



SANTA FE COUNTY

Tuesday, June 13, 2023

Regular BCC Meeting (Amended Agenda 06-09-2023 - 6:27 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. Members of the public can listen and participate in the meeting via Webex, using meeting number (access code) 2486 022 3586 and password P5JcEVTq9U9. To participate by phone, call 1-408-418-9388. To participate via the internet, go to <https://sfco.webex.com/sfco/>.

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 Owingeh Land Acknowledgement. (Chair Anna C. Hansen)
- F. Moment of Reflection. (Public Safety Department/Jennifer Horta)
- G. Approval of Agenda. (Action Item)

2. Approval of Meeting Minutes (Action Items)

- A. Request Approval of the May 3, 2023, Board of County Commissioners Special Meeting Minutes.
- B. Request Approval of the May 5, 2023, Board of County Commissioners Special Meeting Minutes.
- C. Request Approval of the May 8, 2023, Board of County Commissioners Special Meeting Minutes.
- D. Request Approval of the May 9, 2023, Board of County Commissioners Regular Meeting Minutes.
- E. Request Approval of the May 15, 2023, Board of County Commissioners Special Meeting Minutes.

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

- A. Request Approval of a Proclamation Proclaiming the Month of June 2023 as "LGBTQ+ Pride Month." (Commissioner Anna T. Hamilton and Commissioner Camilla Bustamante)
- B. Resolution No. 2023-____, A Resolution Supporting the Administrative and Legislative Protections of the Upper Pecos River Watershed Through the Withdrawal of Mineral Rights. (Commissioner Hank Hughes and Commissioner Anna Hansen)

4. Consent Agenda (Action Items)

- A. Resolution No. 2023-____, A Resolution Authorizing the Disposition of Fixed Assets Worth Less Than \$5,000 in Accordance with State Statute. (Finance Division/Yvonne S. Herrera)
- B. Resolution No. 2023-____, A Resolution Authorizing the Disposition of Fixed Assets Worth More Than \$5,000 in Accordance with State Statute. (Finance Division/Yvonne S. Herrera)
- C. Resolution No. 2023-____, A Resolution Authorizing the Disposition of Fixed Assets Worth More Than \$5,000 in Accordance with State Statute. (Finance Division/Yvonne S. Herrera)
- D. Request (1) Approval of the 8th Supplement to Addendum to Master Agreement No. 2016-0377-AO/BT for Licensed Software, Hardware and Services Between Santa Fe County and TRTA Gov, Inc., Increasing the Compensation to the Agreement by an Amount of \$119,077 for a Total Contract Sum of \$926,355.81, Inclusive of NMGRT, and Extending the Term of the Agreement to July 1, 2024, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order. (Finance Division/Bill Taylor and Assessor's Office/Jennifer C. Romero)
- E. Request (1) Approval of Amendment No. 4 to Agreement 2021-0113-FIN/CW Between Santa Fe County and CliftonLarsonAllen, LLP, Increasing the Compensation an Additional \$338,981.25, for a Total Contract Sum of \$706,956.60, Inclusive of NMGRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Orders. (Purchasing Division/Bill Taylor and Finance Division/Yvonne S. Herrera and County Manager's Office/Cindy McKee)
- F. Resolution No. 2023-____, A Resolution Delegating to the County Manager the Authority to Negotiate for Workers' Compensation Coverage for Fiscal Year 2024 and Execute Purchase Orders, Agreements, and Other Documents Necessary or Advisable to Effectuate Such Coverage. (Human Resources and Risk Management Division/Melinda Jagles-Moquino) (Item Added)

5. Appointments and Reappointments (Action Items)

- A. None.

