

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

June 27, 2017

Henry Roybal, Chair - District 1
Anna Hansen, Vice Chair - District 2
Robert A. Anaya - District 3
Anna Hamilton - District 4
Ed Moreno - District 5

SFC CLERK RECORDED 07/26/2017

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June 27, 2017

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:35 p.m. by Chair Henry Roybal in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

Roll was called by County Clerk Geraldine Salazar and indicated the presence of a quorum as follows:

Members Present:

Commissioner Henry Roybal, Chair
Commissioner Anna Hansen, Vice Chair
Commissioner Robert A. Anaya
Commissioner Anna Hamilton
Commissioner Ed Moreno

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Gina Capener, the State Pledge by Kyra Ochoa and the Moment of Reflection by Lupe Sanchez of the Community Services Department.

I. **F. Approval of Agenda**

1. Amendments

2. Tabled or Withdrawn Items

CHAIR ROYBAL: I'd like to see if there are any amendments or withdrawn items.

KATHERINE MILLER (County Manager): Mr. Chair, there aren't any tabled or withdrawn item but on page 2, under Action Items, III. C. 1, that resolution committing Santa Fe County fund balance, that caption was corrected. And then on page

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3, under Matters from the County Manager, item VI. A. 1, that caption, the Board and Committee Member Attendance Review and Direction, that item, the caption was corrected. There were no additions or deletions from the agenda.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. So those are the amendments. What's the pleasure of the Board?

COMMISSIONER HAMILTON: Move to approve as amended.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: So we have a motion as amended and a second as amended.

The motion passed by unanimous [5-0] voice vote.

I. G. Approval of Minutes

**Approval of May 30, 2017, Board of County Commissioners
Regular Meeting Minutes**

CHAIR ROYBAL: What's the pleasure of the Board? Are there any changes? Commissioner Hansen.

COMMISSIONER HANSEN: One of these days I'll get through and there won't be any changes. So my first change is on page 45, on the draft, so page 45, second paragraph, Chair Roybal, it says, Thank you, can we have our next speaker. Then the next speaker was Jean Moya and the paragraph should be moved down under Jean Moya's name because I believe that goes with her or it could go with the person above but it's definitely not Commissioner Roybal.

Then on page 47, on the fourth paragraph. I thank you, instead of I think you, for the \$45,000.

And then I think that's all the changes I will make for today. There are some other ones but I think they're just part of the record and I'm not going to – I think that's what the record said even though it might be incorrect.

CHAIR ROYBAL: Okay, thank you, Commissioner Hansen. Do I hear a motion?

COMMISSIONER HAMILTON: Sure. I move to approve as amended.

CHAIR ROYBAL: Okay, we have a motion to approve as amended. So I hear a second?

COMMISSIONER HANSEN: I second.

CHAIR ROYBAL: And I have a second.

The motion passed by unanimous [5-0] voice vote.

H. Employee Recognition

1. Recognition of New Santa Fe County Employees

MS. MILLER: Yes, Mr. Chair, in your packet is a list of County new hires last month – May 1st through May 31st. I'll just quickly go through those. In Finance we have Amanda Portillo. In the County Assessor's Office, Randy Estrada. County Probate

Office, obviously we've got our new Probate Judge, John Agresto. In Senior Services, William Todino. Then in Corrections, Jesus Garcia, Mikhail Curley-Martinez, Jacob Gasca, Felicia Lopez, Lupe Walters, Leann Murray, Amanda Rivera and Sera Nolan. I'd just like to point out it's always good when we get a good new group of cadets for detention officers so we're happy to see that.

Then in the Fire Department we have three forestry technicians – Justin Naranjo, Gabriel Quintana and George Quintana. In Dispatch in the RECC, Desirae Samudio, and in Public Works/Building Maintenance, Joe Apodaca, Carlos Contreras. In Public Works/Fleet Juan Mascarenas and Property Control, Eppie Tapia. In Solid Waste, Robert King, in Public Works, one of our new Sustainability employees, Neal Denton. And in the Sheriff's Office, Joel Cano and Nicholas Myrick.

