

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

REGULAR MEETING

December 9, 2014, at 2:00pm

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 **Tabled or Withdrawn Items**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 of County Canvassing Board (Action Item) (The Board of County Commissioners will temporarily adjourn and reconvene as the County Canvassing Board for the limited purpose of approving these minutes.)
 - 1. Approval of November 7 & 14, 2014 Canvassing Board Meeting Minutes.
 - H. Employee Recognition
 - 1. Recognition of Years of Service for Santa Fe County Employees.
- II. **Consent Agenda** (Action Item) (Discussion allowed for five minutes per item without pulling from consent agenda; any item requiring additional consideration will be pulled from consent agenda.)
 - A. Final Orders
 - 1. **BCC CASE # PCEV 14-5220 Mark Ruttle Vacation of Easement.** Mark Ruttle, Applicant, Requests Approval to Vacate and Relocate a Platted Fifteen Foot (15') Wide Public Access and Utility Easement on one lot Totaling 0.901 Acres. The Property is Located in the Traditional Community of Tesuque at #29 Glowing Star Road, Within Section 25, Township 18 North, Range 9 East,

(Commission District 1). (Approved 5-0) Miguel “Mike” Romero,
Case Manager.

(End of Consent Agenda)

III. Action Items

**A. Items From Consent Agenda Requiring Extended Discussion /
Consideration**

B. Appointments/Reappointments/Resignations

1. **Resignation of Robert Griego from the Santa Fe City and County Advisory Council on Food Policy. (County Manager’s Office/Tony Flores)**
2. **Appointment of Erin Ortigoza to Serve on the Santa Fe City and County Advisory Council on Food Policy. (County Manager’s Office /Tony Flores)**
3. **Appointment of a Board Member to the Estancia Valley Economic Development Agency (EVEDA) Board of Directors as an Official Representative from the Santa Fe County Designated to Serve on the Board. (County Manager’s Office/Tony Flores)**

C. Resolutions

1. **Resolution No. 2014-___, A Resolution Supporting Continued Enforcement and Funding of the Federal Endangered Species Act. (Commissioner Holian)(TABLED)**
2. **Resolution No. 2014-___, A Resolution Establishing Signature Authority of the County Manager with Respect to Certain Agreements and Applications and Ratifying Certain Intergovernmental Agreements Previously Signed by the County Manager Based Upon Apparent Authority. (Legal Department/Gregory S. Shaffer)**

D. Purchasing

1. **Requesting BCC Approval to Utilize the Existing State Price Agreement with Centurylink to Purchase Voice and Data Communication Services Pursuant to Section 1 of Ordinance 2012-5 and Authorizing the County Manager to Sign the Purchase Order. (Purchasing/Bill Taylor)**
2. **Request BCC Approval to Modify the Term of the Agreement with Centurylink for Primary Rate Interface (PRI) Service and Allow the County to Enter Into a Five (5) Year Term Agreement for Such Services, Pursuant to Section 2 of Santa Fe County Ordinance 2012-5. (Purchasing/Bill Taylor)**
3. **Request Authorization from the Board of County Commissioners (BCC) to Utilize the Design Build Project Delivery Method for the Public Safety Complex Renovation and Improvement Project. (Purchasing/Bill Taylor)**

- E. Miscellaneous
 - 1. A Proclamation Recognizing the 20th Anniversary of the Santa Fe Conservation Trust. (Commissioner Holian)
 - 2. Request Authorization to Execute the North Central Regional Transit District Amended Intergovernmental Agreement. (County Manager's Office/Tony Flores)(TABLED)
- F. Ordinances
 - 1. Request Authorization to Publish Title and General Summary of Ordinance No. 2015-, the Santa Fe Brewing Company Local Economic Development Act (LEDA) Project Ordinance. (Growth Management Department/David Griscom)
- G. Public Hearing
 - 1. Community Development Block Grant Program- Project Proposals. (2nd Public Meeting)(County Manager's Office/Tony Flores)
- IV. Matters of Public Concern
- V. Discussion/Information Items/Presentations
 - A. Presentation
 - B. Matters from the Commission
 - 1. Commissioner Issues And Comments - These Are Non-Action Items by Commission District such as Constituent Concerns, Commissioner Recognitions, Requests for Updates or Future Presentations.
 - C. Matters From The County Manager
 - 1. Miscellaneous Updates
 - a. Legislative Update
- VI. Matters From County Attorney
 - A. Executive Session
 - 1. Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978.
 - a. Threatened or Pending Litigation Concerning Applications of Ocentro Espirita Beneficente Uniao Do Vegetal, Nucleo Santa Fe for Development Approvals or Permits for a Community Service Facility Located at 5 Brass Horse Road Santa Fe NM.
 - b. PNM Rate Increase Application Pertaining to Rate 11B – Water and Sewage Class.
 - c. Threatened or Pending Litigation Concerning High Summit III Subdivision.
 - d. Public Regulation Commission Case No. 13-00390-UT – PNM Replacement Energy Case.
 - e. Pending Litigation Involving Whistleblower Protection Act Claims.

