



**Tuesday, November 14, 2023**  
**Regular BCC Meeting (Amended Agenda 11-09-2023 - 3:13 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](http://www.santafecountynm.gov/joinmeeting).**

**In addition, people may watch the meeting at**

**<https://www.youtube.com/channel/UCKGV2GEB1Qv38Pn61083xg> and**

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

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**1. Opening Business**

- A. Roll Call.
- B. Pledge of Allegiance. (Chair Anna C. Hansen)
- C. State Pledge. (Chair Anna C. Hansen)
- D. O'ga P'ogeh Owingeh Land Acknowledgement. (Chair Anna C. Hansen)
- E. Moment of Reflection. (County Sheriff's Office/Rachel Weber)
- F. Approval of Agenda. (Action Item)

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

- A. Request Approval of the October 10, 2023, Board of County Commissioners Regular Meeting Minutes.
- B. Request Approval of the September 28, 2023, Board of County Commissioners Special Strategic Planning Meeting Minutes.
- C. Request Approval of the September 29, 2023, Board of County Commissioners Special Strategic Planning Meeting Minutes.

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

- A. Request Approval of A Proclamation Proclaiming November 12-18, 2023, as "National Nurse Practitioners Week". (Commissioner Camilla Bustamante and Commissioner Hank Hughes)
- B. Request Approval of a Proclamation Proclaiming the Month of November as "Native American Heritage Month". (Commissioner Anna Hansen)
- C. Request Approval of Letter from the Board of County Commissioners to the New Mexico Public Regulation Commission in Support of Petition for Variance from Community Solar Rules. (Commissioner Anna Hansen)

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

- A. Resolution No. 2023-\_\_\_\_, A Resolution Requesting a Budget Increase to the Health Care Assistance Fund (223) in the Amount of \$200,000 to Budget a Grant Received from the State of New Mexico, Behavioral Health Services Division. (Finance Division/Yvonne S. Herrera and Community Services Department/Rachel O'Connor)
- B. Resolution No. 2023-\_\_\_\_, A Resolution Requesting an Increase to the State Special Appropriation Fund (318) to Budget Grant #23-H3185 in the Amount of \$600,000. (Finance Division/Yvonne S. Herrera and Sheriff's Office/Ken Johnson)
- C. Resolution No. 2023-\_\_\_\_, A Resolution Requesting a Budget Increase in Various Funds to Carry Forward the FY2023 Encumbrance Balances into FY2024 in the Amount of \$54,330,268. (Finance Division/Yvonne S. Herrera)
- D. Final Order for Case # 23-5150 D.R. Horton, Applicant, NM Land Solutions LLC., Agent, Requested 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) (APPROVED 4-0)

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

- A. None.

## **6. Miscellaneous Action Items**

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A. Resolution No. 2023-\_\_\_\_, A Resolution Requesting a Budget Increase to Various Funds in the Amount of \$2,223,934. (Finance Division/Yvonne S. Herrera and Public Works Department/Brian K. Snyder)

B. Resolution No. 2023-\_\_\_\_, A Resolution Modifying Solid Waste Convenience Center Schedule to Close Locations on Sundays. (Public Works Department/Brian Snyder and Maria Molina)

C. Resolution No. 2023-\_\_\_\_, A Resolution Committing to Fund at Least Fifty Percent (50%) of the Total Project Cost for Security Camera System and Access Control Door Upgrades at the Judge Steve Herrera Judicial Complex and Committing to Execute an Intergovernmental Agreement with the Administrative Office of the Courts (AOC) to Receive AOC Funds as Reimbursement for Up to 50% of Costs as Incurred for the Project. (County Manager's Office/Gregory S. Shaffer and Public Works Department/P.J. Montano)

D. Request Approval of Amendment No. 9 to Collective Bargaining Agreement Between Santa Fe County and the American Federation of State, County, and Municipal Employees, Local 1782, AFL-CIO. (Human Resources and Risk Management Division/Sonya Quintana and County Attorney's Office/Rachel Brown)

E. Request Approval of Amendment No. 3 to Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Firefighters Association, Local 4366. (Human Resources and Risk Management Division/Sonya Quintana and County Attorney's Office/Rachel Brown)

F. Request Approval of Amendment No. 4 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/NMCPSO. (Human Resources and Risk Management Division/Sonya Quintana and County Attorney's Office/Rachel Brown)

G. Request Approval of Amendment No. 4 to Collective Bargaining Agreement Between Santa Fe County and The American Federation of State, County, and Municipal Employees; New Mexico Council 18, Local 1413-M. (Human Resources and Risk Management Division/Sonya Quintana and County Attorney's Office/Rachel Brown)

H. Request Approval of the Recommendations of the Santa Fe County Office of Emergency Management Task Force (SFC OEM Task Force). (SFC OEM Task Force/Chair Roger Jimenez and Federal Engineering, Inc./Michel C. (Mike) Dubé)

## **7. Presentations**

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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))**

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## **9. Matters from the County Manager**

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A. Miscellaneous Updates.

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

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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**

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A. Statement for Inclusion in Meeting Minutes Concerning October 31, 2023, Executive Session. (Action Item)

B. \* 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) First Judicial District Court, Santa Fe County, Case No. D-101-CV-2021-01970 and (2) FMCS Case #230130-03039 Santa Fe County Deputy Sheriff's Association and Santa Fe County. (Item No. 2 Added)

## **12. Public Hearing on Proposed Ordinance - To Be Heard No Earlier than 5:00 P.M.**

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A. Ordinance No. 2023-\_\_\_\_, An Ordinance Amending The Sustainable Land Development Code, Ordinance No. 2016-9, to Amend Section 12.14 (Transfer Of Development Rights) to Amend the TDR Ratio to Increase the Number of Additional Dwelling Units Allowed Per TDR; To Establish TDR Transfer Ratios for Dimensional Standards; To Exempt Affordable Housing from the Requirement to Purchase TDRs; To Make Minor Technical and Grammatical Changes; To Revise Procedural Standards; To Add A New Section To Allow a Density Charge Option In Lieu Of TDRs; and To Amend the Definition of Lot Coverage In Appendix A of the SLDC. (Growth Management Department/Angela Bordegaray and Brett Clavio)

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

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A. Case # 23-5091 Francis Phillips Variance Appeal. Francis Phillips, Appellant, is Appealing the Santa Fe County Planning Commission's Final Order Regarding a Variance Request. The Appellant Requested a Density Variance to Allow Two Dwelling Units on a 6.54-Acre Parcel. Currently, There is an Existing 1,340 sq. ft. Residence and a 1,440

sq. ft. Residence on the Site. The Subject Property Lies within the Rural Residential Zoning District (RUR-R) Where the Base Density is One Dwelling per Ten Acres. The Property is Located at 35 Mescalero Trail, SDA-2, within Township 15 North, Range 10 East Section 2, (Commission District 4). (Growth Management Department/Jose E. Larrañaga, Case Manager)

#### **14. Concluding Business**

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A. Announcements.

B. Adjournment. (Action Item)

#### **15. Public Meeting Disclosures**

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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](http://www.santafecountynm.gov/joinmeeting). In addition, people may watch the meeting at <https://www.youtube.com/channel/UCKGV2GEBBC1Qv38Pn61083xg> 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.