



Tuesday, December 13, 2022

Board of County Commissioners of Santa Fe County

Commissioners present

Anna T Hamilton
Rudy N Garcia
Anna C Hansen
Hank Hughes
Henry P Roybal

1. Opening Business

A. Call to Order - 2:12 p.m.

B. Roll Call.

C. Pledge of Allegiance. (Chair Anna T. Hamilton)

D. State Pledge. (Chair Anna T. Hamilton)

E. Moment of Reflection. (County Treasurer's Office/Jennifer Manzanares Victor Vigil)

F. Approval of Agenda. (Action Item)

Motion & Voting

- Motion for approval of agenda as amended.
- Motion by Rudy N Garcia, second by Henry P Roybal.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

2. Approval of Meeting Minutes (Action Item)

A. Request Approval of the November 15, 2022, Board of County Commissioners Meeting Minutes.

Motion & Voting

- Motion for Request Approval of the November 15, 2022, Board of County Commissioners Meeting Minutes.
- Motion by Anna C Hansen second by Hank Hughes.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia.
- Not Present: Henry P Roybal.
- Final Resolution: Motion carries.

B. Request Approval of the November 18, 2022, Board of County Commissioners Canvassing Board Special Meeting Minutes.

Motion & Voting

- Motion for Approval of the November 18, 2022, Board of County Commissioners Canvassing Board Special Meeting Minutes.
- Motion by Anna C Hansen second by Hank Hughes.
- Yea: Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Abstain: Anna T Hamilton.
- Final Resolution: Motion carries.

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

A. Resolution No. 2022-120, A Resolution Supporting Legislation that will Provide a Process to Remove Racially Restrictive Covenants from Property Titles and Require Gender Neutral Language on Community Property Documentation. (Commissioner Henry P. Roybal) (Item Added)

Motion & Voting

- Motion for approval of Resolution No. 2022-120, A Resolution Supporting Legislation that will Provide a Process to Remove Racially Restrictive Covenants from Property Titles and Require Gender Neutral Language on Community Property Documentation.
- Motion by Anna C Hansen second by Hank Hughes.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Henry P Roybal.
- Abstain: Rudy N Garcia.
- Final Resolution: Motion carries.

4. Consent Agenda (Action Items)

Motion & Voting

- Motion for approval of consent agenda. Removing item L.
- Motion by Rudy N Garcia second by Anna C Hansen.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia.
- Not Present: Henry P Roybal.
- Final Resolution: Motion carries.

A. Request Authorization for the County Manager to Apply for and Accept on Behalf of the County Approximately \$976,795.42 in Local Assistance and Tribal Consistency Fund (LATCF) Payments from the U.S. Treasury Pursuant to the American Rescue Plan Act. (Finance Division/Yvonne S. Herrera)

B. Request Approval of Inmate Confinement Agreement No. 2023-0099-CORR/BT Between the Board of County Commissioners of Santa Fe County and the Board of County Commissioners of Lincoln County to House Inmates at the Lincoln County Detention Center. (Purchasing Division/Bill Taylor and Public Safety Department Adult Detention Facility/Derek J. Williams)

C. Request (1) Approval of Amendment No. 1 to Six Agreements for Navigation Services in Connection with the CONNECT Program, Increasing the Compensation by \$89,625 (Contract No. 2022-0150-CSD/TVR with Interfaith Community Shelter); \$59,750 (Contract No. 2022-0151-CSD/TVR with St. Elizabeth Shelter); \$ 67,375 (Contract No. 2022-0152-CSD/TVR with Communities In Schools New Mexico); \$107,800 (Contract No. 2022-0153-CSD/TVR with Las Cumbres Community Services); \$107,800 (Contract No. 2022-0154-CSD/TVR with Growing Up New Mexico); \$75,000 (Contract No. 2022-0155-CSD/TVR

with YouthWorks), for a Cumulative Compensation Increase in the Amount of \$507,350.00; and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Orders. (Purchasing Division/Bill Taylor and Community Services Department/Jennifer N. Romero)

