/Rachel A. Brown and Human Resources and Risk Management Division/Sonya Quintana)

Motion and Voting

- Motion to approve Resolution No. 2022-053, a resolution adopting a Remote Work Arrangement Policy.
- Motion by Hank Hughes, second by Anna C Hansen.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

E. Request (1) Conceptual Approval of the Closure of the Electronic Monitoring Program at the Adult Detention Facility Due to the Creation of a Pretrial Services/Electronic Monitoring Program at the First Judicial District Court and (2) the Delegation of Authority to the County Manager to Negotiate and Execute on Behalf of the County (i) a Grant Agreement with the First Judicial District Court in the Amount of \$475,000 to Help it Establish its Pretrial Services/Monitoring Program and (ii) a Memorandum of Understanding with AFSCME 1413 Concerning the Closure of the Electronic Monitoring Program and Transition of the Two Employees Affected by the Closure to Other County Positions. (Adult Detention Facility/Derek Williams and Human Resources and Risk Management Division/Sonya M. Quintana)

Motion and Voting

- Motion to approve (1) conceptual approval of the closure of the Electronic Monitoring Program at the Adult Detention Facility due to the creation of a Pretrial Services/Electronic Monitoring Program at the First Judicial District Court and (2) the delegation of authority to the County Manager to negotiate and execute on behalf of the County (i) a grant agreement with the First Judicial District Court in the amount of \$475,000 to help it establish its Pretrial Services/Monitoring Program and (ii) a memorandum of understanding with AFSCME 1413 concerning the closure of the Electronic Monitoring Program and transition of the two employees affected by the closure to other County positions.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

F. Request (1) Approval of Resolution No. 2022-\_\_\_, A Resolution Delegating to the County Manager the Authority to Negotiate for Medical Malpractice Coverage for Fiscal Year 2023 and to Execute Purchase Orders, Agreements, and Other Documents Necessary or Advisable to Effectuate Such Coverage or (2) A Decision to Continue to Self-Insure Medical Malpractice in Fiscal Year 2023. (Human Resources and Risk Management Division/Sonya M. Quintana) (Packet Material Added)

Motion and Voting

- Motion to approve continuation of Self-Insured Medical Malpractice in Fiscal Year 2023.
- Motion by Anna C Hansen, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

G. Request Consideration, Approval, or Disapproval of Change Order No. 1 to Agreement No. 2020-0014-PW/MAM Between Santa Fe County and Yearout Energy Services Company, LLC, Changing the Specifications for Two Solar Array Systems at Two County Facilities, Increasing the Contract Sum by \$74,436.25 and Extending the Contract Time by 15 Days. (Purchasing Division/Bill Taylor and Sustainability Office/Jacqueline Beam) (Caption Updated and Packet Material Added)

**Motion and Voting**

- Motion to approve Change Order No. 1 to Agreement No. 2020-0014-PW/MAM between Santa Fe County and Yearout Energy Services Company, LLC, changing the specifications for two solar array systems at two County facilities, increasing the contract sum by \$74,436.25 and extending the contract time by 15 days.
- Motion by Hank Hughes, second by Anna C Hansen.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

H. Request Approval of Amendment No. 2 to Collective Bargaining Agreement Between Santa Fe County and the New Mexico Coalition of Public Safety Officers Representing the Santa Fe County Deputy Sheriffs. (County Attorney's Office/Rachel A. Brown and Human Resources and Risk Management Division/Sonya M. Quintana) (Item Added)

**Motion and Voting**

- Motion to approve Amendment No. 2 to Collective Bargaining Agreement between Santa Fe County and the New Mexico Coalition of Public Safety Officers representing the Santa Fe County Deputy Sheriffs.
- Motion by Anna C Hansen, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

I. Request Approval of Amendment No. 1 to Collective Bargaining Agreement Between Santa Fe County and the Regional Emergency Communication Center (RECC), A Subsidiary of the New Mexico Coalition of Public Safety Officers/NMCP SO. (County Attorney's Office/Rachel A. Brown and Human Resources and Risk Management Division/Sonya M. Quintana) (Item Added)

**Motion and Voting**

- Motion to approve Amendment No. 1 to Collective Bargaining Agreement Between Santa Fe County and the Regional Emergency Communication Center (RECC), a subsidiary of the New Mexico Coalition of Public Safety Officers/NMCP SO.
- Motion by Anna C Hansen, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

**7. Presentations**

A. None

**8. Matters of Public Concern (Subject to Three (3) Minutes or Other Time Limit Imposed by the Chair; Pre-Register at [www.santafecountynm.gov/comment](http://www.santafecountynm.gov/comment))**

**9. Matters from the County Manager**

#### A. COVID-19 Updates.

CDC currently has set Santa Fe County Community Level at high. This has changed policy for all persons indoors at County facilities to now be masked.

