



Tuesday, January 14, 2025
Regular BCC Meeting (Amended Agenda 01-10-2025 - 2:50 PM)

Board of County Commissioners of Santa Fe County
Hybrid In-Person and Virtual Meeting
Santa Fe County John Gaw Meem Historic Building
BCC Chambers, 2nd Floor
102 Grant Avenue
Santa Fe NM 87501

The Board of County Commissioners of Santa Fe County strives to make its meetings accessible to the public through alternatives to in-person attendance, such as virtual meeting platforms and webcasting. Those alternatives, however, are not guaranteed, due to internet and other service disruptions and equipment failures, and duly noticed meetings may be held notwithstanding that those alternatives are unexpectedly unavailable. Accordingly, members of the public assume the risk that they may be unable to watch and listen and/or participate in BCC meetings through such alternatives.

Subject to the above disclaimer, the County intends to allow members of the public to listen and participate in this meeting virtually via Webex and to watch via YouTube and Facebook. For instructions on joining the meeting via Webex or watching via YouTube and Facebook, visit www.santafecountynm.gov/joinmeeting.

1. Opening Business

- A. Call to Order - 2:00 p.m.
- B. Roll Call.
- C. Pledge of Allegiance. (Chair Hank Hughes)
- D. State Pledge. (Chair Hank Hughes)
- E. O'ga P'ogeh Owingeh Land Acknowledgement. (Chair Hank Hughes)
- F. Moment of Reflection. (Growth Management Department/Herbert Foster)
- G. Approval of Agenda. (Action Item)

2. Approval of Meeting Minutes (Action Item)

- A. Request Approval of the November 26, 2024, Board of County Commissioners Meeting Minutes.
- B. Request Approval of the December 9, 2024, Board of County Commissioners Meeting Minutes.

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

- A. Request Approval of a Proclamation Proclaiming January 14th 2025, As "Office of the Santa Fe County Assessor's Day" In Celebration, Recognition and Honor of Its Receipt of the "2024 ACE Award for Excellence in Community Service." (Commissioner Camilla Bustamante)
- B. Request Approval of a Letter from Santa Fe County Board of County Commissioners to the U.S. Department of Transportation in Support of the North Central Regional Transit District's RAISE Funding Request to Implement its Rural Rapid Transit Network. (Commissioner Hank Hughes and Commissioner Camilla Bustamante) (Caption Updated)

4. Consent Agenda (Action Items)

A. Request (1) Approval of Amendment No. 2 to Agreement No. 2023-0138-PW Between Santa Fe County and OTAK Engineering, Inc., Increasing the Compensation by \$93,676 for a Total Contract Sum of \$291,958.47, Exclusive of NM GRT, and Expanding the Scope of Services for the Santa Fe Rail Trail, Segment No. 6; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s). (Public Works Department/Dan Anderson and Purchasing Division/Bill Taylor)

B. Request (1) Approval of Amendment No. 1 to Agreement No. 2024-0270-PW with Souder Miller & Associates to Provide Engineering Design and Construction Services for the Arroyo Hondo SR-14 Sewer Interceptor Project, Increasing the Compensation by \$63,947.45 for a Total Contract Amount of \$495,898.60, Exclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order. (Public Works Department/Mike Hart and Purchasing Division/ Bill Taylor)

C. Request (1) Approval of Amendment No. 2 to Agreement No. 2023-0055-AO/KE with New Mexico Local Government Law, LLC, Increasing the Compensation by \$276,750, for a Total Contract Sum of \$426,750, Exclusive of NM GRT, and Extending the Term to January 30, 2027; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s). (County Assessor's Office/Isaiah F. Romero and Purchasing Division/Bill Taylor) (Caption Updated)

D. Request Approval of Amendment No. 3 to Collective Bargaining Agreement Between Santa Fe County and the American Federation of State, County, and Municipal Employees (AFSCME), New Mexico Council 18, Local 1413. (Human Resources and Risk Management Division/Valerie Aghaei Park and County Attorney's Office/Rachel Brown)

