

Santa Fe County
Transportation Advisory Committee (TAC)
Public Works Facility Conference Room
424 New Mexico 599 Frontage, Santa Fe, NM 87507

Wednesday, May 9, 2018 at 5:30 P.M.

Please turn off Cellular Phones during the meeting.

Agenda

- I. Call to Order**
- II. Roll Call**
- III. Approve the Minutes of the 2/21/18 TAC Meeting (Attachment A)**
- IV. Introductions:**
 - A. SF County Transportation Advisory Committee (TAC)
 - B. SF County staff
- V. Discussion Items:**
 - A. TAC member list (Attachment B)
 - B. SF County Commission Districts (Attachment C)
 - C. SF County Maintenance Districts (Attachment D)
 - D. BCC Resolution 2018-33 – TAC 2018 Work Plan (Attachment E)
 - E. Review Road Acceptance Policy per BCC Resolution 2012-151 (Attachment F)
- VI. Action Items**
 - A. Appoint three (3) road review members and one (1) alternate for County road acceptance evaluation and reporting
- VII. Matters from Staff:**
 - A. County Transportation Planning
 - 1. County Public Works
 - 2. County Planning
- VIII. Matters of Public Concern**
- IX. Matters from the Committee**
- X. Schedule Next Meetings:**
 - August 15, 2018, 5:30 pm
 - November 14, 2016, 5:30 pm
 - Additional meetings may be scheduled as needed

XI. Adjournment

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 at (505) 986-6200 in advance to discuss specific needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).

MINUTES OF THE
SANTA FE COUNTY
TRANSPORTATION ADVISORY COMMITTEE

February 21, 2018

Santa Fe, New Mexico

I. This meeting of the Santa Fe County Transportation Advisory Committee commenced at approximately 5:30 p.m. on the above-cited date at the Public Works Facility Conference Room, 424 NM 599 Frontage Road, Santa Fe, New Mexico.

II. A quorum was established with the following members present:

Members Present:

Gillis Lang
George Martinez
William Mee
Tamara Haas
Russell Winslow
John Nitzel

Member(s) Absent:

Fred Greve

Staff Present:

Robert Martinez, Public Works Deputy Director
Ray Matthew, Transportation Planner
Robert Griego, Planning Manager
Paul Olafson, Planning Projects Manager

III. Introductions

Those present introduced themselves, offering employment histories and areas of residence.

IV. Election of TAC Chairperson and Vice-Chair

Mr. Matthew said staff recommends the Committee consider electing John Nitzel as chairman because he serves as the at-large member. Mr. Olson noted that the terms of officers are for one year while the committee appointments are either two or three years. Chairs of County committees, boards and commissions are voting members.

Mr. Miller nominated John Nitzel as TAC Chair. Mr. Mee seconded. Mr. Nitzel accepted the nomination and was elected Chairman of TAC by acclamation.

Attachment A

Mr. Mee nominated Tamara Haas to serve as TAC Vice Chair. Mr. Miller seconded. Ms. Haas accepted the nomination and was named Vice Chair by acclamation.

Chair Nitzel noted that he and Ms. Haas have worked together for many years and she knows what is going on with DOT as well as having previous experience with the County Road Advisory Board.

V. Discussion Items:

A. Resolution 2015-13: Establishment of the Transportation Advisory Committee

1. Purpose of TAC
3. Annual Work Program

Mr. Matthew said Resolution 2015-13 replaced the Road Advisory Board and widened the scope of the newly named committee to:

- a) Annually review the road maintenance list and make recommendations to the BCC

Mr. Martinez noted that the BCC approved the road maintenance list at an earlier meeting in 2018. The list is the certified road list submitted to NMDOT to determine the County's share of gas and vehicle taxes.

- b) Review and make recommendations on road operation and maintenance policies proposed by Public Works
- c) Review and make recommendations regarding private roads that are requesting change of designation to that of a County road.

Mr. Martinez noted there were currently two private roads in the process. The Road Acceptance Policy established that this committee shall appoint three members to review and develop a recommendation report for presentation to the BCC regarding the roads. He said the two are not ready for TAC review. Mr. Olafson said staff will participate in the evaluation and report-writing process. Mr. Martinez said many of the roads requesting County maintenance do not meet required standards and will not make it to the TAC for review.

- d) Review all elements of transportation funding affecting the County including but not limited to funding for roadways, trails, bikeways, transit improvements, pedestrian improvement, and bike improvements

Mr. Matthew highlighted item d as a substantive change from the RAC because this includes all modes of transportation.

- e) Review investment recommendations and provide input on transportation planning to include updating the Five-Year Road Improvement Plan and the Capital Improvement Plan
- f) Perform other duties and tasks assigned or communicated by the BCC.

Mr. Olafson said the County recognizes and appreciates that the committee is made up of volunteers and staff will support and minimize the committee's work.

Attachment A

Regarding task d, Mr. Mee asked about the NCRTD and Mr. Matthew said TAC will be aware of NCRTD activities by staff. He noted a County Commissioner serves on the NCRTD Board.

Chair Nitzel said in the past he served as the City's Transportation Advisory Board chair and would like to see this committee facilitate cooperation with the different transportation modes whether in the City or County, because these issues are important to the public regardless of boundaries.

Regarding trails, Mr. Mee said he would like the TAC to review connectors for the system. Mr. Griego said the County Open Lands, Trails and Parks Advisory Committee (COLTPAC) will be reviewing a strategic plan that includes connections of trails. How that plan will communicate with the tasks of the TAC can be further considered. Mr. Matthew said the Planning Division does coordinate COLTPAC. The distinction between COLTPAC and TAC is that TAC will be looking at a multi-use trail system and has connectivity to roads as well as trails.

2. Geographic Representation

Mr. Matthew said the committee was inactive for the past few years because the County was unable to successfully solicit members. The membership according to Resolution 2015-13 is two members from commission districts 2, 4, and 5 and three from commission districts 1 and 3, as well as one at-large member. There are eight appointments and staff will continue to recruit for the five vacant positions.

The TAC will meet quarterly on the second Wednesday of the month.