D. Resolution No. 2022-110, A Resolution Determining Reasonable Notice for Calendar Year 2023 in Accordance With the New Mexico Open Meetings Act, Applicable to All Meetings of the Board of County Commissioners (BCC) and to the Meetings of County Boards and Committees Created and Appointed by the BCC (Appointed County Committees); Establishing Permissible Meeting Locations and a Webcast and Broadcast Policy; and Requiring Meeting Agendas to Include Instructions on How the Public Can Participate in Meetings Remotely During COVID-19 Public Health Emergency. (County Attorney's Office/Jeff Young)

E. Item Removed.

F. Request Approval of County Utility Line Extension and Delivery Agreement Between Santa Fe County and Tierra Antigua, LLC. (Public Works Department/Michelle Hunter)

G. Resolution No. 2022-111, A Resolution Requesting Budget Increase to the General Fund (101) in the Amount of \$227,000 to Budget the Second Amendment to JPA No. 2016-0223-PW/BT with the Greater Glorieta Community Regional Mutual Domestic Water Consumers and Sewer Works Association. (Finance Division/Yvonne S. Herrera and Growth Management Department/Maxx PL Hendren)

H. Resolution No. 2022-112, A Resolution Requesting a Decrease in the Amount of \$4,261 to the Alcohol Programs Fund (241) to Correct Grant Funding. (Finance Division/Yvonne S. Herrera and Community Services Department/Sebastian Adamczyk)

I. Resolution No. 2022-113, A Resolution Requesting Budget Adjustments for a Net Decrease Amount of \$491,204.00 in Various Funds to Account for Prior Year Transactions Affecting Capital Outlay Amounts Included in the FY2023 Budget and Accounts Payable Accruals. (Finance Division/Yvonne S. Herrera)

J. Request Approval of Report of April 1, 2022, Inspection of the Santa Fe County Adult Detention Facility Pursuant to Section 33-3-4 NMSA 1978. (County Manager's Office/Gregory S. Shaffer)

K. Duplicate Item Removed.

L. Resolution No. 2022-119, A Resolution Authorizing the County Manager to Secure Multi-Line, Law Enforcement, and Other Insurance Coverages for Calendar Year 2023; to Finalize Negotiations for Such Coverages; and to Execute All Documents Necessary to Effectuate Such Coverages. (Human Resources and Risk Management Division/Sonya M. Quintana)
Hansen/Garcia

Motion & Voting

- Motion for approval of Resolution No. 2022-119, A Resolution Authorizing the County Manager to Secure Multi-Line, Law Enforcement, and Other Insurance Coverages for Calendar Year 2023;

to Finalize Negotiations for Such Coverages; and to Execute All Documents Necessary to Effectuate Such Coverages.

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

5. Appointments and Reappointments (Action Items)

A. None.

6. Miscellaneous Action Items

A. Request Approval of Santa Fe County Lodgers' Tax Grant Awards. (Community Development Department/Lisa A. Katonak)

Motion & Voting

- Motion for Approval of Santa Fe County Lodgers' Tax Grant Awards.
- Motion by Rudy N Garcia second by Hank Hughes.
- Yea: Anna T Hamilton, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Not Present: Henry P Roybal.
- Abstain: Anna C Hansen
- Final Resolution: Motion carries.

B. Resolution No. 2022-115, A Resolution Adopting the Strategic Plan for Santa Fe County. (County Manager's Office/Cindy McKee)

Motion & Voting

- Motion for Approval of Resolution No. 2022-115, A Resolution Adopting the Strategic Plan for Santa Fe County.
- Motion by Rudy N Garcia second by Hank Hughes.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

C. Resolution No. 2022-116, Establishing Santa Fe County 2023 State Legislative Priorities for Affordable Housing. (Community Development Department/Joseph R. Montoya)

Motion & Voting

- Motion for Approval of Resolution No. 2022-116, Establishing Santa Fe County 2023 State Legislative Priorities for Affordable Housing.
- Motion by Anna C Hansen second by Hank Hughes.
- Yea: Anna C Hansen, Hank Hughes, Henry P Roybal.
- Not Present: Rudy N Garcia.
- Final Resolution: Motion carries.