E. Request Approval of Amendment No. 5 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). (Human Resources and Risk Management Division/Valerie Aghaei Park and County Attorney's Office/Rachel Brown)

F. Request Approval of Amendment No. 6 to Collective Bargaining Agreement Between Santa Fe County and the New Mexico Coalition of Public Safety Officers (Regional Emergency Communication Center – RECC). (Human Resources and Risk Management Division/Valerie Aghaei Park and County Attorney's Office/Rachel Brown)

G. Request Approval of Amendment No. 1 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 (Human Resources and Risk Management Division/Valerie Aghaei Park and County Attorney's Office/Rachel Brown)

H. Resolution No. 2025-____, A Resolution Requesting an Increase to the Economic Development Fund (224) in the Amount of \$500,000. (Finance Division/Yvonne S Herrera and Community Development Department/Paul Olafson)

I. Resolution No. 2025-____, A Resolution Requesting a Net Budget Increase to the Emergency Medical Services (EMS) Fund (206) in the Amount of \$75,399. (Finance Division/Yvonne S. Herrera and Fire Department/Jacob Black)

J. Resolution No. 2025-____, A Resolution Requesting a Budget Increase to the Fire Protection Fund (209) for Various Fire Districts in the Amount of \$5,342,505. (Finance Division/Yvonne S. Herrera and Fire Department/Jacob Black) (Caption Updated and Packet Material Updated)

K. Resolution No. 2025-____, A Resolution Requesting an Increase to the General Fund (101) in the Amount of \$100,000. (Finance Division/Yvonne S. Herrera and County Clerk's Office/Katharine E. Clark)

L. Request (1) Approval of Agreement No. 2025-0193-PW with Apic Solutions, Inc. for the Installation of an Updated Security System at the Judge Steven Herrera Judicial Complex in the Amount of \$1,262,815.90, Exclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s). (Public Works Department/Laura Hernandez and Purchasing Division/Bill Taylor)

5. Appointments and Reappointments (Action Items)

A. None.

6. Miscellaneous Action Items

A. Resolution No. 2025-____, A Resolution Acknowledging and Approving the FY2024 Audit. (Finance Division/Yvonne S. Herrera)

B. Request Approval of the Number of Vendors to Audit Under the Lodgers' Occupancy Tax Ordinance for Fiscal Year 2024 Reporting. (Finance Division/Yvonne S. Herrera and County Treasurer's Office/Jennifer J. Manzanares)

C. Request (1) Approval of Agreement No. 2024-0264-PW Between Santa Fe County and Horrocks, LLC. in the Amount of \$526,443.35, Exclusive of NM GRT, to Provide Engineering Services for the Road Improvements to Encantado Road in the Eldorado Community in Santa Fe County; and (2) the Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Public Works Department/Lawrence Imprescia and Purchasing Division/Bill Taylor)

D. Request (1) Approval of Agreement No. 2024-0219-PW Between Santa Fe County and Wilson & Company, Inc. to Provide Engineering Services for the Avenida Azul Multi-Use Trail Project in the Amount of \$260,221.42, Exclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s). (Public Works Department/Mike Hart and Purchasing Division/Bill Taylor)

E. Request (1) Approval of Agreement No. 2025-0087-PW with JDR & Associates. LLC. for Construction Services for the Chimayo Fire Station-Apparatus Bay Expansion Project in the Amount of \$1,109,868, Exclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s). (Public Works Department/Ira Roybal and Purchasing Division/Bill Taylor)

F. Request (1) Approval of Five (5) Multiple Source, Multiple Term Agreements for the Provision of Office Supplies for Santa Fe County Departments and Divisions (Nos. 2025-0122-A-E-CMO-TJ); and (2) Delegation of Authority to the County Manager to Sign Purchase Orders. (Purchasing Division/Bill Taylor)