So I just would like to welcome all of those new County employees and wish them well at Santa Fe County.

CHAIR ROYBAL: Thank you, Manager Miller. Comments from the Board? Commissioner Anaya.

COMMISSIONER ANAYA: Ditto, Manager Miller. Welcome to Santa Fe County. It's a great place to work. You're part of the family.

CHAIR ROYBAL: Thank you for your comments, Commissioner Anaya and I'd also like to ditto those comments and just say welcome aboard and hope that you choose to create your career here at Santa Fe County and we look forward to working with you in the future. Commissioner Hamilton.

COMMISSIONER HAMILTON: I just wanted to ditto those sentiments and welcome everybody aboard. Look forward to working with them all.

CHAIR ROYBAL: Okay. Great.

I. H. 2. Recognition of Years of Service for Santa Fe County Employees

MS. MILLER: Mr. Chair, Commissioners, we also have as you know, a recognition of service. Anybody who meets a five-year milestone in continuous service for Santa Fe County. And we had quite a few people this month, between June 4th and the end of the month, several people who hit a five-year milestone. In the Sheriff's Office we have Adrienne Ames, Joseph Barela, Gabriel Ortiz and Pedro Gonzales who all hit their five-year mark.

In Corrections in Public Safety we have in medical, Kathleen Silva, registered nurse, and Aaron Martinez, a training coordinator, that hit their five-year mark. In the Fire Department we have Justin Armijo, Chris Bonifer, Thomas Dominguez, Kyle Jaffa, Nicolas Sandoval and Owen Stenzel – all of them hit their five-year mark. In the Treasurer's Office, Ashley Bravo, five years.

And then back to Corrections we have Carol Demar and Judy Searfoss who hit ten years with Santa Fe County and in the Fire Department, Battalion Chief Karl Ehl, ten years. And in the Assessor's Office Stephanie Ortiz has hit a ten-year mark on June 25th and then Jasper Roybal gets the gold star in property control. He's a maintenance technician senior. He's been with us for 20 years.

So I would just like to congratulate those employees, thank them for their

committee service to Santa Fe County and hope they stay another five, ten or fifteen years.

CHAIR ROYBAL: Thank you, Manager Miller. I did want to ask you, I think you skipped Dave Sperling.

MS. MILLER: That was on purpose. Actually, he's not on my list so I did. He's not here but you're right. Ten years as Fire Chief. Thank you very much for pointing that out. Is Dave here?

COMMISSIONER ANAYA: No, but he's probably listening in.

MS. MILLER: No, I didn't skip him on purpose and I'm actually glad he's been here ten years. Thanks for pointing that out.

CHAIR ROYBAL: Thanks, Manager Miller. Commissioner Anaya.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I was sharing with Commissioner Hamilton earlier that we were doing the capital fund stuff earlier and I walked through the doors of Santa Fe County as an employee in 1997, just a few months before Jasper Roybal. So I would just do an extra shout-out for all those tenured employees. Longevity has a lot of importance. It just shows what kind of organization you have. But I would just do an extra shout-out to Jasper for those 20 years as well that he's been here at the County. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Anaya, and I also would like to echo those comments and just congratulate everybody that's stayed for such a long time and your commitment to Santa Fe County. Do we have any other comments from the Board. Thank you. Congratulations again.

I. H. 3. Recognition of Christopher Flores, 2017 Telecommunicator of the Year

COMMISSIONER ANAYA: Thank you, Mr. Chair. I would ask our illustrious leader in RECC to come forward, Mr. Martinez, if you would. It's a pleasure and an honor to provide recognition to our employees when they excel in their service and Mr. Christopher Flores is no exception to that rule, so I'll say a few extra things but I'm going to wait until after Mr. Martinez, if you would provide some background for us as to the work that occurs at the Regional Communications Center. And I would just note that those that are here and those that might be streaming or listening in, there are several 12/7/365 operations at the County. Our adult and juvenile detention facility, our fire and regional fire centers as well as our volunteers, our Sheriff's Department and last but certainly not least, RECC and the regional dispatch that Mr. Martinez heads up.

