



Tuesday, July 25, 2023
Regular BCC Meeting (Amended Agenda 07-21-2023 - 4:46 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/UCKGV2GEBc1Qv38Pn61083xg> 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. (Public Works Department/Andres Lujan)
- G. Approval of Agenda. (Action Item)
- H. Years of Service, Retirements, and New Hire Recognitions. (County Manager's Office/Gregory S. Shaffer)
- I. Employee of the Quarter, 2nd Quarter 2023. (County Manager's Office/Gregory S. Shaffer)

2. Approval of Meeting Minutes (Action Item)

- A. Request Approval of the June 20, 2023, Board of County Commissioner Special Meeting Minutes.
- B. Request Approval of the June 26, 2023, Board of County Commissioners Special Meeting Minutes.
- C. Request Approval of the June 27, 2023, Board of County Commissioner Regular Meeting Minutes.

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

- A. Request Approval of Letter from the Board of County Commissioners to the Federal Housing Finance Agency Re: Support for the Implementation of Federal Tenant Protections. (Commissioner Hank Hughes)
- B. Request Approval of Letter from the Board of County Commissioners in Support of the Espanola Pathways Shelter's Pathways Village Traditional Housing Project. (Commissioner Justin S. Greene) (Item Added)

4. Consent Agenda (Action Items)

A. Resolution No. 2023-____, A Resolution Authorizing the Disposition of Fixed Assets Worth \$5,000 or Less in Accordance with State Statute. (Finance Division/Yvonne S. Herrera)

B. Resolution No. 2023-____, A Resolution Authorizing the Disposition of Fixed Assets Worth \$5,000 or Less in Accordance with State Statute. (Finance Division/Yvonne S. Herrera)

C. Request (1) Approval of Amendment No. 2 to Agreement No. 2022-0266-A-CSD-MR with The Life Link, Increasing the Compensation by \$372,000.00 to Provide Navigation Services to Low-Income Residents of Santa Fe County for a Total Contract Sum of \$744,000.00, Inclusive of NM GRT, 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)

D. Request (1) Approval and Acceptance of the 2024 Enhanced 911 Act Grant Program Award No. 24-E-11 in the Amount of \$831,472.00 for Improvement and Updates for the Regional Emergency Communication Center Operations and (2) Delegation of Signature Authority to the County Manager to Sign the Grant Agreement. (Public Safety Department/Roberto Lujan and Purchasing Division/Bill Taylor)

E. Request (1) Approval of Amendment No. 13 to Agreement No. 2019-0053-CSD/CW Between Santa Fe County and FireStik Studio To Continue Services for the County Public Awareness Campaign, Increasing the Compensation by \$123,530.00, for a Total Contract Sum of \$1,103,120.00, Inclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Purchasing Division/Bill Taylor and Community Services Department/Chanelle Delgado)

F. Resolution No. 2023-____, Resolution Adopting the Local Governments Road Improvement Fund Project No. CAP-L500546 for Pavement Rehabilitation/Improvements of La Joya Road (CR 63). (Public Works Department/Brian Snyder)

G. Resolution No. 2023-____, Resolution Adopting the Local Governments Road Improvement Fund Project No. SB-L500551 for Pavement Rehabilitation/Improvements of Valle Vista Boulevard, Las Lomas Drive, San Mateo Way, Sierra Place, Tusa Drive, & Val Verde Drive. (Public Works Department/Brian Snyder)

H. Resolution No. 2023-____, Resolution Adopting the Local Governments Road Improvement Fund Project No. SP-L500526 for Pavement Rehabilitation/Improvements of CR 74, Frasco Road, Frasco Way, Frasco Terrace, Avenida Buena Ventura, & Dinkle Road (CR 8). (Public Works Department/Brian Snyder)

I. Resolution No. 2023-____, A Resolution Approving the County's Fiscal Year 2023 Fourth Quarter Financial Report for Submittal to the New Mexico Department of Finance and Administration, Local Government Division, as a Component of the Fiscal Year 2024 Final Budget Submission. (Finance Division/Yvonne S. Herrera) (Packet Material Added)

