



SANTA FE COUNTY

Board of County Commissioners of Santa Fe County

Regular BCC Meeting

Tuesday, February 28, 2023

Commissioners present

Anna C Hansen
Hank Hughes
Anna T Hamilton
Justin S. Greene
Camilla Bustamante

1. Opening Business

- A. Call to Order - 2:20 p.m.
- B. Roll Call.
- C. Pledge of Allegiance. (Chair Anna C. Hansen)
- D. State Pledge. (Chair Anna C. Hansen)
- E. Moment of Reflection. (County Manager's Office/Carrie Gaston)
- F. Approval of Agenda. (Action Item)

Motion and Voting

- Motion for approval of agenda as amended.
- Motion by Justin S Greene, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

G. Years of Service, Retirements, and New Hire Recognitions. (County Manager's Office/Gregory S. Shaffer)

H. Recognition of Employees for Awards, Accreditations, Recognitions, and Other Accomplishments. (County Manager's Office/Gregory S. Shaffer)

2. Approval of Meeting Minutes (Action Item)

- A. Request Approval of the January 31, 2023, Board of County Commissioner Meeting Minutes.

Motion and Voting

- Motion for Approval of the January 31, 2023, Board of County Commissioner Meeting Minutes with corrections.
- Motion by Camilla Bustamante, second by Justin S Greene.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

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

A. Request Approval of a Proclamation Proclaiming March 10, 2023, as "Tibetan Freedom Day."
(Commissioner Anna Hansen)

Motion and Voting

- Motion for Approval of a Proclamation Proclaiming March 10, 2023, as "Tibetan Freedom Day."
- Motion by Hank Hughes, second by Justin S Greene.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

4. Consent Agenda (Action Items)

Motion and Voting

- Motion for Approval of Consent Agenda Items.
- Motion by Anna T Hamilton, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

A. Resolution No. 2023-023, A Resolution Requesting an Increase to the Healthcare Assistance Fund (223) in the Amount of \$13,588. (Finance Division/Yvonne S. Herrera and Community Services Department/Rachel O'Connor)

B. Resolution No. 2023-24, A Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$1,525,000. (Finance Division/Yvonne S. Herrera and Fire Department/Jacob Black)

C. Resolution No. 2023-025, A Resolution Requesting an Increase to the Utilities Enterprise Fund (505) in the Amount of \$400,343. (Finance Division/Yvonne S. Herrera and Public Works Department/Brian Snyder)

D. Request (1) Approval of a Purchase Order in the Amount of \$385,613.60, Exclusive of NM GRT, in Accordance with Agreement No. 2021-0051-PW/APS-A with Associated Asphalt and Materials, LLC, for Road Maintenance and Road Construction Materials and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s). (Finance Division/Bill Taylor and Public Works Department/Brian K. Snyder)

5. Appointments and Reappointments (Action Items)

A. Request Appointments of Five Members to Santa Fe City and County Advisory Council on Food Policy. (Community Services Department/Patricia Boies) (Packet Material Updated)

Motion and Voting

- Motion for Approval of Appointments of Francisca Ortiz and Nathaniel Crail as the two County employee members for three-year terms on the Food Policy Council and reappointments of Sue Perry, Emigdio Ballon, and Tejinder Ciano as private sector County-appointed members for three-year terms on the Food Policy Council.
- Motion by Camilla Bustamante, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

6. Miscellaneous Action Items

A. Request Authorization to Publish Title and General Summary of Ordinance No. 2023-____, An Ordinance Repealing and Replacing Ordinance Nos. 1999-10 and 2020-1 and Section 7 of Ordinance 2022-07, Adding and Amending Definitions and Exemptions for the Lodgers' Occupancy Tax to Align with State Law, Increasing the Lodgers' Occupancy Tax, Establishing Financial Reporting Responsibilities, Adding Lien Provisions, Adding Further Uses of Lodgers' Occupancy Tax Proceeds, and Clarifying Collection of Lodgers' Occupancy Taxes for Short-Term Rental Platforms. (County Attorney/Jeff S. Young and Community Development Department/Paul Olafson and Lisa A. Katonak)

Motion and Voting

- Motion for Authorization to Publish Title and General Summary of Ordinance No. 2023-____, An Ordinance Repealing and Replacing Ordinance Nos. 1999-10 and 2020-1 and Section 7 of Ordinance 2022-07.
- Motion by Justin S Greene, second by Anna T Hamilton.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

B. Request (1) Approval to Utilize an Outside Contract for General Construction Services to Complete Romero Park Phase II Project, for a Total Contract Sum of \$2,493,851.52, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Construction Contract and Purchase Order(s). (Finance Division/Bill Taylor and Public Works Department/Phillip Montano)

Motion and Voting

- Motion for (1) Approval to Utilize an Outside Contract for General Construction Services to Complete Romero Park Phase II Project, for a Total Contract Sum of \$2,493,851.52, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Construction Contract and Purchase Order(s).
- Motion by Anna C Hansen, second by Justin S Greene.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