So I think it's important to give a brief synopsis of what happens at that RECC, what you take in 14/7 and it's an ongoing, non-stop center. Talk a little about that and then of course, talk about why we're here today, most importantly to acknowledge Mr. Flores.

KEN MARTINEZ (RECC Director): Excellent. Thank you. Thank you, Mr. Chair, Commissioner Anaya, and thank you for the opportunity to come and recognize one of our operators. First of all, as the Commissioner mentioned, the RECC of course is the 911 center for this entire region, and so everything that happens, whether it's fire, emergency medical services or law enforcement related, goes through and starts

with the RECC. From the time that the public calls with whatever assistance they're in need of, our operations are there 24/7/365 to take those calls, to screen them, and decide who needs to respond, and then to get those responders to those persons in need in the quickest possible manner.

And so Christopher Flores is one of our telecommunications emergency communication specialists at the RECC and he's been with us for about five years. And the reason we're here today is because each year the New Mexico chapters of APCO and NENA, which are the national dispatch organizations. The New Mexico chapters have a program where each of the centers – there are 47 PSAPs, public safety answering points/911 centers in the state – and each year the members of those 47 PSAPs nominate and choose from calls, from experience, from the things that they know about the operators in their centers, and they nominate one to be chosen as the telecommunicator of the year. And this happens every year.

So of the 47 PSAPs that nominated telecommunicators for this honor, the executive boards of APCO and NENA choose from all of the nominations and they award that to one lucky and talented and dedicated individual. And this year it's Christopher Flores. Again, I mention that he's been with us about five years but he is a person that exemplifies what a 911 public safety telecommunicator should be. He's dedicated. He's responsible. And he wants to ensure that he maintains the safety of the public of Santa Fe County each and every day that he's on his shift. And so it's with great pride and honor that I give you Christopher Flores. He's the New Mexico 911 Telecommunicator of the Year for 2017.

CHAIR ROYBAL: Thank you, Mr. Martinez.

COMMISSIONER ANAYA: The floor is yours, Mr. Flores.

CHRISTOPHER FLORES (RECC): I just want to thank you guys. Thank you, Mr. Chair and the Commissioners. That's pretty much all I have to say.

CHAIR ROYBAL: Go ahead, Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, if I could, a man of few words. That's fine, Mr. Flores, because I know when people call in, you didn't just get this award by chance. You got it based on what Mr. Martinez said. You got it based on your dedication and your skill sets and your abilities to serve the public. So I know that you do awesome. We thank you so much for what you're doing for us and for all those citizens that call you in their deepest need. And so thank you so much for that service that you provide to all of us.

MR. FLORES: Thank you.

CHAIR ROYBAL: Thank you. We're going to go to Commissioner Hamilton.

COMMISSIONER HAMILTON: Speaking from personal experience, since I'm also a volunteer firefighter with Glorieta Pass, and I know Commissioner Anaya knows this equally well. People who are involved in emergency response know how the communications is the critical link, to have a good communicator, somebody's who's proficient at their job and really dedicated and thinks on their feet makes calls go so much better. When you have somebody who is not capable of that, they can create difficulties that if you're not involved in the process you just have no idea how critical the communications aspect of an emergency response is.

And not only that, that position is so difficult. If you want to know how difficult it is look at the high turnover rate. People burn out really, really quickly. So to have somebody, five years is an eternity to have been doing that at such a high level.

And so I thank you and I really commend you for being able to do this and I personally thank you every time we get good calls and good information and good information so that we can respond efficiently, it's really greatly, greatly appreciated.