Chair Nitzel requested staff develop a committee membership list delineating district representation.

Chair Nitzel asked whether all of the previous RAC responsibilities were transferred to TAC. With the short answer as yes, Mr. Olafson said staff will further flesh that out in future meetings.

3. Annual Work Program

4. How TAC Recommendations are made

The TAC will conduct its business through the adoption of an annual work program that will provide the focus on the task(s) to be conducted throughout that year. The plan requires BCC approval and is conveyed to the BCC via staff.

Mr. Martinez said there was a great deal of progress on the list of roads recommendations from the RAC.

Chair Nitzel asked whether the TAC will simply review a staff recommended work plan or participate in an interactive work plan. At this point, Mr. Olafson said staff has drafted a simple work plan to address 2018 since the committee has recently been established. However, it can be amended by this group as well as the BCC.

The County goes out to the voters for general obligation bonds (GOB) every four years and the next one will be November 2020. Staff typically develops a series of warranted projects that are

Attachment A

not commission district derived. However, when the projects are considered by the commissioners there is a desire to be equitable in number and size for each district.

B. Resolution 2018-143: Open Meetings and Procedures for 2018

Mr. Matthew outlined the State's Open Meetings Act and advised the Committee that they will operate under these State guidelines. The agendas will be posted one week ahead of the meeting and the meeting dates are also posted on the web.

Mr. Olafson said it was important the Committee avoid what is termed a "rolling quorum" which would be the quorum discussing public business or taking action outside of a properly noticed public meeting. This has occurred through emails where a discussion occurs by "replying to all." Staff has addressed this issue by utilizing the blind replies so only staff will receive replies from committee members.

There was agreement that future agendas will include "Matters from the Committee."

VI. Matters from Staff

A. Brief Overviews of County Transportation Planning

1. Public Works Roads Division and Project Implementation

Mr. Martinez reviewed the responsibilities of the Public Works Department, which includes maintaining County buildings, roads, open space and trails, and all County facilities. The County maintains approximately 567 miles of roads on the official road list, approximately 280 miles are paved the remaining roads are unpaved. He noted road maintenance is divided by districts that do not coincide with Commission districts. In addition to this facility, there are district yards in La Puebla and in Stanley. Paved roads are rated annually through PASER- Pavement Assessment Surface Evaluation and Rating. The LGRF, Local Government Road Funding, is used for pavement preservation based on the PASER rating. Taking care of roads that are in good condition has proved cost effective.

Mr. Martinez said there are 46 miles of trails and eight people within the County Open Space and Trails section. Planning has hired a tree expert that will work closely with the Public Works Department. The Department has a professional engineer as well as a licensed architect.

Currently there are approximately 100 projects on the Department's list monitored by a dozen project managers. Mr. Martinez pointed out that to be placed on the list there must be funding.

Mr. Matthew offered to forward the maintenance district maps.

2. Transportation Planning: North Central Regional Transit District (NCRTD), Metropolitan Planning Organization (MPO), Regional Transportation Planning Organizations (RTPOs)

Mr. Matthew said transportation planning is housed in the Planning Division which is under the Growth Management Department. The County has eight planners and his focus is multi-use and multi-modal transportation. He reviewed the different transportation organizations: Santa Fe MPO, RTPO and NCRTD. The County is one of four counties that participate in the NCRTD,

Attachment A

which provides transit through the four counties and utilizes funds through a dedicated GRT transit tax. The NCRTD blue bus provides transit within the rural areas. Staff assists in developing routes for the blue bus. Aside from the ski area rides – Taos Express and Santa Fe Mountain Trail – there is no fee.

Mr. Matthew said the Santa Fe MPO is a federally created planning organization. The MPO advises and makes recommendations to the DOT with participation from the City and County. A five-year program is developed that identifies projects. A big project will be the improvements to St. Michael's Dr. The core strength of the RTPO structure is the voting membership from local governments including municipal, county, and tribal governments. He defined the different regions that fall within the RTPO.

Mr. Olafson said the County's SLDC (Sustainable Land Development Code) includes road standards. One of the basic concepts of the SLDC is to direct growth/development to appropriate areas where there is infrastructure to sustain growth.

Mr. Matthew reviewed a map that delineated the hierarchy of jurisdiction of roads in the county: those that are federal, state-owned and maintained, and county roads.

Referring to the northeast/southeast connector, Mr. Martinez said the alignment study was funded through the MPO. Mr. Matthew said the connector is a fluid situation and is listed on the MPO TIP (transportation improvement projects). In fact, there have been safety issues brought up about NM599 that will be reviewed for placement on the TIP by the MPO policy board. Ms. Haas anticipated that the policy board would act favorably on the NM599 safety improvements.

Mr. Martinez said there were a number of all-weather crossings the County was working on as well as other designs.

Recognizing that the transportation plan is very complex, Chair Nitzel recommended reviewing it in segments.

VII. Matters from the Public

Mr. Martinez said in the past, the RAC had a good deal of public participation. Recently residents of Eldorado have been vocal about perceived health concerns of the recycled asphalt pavement (RAP) the County uses to maintain and repair roads in that area.

There was no one from the public present at this meeting.

VIII. Action Items

A. Review, Discussion and Recommendation on 2018 TAC Draft Work Plan

Mr. Olafson said adopting the plan will allow staff to move forward with preparing necessary backup material for the work plan.

Ms. Haas requested a correction to a typo item 2. D. Mr. Olafson noted that Management should be capped.

Attachment A

Mr. Mee moved to adopt the work plan with a caveat that additional projects may be added and with the corrections as noted. Ms. Haas seconded.

The members were asked to review the plan and send any comments to staff that will assemble the comments for review at the May 9th meeting. Chair Nitzel requested that staff develop a written schedule regarding the reviews.

Mr. Martinez said staff is currently reviewing Dinosaur Trail and Las Campanas Drive for designation as a County road.

The motion passed without opposition.

IX. Meetings Schedule

Wednesday, May 9, 2018 – 5:30

Wednesday, August 15, 2018 – 5:30

Wednesday, November 14, 2018 – 5:30

Additional meetings as necessary

The May agenda will include appointment of three members and one alternate to the Road Acceptance Evaluation Subcommittee.