C. Resolution No. 2023 - 022, A Resolution Declaring the Eligibility and Intent of Santa Fe County to Submit Two Grant Applications to the United States Department of Transportation (USDOT) for the Federal Fiscal Year 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program and Acknowledging the 100% Federal Match for Reimbursable Costs Required by the RAISE Grant for (1) CR68A-San Ysidro Crossing Grade Separation Project: Design, Right of Way Acquisition, and Construction of a Grade Separated Crossing of CR68A-San Ysidro Crossing and the Santa Fe River, Located in Agua Fria Village, with an Estimated Project Cost of \$9,000,000 and a County Match of \$0 and (2) CR84-Oweengeh Road Corridor Grade Separations Project: Planning, Design, Right-of-Way Acquisition, and Construction of Five Grade Separated Crossings Along CR84 and One Grade Separated Crossing on CR84D, Located in the Pueblo of San Ildefonso, the Pueblo of Pojoaque, and the Communities of El Rancho, Jacona, and Jaconita, with an Estimated Project Cost of \$25,000,000 and a County Match of \$0 and Authorizing the County Manager to Execute any Necessary Documents to Submit the Grant Applications to the USDOT. (Growth Management Department/Brett Clavio and Public Works Department/Ivan Trujillo)

Motion and Voting

- Motion for Approval of Resolution No. 2023 - 022, A Resolution Declaring the Eligibility and Intent of Santa Fe County to Submit Two Grant Applications to the United States Department of Transportation (USDOT) for the Federal Fiscal Year 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program.
- Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

D. Resolution No. 2023-026, A Resolution Requesting a Budget Increase to Various Funds in the Net Amount of \$2,378,524 for Departments Mid-Year Budget Requests. (Finance Division/Yvonne S. Herrera) (Caption and Packet Material Updated)

Motion and Voting

- Motion for Approval of Resolution No. 2023-026, A Resolution Requesting a Budget Increase to Various Funds in the Net Amount of \$2,378,524 for Departments Mid-Year Budget Requests.
- Motion by Justin S Greene, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.

7. Presentations

A. Update on Implementation of the Aamodt Settlement, Including Construction of the Pojoaque Basin Regional Water System. (Public Works Department/Michelle Hunter)

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 and COVID-19 Updates.

- A special meeting of the Board of County Commissioners is scheduled for 2:00PM March 8, 2023 for purposes of discuss and approve Congressional spending requests.
- A special meeting of the Board of County Commissioners is scheduled for 9:00AM April 14, 2023 for purposes of the annual sit visit and inspection of the Adult Detention Facility.

B. First Session of the 56th Legislature: Updates and Potential Action to Express Support for or Opposition to Legislation that Has Been or May be Introduced. (County Manager's Office/Hvtce Miller)
(Potential Action Item)

Commission agreed to support

SB124 PERA RETURN TO WORK AND MAXIMUM BENEFIT CHANGES

language contained in the legislation allows retired public employee to return to work for an affiliated public employer to the time period beginning July 1, 2023 and continuing through July 1, 2029. This would help staffing issues in all areas of County government.

Commission agreed to oppose

HB46 PUBLIC WORKS PROJECT CONTRIBUTIONS: APPRENTICE AND TRAINING PROGRAMS

specific to language that would raise costs to any public projects for Santa Fe County

Commission agreed to oppose

SB12 FILM PRODUCTION TAX CREDIT ACT CHANGES

specific to language currently contained in this legislation that could be harmful to any film production incentives that could negatively affect film production in Santa Fe County.

Commission agreed to support

HM36 LANL TAX DISTRIBUTION STUDY

requests that any taxation task force convened in 2023 by the Governor or the Legislature research and develop legislative recommendations and alternatives that can promote more equitable regional tax distributions from Los Alamos National Laboratory or similar federal research facilities in New Mexico.

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) Breach of Settlement Agreement and Related Agreements Related to Annexation.

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

A. Case # 21-5010-5054 Suerte Del Sur LLC/Rancho Cielo Grande Subdivision Preliminary and Final Plat Approval. Suerte Del Sur LLC., Applicant, NM Land Solutions (Victoria Dalton), Agent, Request (1) Approval of an Affordable Housing Agreement for Rancho Del Cielo Grande Subdivision and (2) Preliminary and Final Subdivision Plat Approval for Rancho Del Cielo Grande Subdivision (12 Lots) on a Total of 127.94-Acres. The Proposed Development is Accessed via Las Campanas Drive, Los Suenos Trail, and La Vida Trail, within T17N, R9E, Section 24, (Commission District 2). (Growth Management Department/John Lovato, Case Manager) **TABLED BY APPLICANT**

13. Informational Items / Reports

A. Community Development Department January 2023 Monthly Report

B. Community Services Department January 2023 Monthly Report.

C. Finance Division December 2022 Monthly Report.

D. Growth Management Department January 2023 Monthly Report.

E. Human Resources Division January 2023 Monthly Report.

F. Public Safety Department January 2023 Monthly Report.

G. Public Works Department January 2023 Monthly Report.

14. Concluding Business

A. Announcements.

B. Adjournment. (Action Items) 5:05PM

Motion and Voting

- Motion to adjourn the public meeting portion of the meeting and enter executive session where the meeting will conclude.
- Motion by Anna T Hamilton, second by Hank Hughes.
- Yea: Anna C Hansen, Anna T Hamilton, Hank Hughes, Justin S Greene, Camilla Bustamante.
- Final resolution: motion carries.