MR. FLORES: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I also want to echo the comments that were made and just say our constituents are very lucky to have somebody on the other side of the line with your capabilities and just your work ethic. So you've done a great job. I appreciate it and congratulations. I'd also like to go to the other Commissioners but when we're done though I'd like to come down and shake your hand personally and say thank you and maybe take a photograph. And we have a certificate as well. Commissioner Hansen.

COMMISSIONER HANSEN: I want to thank you for your service. I think what you're doing is incredibly important, and to be recognized by your peers is really a great honor. And I just want to support that and thank you again. I'm not going to say a lot. I'm going to follow your example.

CHAIR ROYBAL: Commissioner Moreno. Thank you, Commissioner Hansen.

COMMISSIONER MORENO: It's really impressive what you do. You have to be calm but efficient and know where everything is, where it is happening and I don't know many people that can do that sort of thing over a shift. Congratulations for the award and keep up the work. Very, very good.

MR. FLORES: Thank you.

CHAIR ROYBAL: Thank you for your comments, Commissioner Moreno. So I'm going to go ahead and read the certificate in for the record and then we'll go down and take a photograph. This is a certificate of recognition. The Board of Santa Fe County Commissioners hereby acknowledges Christopher Flores, the 2017 Telecommunicator of the Year. The Board of County Commissioners extends our recognition and congratulations to Christopher Flores for his outstanding excellence of receiving 2017 Telecommunicator of the Year Award during the 2017 New Mexico APCO and NENA conference. Therefore, the Santa Fe County Commission acknowledges his exceptional achievement on the 27th day of June 2017. And this is signed by all the County Commissioners, and the County Manager. Congratulations. Can we get a round of applause?

[Photographs were taken.]

II. CONSENT AGENDA

A. Miscellaneous

1. **Approval of County Health Care Assistance Claims in the Amount of \$40,098.23 (Community Services Department/Kyra Ochoa)**
2. **Approval of Revised Amendment No. 3 to Lease Agreement**

No. 2013-0254-PW/MS between Santa Fe County and Southwest CARE Center, Inc. (Public Works Department/Terry Lease)

- 3. Approval of Grant of Public Sanitary Sewer Easement by Santa Fe County to the City of Santa Fe (Public Works Department/Terry Lease)**

B. Resolutions

- 1. Resolution No. 2017-64, a Resolution Requesting to Budget Revenue and Expenditures for Cooperative Marketing Grant Agreement No. 2017-0155 in the Amount of \$49,685 (Funds 214 and 215) (Finance Division/Don Moya)**
- 2. Resolution No. 2017-65, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget Supplemental Funding Awarded Through the HIDTA Grant Program / \$6,712 (Finance Division/Don Moya)**

CHAIR ROYBAL: How would the Board like to proceed? What's the pleasure of the Board?

COMMISSIONER HAMILTON: I would move to approve the Consent Agenda.

CHAIR ROYBAL: Okay, so we have a motion. Do we have a second?

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: We have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, could somebody just give me a little background on that item that we just approved on the cooperative marketing grant agreement? What exactly is that?

MR. FLORES: Mr. Chair, Commissioner Anaya, that grant is used by our Lodgers Tax Advisory Board. It was a cooperative program with the State of New Mexico where we applied for a \$100,000 with \$49,000 of it coming from the State. We would contribute \$49,000. That's for advertising and marketing for those events and attractions of our Lodgers tax.

COMMISSIONER ANAYA: So a one to one match we got, I guess.

MR. FLORES: Yes.

COMMISSIONER ANAYA: Nice.

MR. FLORES: First time ever.

COMMISSIONER ANAYA: Thank you. Appreciate that. Thank you, Mr. Chair.

[Clerk Salazar provided the numbers for the resolutions and ordinances throughout the meeting.]