X. Adjournment

It was announced that Mr. Matthew would be retiring before the next meeting and those in attendance wished him the best.

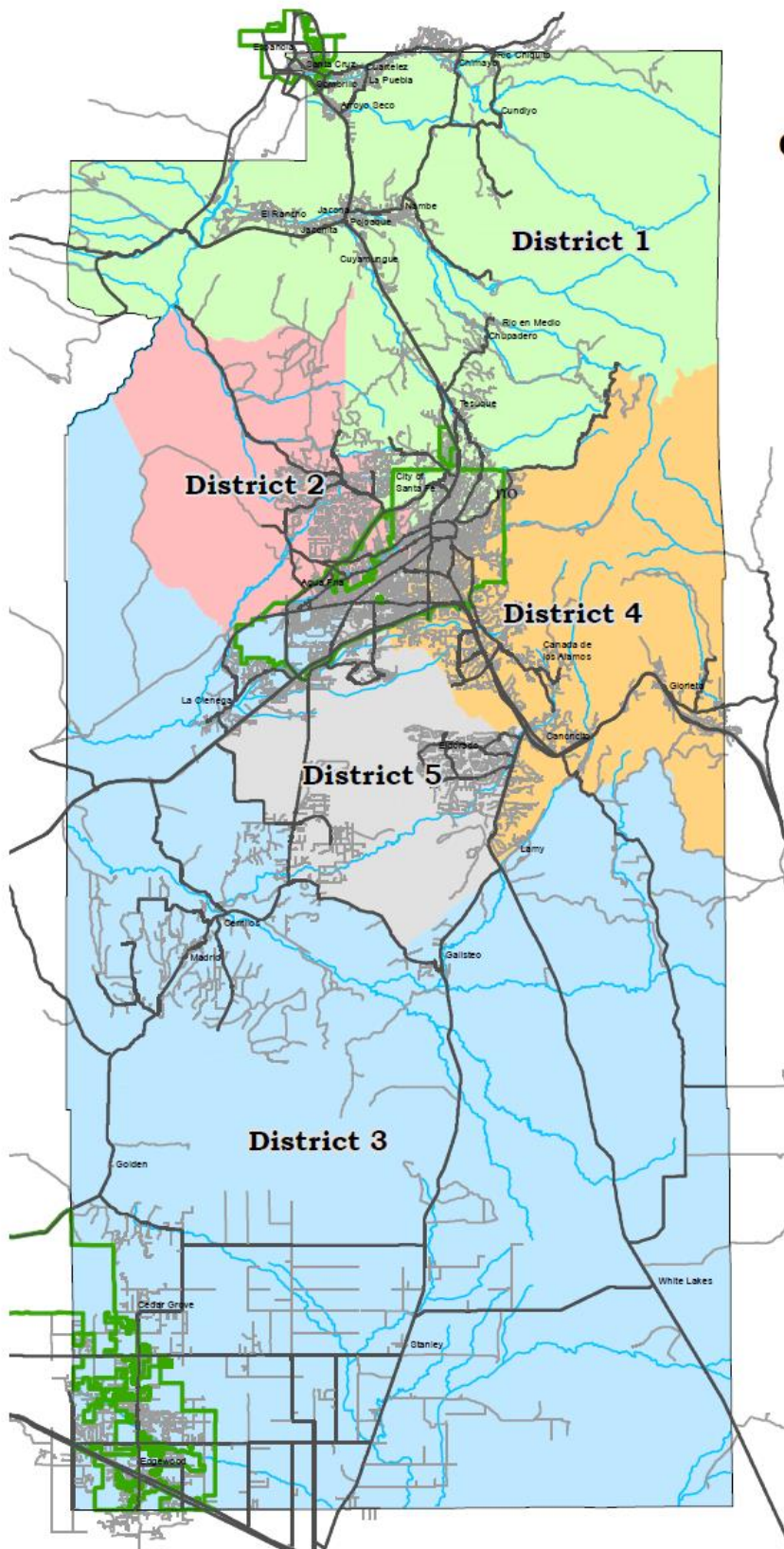
Having completed the agenda and with no further business to come before the TAC, Chair Nitzel declared this meeting adjourned at approximately 7:30 p.m.

Approved by:

John Nitzel, Chair

Respectfully submitted by:

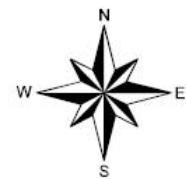
Karen Farrell, Wordswork



Santa Fe County Commissioner Districts

Legend

- District 1
Henry P. Roybal
- District 2
Anna Hansen
- District 3
Robert A. Anaya
- District 4
Anna Hamilton
- District 5
Ed Moreno
- Incorporated Areas
- Major Roads
- Minor Roads
- Major Streams



