SANTA FE COUNTY

# Tuesday, May 11, 2021
# Regular BCC Meeting (Amended Agenda 5-7-2021 4:28 p.m.)

**Board of County Commissioners of Santa Fe County**
**Virtual Meeting**
**This meeting will be conducted virtually, though some staff and commissioners may be physically present in one or more rooms at 100 Catron Street or 102 Grant Avenue Santa Fe NM.**
**Members of the public can listen and participate in the meeting via Webex. To participate by phone, call 1-408-418-9388, using meeting number (access code) 961 151 996 and password 7PDm4yvJuH3. To participate via the internet, go to https://sfco.webex.com/sfco/j.php?MTID=m2c6c019cce7b77d01e9ac56eeb5b131f.**
**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/.**
**Board of County Commissioners**

## 1. Opening Business

A. Call to Order - 2 p.m.

B. Roll Call.

C. Pledge of Allegiance. (Chair Roybal)

D. State Pledge. (Chair Roybal)

E. Moment of Reflection. (Growth Management/Margaret (Maggie) Moore)

F. Approval of Agenda. (Action Item)

## 2. Approval of Meeting Minutes (Action Items)

A. Request Approval of the April 8, 2021, Board of County Commission Special Meeting Minutes.

B. Request Approval of the April 9, 2021, Board of County Commission Special Meeting Minutes.

C. Request Approval of the April 13, 2021, Board of County Commission Regular Meeting Minutes.

D. Request Approval of April 16, 2021, Board of County Commissioners Special Meeting Minutes.

## 3. Proclamation

A. Proclamation Declaring May 11, 2021 "Santa Fe High School Senior Mentor & Leadership Program Day". (Commissioner Roybal)

## 4. Consent Agenda (Action Items)

A. Final Order In The Matter of Case # 20-5070 Las Campanas Master Association Conceptual Plan Amendment. Las Campanas Master Association and Verizon Wireless, Applicants, Requested an Amendment of the Las Campanas Conceptual Plan to Allow a Stealth Wireless Communication Facility on Lot 5 Within the Existing Planned Development District (PD-16) as a Permitted Use. The Applicants Proposed a 70’ Stealth Communications Facility (and Its Associated Switching Infrastructure) as an Allowed Use on a Proposed Bell Tower Within the Las Campanas Planned Development District (PD-16). The Proposed Stealth Cell Tower Will Be on Parcel 5, Which Comprises 7.62-acres. The Site is Located at 366 Las Campanas Drive Within T17N, R8E, Section 15, SDA-2 (Commission District 2). (Gabriel Bustos, Case Manager) (Approved 4-0)

B. Final Order In The Matter of Randy Lowrance, Applicant, Requested Approval to Vacate a Platted 10-Foot Wide Private Drainage Easement and Create a New 10-Foot Wide Private Drainage Easement On One Lot Totaling 2.197-Acres. The Property is Zoned Planned Development District (PDD) Within the Las Campanas De Santa Fe Estates III, Unit 2 Subdivision. The Property is Located at 6 Windridge Circle, Within Section 12, Township 17 North, Range 8 East, (Commission District 2). (Miguel "Mike" Romero, Case Manager) (Approved 5-0)

C. Pursuant to NMSA 1978, Section 47-6-7, Request for Approval of Landowner Statement Declaring Partial Vacation and Relocation of a Final Plat, prepared for Susan J. Stokes, Filed on August 12, 2011, in the Records of the County Clerk as Instrument No. 1642471.