III. ACTION ITEMS

B. Appointments/Reappointments/Resignations

1. **Reappointment of Nancy Long as Hearing Officer Pursuant to Section 3.5.3. of the Santa Fe County Sustainable Land Development Code for a Term Beginning on July 1, 2017, and Ending on December 31, 2017**

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Mr. Chair, Commissioners. The code gives the Board authority to appoint a hearing officer for up to four years at a time with reappointment at the conclusion of any of the term. Nancy Long was appointed by the BCC in May of 2016 to serve as the Hearing Officer until June 30th of this year. Staff is in the process of completing a request for proposals for multiple hearing officers in case there's a conflict or unavailability of one hearing officer. But this process won't be complete for a couple of months and cases are scheduled to be heard by the Hearing Officer.

So we're requesting that the BCC appoint the Hearing Officer for the next six months until December 31, 2017.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: I move for approval.

CHAIR ROYBAL: Okay, we have a motion. Do I hear a second?

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: So we have a motion and multiple seconds. We have a comment from Commissioner Hansen.

COMMISSIONER HANSEN: You mentioned that you're in the process of looking for multiple Hearing Officers?

MS. ELLIS-GREEN: That's correct. Yes.

COMMISSIONER HANSEN: How long will that process take?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Hansen, we believe it would take about three to four months.

COMMISSIONER HANSEN: Okay. And then how many is multiple?

MS. ELLIS-GREEN: Mr. Chair, Commissioner Hansen, we were looking for multiple the first time that we did this. We only got one that qualified. So again, we're looking to see if we can get multiple. It would be good to have a second officer just in case one has either a conflict of interest or is unavailable at one of our regularly scheduled meetings. That happened once in the past year with Ms. Long. She did find another alternative time and we put the meeting back as a special meeting a week later, but that's not always possible. So ideally, we would have a second hearing officer.

COMMISSIONER HANSEN: Okay. I think it is an excellent idea and good luck with finding an additional hearing officer.

CHAIR ROYBAL: Thank you, Commissioner Hansen. So we have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. C. Resolutions

1. Resolution No. 2017-66, Resolution Committing Santa Fe County Fund Balance [Exhibit 1: Staff Report]

DON MOYA (Finance Director): Thank you, Chair Roybal, Manager Miller, Commissioners. We are seeking the Board's approval today on the fund balance commitment or the fund balance reserve. In June of 2015 the Board passed a resolution adopting a fund balance reserve and budget contingencies policy. The policy specifically provides a process for committing reserves for the general fund as well as all the other funds which include the special revenue funds.

The policy specifically states that funds shall be set aside as committed fund balance by passage of a resolution or ordinance. The policy is fairly prescriptive in how we go about setting the reserves and the contingency amounts. There are nine specific criteria that we use to set aside the reserve amounts that you'll see in Exhibit A in your packet. Of course the contingency reserve for the general fund is ten percent of the FY 18 operating budget. Then you have three other categories: disaster recovery, uninsured losses and major infrastructure that we also set aside or assigned.

The policy states that the Finance Director in consultation with the County Manager can assign a certain amount for those three items. I've worked with Manager Miller and in looking at the FY 16 CAFR as well as what we're facing in the future we agreed to assign the amounts under disaster recovery, uninsured losses and major infrastructure in Exhibit A and then the rest of them are fairly formulaic for the special reserve funds and the enterprise funds.

So if you have any questions I'm happy to answer them but we are again seeking approval of the fund balance commitment.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Okay, Commissioner Anaya.

COMMISSIONER ANAYA: Move for approval.

CHAIR ROYBAL: So we have a motion. Do I hear a second?

COMMISSIONER MORENO: Second.

CHAIR ROYBAL: Is there any other discussion? Seeing none, we have a motion and a second.

The motion passed by unanimous [5-0] voice vote.

III. C. 2. Resolution No. 2017-67, a Resolution to Recognize Agua Fria Village Association as a Community Organization for Agua Fria Community District

LUCY FOMA (Planner): Good afternoon, Chair Roybal and Commissioners. I'm here this afternoon to present a resolution to establish the Agua Fria Village Association as a community organization and I'd like to call up at this point, we have community members from Agua Fria. We have a good turnout today.