Senior Centers are also now closed due to high CDC Community Level and all congregate meals have been suspended. Information has been posted at centers and also on county website. Community Services Department will continue to provide home deliver meals.

State Department of Health and Governor's Office to have a COVID related press conference on Thursday July 14 at 1:00PM.

Upcoming COVID vaccination events, all events are 10AM to 2PM: 7/13 Edgewood fire station, 7/19 La Cienega fire station, 7/20 Hondo fire station 2, 7/26 Pojoaque fire station, 7/27 La Cienega community center.

#### B. Miscellaneous Updates.

National Association of Counties to present Achievement Award to the Santa Fe County Community Services Department for CONNECT program at the national conference in Aurora, Colorado. Saturday July 23, 2022.

Open burn restrictions expire July 26. Based upon moisture conditions in the County, burn permits are expected to resume to be provided thereafter.

#### **10. Matters from the County Commissioners and Other Elected Officials (Action/Non-Action Items)**

A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)

B. Other Elected Officials Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)

#### **11. Matters from the County Attorney**

A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); 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; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including: (1) Monsanto Class Action Settlement, City of Long Beach, et. al. v. Monsanto Company, et. al., Case No. 2:16-cv-03439-FMO-AS, United States District Court, Central District of California – Western Division and (2) Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Concerning IAFF Local 4366. (Item No. 2 Added)

#### Motion and Voting

- Motion to enter into executive session.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

#### Motion and Voting

- Motion to exit executive session with statement that no actions were taken while in executive session.
- Motion by Henry P Roybal, second by Anna C Hansen.

- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

B. Potential Action On Items Discussed in Executive Session (Action Item)

Motion and Voting

- Motion to have Santa Fe County participate in the Monsanto Class Action Settlement, City of Long Beach, et. al. v. Monsanto Company, et. al., Case No. 2:16-cv-03439-FMO-AS, United States District Court, Central District of California – Western Division.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

**12. Public Hearing on Proposed Ordinance and Other Matters Related to Community Solar - To Be Heard No Earlier than 5:00 p.m.(Action Items)**

A. Ordinance No. 2022-05, An Ordinance Amending the Sustainable Land Development Code (SLDC), Ordinance No. 2016-9, to Add a Definition of Community Solar, to Add a New Section 10.25 to Address Standards for Community Solar Facilities, and to Add a New Clause to Section 8.11.3.5.2. to Prohibit a Community Overlay District from Restricting the Location and Procedures for Installing Community Solar Facilities. (Growth Management Department/Lucy Foma)

Motion and Voting

- Motion to approve Ordinance No. 2022-05, an ordinance amending the Sustainable Land Development Code (SLDC), Ordinance No. 2016-9, to add a definition of Community Solar, to add a new Section 10.25 to address standards for Community Solar Facilities, and to add a new clause to Section 8.11.3.5.2. to prohibit a Community Overlay District from restricting the location and procedures for installing Community Solar Facilities.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

B. Resolution No. 2022-054, A Resolution Adopting the Santa Fe County Community Solar Letter of Support Criteria, Letter of Support Template, and Zoning Statement Template. (Growth Management Department/Nathaniel Crail and Lucy Foma and Community Development Department/Alexander Fitzgerald)

Motion and Voting

- Motion to approve Resolution No. 2022-054, a resolution adopting the Santa Fe County Community Solar letter of support criteria, letter of support template, and zoning statement template.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

**13. \*Public Hearings - To Be Heard No Earlier than 5:00 p.m. (Action Items)**

A. Case # 22-5110 Arable LLC, Restaurant B Liquor License. Arable LLC, Applicant, Adela Duran, Agent, Request Approval of a Restaurant B-Beer, Wine, and Spirits Liquor License to be Located at 7 Avenida Vista Grande, Suite B-6, Within the Agora Shopping Center in El Dorado. The Property is Zoned as Commercial Neighborhood Within Section 9, Township 15 North, Range 10 East (Commission District 5). (Growth Management Department/Jose E. Larrañaga, Case Manager)