5. Appointments and Reappointments (Action Items)

A. None.

6. Miscellaneous Action Items

A. Request Authorization to Publish Title and General Summary of 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)

B. Ordinance No. 2023-____, An Ordinance Repealing and Replacing Ordinance No. 1989-2, and Amending Ordinance No. 2009-011 to Update and Define Property Nuisance Abatement and Provide for a Clean and Lien Enforcement Process. (County Attorney's Office/Estevan Sanchez)

7. Presentations

A. Presentation on the Current Activities and Initiatives of the Joint City of Santa Fe/Santa Fe County Food Policy Council. (Growth Management Department/Nate Crail and Santa Fe County Food Policy Council Member)

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) National Prescription Opiate Litigation, MDL-2804, U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-md-2804; (2) Solid Waste in Valle Vista Subdivision; (3) Potential Acquisition of Low-Income Apartment Complex; (4) The City of Santa Fe vs. The Board of County Commissioners, Santa Fe County, New Mexico, First Judicial District Court, Case No. D-101-CV-2023-01555; and (5) Concentrations of E. Coli in Discharge from City of Santa Fe's Paseo Real Wastewater Treatment Plant; NPDES Permit No. NM0022292; (6) Road Settlement Agreement with San Ildefonso Pueblo; and (7) Acquisition of Real Property Interests for the Santa Fe River Greenway Project. (Item Nos. 5-7 Added)

B. Resolution No. 2023-____, A Resolution Authorizing Santa Fe County to Enter Into Settlement Agreements with Walgreens, Hikma Pharmaceuticals, Amneal Pharmaceuticals, and KVK-Tech, Inc. to Resolve the County's Pending Litigation Consolidated and Currently Pending in the Northern District of Ohio, In re: Opioid Litigation, MDL 2804, and Authorizing the County Manager to Execute on Behalf of the County All Documents Necessary or Proper to Effectuate the County's Participation in the Settlement Agreements. (County Attorney's Office/Jeff Young)

12. Public Hearings on Proposed Resolution and Ordinance Concerning the Affordable Housing Plan and Santa Fe County Infrastructure and Capital Improvement Plan - To Be Heard No Earlier than 5:00 P.M.

A. Presentation and Public Hearing on the Santa Fe County Fiscal Years 2025-2029 Infrastructure Capital Improvement Plan (ICIP). (First of Two Public Hearings) (Growth Management Department/Maxx PL Hendren) (Packet Material Added)

B. Resolution No. 2023-____, A Resolution Adopting the Santa Fe County Affordable Housing Plan as Approved by the New Mexico Mortgage Finance Authority Thus Enabling Santa Fe County to Establish an Affordable Housing Ordinance to Promote Affordable Housing in Santa Fe County. (Community Development Department/Denise Benavidez) (Item Added)

C. Ordinance No. 2023-____, An Ordinance Adopting the 2023 Santa Fe County Affordable Housing Plan and Establishing the Santa Fe County Affordable Housing Assistance Grant and Loan Ordinance Pursuant to the New Mexico Affordable Housing Act and the New Mexico Mortgage Finance Authority Rules; Repealing and Replacing Ordinance Nos. 2009-14, as Amended, and 2011-3, as Amended. (Community Development Department/Denise Benavidez) (Action Item) (Packet Material Added)

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

A. CASE # 23-5120 Jambo Bobcat LLC, Restaurant A Liquor License. Ahmed Obo, Owner, Requests Approval of a Restaurant A Liquor License to Serve Beer and Wine With On Premises Consumption Only, with Patio Service. The Site is Located at 418 Old Las Vegas Highway. The Property is Zoned Commercial Neighborhood within Section 29, Township 16 North, Range 10 East, (Commission District 4). (Growth Management Department/Jose E. Larrañaga, Case Manager) (Action Item)

14. Informational Items / Reports

A. Community Development Department June 2023 Monthly Report.

B. Community Services Department June 2023 Monthly Report.

C. Finance Division May 2023 Monthly Report.

D. Growth Management Department June 2023 Monthly Report.

E. Human Resources Division June 2023 Monthly Report.

F. Public Safety Department June 2023 Monthly Report.

G. Public Works Department June 2023 Monthly Report.

H. HB 364 Restrictive Housing Second Quarter Report for 2023.

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. 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://sfc.webex.com/sfc/>. 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 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, July 21, 2023, preferably by email at lmarchuleta@santafecountynm.gov.