D. Request Approval of First Amendment to Joint Powers Agreement for the Creation of the North Central New Mexico Economic Development District by and Among the Incorporated County of Los Alamos, Santa Fe County, Rio Arriba County, Colfax County, Taos County, Sandoval County, Mora County, San Miguel County and the City of Santa Fe. (Community Development Department/Chris Hyer and NCNMEDD/Monica Abeita)

Motion & Voting

- Motion for Approval of First Amendment to Joint Powers Agreement for the Creation of the North Central New Mexico Economic Development District by and Among the Incorporated County of Los Alamos, Santa Fe County, Rio Arriba County, Colfax County, Taos County, Sandoval County, Mora County, San Miguel County and the City of Santa Fe.
- Motion by Anna C Hansen second by Rudy N Garcia.
- Yea: Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

E. Resolution 2022-117, A Resolution Requesting an Increase to the Utilities Enterprise Fund (505) in the Amount of \$586,520 and a Transfer Within the General Obligation Bond 2021 Series in the Amount of \$659,480. (Finance Division/Yvonne S. Herrera and Public Works Department/Gary L.J. Giron)

Motion & Voting

- Motion for Approval of Resolution 2022-117, A Resolution Requesting an Increase to the Utilities Enterprise Fund (505) in the Amount of \$586,520 and a Transfer Within the General Obligation Bond 2021 Series in the Amount of \$659,480.
- Motion by Anna C Hansen second by Hank Hughes.
- Yea: Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

F. Request Approval of Amendment No. 3 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 Brown and Human Resources and Risk Management Division/Sonya Quintana) (Item Added)

Motion & Voting

- Motion for Approval of Amendment No. 3 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 Rudy N Garcia second by Hank Hughes.
- Yea: Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

G. Request Approval of Amendment No. 2 to Collective Bargaining Agreement Between Santa Fe County, New Mexico and the American Federation of State, County, and Municipal Employees; New Mexico Council 18 (Local 1413-M). (County Attorney's Office/Rachel Brown and Human Resources and Risk Management Division/Sonya Quintana) (Item Added)

Motion & Voting

- Motion for Approval of Amendment No. 2 to Collective Bargaining Agreement Between Santa Fe County, New Mexico and the American Federation of State, County, and Municipal Employees; New Mexico Council 18 (Local 1413-M).
- Motion by Hank Hughes second by Rudy N Garcia.
- Yea: Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- 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 (Regional Emergency Communication Center – RECC). (County Attorney's Office/Rachel Brown and Human Resources and Risk Management Division/Sonya Quintana) (Item Added)

Motion & Voting

- Motion for Approval of Amendment No. 2 to Collective Bargaining Agreement Between Santa Fe County and the New Mexico Coalition of Public Safety Officers (Regional Emergency Communication Center – RECC).
- Motion by Rudy N Garcia second by Hank Hughes.
- Yea: Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Not Present: Anna C Hansen
- Final Resolution: Motion carries.

I. Request Approval of Amendment No. 6 to Collective Bargaining Agreement Between Santa Fe County and the American Federation of State, County, and Municipal Employees; New Mexico Council 18, Local 1782 AFL-CIO. (County Attorney's Office/Rachel Brown and Human Resources and Risk Management/Sonya Quintana) (Item Added)

Motion & Voting

- Motion for Approval of Amendment No. 6 to Collective Bargaining Agreement Between Santa Fe County and the American Federation of State, County, and Municipal Employees; New Mexico Council 18, Local 1782 AFL-CIO.
- Motion by Rudy N Garcia second by Hank Hughes.
- Yea: Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

