

**SANTA FE COUNTY**

**BOARD OF COUNTY COMMISSIONERS**

**REGULAR MEETING**

**September 8, 2015**

Robert A. Anaya, Chair - District 3  
Miguel Chavez, Vice Chair - District 2  
Henry Roybal - District 1  
Kathy Holian - District 4  
Liz Stefanics - District 5

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**REGULAR MEETING**  
**BOARD OF COUNTY COMMISSIONERS**

**September 8, 2015**

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:00 p.m. by Chair Robert A. Anaya 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 Robert A. Anaya, Chair  
Commissioner Miguel Chavez  
Commissioner Kathy Holian  
Commissioner Henry Roybal  
Commissioner Liz Stefanics [late arrival]

**Members Excused:**

None

- I. C. Pledge of Allegiance**  
**D. State Pledge**  
**E. Moment of Reflection**

The Pledge of Allegiance was led by Jeff Espinoza, the State Pledge by Daniel Fresquez and the Moment of Reflection by Dale Lucero, all employees of the Administrative Services Division.

Commissioner Holian asked those present to remain standing to honor the life of Pamela Lindstam.

- I. F. Approval of Agenda**  
**1. Amendments**  
**2. Tabled or Withdrawn Items**

County Manager Miller highlighted the following changes:

- I. H. Honoring Veterans – would not be heard as none were in attendance

- III.C. 8: Request approval of an Amendment to the Contract with Pictometry International is tabled
- VII.A. Matters from the County Attorney items 1, 2, 3 a.b. and B have been added
- VIII. Public Hearings, C. Land Use Cases, 4. Ashwin Stables (CDRC Case #Z/PDP/FDP), the applicant is present and requested tabling and Rio Business Park (BCC Case #MIS 10-5354) is tabled

Chair Anaya requested that:

- V. Presentations, 5. Proclamations: 3, 4 and 5 to follow Final Orders.

Commissioner Holian moved to approve the agenda as amended. Commissioner Chavez seconded and the motion passed by unanimous [5-0] voice vote. [Commissioner Stefanics asked that the record reflect she voted in affirmative to all items. See page 27]

## II. CONSENT AGENDA

Commissioner Chavez noted that the proclamations were listed within the consent agenda and he moved to remove items V. 1, 2, 3, 4, from the consent agenda. Commissioner Anaya seconded and the motion passed by unanimous [5-0] voice vote. [See page 27]

Manager said the consent agenda consists of final orders and one resolution relative to the federal government regarding reauthorization and full funding for the Land and Water Conservation Fund.

Commissioner Holian moved to approve the Consent Agenda to include item II. C. 2. Commissioner Roybal seconded and that motion passed by unanimous [5-0] voice vote. [See page 27]

County Clerk Salazar provided the numbers for the resolutions and the ordinance that the Commission passed.

### A. Final Orders

1. **CDRC CASE # S 15-5040 Univest-Rancho Viejo (La Entrada Phase I) Preliminary and Final Plat and Development Plan Amendment. Univest-Rancho Viejo LLC, Applicant, James W. Siebert and Associates, Agent, Requested a Preliminary and Final Plat and Development Plan Amendment for La Entrada Phase 1. The Request Includes a Reduction in the Number of Lots From 456 Lots to 404, as Well as to Increase the Area of Undeveloped Open Space From 139.78 Acres to 146.36 Acres, the Area of Developed Open Space from 5.69 Acres to 7.87 Acres, and to Reduce the Area of the Private Park from 4.13 Acres to 3.94 Acres. The Request Also Includes the Removal and Realignment of Several Roads within the Subdivision. The**

**Property is Located North of Rancho Viejo Blvd. and West of Avenida del Sur, within the Community College District, within Sections 19 and 20, Township 16 North, Range 9 East (Commission District 5). Vicente Archuleta, Case Manager. (Approved 4-0)**

2. **CDRC CASE # MIS 13-5051 Patrick Christopher and Marga Friberg. Patrick Christopher and Marga Friberg, Applicants, Requested Reconsideration of a Condition Imposed by the BCC Requiring a 0.25 Acre Foot Water Restriction for an Approved Variance of Article III, § 2.4.1a.2.b (Access) of the Land Development Code and a Variance of Article 4, § 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to Allow the Construction of a Residence on 14.981 Acres. The Property is Located at 250-C Kalitaya Way, within the Vicinity of Buckman, within Section 29, Township 19 North Range 8 East, (Commission District 1). John Lovato, Case Manager. (Modified Condition Approved 5-0)**

**B. Resolutions**

1. **Resolution No. 2015-126, a Resolution in Support of the Reauthorization of and Full Funding for the Land and Water Conservation Fund (Commissioner Stefanics)**