1:420,000

1 inch approximately 7 miles

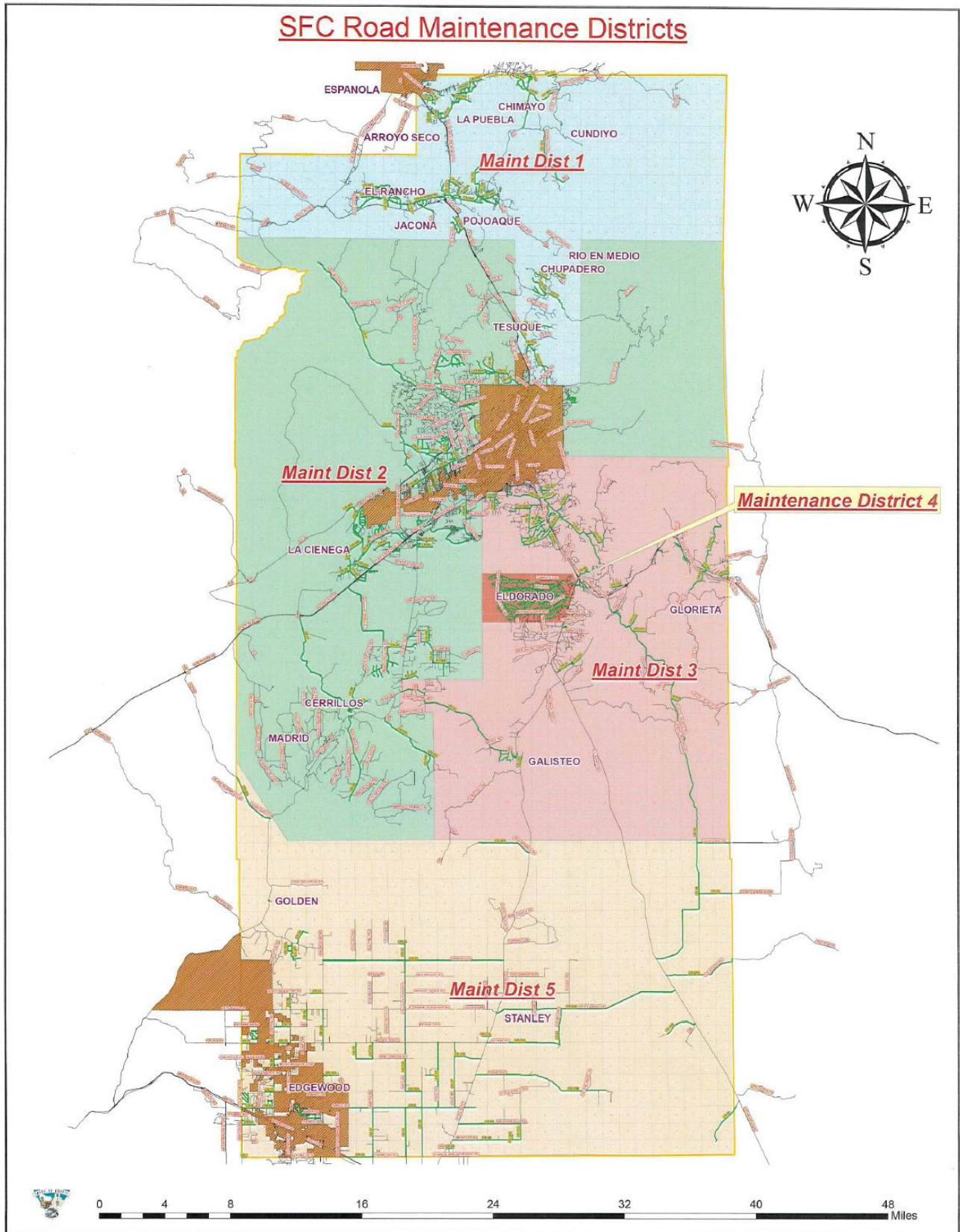


North American Datum 1983

This information is for reference only.
 Santa Fe County assumes no liability for
 errors associated with the use of these data.
 Users are solely responsible for
 confirming data accuracy.



January 1, 2015



SANTA FE COUNTY
RESOLUTION NO. 2018 - 33

**A RESOLUTION ADOPTING THE TRANSPORTATION ADVISORY
COMMITTEE 2018 WORK PLAN**

WHEREAS, on January 27, 2015, the Board of County Commissioners (BCC) approved Resolution No. 2015-13 which created the Transportation Advisory Committee (TAC); and

WHEREAS, on January 30, 2018, the BCC made 8 appointments to the TAC and directed staff to prepare and present to the TAC a 2018 Annual Work Plan at the first TAC meeting; and

WHEREAS, paragraph 12 of Resolution No. 2015-13 requires the TAC to adopt and present to the BCC for approval an annual work plan; and

WHEREAS, on February 21, 2018, the TAC conducted a meeting and voted to adopt the TAC 2018 Work Plan; and

WHEREAS, the TAC, in accordance with Resolution No. 2015-13, is hereby presenting the TAC 2018 Work Plan to the BCC and is seeking BCC approval of that plan;

WHEREAS, the 2018 TAC Work Plan adopted by the TAC on February 21, 2018, is attached to this resolution as Exhibit A.

NOW THEREFORE BE IT RESOLVED by the BCC as follows:

1. The 2018 TAC Work Plan attached hereto as Exhibit A is hereby approved.
2. The 2018 TAC Work Plan shall not be amended except as approved by the Board.

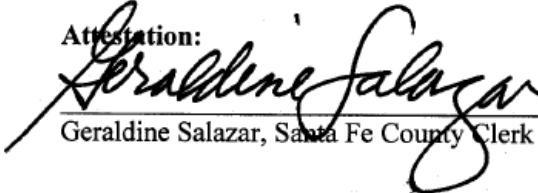
PASSED, APPROVED, AND ADOPTED THIS 27th DAY OF MARCH, 2018.

**BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY**

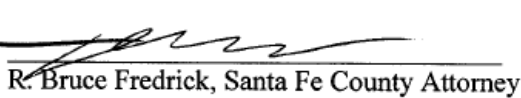

Anna Hansen, Chair



Attestation:


Geraldine Salazar, Santa Fe County Clerk

Approved as to form:


R. Bruce Fredrick, Santa Fe County Attorney

SFC CLERK RECORDED 03/28/2018

**TRANSPORTATION ADVISORY COMMITTEE
2018 WORK PLAN**

- 1) **Road Acceptance Proposals:** Review Road Acceptance applications as appropriate in accordance with approved County policies; make recommendations to the BCC on privately owned, developed and maintained roads that are being proposed for the County to accept, own and maintain as part of the County Road system.
- 2) **Santa Fe County Transportation Plan:** Review draft Santa Fe County Transportation Plan. Provide comment, feedback, and make recommendations to the BCC regarding plan adoption. Staff will present an overview of the plan first, and at subsequent meetings the TAC would review and comment on Parts 1 and 2 of the Transportation Plan.
- 3) **2018 TAC Meeting Schedule:**
 - February 21, 2018, 5:30 pm
 - May 9, 2018, 5:30 pm
 - August 15, 2018, 5:30 pm
 - November 14, 2016, 5:30 pm
 - Additional meetings may be scheduled as needed

Note: The TAC Work Plan may be amended as needed to include additional tasks as approved by the BCC.

