



Tuesday, September 12, 2023
Regular BCC Meeting (Amended Agenda 09-08-2023 - 5:32 PM)

Board of County Commissioners of Santa Fe County
Hybrid In-Person and Virtual Meeting
Santa Fe County John Gaw Meem Historic Building
Commission Chambers
102 Grant Avenue
Santa Fe NM 87501

Members of the public have the choice of listening and participating in this meeting in person or virtually via Webex. For instruction on participating via Webex, visit www.santafecountynm.gov/joinmeeting.

In addition, people may watch the meeting at

<https://www.youtube.com/channel/UCKGV2GEBc1Qv38Pn61083xg> and

<https://www.facebook.com/Santa-Fe-County-Board-of-County-Commissioners-101109334955454/>.

1. Opening Business

- A. Roll Call.
- B. Call to Order - 2:00 p.m.
- C. Pledge of Allegiance. (Chair Anna C. Hansen)
- D. State Pledge. (Chair Anna C. Hansen)
- E. O'ga P'ogeh Owingeh Land Acknowledgement. (Chair Anna C. Hansen)
- F. Moment of Reflection. (County Assessor's Office/Aryana Quintero)
- G. Approval of Agenda. (Action Item)

2. Approval of Meeting Minutes (Action Item)

- A. Request Approval of the August 14, 2023, Board of County Commissioners Special Meeting Minutes.

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

- A. Request Approval of A Proclamation Proclaiming September 15th to October 15th as "National Hispanic Heritage Month." (Commissioner Camilla Bustamante) (Packet Material Added)
- B. Request Approval of Letter from Santa Fe Board of County Commissioners to Congressional Delegation in Support of the Pecos Watershed Protection Act and Thompson Park Wilderness Designation. (Commissioner Anna Hansen) (Item Added)
- C. Resolution Directing Staff to Engage with Expert Consultants Regarding Commercial Renewable Energy Projects in Santa Fe County and Post Information Concerning Conditional Use Permit Applications for Such Projects on the County's Website. (Commissioner Hank Hughes and Commissioner Anna T. Hamilton) (Non-Action Item) (Item Added)

4. Consent Agenda (Action Items)

- A. Request (1) Approval of Agreement No. 2024-0045-ATT/JL Between Santa Fe County and the Northern Rio Grande National Heritage Area, Inc. in the Amount of \$10,000.00 for Legal, Bookkeeping, and Auditing Services Necessary for NRGNHA to Discharge Its Responsibilities as the Management Entity of the Heritage Area. (County Manager's Office/Gregory S. Shaffer)

B. Request (1) Approval of Amendment No. 1 to Agreement No. 2023-0090-PW/BT with Precision Survey, Inc., Modifying the Scope of Services, Increasing the Compensation by \$62,410.00 for a Total Contract Sum of \$272,861.16, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Purchasing Division/Bill Taylor and Public Works Department/Johnny Baca)

C. Request Waiver of Any Potential Conflict Interest That May Arise from New Mexico Local Government Law, LLC's Representation of the City of Española Relative to Any Assignment of the Purchase Agreement Between City of Española and La Vista del Rio Apartments, A Limited Partnership, to Santa Fe County. (County Attorney's Office/Jeff Young) (Item Added)

5. Appointments and Reappointments (Action Items)

A. Request Appointment of Members to the Santa Fe County Ethics Board. (County Manager's Office/Gabriel Bustos)

6. Miscellaneous Action Items

A. Request (1) Approval to Utilize an Outside Cooperative Contract for Job Order Contract Project Delivery Method with Sweep Construction for Installation of Food Pass Ports and Window Replacement at the Adult Detention Facility and (2) Delegation of Signature Authority to the County Manager to Sign the Contract and Purchase Order(s). (Purchasing Division/Bill Taylor and Public Safety Department/Derek Williams)

B. Request Approval of a Solid Waste Transfer Permit with the Pueblo of Tesuque for the Purpose of Operating a Santa Fe County Solid Waste Convenience Center on Real Property Owned by the Pueblo of Tesuque. (County Manager's Office/Gregory S. Shaffer and Public Works Department/Brian K. Snyder) (Item Added)

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)

9. Matters from the County Manager

A. Miscellaneous Updates.

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) Patrick Hall, Individually and as Parent and Next Friend of Kenai Hall, and Cassius Hall v. County of Santa Fe, ex rel, Santa Fe County Sheriff's Office and State of New Mexico Department of Public Safety, D-101-CV-2021-02379. (Item Added)

12. **Public Hearings - To Be Heard No Earlier than 5:00 P.M.