6. Miscellaneous Action Items

- A. Resolution No. 2023-____, A Resolution Requesting an Increase to the Utilities Enterprise Fund (505) in the Amount of \$750,000. (Finance Division/Yvonne S. Herrera and Public Works Department/Brian Snyder)
- B. Request Approval of Amendment No. 5 to Collective Bargaining Agreement Between Santa Fe County and New Mexico Coalition of Public Safety Officers Representing the Santa Fe County Deputy Sheriff's. (County Attorney's Office/Rachel Brown and Human Resources and Risk Management Division/Sonya M. Quintana)
- C. Request Approval of Amendment No. 3 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 M. Quintana)
- D. Request (1) Approval of a Memorandum of Understanding Between Santa Fe County and the American Federal of State, County and Municipal Employees/Local 1782; and (2) Approval of Resolution No. 2023-____, A Resolution Governing Incentive Pay for Certain Employees in the County Assessor's Office Who Obtain Appraiser Certificates and Comply With Continuing Education Requirements and Repealing Resolution 2015-153, A Resolution Governing Incentive Pay for Appraisers Employed in the County Assessor's Office Who Obtain Appraiser Certificates and Comply with Continuing Education Requirements. (County Assessor's Office/Isaiah F. Romero) (Item Added)
- E. Request Approval of Amendment No. 2 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 (County Attorney's Office/Rachel Brown and Human Resources and Risk Management Division/Sonya M. Quintana) (Item Added)

7. Presentations

- A. Presentation on Accessory Dwelling Units. (Growth Management Department/Penny Ellis-Green)
- B. Presentation of Countywide Climate Action Plan Phase I. (Community Development Department/Jacqueline Beam and ICLEI/Jake Leech, PhD, and Angelica Greco)

8. Matters from the County Manager

- A. Miscellaneous Updates.

9. Matters of Public Concern (Subject to Three (3) Minutes or Other Time Limit Imposed by the Chair; Pre-Register at www.santafecountynm.gov/comment)

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) Pending and Threatened Litigation Concerning the Petition Requesting the Board of County Commissioners of Santa Fe County, New Mexico to Adopt an Ordinance Declaring "Area 1B" To Be Part of the Traditional Historic Community of Agua Fria; (2) The City of Santa Fe v. The County of Santa Fe, First Judicial District Court (No. D-101-CV-2023-00921); (3) Performance Evaluation of the County Manager; and (4) Breach of Settlement Agreement and Related Agreements Related to Annexation. (Item Nos. 3 and 4 Added)

B. Potential Consideration and Action on Settlement Agreement Between the City of Santa Fe and Santa Fe County. (Action Item) (Item Added)

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

A. CASE # 23-5100 H.S.S. Inc., Transfer of Ownership of Inter-Local Dispenser Liquor License. Kathleen O'Brien, the Successor/Sole Share Owner of H.S.S. Inc., Applicant, Adela Duran, Agent, Request Approval of a Transfer of Ownership of an Inter-Local Dispenser Liquor License (License No. 2570) With On Premises Consumption Only with Patio Service. The Site is Located at 96 B Old Las Vegas Hwy. (Harry's Roadhouse). The Property is Zoned Commercial General within Section 7, Township 16 North, Range 10 East (Commission District 4). (Growth Management Department/Jose E. Larrañaga, Case Manager)

13. Consideration and Potential Action on Ordinance

A. Ordinance No. 2023-____, An Ordinance Amending Ordinance Nos. 1996-16,2004-1, 2006-12, and 2008-18 by Revising the Boundary of the Village of Agua Fria Traditional Historic Community and Declaring A Portion of "Area 1B" to be Included Within the Village of Agua Fria Traditional Historic Community. (Action Item) (Final Action Postponed After Conclusion of Public Hearing on May 30, 2023) (Packet Material Added) (Caption Updated)

14. Concluding Business

A. Announcements.

B. Adjournment. (Action Item)

15. 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. Members of the public may participate in the meeting via Webex, using meeting number (access code) 2486 022 3586 and password P5JcEVTq9u9. To participate via the internet, go to <https://sfco.webex.com/sfco/>. For additional ways to join the Webex meeting, see the County's website. 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 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.