D. Resolution No. 2021-___, A Resolution Requesting a Budget Increase to the Section 8 Voucher Fund (227) in the Amount of $50,149.00 to Budget the 2021 Family Self-Sufficiency Program Grant. (Finance Division/Yvonne S. Herrera; Housing Division/Joseph Montoya)

E. Resolution No. 2021-___, A Resolution Requesting an Increase to the Law Enforcement Operations Fund (246) to Budget a FY2018 Edward Byrne Justice Assistance Grant (JAG) in the Amount of $52,670.00 (Finance Division/Yvonne S. Herrera & Sheriff's Office/Ken Johnson)

F. Request (1) Approval of Amendment No. 6 to Agreement No. 2017-0271-CSD/BT Between Santa Fe County and Growing Up New Mexico, Increasing the Compensation an Additional $50,000.00, for a Total Contract Sum of $400,000.00, Exclusive of NM GRT and Extending the term of the Agreement for an Additional Year, and (2) Delegate Signature Authorization to the County Manager to Sign the Purchase Order. (Purchasing Division/Bill Taylor & Community Services Department/Anna L. War)

G. Resolution No. 2021-___, A Resolution Requesting an Increase to the Road Projects Fund (311) to Budget Grant Number S100640 in the Amount of $38,448.00. (Finance Division/Yvonne S. Herrera, Public Works/Gary Giron)

H. Request Ratification of the County Manager's Signature of Right-Of-Way Easement Granting Easement to Jemez Electric Cooperative for the Installation of the Utility Line at the La Puebla Fire Station. (Purchasing Division/Bill Taylor & Public Works Department/Barbara Herrera)

I. Requests Approval of Amendment No. 1 to the Water Use Agreement ("Agreement") No. 2017-0192-UT/BT between Santa Fe County ("County") and Grand Prix de Santa Fe, LLC. (Public Works Department/John Dupuis)

**5. Appointments and Reappointments (Action Items)**

A. Appointment and Reappointment of Members to the Capital Improvements Advisory Committee (CIAC). (Growth Management / Maggie Moore)

**6. Miscellaneous Action Items**

A. Request Approval of Nine (9) Right-of-Way Donation Agreements for the Northeast/Southeast Connector Road Project. (Public Works/Scott Kaseman)

B. Acceptance and Approval of the Greenhouse Gas Emissions Inventory. (Adeline Murthy, Sustainability Specialist)

**7. Matters of Public Concern**

**8. Matters from the County Manager**

A. COVID-19 Updates.

B. Miscellaneous Updates.

**9. 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. Request Approval of (1) Restated and Amended Joint Powers Agreement Establishing the Regional Coalition of LANL Communities By and Among the Incorporated County of Los Alamos, the City of Santa Fe, Santa Fe County, City of Espanola, Rio Arriba County, the Town of Taos, Taos County and the Sovereign Governments of The Pueblo of Ohkay

Owingeh and The Pueblo of Jemez or (2) Withdrawal from the Regional Coalition of LANL Communities Joint Powers Agreement. (Action Item) (Packet Material Added)

**10. Matters from the County Attorney**

A. Statement for Inclusion in Meeting Minutes Concerning April 27, 2021, Executive Session. (Action Item)

B. 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) Disputes Arising Under Santa Fe County Agreement No. 2020-0189-PW/KE; (2) Performance Evaluation of the County Manager; (3) City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al., Cause No. D-202-CV-2018-08036; and (4) In Re: National Prescription Opiate Litigation, U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-md-2804.

C. Request (1) Approval of Settlement Agreement Between Santa Fe County and A.A.C. Construction, LLC; (2) Approval of Change Order No. 5 to Agreement No. 2020-0189-PW/KE Between Santa Fe County and A.A.C. Construction, LLC, Increasing the Amount by $25,652.11, Exclusive of NM GRT, for a Total Contract Sum of $382,175.38, Exclusive of NMGRT; and (3) Delegating Signature Authority to the County Manager to Sign the Purchase Order. (Gregory S. Shaffer, County Attorney's Office; Bill Taylor Purchasing Division; and John Dupuis, Utilities Division Director) (Action Item)

**11. *Public Hearings - To Be Heard No Earlier than 5:00 P.M. (Action Items)**

A. CASE # 11-5371 Copacabana Development Co. LLC, Removal of a Condition of Approval Previously Imposed by the Extraterritorial Zoning Authority. Copacabana Development Co. LLC, Applicant, Molly Matthews Multedo, Agent, Are Requesting Removal of a Condition of Approval Imposed by the Extraterritorial Zoning Authority (EZA) on the Master Plan/Preliminary Development Plan for the New Mexico Academy for Sciences and Math. The Condition States, "Overnight occupancy is prohibited". The Site Was Also Formerly Known as Desert Academy. The Property is Located at 7300 Old Santa Fe Trail, Within Section 7, Township 16 North, Range 10 East (Commission District 4). (Jose E. Larrañaga, Case Manager) (TABLED)