A. Case # 23-5150 Tierra Pintada Conceptual Plan Approval. D.R. Horton, Applicant, NM Land Solutions LLC, Agent, Request Approval of a Conceptual Plan for a 138 Lot Mixed Use Major Subdivision Known as Tierra Pintada with a Total of 32.143 + Acres. The Subject Property is Located at 4475 NM 14 Parcel # 64256256, Which is Within the Mixed-Use Zoning District (MU) (Commission District 5). (Growth Management Department/Kenneth Quintana, Case Manager)

B. Case # 21-5070 Sierra Vista Subdivision Preliminary and Final Plat. Reality Profit Sharing Plan (Ron Sebesta), Applicant, NM Land Solutions LLC, (Nathan Manzanares), Agent, Request (1) Approval of An Affordable Housing Agreement and (2)

Preliminary and Final Subdivision Plat Approval for a 23 Single Family Lot Subdivision. The 80.71 ±-Acre Property is Comprised of 4 Separate Parcels Known as Love Ranch LLC. The 80.71-Acre Site is Zoned as Residential Estate Zoning District (RES-E). The Site is Located at 10 & 15 West Camino Del Cielo, and 7 & 16 East Camino Del Cielo, Within the Vicinity of Camino La Tierra and Within Township 17 North, Range 9 East, Section 18, SDA-2 (Commission District 2). (Growth Management Department/John Lovato, Case Manager) (TABLED)

C. Case # 23-5140 Cresta Ranch Preliminary and Final Plat. TT2 LLC, Applicant, NM Land Solutions, LLC, Agent, Request Approval of a Preliminary and Final Plat for a 9 Residential Lot Subdivision Located on Two (2) Adjacent Parcels with a Combined Total of 17.4 +/- Acres. The Subject Property is Located at 3 & 9 Finish Line Dr., Parcel Nos. 960001999 and 910001762, Which is Within the Planned Development District (PDD) Within the Employment Center Subdistrict of the Community College District (CCD) (Commission District 5). (Growth Management/Kenneth Quintana, Case Manager) (TABLED)

13. Concluding Business

A. Announcements.

B. Adjournment. (Action Item)

14. Public Meeting Disclosures

A. 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).

B. Attendance. Members of the public have the choice of listening and participating in this meeting in person or virtually via Webex. For instructions on participating via Webex, visit www.santafecountynm.gov/joinmeeting. In addition, people may watch the meeting at <https://www.youtube.com/channel/UCKGV2GEBc1Qv38Pn61083xg> and <https://www.facebook.com/Santa-Fe-County-Board-of-County-Commissioners-101109334955454/>.

C. * During the course of an open meeting, the Board of County Commissioners (BCC) may go into Executive Session at any time to discuss any item on the agenda that falls within the enumerated exceptions to the open meetings requirement of the Open Meetings Act, upon a motion stating the authority and reason for closure (with reasonable specificity) and approval by a majority vote of a BCC quorum. NMSA 1978, §10-15-1(I). While the BCC has a practice of listing on its agendas for its open meetings specific items to be discussed during for Executive Session, the Open Meeting Act does not require executive sessions be listed on the agenda at all or that executive sessions be listed on the agenda multiple times for multiple executive sessions to occur (so long as the subject to be discussed in executive session is on the agenda). If a closed meeting is called when the BCC is not in an open meeting, the BCC will provide public notice stating the specific provision of the law authorizing the closed meeting and stating with reasonable specificity the subject to be discussed.

D. **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, before taking final action, the Board of County Commissioners may choose to deliberate on an administrative adjudicatory proceeding in closed or executive session, as permitted by Section 10-15-1(H)(3) NMSA 1978. Finally, the Board may not announce its decision on a land use case at the conclusion of the public hearing tonight.