f. New Mexico Gas, et al., v. Board of County Commissioners of Santa Fe County, State of New Mexico, County of Santa Fe, First Judicial District Court, No. D-0101-CV-2009-02050.

2. Discussion of Sole Source Contracts and Contract Negotiations Related to Competitive Sealed Proposals Solicited Pursuant to the Procurement Code, as Allowed by Section 10-15-1(H)(6) NMSA 1978.

a. Discussion of Contract Negotiations with New Mexico Association of Counties Multi-Line and Law Enforcement Pools for Insurance Coverage in Calendar Year 2015.

B. Resolution No. 2014-___, A Resolution Authorizing the County Manager to Negotiate with the New Mexico Association of Counties Multi-Line and Law Enforcement Pools for Insurance Coverage in Calendar Year 2015 and to Execute Purchase Orders and Other Documents Necessary to Effectuate Such Coverage. (Administrative Services Department/Jeff Trujillo)

C. Resolution No. 2014-___, A Resolution Delegating Authority to the County Manager to Negotiate and Execute a Written Agreement Between the County and Ocentro Espirita Beneficente Uniao Do Vegetal, Nucleo Santa Fe Memorializing the Parties' Mutual Understandings Concerning Implementation of Their Settlement Agreement. (Legal Department/Gregory S. Shaffer)

VII. Public Hearings (To Begin No Earlier Than 5:00PM)

A. Land Use Cases (Possible Action Items)*

1. Case No. PCEV 14-5120 Heather McCrea Vacation of Easement. Heather McCrea, Applicant, Requests Approval to Vacate a Platted Twenty Foot (20') Wide Private Ingress/Egress and Utility Easement on One Lot Totaling 2.50 Acres. The Easement Will Be Relocated On-Site. The Property is Located in the Traditional Community of Chupadero at 64A Paseo Encantado NE, within Section 6, Township 18 North, Range 10 East, (Commission District 1). Miquel "Mike" Romero, Case Manager. (Public Comment Limited to Applicant's Request to Withdraw the Application.)

a. Order Approving Applicant's Request to Withdraw Application.

b. Order Approving Applicant's Request to Vacate Easement.

2. BCC CASE # MIS 14-5460 BL Santa Fe, LLC, Liquor License. BL Santa Fe, LLC, D/B/A Bishop's Lodge, Applicant, Linda Aikin, Agent, Request Approval for a Transfer of Ownership of Liquor License No. 0469. The Property is Located at 1297 Bishops Lodge Road, Within Section 4, Township 17 North, Range 10 East (Commission District 1). John M. Salazar, Case Manager.