J. Request (1) Approval of Memorandum of Agreement Between the City of Santa Fe, Santa Fe County, and Town of Edgewood Regarding the Regional Emergency Communications Center's Migration to the Statewide Digital Trunked Radio System (DTRS) Cores and (2) Delegation of Authority to the County Manager to Negotiate and Execute on Behalf of the County, as Fiscal Agent for the RECC, a System Upgrade Agreement II and Advanced Plus Services Agreement with Motorola Solutions, Inc. (County Manager's Office/Gregory S. Shaffer and Elias Bernardino and RECC/Roberto J. Lujan) (Item Added)

Motion & Voting

- Motion for (1) Approval of Memorandum of Agreement Between the City of Santa Fe, Santa Fe County, and Town of Edgewood Regarding the Regional Emergency Communications Center's Migration to the Statewide Digital Trunked Radio System (DTRS) Cores and (2) Delegation of Authority to the County Manager to Negotiate and Execute on Behalf of the County, as Fiscal Agent for the RECC, a System Upgrade Agreement II and Advanced Plus Services Agreement with Motorola Solutions, Inc.
- Motion by Hank Hughes second by Rudy N Garcia.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia.
- Not Present: Henry P Roybal.
- Final Resolution: Motion carries.

K. Resolution No. 2022-114, A Resolution Requesting Authorization to Make the Budget Adjustment Detailed on This Form (Related to Capital and Operating Expenditures Necessary for the Regional Emergency Communications Center's Migration to the Statewide Digital Emergency Communications Center's Migration to the Statewide Digital Trunked Radio System). (Finance Division/Yvonne S. Herrera and RECC/Roberto J. Lujan) (Item Added)

Motion & Voting

- Motion for Approval of Resolution No. 2022-114, A Resolution Requesting Authorization to Make the Budget Adjustment Related to Capital and Operating Expenditures Necessary for the Regional Emergency Communications Center's Migration to the Statewide Digital Emergency Communications Center's Migration to the Statewide Digital Trunked Radio System.
- Motion by Rudy N Garcia second by Hank Hughes.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Not Present: Henry P Roybal
- Final Resolution: Motion carries.

L. Resolution No. 2022-118, A Resolution Delegating to the County Manger the Authority to Execute on Behalf of the County a Release of All Mortgages Under the LEDA Performance and Right of Repurchase Agreement, Override Parcel Agreement, and Other Existing Agreements between the County and Santa Fe Film and Media Studios, Inc. and La Luz Holdings, LLC, to Accept a Letter of Credit from Santa Fe Film and Media Studios, Inc. and/or La Luz Holdings, LLC to Secure Their Obligations Under the Override Parcel Agreement, and to Execute Other Documents Necessary or Proper to Effect the Releases, Letter of Credit, and Termination of the Pledge of Deposit Account Agreement between Santa Fe County and Los Alamos National Bank's Successor-in-Interest. (County Manager's Office/Gregory S. Shaffer and County Attorney's Office/Jeff Young) (Item Added)

Motion & Voting

- Motion for Approval of Resolution No. 2022-118, A Resolution Delegating to the County Manger the Authority to Execute on Behalf of the County a Release of All Mortgages Under the LEDA Performance and Right of Repurchase Agreement, Override Parcel Agreement, and Other Existing Agreements between the County and Santa Fe Film and Media Studios, Inc. and La Luz Holdings, LLC, to Accept a Letter of Credit from Santa Fe Film and Media Studios, Inc. and/or La Luz Holdings, LLC to Secure Their Obligations Under the Override Parcel Agreement, and to Execute Other Documents Necessary or Proper to Effect the Releases, Letter of Credit, and Termination of the Pledge of Deposit Account Agreement between Santa Fe County and Los Alamos National Bank's Successor-in-Interest.
- Motion by Anna C Hansen second by Hank Hughes.
- Yea: Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

7. Presentations

A. Presentation on Santa Fe Mountains Landscape Resiliency Project (SFMLRP). (James Duran, Acting Forest Supervisor, and Beth Ihle, Deputy Forest Supervisor, Santa Fe National Forest) (Caption Updated)

B. Presentation on Workforce Training Re-Entry Program by Entrepreneurial Institute of Northern NM (EINNM) Innovate+Educate. (Jamai Blivin, Founder, Innovate+Educate)

C. Presentation on the Espanola Pathways Shelter's Services at Pathways Village. (Yvonne Maestas, Espanola Pathways Shelter EPS Board Chair; Cristian Madrid, EPS Director, and Mateo Peixinho, EPS Construction Manager)

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 and COVID-19 Updates.