B. CASE #21-5040 Mesa De Oro Subdivision. Las Campanas Land Holdings, LLC, Applicant, Design Enginuity (Oralynn Guerrerortiz), Agent, Request Preliminary Plat Approval per Chapter 5, Section 5.7 (Preliminary Plats – Major Subdivisions) and Final Plat Approval per Chapter 5, Section 5.8 (Final Plats – Major Subdivisions) of the SLDC for a Twenty (20) Lot Residential Subdivision on a Parcel of Land Consisting of 41.22 Acres, Which Was Formerly Known as Las Estancias, Unit 2. All Lots within Mesa De Oro Propose to Have a Primary Residence and an Accessory Dwelling Unit per Lot. The Property is Located Within the Las Campanas Planned Development District (PD-16) at the Southeast Corner of Camino La Tierra and Trail Head Drive, Within Section 2, Township 17 North, Range 8 East. (Commission District 2). (Nathan C. Manzanares, Case Manager)

C. CASE #21- 5080 Coyote Mountain Community Appeal. Coyote Mountain Community, Appellants, Jim Terhune, Representative, are Appealing the Santa Fe County Planning Commission's decision to approve a variance of Chapter 7, Section 7.17.10.4.1, (25% Slope Disturbance for Roads and Driveways), a variance of Chapter 7, Section 7.17.9.2.7, (Significant Tree Removal), a variance of Chapter 7, Section 7.17.9.2.3 (30% Slope Disturbance for Residence), and a variance of Chapter 7, Section 7.17.10.1.1 (Building Area Analysis). The property is within the Residential Fringe Zoning District and located at 66 Coyote Mountain Road, within, Section 17, Township 16 North, Range 10 East, (Commission District 4). John Lovato, Case Manager

D. (1) CASE # 20-5110 Vista De Sangre Subdivision Conceptual Plan, Preliminary and Final Plat, Plat Extension and Variance. El Llano Company Inc., Applicant, is Requesting Conceptual Plan Approval for a 23-Lot Residential Subdivision (Which Includes 1 Open Space/Remainder Tract) to be Developed in 2 Phases and Preliminary and Final Plat Approval for Phase 1 (9 lots) and Phase 2 (13 lots) on 12.62 Acres and a 36-Month Time Extension of Phase 2. The Request Also Includes a Variance of Chapter 7.13.7.1.5 and Table 7-19 of the SLDC to Allow Phase 1 to Utilize the Existing Wells Until Such Time That a Community Water System is Established with a Valid Water Permit. The Site is Located North of the NM 599 Frontage Road at the Intersection of Caja del Oro Grant Road Within Township 17 N, Range 9 E, Section 31(Commission District 2); and (2) Consideration and Potential Action on Affordable Housing Agreement if Preliminary and Final Plat Approval is Granted After Public Hearing. (Vicki Lucero, Case Manager)

**12. Concluding Business**

A. Announcements.

B. Adjournment. (Action Items)

**13. 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. *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, May 7, 2021, preferably by email at pengreen@santafecountynm.gov.

C. No Public, In-Person Attendance. In accordance with the public health emergency declared by the Governor and the Secretary of Health's Public Health Emergency Orders, in-person attendance at the meeting will be limited to an appropriate number of County Commissioners, critical staff, and credentialed members of the press.

D. Alternates to In-Person Attendance. Members of the public can listen and participate in the meeting via Webex. To participate by phone, call 1-408-418-9388, using meeting number (access code) 961 151 996 and password 7PDm4yvJuH3. To participate via the internet, go to https://sfco.webex.com/sfco/j.php?MTID=m2c6c019cce7b77d01e9ac56eeb5b131f.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/.