Motion and Voting

- Motion to approve Case # 22-5110 Arable LLC, Restaurant B Liquor License.
- Motion by Hank Hughes, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

B. Case # 22-5080 Los Brios Subdivision Conceptual Plan and Preliminary and Final Plat. JTT, LLC, Applicant, Jenkinsgavin, Agent, Request (1) Approval of An Affordable Housing Agreement and (2) Approval of a Conceptual Plan and Preliminary/Final Subdivision Plat. The Applicant is Proposing a Subdivision of 56 Single Family Lots, Inclusive of Two Existing Homes. The 17.15±-Acre Property is Comprised of Two Separate Parcels (Lot 1, 9.02-Acres, and Lot 2, 8.13-Acres). The Applicant is Also Requesting Approval of the Subdivision Affordable Housing Agreement. The 17.15-Acre Site is Zoned as Traditional Community (TC) Within The Village of Agua Fria Community District Overlay (VAFCD). The Property is Located at 4738 Agua Fria Road, SDA-2 (Commission District 2). (Growth Management Department/John Lovato, Case Manager) (Packet Material Added)

Motion and Voting

- Motion to (1) approve an affordable housing agreement and (2) approve a conceptual plan and preliminary/final subdivision plat. Subject to conditions. Case # 22-5080 Los Brios Subdivision conceptual plan and preliminary and final plat.
- Motion by Anna C Hansen, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

C. Case # 20-5011 Spirit Wind West Conceptual Plan Extension. Kathy A. Miller, Applicant, Land Development Planning (Danny Martinez), Agent, Request an Amendment to a Condition Imposed by the Board of County Commissioners, Which Required the Applicant to Record a Conceptual Plan and Final Plat for Phase 2 by May 1, 2022. The Applicant Requests a Two-Year Time Extension of the Previous Approved Spirit Wind West Master Plan/Conceptual Plan (39 Lots to be Developed in 4-phases, on 133-acres) and to Amend the Previously Imposed Condition to Allow the Applicant Until May 1, 2024, to Record the Conceptual Plan. The Property is Located Off of Cerro Alto Road, via US Highway 285, Within Section 5, Township 14 North, Range 10 East, and Section 32, Township 15 North, Range 10 East, Within the Bishop's John Lamy Grant (Commission District 4). (Growth Management Department/Jose Larranaga, Case Manager)

Motion and Voting

- Motion to approve two-year time extension of the previous approved Spirit Wind West Master Plan/Conceptual Plan. Subject to conditions. Case # 20-5011 Spirit Wind West Conceptual Plan Extension.



- Motion by Anna T Hamilton, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

D. Case # 20-5021 Tierra Bello Conceptual Plan Extension. Kathy A. Miller, Applicant, Land Development Planning (Danny Martinez), Agent, Request an Amendment to a Condition Imposed by the Board of County Commissioners, Which Required the Applicant to Record a Conceptual Plan and Final Plat for Phase 2 by June 12, 2022. The Applicant Requests a Two-Year Time Extension of the Previous Approved Tierra Bello Master Plan/Conceptual Plan (73 lots to be Developed in 8-phases, on 263-acres) and to Amend the Previously Imposed Condition to Allow the Applicant Until June 12, 2024, to Record the Conceptual Plan. The Property is Located Off of Avenida De Compadres, via Avenida Eldorado, Within Sections 24 & 25, Township 17 North, Range 9 East, Within the Canada De Los Alamos Grant (Commission District 5). (Growth Management Department/Jose Larranaga, Case Manager)

#### Motion and Voting

- Motion to approve a two-year time extension of the previous approved Tierra Bello Master Plan/Conceptual Plan. Subject to conditions. Case # 20-5021 Tierra Bello Conceptual Plan Extension.
- Motion by Hank Hughes, second by Henry P Roybal.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries

## **14. Concluding Business**

A. Announcements.

B. Adjournment. (Action Item)

#### Motion and Voting

- Motion to adjourn.
- Motion by Anna C Hansen, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Henry P Roybal.
- Excused: Rudy Garcia.
- Final Resolution: Motion Carries