3. **BCC CASE # PCEV 14-5420 Ernest Chavez Vacation of Plat.** Ernest Chavez, Applicant, (Sommer, Karnes & Assoc, LLP) Joseph Karnes, Agent, Request Approval to Vacate a Recorded Lot Line Adjustment Survey Plat Which Reconfigured 2 Existing Lots That Became Known as Tract 1-R Consisting of 25 Acres and Tract 2-R Consisting of 11.58 Acres, on a Total Of 36.38 Acres. The Property is Located at 210 Entranosa Rd., Within Section 28, Township 11 North, Range 7 East, (Commission District 3). Miguel “Mike” Romero, Case Manager. (TABLED)
4. **BCC CASE # PCEV 14-5450 Kelly Wilson Vacation of Easement.** Kelly Wilson, Applicant, (Paramount Surveys, Inc.) Paul Rodriguez, Agent, Request Approval to Vacate and Re-locate a Thirty-Eight Foot (38’) Wide Private Access and Utility Easement on one lot Totaling 2.50 Acres. The Property is Located at 177B Los Pinos Rd., Within Section 28, Township 16 North, Range 8 East, (Commission District 3). Miguel “Mike” Romero, Case Manager. (TABLED)
5. **BCC CASE # PCEV 14-5410 Richard Berman Vacation of Easement.** Richard Berman, Applicant, (Paramount Surveys, Inc.) Paul Rodriguez, Agent, Request Approval to Vacate Three (3) Platted Drainage Easement on One Lot Totaling 1.397 Acres. The Property is Located at 35 Blue Canyon Way, Within Section 20, Township 17 North, Range 9 East, (Commission District 2). Miguel “Mike” Romero, Case Manager. (TABLED)
6. **CDRC CASE # V 14-5230 Sam Mendoza Variance.** Sam Mendoza, Applicant, Requests a Variance of Article II, Section 4.3.3bii (Small Lot Family Transfers), of the Land Development Code to Allow a Small Lot Family Transfer of 2.79 Acres Into Two Lots Prior to Being in Possession of The Family Proper for a Five Year Period. The Property is Located at 58 Camino Don Fidel, Off The 599 West Frontage Road, Within Section 36, Township 17 North, Range 9 East, (Commission District 2). Mathew Martinez, Case Manager.
7. **CDRC CASE # V 14-5190 Pablo & Maria Cerquera Variance.** Pablo and Maria Cerquera, Applicants, Request a Variance of Ordinance 2007-2 Village of Agua Fria Zoning District, Section 10.6 (Density and Dimension Standards), to Allow a Third Dwelling Unit on 0.962 Acres. The Property is Located at 2247 Paseo De Tercero, in the Traditional Community of Agua Fria, Within Section 5, Township 16 North, Range 9 East, (Commission District 2). Mathew Martinez, Case Manager.
8. **CDRC CASE # V 14-5270 Madeline Wells and Mary O’Brien Variance.** Madeline Wells and Mary O’Brien, Applicants, Request a Variance of Article III, § 10 (Lot Size Requirements) of the Land

Development Code to Allow Two Dwelling Units on 6.195 Acres. The Property is Located at 30 Sibley Road, Within the Vicinity of Canoncito, Within Section 13, Township 15 North, Range 10 East, (Commission District 4). John Lovato, Case Manager.

9. **CDRC CASE # S 12-5452 Cielo Colorado Estates Final Plat And Development Plan For Phase 1.** Cielo Colorado LLC., Applicant, James W. Siebert, Agent, Request Final Plat and Development Plan Approval for Phase 1 (Lots 11-16) Consisting of 6 Lots of the Cielo Colorado Estates 24-Lot Residential Subdivision on Tract 15A-2 of the Eldorado at Santa Fe Subdivision Consisting Of 246.30 Acres More or Less. The Applicant Also Requests Approval to Vacate and Relocate 2 Portions of the Camino Acote 50 Foot Ingress/Egress and Utility Easement That is Located Within Proposed Lot 1, Vacate the Portion of Camino Acote That Runs Through Lots 10, 16, 17, 18 And 19 And Vacate The Old Ingress/Egress And Utility Easement That Runs Through Proposed Lot 1, Which is no Longer in Use. the Property is Located on the East Side of US 285, off Camino Acote, Within Sections 20, 21 and 22, Township 15 North, Range 10 East (Commission District 4). Vicente Archuleta, Case Manager.
10. **CDRC CASE # V 14-5300 Cathy and Chris Stoia Variance.** Cathy and Chris Stoia, Applicants, Request a Variance of Article III, § 10 (Lot Size Requirements) of the Land Development Code to Allow a Land Division of 13 Acres Into Two Lots. The Property is Located at 20 La Barbaria Road, Within the Vicinity of Old Pecos Trail, Within Section 17, Township 16 North, Range 10 East, (Commission District 4). John Lovato, Case Manager.
11. **CDRC CASE # V 13-5190 Minnie Walsh Variance.** Minnie Walsh, Applicant, Requests a Variance of Article III, Section 10 (Lot Size Requirements) and a Variance of Article III, Section 2.4.1a.2.b (Access) of the Land Development Code and a Variance of Article 4, Section 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to Allow a Family Transfer Land Division of 1.195 Acres Into Two Lots. The Board of County Commissioners rendered a decision to approve this request on October 8, 2013. The BCC's decision was then appealed to District Court, and the Court Decision on July 31, 2014, was to Remand the case back to the BCC for a Rehearing. The Property is Located at 58 Arroyo Jaconita, Within the Traditional Community Of Jacona, Within Section 11, Township 19 North, Range 8 East, (Commission District 1). John Lovato, Case Manager.

VIII. 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.