SFC CLERK RECORDED 03/28/2018



COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
 PAGES: 2

I Hereby Certify That This Instrument Was Filed for
 Record On The 28TH Day Of March, 2018 at 02:54:05 PM
 And Was Duly Recorded as Instrument # 1853497
 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
 Deputy *E. Estrella Martinez* Geraldine Salazar
 County Clerk, Santa Fe, NM

EXHIBIT A

SANTA FE COUNTY

RESOLUTION NO. 2012 -151

**A RESOLUTION ESTABLISHING PROCEDURES FOR
THE ORDERLY AND UNIFORM ADMINISTRATION OF
THE SANTA FE COUNTY PROCESS FOR ROAD
ACCEPTANCE, DESIGNATION OR RE-DESIGNATION,
AND FOR THE VACATION OF COUNTY MAINTAINED
ROADS, THEREFORE REPEALING AND REPLACING
RESOLUTION NO. 1998-119**

Whereas, Santa Fe County encompasses a geographical area of approximately 2,000 square miles; and

Whereas, the County is primarily rural with small areas of concentrated development; and

Whereas, a comprehensive road system is a necessary and vital link between communities; and

Whereas, there are an estimated 1,500 total miles of roads within the County; and

Whereas, of the total miles, approximately 576 miles are recognized as County roads and maintained by the County; and

Whereas, the County's goal is to provide the best services possible to County residents, within the available resources; and

Whereas, the citizens of Santa Fe County continuously request the County to provide maintenance on non-County roads; and

Whereas, the Board of County Commissioners desires to have a policy that will consider the requests for County maintenance on an equitable and consistent basis.

NOW, THEREFORE, BE IT RESOLVED that the Santa Fe County Board of County Commissioners adopts the following policy, Exhibit A to this Resolution, of establishing procedures for the orderly and uniform administration of the Santa Fe

SEC CLERK RECORDED 11/13/2012

County process for road acceptance, designation or re-designation, and for the vacation of County maintained roads, therefore repealing and replacing Resolution 1998-119.

PASSED, APPROVED, and ADOPTED THIS 13 DAY OF November 2012.

BOARD OF COUNTY COMMISSIONERS

Liz Stefanics
Liz Stefanics, Chair
Vice-Chair

Attest:

Valerie Espinoza
Valerie Espinoza, County Clerk



Approved as to form:

Stephen C. Ross
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
I Hereby Certify That This Instrument Was Filed for
Record On The 19TH Day Of November, 2012 at 03:15:55 PM
And Was Duly Recorded as Instrument # 1688110
Of The Records Of Santa Fe County

Deputy Marcella Padilla Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 11/19/2012

EXHIBIT A

A POLICY ESTABLISHING PROCEDURES FOR THE ORDERLY AND UNIFORM ADMINISTRATION OF THE SANTA FE COUNTY PROCESS FOR ROAD ACCEPTANCE, DESIGNATION OR RE-DESIGNATION, AND FOR THE VACATION OF COUNTY-MAINTAINED ROADS

SECTION 1. GENERAL PROVISIONS AND PURPOSE. -- The purpose of this Policy is to establish procedures for the orderly and uniform administration of the Santa Fe County process for road acceptance, designation or re-designation, and vacation of County-Maintained roads.

SECTION 2. AUTHORITY.--- This policy is authorized by NMSA 1978 Sections 4-37-1 (1975), 67-5-4 (1905, as amended), and 67-5-5 (1905, as amended).

SECTION 3. APPLICABILITY. --- This policy applies within the unincorporated areas of Santa Fe County, New Mexico.

SECTION 4. ROAD MAINTENANCE. ---

A. Maintenance Limited to Roads designated as County Roads.--- Only roads which have been designated as County Maintained Roads pursuant to this document shall be maintained by the County. Non-County Maintained Roads will not be maintained except in an emergency as described herein.

B. No Warranty of Maintenance.--- Although the County shall endeavor to maintain each County Maintained Road in the best possible condition, maintenance of any road is contingent on adequate funding and the limitations of manpower, weather and equipment. Accordingly, this document shall not be construed as making any representation, warranty, guarantee or promise that any road, regardless of designation, will be maintained to any particular standard.

C. Maintenance Requests.--- Maintenance of a County Maintained Road may be requested by calling the Department of Public Works, or by filling out a request either in person or over the internet. If the road is a County Maintained Road, a representative of the Department of Public Works will inspect the road to determine the maintenance needed.

SFC CLERK RECORDED 11/13/2012

SECTION 5. INITIAL DESIGNATION. ---

Each County Maintained Road shall be initially classified by the Department of Public Works according to its maintenance status as of December 31, 2012 as described in the section below.

SECTION 6. DESIGNATION. ---

A. County Maintained Road.--- A road designated as a County Maintained Road is a road which has been accepted for full County maintenance. Each County Maintained Road is assigned a number or name and marked by a blue street name sign with yellow letters. Maintenance services on County Maintained Roads may include routine maintenance, snow removal, dust control, installation or replacement of base course, chip seal, asphalt, concrete or other paving, installation and repair of drainage structures, pot-hole repair, bridge construction and repair, signage, and periodic resurfacing. Upon approval of a resolution amending the designation of a road to a County Maintained Road from a lesser designation, the road shall meet County Maintained Road standards, and signs will be replaced with signs that designate the road as a County Maintained Road.

B. Lesser County-Maintained Road. --- A Lesser County-Maintained Road is a road which has been accepted for limited County maintenance. Each Lesser County-Maintained Road shall be designated as such. Services on an unpaved Lesser County-Maintained Road shall be limited to a maximum of twice-annual motor grading, signage, limited snow removal contingent on the availability of labor and equipment, and limited repairs. A precise maintenance program will be established for each road upon acceptance into this designation, and this maintenance program shall be recorded in the resolution accepting the road.

C. Shared Maintenance.--- Maintenance of a Lesser Maintained County Road or a County-Maintained Road may be shared between the County and a private individual or individuals, a homeowners' association, a Public Improvement District, or a corporation, partnership, LLC or other entity. Shared maintenance must be documented in a binding written agreement or development agreement.