- The NM State Governor has extended the statewide public health emergency through January 6, 2023.
- County Manager requested feedback from the Board of County Commissioner on reconvening the Capital Projects Review Committee to possibly consider inclusion of additional projects to the County Infrastructure and Capital Improvements Plan for the purpose of receiving capital outlay funding from the State Legislature.

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. Statement for Inclusion in Meeting Minutes Concerning November 29, 2022, Executive Session. (Action Item)

Motion & Voting

- Motion for Inclusion in Meeting Minutes that During the Executive Session on November 29, 2022 That No Actions Were Taken in Executive Session and No Matters Were Discussed Other Than Those Specified on the Agenda for the Executive Session.
- Motion by Anna C Hansen second by Rudy N Garcia.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

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) Executive Management Personnel Issues and (2) BCC v. Leo Trujillo, et al, First Judicial District Court, Santa Fe County, D-101-CV-2019-00697.

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

A. Case # 21-5010-5054 Suerte Del Sur LLC/Rancho Cielo Grande Subdivision Preliminary and Final Plat Approval. Suerte Del Sur LLC., Applicant, NM Land Solutions, (Victoria Dalton) Agent, Request (1) Approval of an Affordable Housing Agreement for Rancho Del Cielo Grande Subdivision and (2) Preliminary and Final Subdivision Plat Approval for Rancho Del Cielo Grande Subdivision (12 Lots) on a Total of 127.94-Acres. The Proposed Development is Accessed via Las Campanas Drive, Los Suenos Trail, and La Vida Trail, within T17N, R9E, Section 24, (Commission District 2). (Growth Management Department/John Lovato, Case Manager)

Motion & Voting

- Motion to Table until February 2023.
- Motion by Anna C Hansen second by Hank Hughes.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

B. Case # 22-5170 Tierra Antigua Subdivision. Santa Fe West Investments, LLC/ Arete Cole Development, LLC, Applicant, JenkinsGavin, Agent, Request a Preliminary Subdivision Plat and Final Subdivision Plat to Create 23 Residential Lots Within a 44.51-Acre Tract. Table 5-1 Identifies this Type of Subdivision as a Type Three Major Subdivision. The Site is Zoned Residential Estate (RES-E). The Base Density for RES-E Zoning is 1 Dwelling per 2.5-Acres as per Table 8-10, Which Allows for 17 Dwelling Units on the 44.51-Acre Tract. The Applicant Proposes to Utilize the Density Bonus Illustrated in Table 8-44 Which Allows 23 Dwelling Units with 50% Open Space (17.8 Units x 1.33 = 23 Units (Density with Bonus = 1 du/1.875 Acres). The Applicant Also Proposes to Provide 8.0% Affordable Housing in Accordance with SLDC §13.2.1.1. Resulting in One Affordable Home (17 base units x 8.0% = 1.36 units). The Property is Accessed via Camino La Tierra Within Township 17 N, Range 9 E, Section 7 (Commission District 2) NMPM, Santa Fe County. (Growth Management Department/Kenneth Quintana, Case Manager) (Packet Material Added)

Motion & Voting

- Motion for Approval of Case # 22-5170 Tierra Antigua Subdivision with Staff Recommended Conditions.
- Motion by Anna C Hansen second by Hank Hughes.
- Yea: Anna T Hamilton, Anna C Hansen, Hank Hughes, Rudy N Garcia, Henry P Roybal.
- Final Resolution: Motion carries.

13. Concluding Business

A. Announcements.

B. Adjournment. (Action Item)

Motion & Voting

- Motion to Adjourn.
- Motion by Anna C Hansen second by Henry Roybal.

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

Meeting adjourned at 11:55 p.m.