



**SANTA FE COUNTY**

**Tuesday, January 9, 2024  
Regular BCC Meeting (Agenda 01-02-2024 - 7:45 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](https://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/>.**

**1. Opening Business**

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- A. Call to Order - 2:00 p.m.
- B. Roll Call.
- 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. (Community Development Department/Andy Seeger)
- G. Approval of Agenda. (Action Item)

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

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- A. Request Approval of the November 28, 2023, Board of County Commissioners Meeting Minutes.
- B. Request Approval of the November 30, 2023, Board of County Commissioners Special Meeting Minutes.

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

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- A. Resolution No. 2024-\_\_\_\_, A Resolution Confirming Santa Fe County's Commitment to Customer Service as Reflected in its Adopted Strategic Plan. (Commissioner Camilla Bustamante)
- B. Request Approval of a Letter/Comments from the Board of County Commissioners to the National Nuclear Security Administration Opposing Proposed Los Alamos National Laboratory Transmission Line Upgrade Project. (Commissioner Anna Hansen)

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

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- A. Resolution No. 2024-\_\_\_\_, A Resolution Amending the Santa Fe County Road Map and Certifying a Report of the Public Roads in Santa Fe County. (Public Works Department/Brian K. Snyder and Maria Molina)
- B. Request (1) Approval to Utilize the Houston Galveston Area Council Cooperative Purchase Agreement Pursuant to Ordinance 2012-5 Section 1, Outside Contracts, to Purchase License Plate Reader Software and Equipment for the

Santa Fe County Sheriff's Office for a Total Amount of \$599,801.64, Inclusive of NMGR, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Sheriff's Office/Ken Johnson and Purchasing Division/Bill Taylor)

C. Request (1) Approval to Enter into a Four-Year Term Agreement with Aspen Solutions, Agreement No. 2024-0113-CSD/MB, to Provide Evaluation Services for the Santa Fe County DWI Program Operations, in Compliance with County Ordinance 2012-5, and (2) Delegation of Signature Authority to the County Manager to Sign the Agreement. (Purchasing Division/Bill Taylor and Community Services Department/Chanelle Delgado)

D. Resolution No. 2024-\_\_\_\_, A Resolution Requesting a Decrease to the Alcohol Programs Fund (241) in the Amount of \$5,190 so Budget Equals Actual Grant Award. (Finance Division/Yvonne S. Herrera and Community Services Department/LeAnne Rodriguez)

E. Resolution No. 2024-\_\_\_\_, A Resolution Requesting a Decrease to the Health Care Assistance Fund (223) in the Amount of \$346,268 so Budget Equals Actual Grant Award. (Finance Division/Yvonne S. Herrera and Community Services Department/Rachel O'Connor)

F. Resolution No. 2024-\_\_\_\_, A Resolution Requesting a Budget Increase in the Amount of \$12,000 to the Alcohol Program Fund (241) so Budget Equals Actual Grant Award. (Finance Division/Yvonne S. Herrera and Community Services Department/Joe Lozano)

G. Resolution No. 2024-\_\_\_\_, A Resolution Requesting an Increase in the Amount of \$170,550 to the Alcohol Programs Fund (241) to Budget Special Application Grant Award. (Finance Division/Yvonne S. Herrera and Community Services Department/LeAnne Rodriguez)

H. Resolution No. 2024-\_\_\_\_, A Resolution Requesting a Budget Increase in the Amount of \$300,000 to the Law Enforcement Ops Fund (246) to Budget Funding Awarded to the Sheriff's Office by the First Judicial District Attorney's Office for Warrant Enforcement. (Finance Division/Yvonne S. Herrera and Sheriff's Office/Ken Johnson)

I. Resolution No. 2024-\_\_\_\_, A Resolution Requesting a Budget Increase to the State Special Appropriation Fund (318) in the Amount of \$100,000 to Budget the Collaboration Center Grant. (Finance Division/Yvonne S. Herrera and Community Development Department/Paul Olafson)

J. Request Acceptance of Grant #A22-G5355 Received from the New Mexico Aging and Long-Term Services Department for the Abedon Lopez Senior Center Project in the Amount of \$2,021,026. (Finance Division/Yvonne S. Herrera and Public Works Department/Brian K. Snyder)

K. Resolution No. 2024-\_\_\_\_, A Resolution Agreeing and Acknowledging Participation in Capital Outlay Programs Administered by the New Mexico Department of Transportation and Officially Accepting and Agreeing to the Terms of Four Capital Outlay Grant Agreements. (Finance Division/Yvonne S. Herrera)

L. Resolution No. 2024-\_\_\_\_, A Resolution to Authorize Certain Growth Management Department Staff and The Enforcement Officer for the Solid Waste Division to Issue Citations for Violations of County Ordinances; Repealing and Replacing Resolution No. 2022-067. (Growth Management Department/Rick Lovato)

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

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A. None.