D. Non-County-Maintained Road. --- A Non-County-Maintained Road is a road which has *not* been accepted for County maintenance. A Non-County-Maintained Road may be a public road or a private road. Each Non-County-Maintained Road shall be designated as such. The County may install a County sign that indicates that a road which is Non-County-Maintained is not maintained beyond a certain point. Private roads and other roads that have not been accepted for County maintenance are Non-County-Maintained Roads for purposes of this paragraph. Non-County-Maintained roads shall; not be maintained by the County except in an emergency constituting an immediate threat to the public health, safety, welfare, or property, and then, only when a written agreement is executed wherein the County is fully reimbursed for the costs of the emergency work.

SECTION 7. RE-DESIGNATION. ---

A. Procedure. --- A road may be assigned to a different maintenance designation only by following the procedure set forth herein.

1. Initiating Re-designation. ---

a. Application Required.

i. Any person with a real property interest in a road or whose property abuts a road may apply for re-designation to a different maintenance status. The application shall be on a form prescribed by the Department of Public Works, an example of which is attached as Appendix A. Alternatively, a petition may be filed to establish a public highway pursuant to NMSA 1978 Section 67-5-20 (1905) (containing the names and signatures of all the owners of all the land through which said road passes through, along with a plat of the road along with an application). A request for re-designation may be initiated by the County, in which case no application or petition shall be necessary.

ii. As required by NMSA 1978, Section 67-5-5 (1905, as amended), an application to establish a new County-maintained road shall be accompanied by a petition signed by ten freeholders residing within two miles of the road right-of-way. The petition shall set forth a description of the road and set forth the points of terminus of the road.

iii. If several persons apply together for re-designation of a road, the persons shall select a person to serve as the representative during the application process. That person shall sign the application and will be the point of contact for purposes of discussions with staff.

iv. A copy of the most recent deeds or plats of lands encompassing the road shall be submitted along with the application.

v. If the application is filed by a person as opposed to the County, an application, investigation, and a viewing fee established by the Department of Public Works must accompany the application. Checks shall be made payable to the Santa Fe County Treasurer.

vi. If any parcel that abuts the road right-of-way has delinquent property taxes at the time application is made, the taxes must be brought current or the taxes must be challenged pursuant to the procedure set forth in New Mexico statutes, prior to the application being accepted for processing.

vii. The application must clearly identify any known waivers to the road standards application to the designation sought. For example,

if the road is not constructed to County road standards and a waiver is requested, the application must clearly state that a waiver is requested, why the waiver is being requested, and identify the standards for which a waiver is sought. In general, a waiver will only be considered if it is determined by staff and the Road Advisory Committee that an extreme health and safety issue exists.

2. Optional Pre-Application Meeting.--- Prior to filing the application, the applicant may meet with staff of the Department of Public Works, who will review the application for completeness and sufficiency.

3. Research and Inventory. --- Upon filing of the application and payment of the fee, the Department of Public Works shall conduct research into the ownership of the road for which re-designation is sought and conduct a traffic study to determine average daily trips (ADTs). If title work is required, the applicant shall reimburse the County for the costs of the title research. The Department shall conduct a public hearing on the proposed re-designation. The Department of Public Works shall also visit the site, measure the road, evaluate its condition, evaluate any drainage or other maintenance risks, determine the location of above-ground or underground utilities, conduct a traffic impact analysis, determine any driving hazards, determine the primary use of the road, and conduct any required testing.

4. Viewing.--- When a petition is received pursuant to NMSA 1978, Section 67-5-5 (1905, as amended), the Road Advisory Committee shall appoint three of its members as reviewers to view and mark out the road in question as described in NMSA 1978 Section 67--5-12 (1905), fix a time for the view, and cause notices to be posted in three public places along the road at least (5) five calendar days prior to the day fixed for the site inspection. No member of the Road Advisory Committee shall be appointed as a viewer who has any financial or familial interest (to the second degree) in the road in question. The viewers shall, pursuant to NMSA 1978, Section 67-5-10, assess damages and benefits that may accrue to the owner or owners of any of the lands over which the road may pass, and assess the proper cost of reclassifying such road. The viewers shall file a report of the inspection in the office of the County Clerk at least (10) ten calendar days prior to the next regular meeting of the Board of County Commissioners, signed by each of the viewers with a full statement of their proceedings, all pursuant to NMSA 1978 Section 67-5-14 (1905).

5. Design and Construction Standards. --- Each non-County-maintained road proposed to become a County-Maintained road shall meet the minimum design and construction standards established by the County at the time of application. This includes, but is not limited to, standards established by the Land Development Code and the Sustainable Land Development Code, as applicable, standards established by the Department of Public Works, and the Standard Specifications for Highway and Bridge Construction of the New Mexico Department of Transportation. Alternatively, if the road does not meet applicable standards at the time of application, the creation of a County Improvement District or Public Improvement District can be used to finance the work necessary to bring the road up to standards, as described in Section 10 below. Lesser

Maintained County Roads may deviate from the specifications but only so long as the minimum maintenance provided for a Lesser Maintained County Road (motor grading, signage, limited snow removal, and limited repairs) can be accomplished efficiently, but a Lesser Maintained County Road shall not under any circumstances deviate from safety requirements.

6. Prepare Report And Recommendations. --- Based on the study of the requested re-designation, the Road Advisory Committee shall prepare a report which addresses the condition of the road, its estimated annual maintenance cost, need for re-designation, availability of right-of-way, any unusual problems or conditions discovered during its research and inventory, and evaluate the road according to the criteria set forth in Section 7(A)(11), herein. The Road Advisory Committee shall indicate in the report whether its preliminary investigation indicates the request should be approved, modified, denied, or approved with conditions. A copy of the report shall be provided to the applicant and the Board of County Commissioners. If the report recommends the request be approved, preliminary approval shall be granted and the Department of Public Works may proceed with the approval process described below, except that any conditions imposed on the approval shall be completed before final approval is granted.

