



Tuesday, August 29, 2023
Regular BCC Meeting (Agenda 08-22-2023 - 5:22 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/UCKGV2GEB1Qv38Pn61083xg> and <https://www.facebook.com/Santa-Fe-County-Board-of-County-Commissioners-101109334955454/>.

1. Opening Business

- 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 Owigeh Land Acknowledgement. (Chair Anna C. Hansen)
- F. Moment of Reflection. (County Clerk's Office/Samara Sanchez)
- G. Approval of Agenda. (Action Item)
- H. Years of Service, Retirements, and New Hire Recognitions. (County Manager's Office/Gregory S. Shaffer)
- I. Recognition of Employees for Awards, Accreditations, Recognitions, and Other Accomplishments. (County Manager's Office/Gregory S. Shaffer)

2. Approval of Meeting Minutes (Action Item)

- A. Request Approval of the July 25, 2023, Board of County Commissioners Meeting Minutes.

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

- A. None

4. Consent Agenda (Action Items)

- A. Request (1) Approval of Amendment No. 7 to Agreement No. 2018-0036-CSDMM Between Santa Fe County and Vista Grande Public Library, Increasing the Compensation by \$60,000.00, to Provide Library Services, for a Total Contract Sum of \$382,000.00, Inclusive of NM GRT, and Extending the Term for an Additional Year, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Purchasing Division/Bill Taylor and Community Services Department/Patricia Boies)
- B. Request (1) Approval of Amendment No. 7 to Agreement No. 2018-0036-CSDMM Between Santa Fe County and Vista Grande Public Library, Increasing the Compensation by \$60,000.00, to Provide Library Services, for a Total Contract Sum of

\$382,000.00, Inclusive of NM GRT, and Extending the Term for an Additional Year, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Purchasing Division/Bill Taylor and Community Services Department/Patricia Boies)

5. Appointments and Reappointments (Action Items)

- A. None.

6. Miscellaneous Action Items

- A. Resolution 2023-____, A Resolution Amending Resolution No. 2015-13 To Make Changes Related to Membership Criteria, Term Limits and Quorum Calculations for The Transportation Advisory Committee. (Growth Management Department/Brett Clavio)
- B. Request (1) Approval of Amendment No. 1 to Agreement No. 2023-0010-CSD/CW with La Familia Medical Center, Increasing the Compensation by \$746,050.00, to Provide Primary Care and Navigation Services to Low-Income Residents of Santa Fe County, for a Total Contract Sum of \$1,492,100.00, Inclusive of NM GRT, and Extending the Term for an Additional Year, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Purchasing Division/Bill Taylor and Community Services Department/Jennifer N. Romero)
- C. Resolution No. 2023-____, A Notice of Sale Resolution for General Obligation Improvement Bonds, Series 2023 in a Principal Amount of Up to \$25,000,000, Including Approval of Forms of a Preliminary Official Statement and Registrar/Paying Agent Agreement. (Finance Division/Yvonne S. Herrera)
- D. Resolution No. 2023-____, A Resolution Amending Resolution No. 102-164, A Resolution Adopting the 2012 Santa Fe County Human Resources Handbook to Replace the 2008 Santa Fe County Human Resources Handbook, to Modify Provisions Governing Loss or Limitation of Driving Privileges. (County Attorney's Office/Rachel Brown and Human Resources and Risk Management Division/Sonya Quintana)
- E. Resolution No. 2023-____, 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 2022-073. (Community Services Department/Mattie Byers)

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) Road Settlement Agreement with San Idelfonso Pueblo, Including the Acquisition and Disposition of Real Property for the Implementation Thereof, and (2) Ashley Schannauer's Claimed Open Meetings Act Violation.

- B. Action on Claim of Ashley Schannauer that the Board of County Commissioners and County Planning Commission Violated the Open Meetings Act When Considering Ordinance No. 2022-05, as Required by Section 10-15-3(B) NMSA 1978. (County Attorney's Office/Jeff Young)

12. Public Hearings on Proposed Ordinance Concerning the Santa Fe County Fire Code - To Be Heard No Earlier than 5:00 P.M. (Action Item)

- A. Ordinance No. 2023-____, An Ordinance Repealing and Replacing Santa Fe County Ordinance No. 2018-08 Thereby Updating the Santa Fe County Fire Code by Adopting with Modifications the 2021 Edition of the International Fire Code; Adopting with Modifications the 2021 Edition of the International Wildland-Urban Interface Code; Regulating Fireworks and Excessive Fire Alarms; Requiring Fire Inspections; Providing for Fire Protection System Plan Reviews; and Providing for the Issuance of Permits and Collection of Fees. (Public Safety Department/Jaome Blay) (Action Item)

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

- A. Case # 23-5110 Miguel Hernandez Variance Appeal. Miguel Hernandez, Appellant, is Appealing the Santa Fe County Planning Commission's Final Order Denying a Variance Request. The Appellant Requested a Variance from the Setback Requirements Illustrated in SLDC Section 9.8. The 1.25-Acre Property is Zoned as Residential Estate (RES-E) Within the La Cienega & La Cieneguilla Community District Overlay (LCLCCD). The Setback Within the LCLCCD RES-E Zoning District is 25' From the Front of the Property and 50' From the Side and Rear of the Property Line. The Site is Located at 6 South Estrellas Road, Within Township 16 North, Range 8 East, Section 27, SDA-2 (Commission District 3). (Growth Management Department/Jose E. Larranaga, Case Manager)
- B. Case # 22-5211 LRA Growers LLC, Conditional Use Permit (CUP) Appeal. The Concerned Neighbors of 62 Southfork Extension, Appellants, are Appealing the Santa Fe County Planning Commission's Final Order Regarding a CUP to Allow a Cannabis Producer Microbusiness that Will Cultivate Cannabis Plants Outdoors. Ordinance 2021-03, Section 10.22.3.4 Defines a Cannabis Producer or Cannabis Producer Microbusiness that Cultivates Cannabis Plants Outdoors Shall be a Conditional Use in All Rural Fringe, Rural Residential, Residential Fringe, and Traditional Community Zoning Districts. The 10.22-Acre Site is Within the San Marcos Community District Overlay (SMCD) and Zoned Rural Residential (RUR-R). The Site is Located at 62 Southfork Ext. SDA-2, Within Section 1, Township 14 North, Range 8 East (Commission District 5). On July 11, 2023, the Board of County Commissioners Tabled this Request so That the Applicant and the Landowners Utilizing the Road Known as Southfork Extension Would Have the Opportunity to Reach an Agreement Concerning Road Maintenance. (Jose Larranaga/Growth Management, Case Manager). (TABLED UNTIL SEPTEMBER 26, 2023)
- C. Case # 21-5070 Sierra Vista Subdivision for Preliminary and Final Plat Approval. 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)

14. Informational Items / Reports

- A. Community Development Department July 2023 Monthly Report.
- B. Community Services Department July 2023 Monthly Report.
- C. Finance Division June 2023 Monthly Report.
- D. Growth Management Department July 2023 Monthly Report.
- E. Human Resources Division July 2023 Monthly Report.
- F. Public Safety Department July 2023 Monthly Report.
- G. Public Works Department July 2023 Monthly Report.

15. Concluding Business

- A. Announcements.
- B. Adjournment. (Action Items)

16. 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. The applicant and interested persons must participate in the public hearing via WebEx, as described below. Any exhibits to be used at a public hearing must be delivered to the Land Use Administrator by noon on Friday, February 5, 2021, preferably by email at pengreen@santafecountynm.gov.