**C. Miscellaneous**

1. A Proclamation to Remember and Honor the Contributions of Steven Spencer, MD, to the State of New Mexico and to Santa Fe County (Commissioner Stefanics) – REMOVED FROM CONSENT
2. **A Proclamation Proclaiming the Week of September 21 through September 25 to be End Hunger in Santa Fe County Week (Commissioner Stefanics and Commissioner Holian)**
3. A Proclamation Proclaiming September 16, 2015, as Old Spanish Trail Ride Day (Co-Sponsored by Commissioner Chavez and Commissioner Anaya) REMOVED FROM CONSENT
4. A Proclamation Proclaiming September 17, 2015 as Three Trails Day (Co-Sponsored by Commissioner Chavez and Commissioner Anaya) REMOVED FROM CONSENT

**I. G. Approval of Minutes (Action Item)**

1. **Approval of August 11, 2015, BCC Meeting Minutes**

Commissioner Chavez moved to approve the minutes of the August 11, 2015 BCC meeting. Commissioner Holian seconded and the motion passed by unanimous [5-0] voice vote. [See page 27]

- I. H. Honoring Our Veterans and Service Men and Women - Withdrawn

### **III. ACTION ITEMS**

#### **A. Items from Consent Agenda Requiring Extended Discussion/ Consideration**

##### **3. A Proclamation Proclaiming September 16, 2015, as Old Spanish Trail Ride Day (Co-Sponsored by Commissioner Chavez and Commissioner Anaya)**

COMMISSIONER CHAVEZ: The Old Spanish Trail Association is one of the organizations that is sponsoring the three trails event that is held here in the City now in September. So the proclamation reads, it's titled, Santa Fe County Proclamation Proclaiming the Day of September 16, 2015 as Old Spanish Trail Ride Day.

The Commission read the proclamation into the record as follows:

“Whereas, In 1829, Antonio Armijo, a merchant from Santa Fe, led men and mules packed with New Mexico woolen goods on known Native American and later fur trappers/traders trails, northward through what is today northwestern New Mexico, southwestern Colorado, southern Utah, northern Arizona, and southern Nevada, across the Mojave Desert into the San Gabriel Mission, and finally to the Los Angeles Plaza where their goods were sold or exchanged for horses and mules; and

“Whereas, The Old Spanish Trail was used successfully as a major Southwestern Trade and Migration Route between 1829 and 1848 in delivering New Mexican woolen goods then returning with thousands of horses and mules along the approximately 1,200 miles to Santa Fe; and

“Whereas, The Old Spanish Trail Association (OSTA) is a non-profit, tax-exempt organization supported by a broad membership in 27 states and 13 local chapters in the six Old Spanish Trail States, Arizona, California, Colorado, Nevada, Utah and New Mexico, and England; and

“Whereas, The Old Spanish Trail became the 15th National Historic Trail when in November of 2002 Congress adopted SB 1946 (the Old Spanish Trail Recognition Act) which President George W. Bush signed into law in December of 2002; and

“Whereas, Santa Fe County recognizes and commends OSTA and Backcountry Horseman's Association of American for its efforts to study, preserve, protect, interpret, educate, and promote respectful use of the Old Spanish National Historic Trail and its multicultural heritage; and

“Whereas, today we recognize the California Backcountry Horsemen and their historic ride of the Old Spanish Trail from California to New Mexico.

“Now Therefore, Be It Proclaimed by the Board of County Commissioners of Santa Fe County that September 16, 2015 is, Citizens and civic organizations across the County are called upon to acquaint themselves with the Old Spanish National Historical Trail Route and its significance to Santa Fe County and the State of New Mexico.

“Approved, Adopted, and Passed on This 8th Day of September, 2015 by Commissioners Robert A. Anaya, Miguel M. Chavez, Henry Roybal, Kathy Holian and

Liz Stefanics. Signed by Katherine Miller, County Manager, approved as to form by Gregory S. Shaffer, County Attorney and attested to by Geraldine Salazar, County Clerk”

COMMISSIONER CHAVEZ: Thank you, thank you, Mr. Chair. I want to thank the Commissioners for helping me read this in because this is all sort of our collective history and I want to know how England got in the mix but I think that is something I’ll have to study on my own. But it tells us that our history going back even into the 1800s was multicultural. We’ve been a melting pot for a long time now and I think that we forget that when we’re dealing with our day to day issues

Mr. Chair, I do know that we have a member in the audience here that has worked very hard especially on this Old Spanish Trail Association so if you would please come forward and share with us some of your experiences and thoughts on the proclamation. I know that the California Back Country Horsemen have gone out of their way, just a bit, to retrace this route and they’ll be riding into the plaza I believe next Wednesday so maybe you could give us a little bit of background and tell us what’s next.

PAT KUHLHOFF: Thank you, Mr. Chairman and Commissioners. A week from tomorrow at 3 o’clock in the afternoon we have three riders, two horses and three mules that will be riding on the original route of the Old Spanish Trail which is Bishops Lodge Road down to the plaza and we will have there a welcoming ceremony for them because this is the first time that this trail has been re-ridden as a historic trail since the 1800s. So we’re looking forward and I certainly appreciate all your help in helping to make this ceremony of welcome for them to take place. It’s really going to be quite a historic event.