COMMISSIONER HANSEN: Please, everybody, come up to the front.

MS. FOMA: So as you know, the community organization program was established in the SLDC to increase communication and transparency between the County and our communities. By becoming a community organization Agua Fria Village Association will receive more notifications from the County. They'll also receive development review applications when they come to the County in the pre-application phase. They can also comment on plans that are under review. So I wanted to recognize that Agua Fria made a community plan that was adopted in 2006 and a community plan update that was incorporated into the SGMP in 2015.

They worked really hard. They were a really great community organization already before becoming a County community organization. They're really well organized and do a lot within their own community.

I wanted to invite any of the community members up to speak for themselves at this point.

WILLIAM MEE: Mr. Chair, Commissioners, my name's William Mee and I'm president of the Agua Fria Village Association and we're very excited about this opportunity of becoming a community organization. And we feel that it's just part of our journey that we've taken as a community to really maintain our identity and to be more cohesive within our boundaries. We've been working hard on a number of cultural things over the years. We do an annual Santa Fe River blessing and that occurs on May 15th on el Dia de San Ysidro and we do las Posadas during Christmas. So we're doing – kind of restoring the culture the way it was and incorporating the new businesses that we have in the area and we're just really trying to pull it all together and we feel that the community organization opportunity really allows this and we really thank you for that.

CHAIR ROYBAL: Thank you, Mr. Mee.

MS. FOMA: And one other point. The community organization is responsible for representing all of the interest groups within the community and I wanted to recognize this Village Association for making any extra efforts to bring in all of the interests groups. They did a great job in the process of applying to become a CO to really make sure that they were bringing in businesses and individuals and their own association members. So I applaud their initiative and effort and I stand for questions.

CHAIR ROYBAL: Okay, did we have any questions from the Board? Comments? Commissioner Hansen.

COMMISSIONER HANSEN: I am very honored to represent the Agua Fria Village Association and the Village getting this organization together. I think it is really an important part of the history of the process for the Village. I want to recognize the people who are here besides President William Mee. We have Charlie Gonzales, Katherine Baca, Mel Gallegos and Laura Chatain and Joe Mier. I'm happy to see all six of you here. It is great. And I feel like what it can help with is building the communication that we have. Like we passed a resolution for a museum as a consideration for the Village and this is part of that process that we can start to build on to build the history back up of the Village and make sure that it's protected for future generations. I welcome everybody to come to the Posadas and come to the river blessing. They're wonderful events that happen in the county and in Agua Fria Village. I'm also looking forward to trying to work with the Village to possibly get a MainStreet grant and do some more work to build up the community. So this is an exciting step forward and I

thank you all for being here.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, it's good to see all the members of the community here. I was going to pick on Charlie last time but he snuck out early. It's good to see Charlie back. I've known him for decades and was a coworker with him. He was a colleague here at the County so welcome back. I articulated as best I could maybe about 25 percent of all the things that Mr. Gallegos has done because he's done far more than I could have ever said, as an educator, as a community member, as a religious leader, as a musician – I could go on and on and I greatly appreciate that.

And then I would also add the work of the Mier family, Joe Mier and all of his family and their dedication in just about every facet of the community fabric. Thank you, Mr. Mier, for those efforts, along with Mr. Mee and all of you here. Ms. Baca as well. Each and every one of you have been contributing members to the community. That's evident by your presence but it's also evident by your work that you do day in and day out when no one's looking. Right? And so thank you so much and it's exciting to have another community taking an active role in what happens in their own backyard. So that's always a good thing. So thank you, Mr. Chair, and thanks to each and every one of you.

CHAIR ROYBAL: Thank you for your comments, Commissioner Anaya, and I just want to also recognize Ms. Foma for working with the group and interfacing with the communities. You do a great job. We really appreciate that and once again, to just say thank you to all the community members that are here today. It's great to be able to be here and see this association development so congratulations and great job. Any other comments from the Board? We'll go to Commissioner Moreno.