7. Timeline --- Upon receipt of a completed application, the Department of Public Works will research ownership of the properties on the road being requested for maintenance or re-designation within sixty (60) calendar days (any required title work may extend this timeframe). The Department of Public Works will conduct a public hearing for acceptance or re-designation within (30) thirty calendar days of completion of property ownership search. The Department of Public Works will complete its evaluation of the road within thirty (30) fifteen calendar days after the public hearing is held. The Road Advisory Committee will appoint (3) three of its members to review the road at its next scheduled meeting and conduct the onsite inspection within (10) calendar days of the date when the application is deemed complete. The report compiled by the Road Advisory Committee will be filed with the Santa Fe County Clerk's Office within (5) five calendar days of completion of the report. The Santa Fe County Board of County Commissioners will take action on the request at the next regularly scheduled Board of County Commission Meeting.

8. Acquire Right-Of-Way or Easement. ---

a. Grant of right-of-way. Each property owner with an ownership in a road which is proposed to be reclassified for County maintenance shall execute a Request for County Road Maintenance as County-Maintained Road and Grant of Right-of-Way or Easement, Appendix A, prior the application being deemed complete. The Request for County Road Maintenance as County-Maintained Road and Grant of Right-of-Way or Easement shall be properly filed and recorded with the County Clerk, but only after execution of the Resolution of Final Approval.

b. Government Property.--- Roads located on government property (federal, state, municipal, special districts) may be reclassified only where a license, right-of-entry, right-of-way, easement, or deed is provided and accepted by the County. Roads located on property held by the United States Government in trust for a Native American Pueblo may be maintained under a license or written agreement from the Tribe or Pueblo or under a lease from the Bureau of Indian Affairs, as appropriate.

c. Terms of Dedication.--- Each right-of-way or easement granted hereunder shall offer an unconditional dedication to Santa Fe County for maintenance and public use. The County may accept the dedication either contemporaneous with the dedication or subsequently, but is not obligated to accept the road for maintenance unless the provisions of this ordinance are satisfied.

d. Title insurance. --- If right-of-way in fee is acquired, at the time of transfer or closing, title insurance that shows clear title to the road may be required by the County and, if required, shall be provided by the applicants, in form acceptable to the County. Claims that dispute the ownership of the road shall be addressed prior to the County taking ownership.

e. Survey. --- At the time of transfer, a survey and plat of survey in a form acceptable to the County and prepared by a Registered New Mexico Land Surveyor meeting the Minimum Qualifications for Land Surveying in New Mexico, shall be required. If a new survey must be performed to meet this requirement, the costs of the survey shall be borne by the applicant.

9. Environmental Assessment. --- A Phase I Environmental Assessment shall be conducted on each road where reclassification to a County maintained classification from a non-County-maintained status is sought. The costs shall be borne by the applicant.

10. Identification of Funding.

a. Identification of Funds to Make Necessary Improvements. Funds for identified capital improvements or for usual and customary maintenance must be identified as set forth herein.

b. Funding Sources for Capital Improvements. A road that requires capital improvements prior to reclassification must be identified on the County's Capital Improvements Plan (CIP) and Infrastructure Capital Improvements Plan (ICIP), as appropriate. Revenue to fund projects identified on the CIP may come from the applicant(s), general revenue of the County, general obligations bonds, gross receipts revenue bonds, a development agreement, public improvement districts ("PIDs"), tax incentive districts ("TIDs"); County Assessment Districts, fees, assessments and taxes

and public and private utility rates, charges and fees, loans, incentives, funds and grants provided by regional providers and state and federal agencies.

10. Final Decision. — Once the application is deemed complete by the Department of Public Works, a copy of the request for re-designation, report of the Road Advisory Committee, right-of-way documents, the report of the viewers, and the centerline survey map, shall be submitted to the Board of County Commissioners, who shall make the final decision. In considering a request, the Board of County Commissioners shall consider the re-designation standards set forth at Section 7(A)(11), herein. If the request is approved, the Board shall execute a Resolution of Approval, which shall include the number, composition, length, condition, location of the road, together with all information required by NMSA 1978 Section 67-5-17 as appropriate. If the road was previously a Non-County-Maintained Road and is becoming a either a Lesser County-Maintained or a County-Maintained Road, the Resolution of Approval shall order the road made open for travel and declared a public highway, and shall order copies of the Resolution of Approval posted at three public places along the line of said road, giving all parties (60) sixty calendar days notice of the commencement of County maintenance and public use. The Resolution of Approval, together with the report of the viewers, shall, pursuant to NMSA 1978, Section 67-5-16 (1905) be recorded in the office of the County Clerk.

11. Criteria.—

a. In General. The Board of County Commissioners, in its absolute and complete discretion, may direct changes in the designation of a road (e.g. from non-county-maintained, to lesser maintained, to jointly maintained, to fully maintained, or downward designation) from time to time or in response to an application filed pursuant to this policy, so long as the conditions of this policy have been met.

b. Disqualifying Factors to a Designation Change. A road shall not be re-designated for any County maintenance designation if maintenance is impossible, dangerous, or unreasonably costly, as determined by the Department of Public Works. Nor shall any road be re-designated for County maintenance if environmental problems exist.

c. Factors to be Considered. Factors that the Board will consider in making its decision are described below; staff will provide a detailed evaluation of these factors in a report that will be presented to the Board at the time it makes its decision. In general, an application will evaluate poorly if the road does not meet design and construction criteria at the time of acceptance and the applicant is unwilling or unable to improve the road as necessary or create or consent to a special funding mechanism to do so.