G. Request Approval of a Permanent Easement Agreement No. 2024-0108-PW Between Santa Fe County and The United States of America, Acting by and Through The Department of Energy National Nuclear Security Administration for The Los Alamos County NM-4 East Jemez Road Traffic Signal and Electric Line. (Public Works Department/Michele Caskey)

H. Resolution No. 2025-____, A Resolution to Declare the Eligibility and Intent of Santa Fe County to Submit an Application to the New Mexico Department of Transportation for Federal Fiscal Years 2026+ Recreational Trails Program (RTP) Grant and to Delegate to the County Manager Authority to Execute all Related Documents and Agreements. (Growth Management Department/Adeline Murthy)

I. Resolution No. 2024-____, A Resolution Approving the Commitment and Provision of Awarded Federal Home Loan Bank (FHLB) of Dallas Funds and Santa Fe County Developer Assistance Program (DAP) Funds from Santa Fe County to Nueva Acequia 9, LLLP and the Nueva Acequia- 9% Project in a Manner that Meets the Requirements of Housing New Mexico's Qualified Allocation Plan (QAP) Requirements for Tax Credit Applications, the Development Partners and Eventual Low-Income Affordable Housing Tax Credit Investors for the Project. (Community Development Department/Paul Olafson)

J. Resolution No. 2025-____, A Resolution Accepting Offer of Dedication of Utilities System and Utility Easements for the Tierra Antigua Subdivision. (Public Works Department/Travis Soderquist and Growth Management Department/Jordan Yutzy) (Caption Updated and Packet Material Added)

7. Presentations

A. Presentation on the Guaranteed Utilities Savings Facility Upgrade Project. (Community Development Department/Jacqueline Beam and Yearout Energy LLC, Energy Systems Group/Tara Trafton)

B. Presentation and Update from the Santa Fe County Ethics Board. (Jonelle Maison, Ethics Board Chair, and Clifford Rees, Ethics Board Vice Chair) (Packet Material Added)

C. Presentation on Potential Proposed Ordinance Providing Procedures and Fees for Use of County Right-Of-Way and County Property for Telecommunication Services, and Amending Ordinance No. 2003-01. (Community Development Department/Paul Olafson)

8. Matters of Public Concern To Be Heard at 3:45 p.m. (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)

C. Election of Board of County Commissioners Chair for 2025. (Action Item)

D. Election of Board of County Commissioners Vice Chair for 2025. (Action Item)

E. Appointment of County Commissioners and Staff to Boards and Committees for 2025. (County Manager's Office/Sara Smith) (Action Item)

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) Acquisition of Real Property Interests for the Pojoaque Basin Regional Water System.

B. Resolution No. 2025-____, A Resolution Authorizing the County Attorney to Initiate and Prosecute Condemnation Proceedings to Acquire Specified Real Property Interests for the Pojoaque Basin Regional Water System. (Public Works Department/Scott Kaseman) (Action Item)

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

A. Case No. 23-5151. D.R. Horton, Applicant, through NM Land Solutions LLC, Agent, Requests Preliminary Plat Phases 1 & 2 Approval and Final Plat Phase 1 Approval for a 138-Lot Mixed-Use Major Subdivision Known as Tierra Pintada, With a Total of 32.143+ Acres. The Applicant also Requests Approval of the Affordable Housing Agreement with 11 Affordable Lots in Phase 1 and 21 Affordable Lots in Phase 2. 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) TABLED

13. Informational Items/Reports

A. Community Development Department November 2024 Monthly Report.

B. Community Services Department November 2024 Monthly Report.

C. Finance Division October 2024 Monthly Report.

D. Growth Management Department November 2024 Monthly Report.

E. Human Resources and Risk Management Division November 2024 Monthly Report.

F. Public Safety Department November 2024 Monthly Report.

G. Public Works Department November 2024 Monthly Report.

14. Concluding Business

A. Announcements.

B. Adjournment. (Action Item)

15. Public Meeting Disclosures

A. Santa Fe County makes every practical effort to ensure 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. * 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.

C. **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.