



Tuesday, August 8, 2023
Regular BCC Meeting (Amended Agenda 08-04-2023 - 5:00 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. (County Clerk's Office/Nathalia Lozoya-Sosa & Carissa Sanchez)
- G. Approval of Agenda. (Action Item)

2. Approval of Meeting Minutes (Action Item)

- A. Request Approval of the July 11, 2023, Board of County Commissioners Meeting Minutes.

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

- A. Resolution No. 2023-____, A Resolution Supporting the Twelfth Annual Neighbor to Neighbor Fund Drive in Coordination with The Food Depot. (Commissioner Anna T. Hamilton and Commissioner Hank Hughes)

4. Consent Agenda (Action Items)

- A. Request Approval of Cooperative Project Agreements Between Santa Fe County and New Mexico Department of Transportation for the Arroyo Hondo Trail Segments #2 and #3. (Public Works Department/Dan Anderson)
- B. Request (1) Approval to Continue to Utilize the New Mexico Statewide Price Agreement No. 00-00000-19-00077 to Amend Professional Services Agreement 2022-0217-CDD/APS with Bohannon Huston, Inc. for the Preparation and Anticipated Updates to the County's MS4 Permit, Increasing the Amount of Compensation by \$102,190.00 for a Total Contract Sum of \$376,160.00, Exclusive of NM GRT, and Extending the Term an Additional Two Years, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order. (Community Development Department/Jacqueline Y. Beam and Purchasing Division/Bill Taylor)

C. Request (1) Approval of Amendment No. 6 to Agreement No. 2017-0244-TRS/IC Between Santa Fe County and Automated Election Services, Increasing the Compensation by \$150,000.00 for a Total Contract Sum of \$600,000.00, Exclusive of NM GRT, and Extending the Term for an Additional Two-Years, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order. (Purchasing Division/Bill Taylor)

D. Resolution No. 2023-____, A Resolution Granting the County Manager Authority to Execute the Donation Agreement and Closing Documents for the Acquisition of a 2.16-acre Parcel of Real Property Known as 10 Little Hills Near Cerrillos Hills State Park in Santa Fe County as an Addition to the County Open Space & Trails Program. (Public Works Department/Scott Kaseman)

E. Resolution No. 2023-____, A Resolution Granting the County Manager Authority to Sign all Documents Necessary for the Acquisition of Two Parcels of Real Property Near Golden, NM as an Addition to the County's San Pedro Open Space Property. (Public Works Department/Scott Kaseman) (Packet Material Updated)

F. Request Approval of County Utility Line Extension and Delivery Agreement Between Santa Fe County and Sierra Vista/Love Ranch Partners, LLC. (Public Works Department/Michelle Hunter)

5. Appointments and Reappointments (Action Items)

A. None.

6. Miscellaneous Action Items

A. None.

7. Presentations

A. Presentation on the USDA Natural Resources Conservation Service's Emergency Watershed Protection Program. (USDA NRCS/Aaron Reynolds) (Packet Material Added)

B. Presentation and Update on the Northern Rio Grande National Heritage Area. (NRGNHA Executive Director/Eric Vasquez) (Item Added)

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. Appointment of Commissioner Hansen to National Association of Counties Committees. (Commissioner Anna Hansen) (Item Added)

C. 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. Public Hearing on Santa Fe County Infrastructure and Capital Improvement Plan

A. Resolution No. 2023-____, A Resolution Adopting Projects for Inclusion in Santa Fe County's Infrastructure Capital Improvement Plan (ICIP) for Fiscal Years 2025-2029; Authorizing Submittal of Plan to the New Mexico Department of Finance and Administration; and Replacing Resolution 2023-009. (Growth Management Department/Maxx PL Hendren) (Packet Material Added)

12. 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) Breach of Settlement Agreement and Related Agreements Related to Annexation; (2) Emmens v. Santa Fe County, U.S. District Court, District of New Mexico, Case No. 1:23-CV-00588 KK/JFR; and (3) Albillar v. Board of County Commissioners of the County of Santa Fe, First Judicial Court, Santa Fe County, Case No. D-101-CV-2023-01349. (Item Nos. 2 and 3 Added)

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

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 # 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. 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://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.