COMMISSIONER MORENO: I think it's great that you're being recognized, finally. You haven't had much of a presence, I guess in the minds of people who live in other places like Eldorado and maybe in 100 or 200 years we'll be able to say the same thing. Congratulations.

CHAIR ROYBAL: Thank you, Commissioner Moreno. I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: I want to move to approve a resolution recognizing Agua Fria Village Association as a community organization for Agua Fria Community District.

CHAIR ROYBAL: So we have a motion. Do I hear a second?

COMMISSIONER ANAYA: Second.

CHAIR ROYBAL: We have a second from Commissioner Anaya.

The motion passed by unanimous [5-0] voice vote.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: I want to thank once again all the people from Agua Fria Village for being here, working so hard to make this community organization happen. Katherine Baca worked really hard on this. Thank you for getting all those members and I know that the community is working to get more members, which is fantastic and doing outreach into the community. So thank you once again for

that.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR ROYBAL: Commissioner Anaya.

COMMISSIONER ANAYA: If I could ask a couple of questions of Ms.

Ellis-Green –

CHAIR ROYBAL: Before you guys leave –

COMMISSIONER ANAYA: Actually, it's just for the Land Use

Administrator.

CHAIR ROYBAL: Okay. I actually wanted to see if we could take a

photograph also.

COMMISSIONER ANAYA: Awesome.

CHAIR ROYBAL: If we could come forward really quick with Agua Fria

Village.

[Photographs were taken.]

CHAIR ROYBAL: Actually, we did have a question from Commissioner Anaya for Penny.

COMMISSIONER ANAYA: Thank you, Mr. Chair. I actually had a question that maybe you and Mr. Shaffer can help me address that I had an individual out in the county – I'm not going to talk about the specific area. I think what's more relevant to me is what type of protocol and expectations we have relative to the community organizations similar to the one that we just approved. The concern that was raised to me by a constituent was asking the question because of the nature of a land use determination and a land use case that we – and I think our staff just represented that these community organizations actually review development applications and provide feedback to those development applications for us to utilize and consider.

Being fully supportive of that process, because I was part of the person that helped initiate it as a Commissioner, a question that was raised was what protocols do we have in place for those community organizations that assure that whatever meetings they have in their own independent communities are done within the parameters of law. The specific reference that was made to me is is there any requirement associated with those community organizations to publicly notice every meeting that they're going to have? Is there a requirement for that community association or group to have bylaws that are accessible to all of the parties in the community? Are there minutes and budgets formally disclosed?

So I know that you and Robert are probably going to address those here but I think those are very real and rational questions and if we don't have that framework, I think as we progress – keeping in mind that those decisions rest with our Planning Authority and our Planning Commission and with the Board of County Commissioners ultimately for implementation and yourself as the Land Use Administrator, I think that there was some really good protocol and structural questions raised. And the concern raised was this particular individual didn't feel like they necessarily had access to the meetings or access to minutes or access to an agenda.

So I think the last thing that we want to do and we want to be cautious of is that

whatever community organization that we sanction within our process that we assure that they're meeting a threshold, baseline requirement of whatever the ten or twelve or whatever number of items are and that those items are consistent across every association that we sanction across the whole county and that they're not hit and miss or different, respecting that each community has their own autonomy and their own responsibilities and their own processes. Once we initiate them into our public process and they're going to be providing input into our land use cases, even if there are recommendations or advisory, we want to make sure each community has equal access and opportunity to every single piece of information and document and budgets and so on and so forth.

So I know I said a lot but I did so on purpose so that you would clarify what we have and maybe what we don't have. If we don't have certain pieces, and then we could figure out what we can do moving forward to advance a consistent set of requirements across the board, if they're not a place, and that's a big if because I'm going to shut up now and just listen. Mr. Chair, thank you.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Anaya, related to land use cases, what a community organization or a registered organization gets is notice of an application. So it's not a formal review process. They get notice that an application is going to be made through several forms. The first is before you make application you do what's called a pre-application neighborhood meeting. So some cases, the large cases, have to do that, and a CO would get notice that that is going to happen. So they get to see and hear about a case before it's actually been made into a submittal.