## **6. Miscellaneous Action Items**

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A. Resolution No. 2024-\_\_\_\_, A Resolution Adopting the Transportation Advisory Committee 2024 Work Plan. (Growth Management Department/Brett Clavio)

B. Resolution No. 2024 -\_\_\_\_, A Resolution Adopting Projects for Inclusion in Santa Fe County's Infrastructure Capital Improvement Plan for Fiscal Years 2025-2029; Authorizing Submittal of Plan to the New Mexico Department of Finance and Administration; and Replacing Resolution No. 2023-088. (Growth Management Department/Maxx Hendren)

C. Resolution No. 2024-\_\_\_\_, A Resolution Establishing the La Cienega and La Cieneguilla Planning Committee and Authorizing a Community Planning Process for the La Cienega and La Cieneguilla Community District. (Growth Management Department/Nate Crail and Brett Clavio)

## **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)

C. Election of Board of County Commissioners Chair for 2024. (Action Item)

D. Election of Board of County Commissioners Vice-Chair for 2024. (Action Item)

E. Appointment of County Commissioners and Staff to Boards and Committees for 2024. (County Manager's Office/Sara Smith) (Action Item)

**11. Matters from the County Attorney**

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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) FMCS Case #230130-03039 Santa Fe County Deputy Sheriff's Association and Santa Fe County; (2) BCC v. Leo Trujillo, et al., First Judicial District Court, Santa Fe County, D-101-CV-2019-00697; and (3) Potential Acquisition of Property for a Transfer Station and Other Public Uses.

B. Settlement Agreement Between Santa Fe County Deputy Sheriff's Association and Santa Fe County Related to FMCS Case #230130-03039. (Action Item)

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

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A. Ordinance No 2024-\_\_\_\_, An Ordinance Amending Ordinance No. 2022-07, As Amended By Ordinance Nos. 2023-01 And 2023-08, The Short-Term Rental Ordinance, To Remove The Requirement For Enforcement Of Private Covenants; To Limit The Total Number Of Short-Term Rental (STR) Licenses A Single Licensee, Registrant, Or Owner Can Hold; To Limit The Number Of Non-Owner Occupied STRs Allowed In Certain Census Designated Places To A Percentage Of Total Housing Stock; To Limit Total Occupancy In Any STR To Ten (10) Persons; And To Require Registration Of Timeshares Rented As STRs. (Growth Management Department/Penny Ellis-Green and Erle Wright)

**13. \*\*Public Hearings on Administrative Adjudicatory Matters - To Be Heard No Earlier than 5:00 P.M.**

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A. Case # 23-5071 Carlos Gallegos Variance Appeal. Stuart Stein, Appellant, is Appealing the Santa Fe County Planning Commission's Final Order Regarding a Variance Request, to Allow a Second Dwelling on 2.69 Acres as Allowed by the SLDC, Section 10.4 (Accessory Structures). Due to the Terrain Constraints on the Property, the Applicant Requested and was Approved for a Variance of Section 10.4.2.3.3 to Allow a Separate Access and a Variance of Chapter 10.4.2.4 to Allow the Proposed Dwelling to Utilize a Separate Septic System and Utilities. The Property Lies Within the Residential Estate Zoning District Within the La Cienega and La Cieneguilla Community District Overlay (LCLCCD). The Property is Located at 53 Sunset Road Within Township 16 North, Range 8 East, Section 28, (Commission District 3), SDA-2. (Growth Management Department/Manuel R. Olivas, Case Manager) TABLED

**14. Information Items / Reports**

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A. Community Development Department November 2023 Monthly Report.

B. Community Services Department November 2023 Monthly Report.

C. Finance Division October 2023 Monthly Report.

D. Growth Management Department November 2023 Monthly Report.

E. Human Resources Division November 2023 Monthly Report.

F. Public Safety Department November 2023 Monthly Report.

G. Public Works Department November 2023 Monthly Report.

## **15. Concluding Business**

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A. Announcements.

B. Adjournment. (Action Item)

## **16. 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/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.