SFC CLERK RECORDED 11/13/2012

SFPC CLERK RECORDED 11/13/2012

d. Technical Factors:

- i. Whether the road is designed and constructed to County standards as established herein;
- ii. Whether clear title to the road exists and whether title can and will be transferred to the County upon acceptance;
- iii. Whether past environmental contamination or past environmental contamination exists;
- iv. Whether the road exhibits any unusual maintenance characteristics;
- v. Whether a significant number of persons rely on the road for access and whether a minimum of 100 average daily trips (ADTs) are associated with the road;
- vi. Whether, if a minimum of 100 ADTs is not achieved as described in the previous paragraph, whether any of the following conditions exist:
 - a. Whether the roadway borders at least two separate property owners per one-half mile;
 - b. Whether the connects to at least one federal, state, county (fully maintained), or municipal road;
 - c. Whether a cost-benefit analysis is appropriate for submittal to the Road Advisory Committee given the use of the road;
 - vi. Whether there is a high number of vehicle accidents and injuries or deaths associated with the road;
 - vii. Whether the road is needed for emergency access;
 - viii. Whether the road is presently classified as a school bus route or is expected to be so classified in the future;
 - ix. Whether there exist dust problems or other public environmental health issues associated with the road;
 - x. Whether there are drainage and flood hazards associated with the road;

- xi. Whether the road has been identified on County long-range planning documents;
- xii. Whether damage or benefits may accrue to any person(s) as a result of the proposed re-designation;
- xiii. Whether economic benefit will accrue from the proposed re-designation;
- xiv. Whether an adequate easement or right-of-way exists for the road in question; and
- xv. Whether utility corridors and utility/fixture relocation are needed on the proposed road that will not be provided absent re-designation.

e. Financial Factors —

- i. If the road is deficient in design or construction, whether the applicant(s) intend to improve the road to County standards prior to acceptance;
- ii. If the road is deficient in design or construction, whether County or legislative funding will be used to construct the road, or whether the applicant(s) are willing to create a public improvement district (PID) pursuant to Resolution No. 2006-40 and the Public Improvement District Act, NMSA 1978, Section 5-11-1 through 5-11-27 (2001)(as amended), a County Improvement District pursuant to the County Improvement District Act, NMSA 1978, Sections 4-55A-1 through 4-55A-43 (1980)(as amended), or a Tax Increment District pursuant to the Tax Increment for Development Act, NMSA 1978 Section 5-15-1 through 5-15-28 (2006)(as amended).
- iii. If the road will require extraordinary maintenance, whether the applicant(s) are willing to create a County Maintenance District pursuant to NMSA 1978, Section 67-4-20 through 67-4-24 (1969)(as amended);
- iv. If the road is deficient in design or construction, whether the applicant(s) are willing to provide the necessary improvements or provide funding for improvements provided by the County with its own forces through the appropriate agreement;
- v. Whether the road exhibits any costly or unusual maintenance expenses; and
- vi. The costs of acquisition of right-of-way or other necessary property.

12. Signage, Maintenance Change, Map Entry. — After execution of the Resolution of Approval, County staff shall indicate any re-designation on official Santa Fe County road maps and on other Santa Fe County official publications, make any necessary change in signage, and modify the maintenance schedule as necessary.

B. Exceptions. — The re-designation procedure set forth herein for re-designation of County roads shall not apply to any road whose re-designation is mandated by a court of competent jurisdiction, where changes in designation are required by repair or construction work, or as a result of an emergency. The abandonment or vacation of County roads, which is governed by the standards and procedures set forth in NMSA 1978, Section 67-5-4 (1905, as amended), is described in Section 8 below. Re-designation to a lesser-maintained County road status from a County-maintained road status does not constitute abandonment or vacation, and such a re-designation may be accomplished through the procedures set forth herein.

C. Contingent Approval. — The Board of County Commissioners may condition its approval of a classification change upon completion of improvements, funding of improvements or maintenance, or the execution of documents. Any such conditions shall be set forth in the Resolution of Approval. Conditional approval shall become void one (1) year from the date of the Resolution of Conditional Approval; if all conditions are not met within one year, the road shall automatically revert to its previous classification without further action. Where contingencies exist, the deed of right-of-way may contain the appropriate right of reverter to provide for retransfer of the lands granted after a reasonable time.

SECTION 8. ABANDONMENT OR VACATION.

A. Procedure. The Board of County Commissioners may determine that any road or part of road currently designated as lesser or fully County-maintained may no longer be needed, or that the repairs of the same may be burdensome and in excess of the benefits conferred. In this case, the Board of County Commissioners will follow the following procedure.

B. Viewing. At a regular meeting, the Board shall direct the Road Advisory Committee to appoint three of its members who meet the requirements described in NMSA 67-5-4 (1905, as amended) and section 7.A.4 of this ordinance to view such road or part of road. These members will evaluate the road or part of road against the criteria found in section 7.11.D and compile a report setting forth fully their findings.

C. Notice of Viewing. Any person with a real property interest in the road or whose property abuts the road will be notified of the evaluation by the Road Advisory Committee or Department of Public Works staff.

Attachment F

D. Report and Recommendations. The Road Advisory Committee report will be presented to the BCC at their next regular meeting. If the report recommends a discontinuance of such road or part of road, then the BCC may order the same vacated.

E. Maintenance Only. If the road or part of road is ordered vacated for maintenance purposes only, the Department of Public Works shall perform a final set of maintenance activities to the affected road and remove all applicable signage. Public access easements for the road are not vacated by this process and will remain intact.

SEC CLERK RECORDED 11/19/2012

APPENDIX A
SANTA FE COUNTY
REQUEST FOR COUNTY MAINTENANCE
AS A COUNTY-MAINTAINED ROAD
AND
GRANT OF RIGHT-OF-WAY OR EASEMENT

SFC CLERK RECORDED 11/19/2012

Road Name or No. _____

Request for County Road Maintenance.

The undersigned landowner requests that the above-referenced road be maintained by the Santa Fe County Department of Public Works as a (Check one):

- _____ County-Maintained Road
- _____ Lesser County-Maintained Road
- _____ Shared Maintained Road

Grant of Right-of-Way Easement.

The undersigned landowner hereby grants a permanent right-of-way easement along the existing roadway to Santa Fe County for the purpose of road maintenance. The easement shall be as wide as is reasonably necessary to move road machinery and equipment along or adjacent to the existing roadway without damage to presently existing fences or other structures, but in no event shall the width of the easement on either side of the roadway exceed _____ feet from the center line of the road.

WITNESS my (our) hand(s) and seal(s) this _____ day of _____, 20____.

LANDOWNER

LANDOWNER

(Name Printed)

(Name Printed)

Signature

Signature