COMMISSIONER ANAYA: When you say – just because I just want to make sure people listening in or watching understand, when you say a CO, it's community organization, right?

MS. ELLIS-GREEN: That is correct. Yes. And so an application, when they come in, they go into a review first by staff, before they've made an application would be heard in front of our technical review committee. And our follow-up letter from that lets them know which community organizations and registered organizations cover their area and they have to give them notice for their pre-application meeting.

Then when the case is actually going to be heard by the Hearing Officer, Planning Commission or the Board, not only do they give legal notice to the people within 500 feet, again, they would give legal notice to the community organization or registered organization. That gives that organization the ability to come in and see our complete file and take a look at that, make any copies they want, and then they would go away and talk as a community and if they wanted to, they could take a position and include a letter that would become part of the file, part of the packet as we go through the public hearing process.

So we're not – they're not required to do that. They're not required to take a position on an application and it is not a formal review of the actual application.

COMMISSIONER ANAYA: So that clarifies part of what I'm asking. I think the other part that I'm asking is that we take a look at – let me just give an example. Any time there's a controversial issue that might arise in a particular community, one person could convene ten people at their house and constitute an organization and state that they speak on behalf of the organization when in fact maybe they don't at all. Maybe they just represent those ten individuals. Not taking anything away from those ten

individuals, if we're going to provide somebody an opportunity to be part of a noticing process, then I think it might be helpful for us to determine, well, what does that mean? What does being a community organization mean? And what should constitute some framework of documentation that we would look at to make sure they're truly a viable representation of that particular community?

I'm not speaking to Agua Fria and communities that have been around for hundreds of years that have bylaws and that have noticed meetings and annual business meetings, but I think that's the question I'm asking and that I think we need to be more methodical about it for lack of a better word. So, Greg, I don't know if you have any comments as well. I know Penny's listening over there, but I'm concerned about it. I'm a little concerned and I think we should have not a complicated structure, not a brand new bureaucracy for it, but some simple framework that we look at as we're saying, hey, Ms. Hamilton's group on Glorieta Mesa is a bona fide organization and she's truly representing that area or they're taking measures to make sure there's inclusion.

I don't bring it up blindly. I think that the item was raised and I think it was a good one. So I'll leave it at that, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Anaya.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Anaya, I wasn't sure if Greg had any comment, but I would say that when people apply or a community organization applies they give us a list of who is going to them send the information out to the rest of the people in that group. I don't know that we've got a formal process to guarantee that that is done when every application happens. They usually have regular meetings and they state when their regular meetings will be, so it would be down to people showing up there.

One thing I could say is that we could put together kind of a one-page overview of community organizations, about what we expect and what they can do and we could bring that back to you, or allow you to see that and then also to put it on the webpage so it's very clear that this is the kind of procedure that you would follow.

COMMISSIONER ANAYA: So Mr. Chair, I'm going to try one more time, and I respect what you're saying. I'm going to try one more time respectfully to say this. We are given great caution as policy makers, especially in land use cases as an adjudicatory process to be careful with ex parte communications. To be careful with legal frameworks that we utilize to make decisions. To be careful with documentation that we take in and that we consider within that framework of an adjudicatory process that is the Board of County Commissioners when they're making a land use determination.

Because of that, if part of our process would entail a community organization that would later come to be determined that was not a bona fide community organization and only represented an isolated segment of a community, that we're providing ample public notice, that we're providing ample opportunity and access to documents and information that that group was making, that would then in turn be part of our packet of material that we utilize to make a legal and binding decision.

And so I'm trying to respect, encourage and promote the input of communities and community organizations, but I'm also trying to protect the process so that we're assured that there's been some due diligence associated with confirming that in fact an organization is a community organization. And so that's about where I'm at. Maybe