COMMISSIONER CHAVEZ: And just to add to that, our Sherriff’s Posse and the 4-H Club will be assisting the California Back Country Horsemen as they enter into the plaza.

MS. KUHLHOFF: That’s correct. They left Parowan, Utah. They are doing this ride in two segments. And last year they rode from Cajon Pass to southern Utah. They left Parowan, Utah on August 10<sup>th</sup> of this year and their last night on the trail will be up in Abiquiu a week from today and then Wednesday they’ll ride into Satan Fe. They will be escorted by the City Police Department and the Santa Fe County Sherriff’s Posse and 4-H members for clean-up after the animals.

COMMISSIONER CHAVEZ: It’s times like this that I wish I owned a horse, my own horse, because I would like to ride with some of these groups.

MS. KUHLHOFF: They have had groups all across the trail ride join them for segments of the ride.

COMMISSIONER CHAVEZ: Right and I know that in my family history, my ancestors did make the route to California and they were in the sheep industry so they would herd sheep to California. And there’s a place in California called the Chavez Ravine and that’s where the Dodger stadium is built – so we have connections to California historically and I think by us doing this proclamation and reinforcing that history, I think it is very significant not only as an individual but countywide I think the county can really benefit from proclamations like this and activities that are hosted in our general area.

So, Mr. Chair, thank you.

CHAIR ANAYA: Thank you, Commissioner and I appreciate you allowing me to co-sponsor this with you and I go to a motion from you, Commissioner. And I'd like to second it and then we'll go to Commissioners.

COMMISSIONER CHAVEZ: Okay, Mr. Chair, I would make a motion to approve the Old Spanish Trail proclamation.

CHAIR ANAYA: I'll second that. Is there any further discussion, Commissioners?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Well, I am always interested in history particularly as it pertains to the place where I live. So of course I had to look up the Old Spanish Trail on Wikipedia and I found out a few more little interesting tidbits about the history.

One is that it was probably the most arduous trade route in the whole United States, ever. And I think that's pretty interesting in and of itself. And there was an extensive use of it by pack trails from the 1830 to the 1850s and the name of the trail actually came from John Fremont's report of his 1844 journey and he named it that because the Spanish knew about that trail since the 1500s, they had been familiar with it even though it was not used officially as a trail until roughly 1830.

And I think it was interesting to find out that the reason that the – what was traded was hand-woven goods were brought from New Mexico to California because California just did not have a weaving industry at all in those days. But on the other hand, they had lots of wild horses and mules and so they would be rounded up and shipped back to New Mexico.

The other thing that I thought was very interesting; it was also used for illicit purposes. They would often raid the California ranches and steal things – the people that were coming from New Mexico. And there was an extensive Indian slave trade. In other words, women and children were brought from New Mexico and sold as slaves in California.

So I think it is important to recognize all the aspects of our historical past.

MS. KUHHLHOFF: Right, and we're hoping for that. This historic ride is a lead into the three trails conference that will start on Thursday of next week. So you're all welcome to come and learn more about the trails.

COMMISSIONER CHAVEZ: Pat, please introduced yourself for the record.

PAT KUHHLHOFF: I'm Pat Kuhlhoff and I'm one of the three persons on the steering committee. I represent the Old Spanish Trail and we have Troy Ainsworth who represents the Camino Real and Pam Najdowski who represents the Santa Fe Trail.

CHAIR ANAYA: Thank you so much.

COMMISSIONER ROYBAL: I just want to say thank you to Commissioners Chavez and Anaya for bringing this proclamation forward and sponsoring it. And just to say I'm pleased and proud to be a part of this proclamation today, thank you.

CHAIR ANAYA: Thank you very much, Commissioner Roybal. If there's no other questions or comments.

**The motion passed by unanimous [5-0] voice vote. [See page 27]**

**V. A. 5. Presentation of a Proclamation Proclaiming September 17, 2015 as Three Trails Day**

COMMISSIONER CHAVEZ: So Pat, don't go too far away. We're going to read the next proclamation. This is the proclamation also proclaiming --- well, this is proclaiming the day of September 17, 2015 as Three Trails Day:

The Commissioners read the proclamations follows:

“Whereas, over its 400 plus year history, Santa Fe has been a commercial center, historically serving as an integral trail link between Spanish, Mexican and United States markets;

“Whereas, During the colonial years, New Mexico was tied to the outside world by a single thoroughfare that traversed the Rio Grande valley north and south of Santa Fe, dropped through the natural gate at El Paso, and continued to and from Mexico City some twelve hundred miles, a route of commerce and travel, known as El Camino Real; and

“Whereas, The Old Spanish Trail was used successfully as a major Southwestern Trade and Migration Route between 1829 and 1848 in delivering Mexican woolen goods and returning with horses and mules along the approximately 1,200 miles of the trail that helped enable the settlement of the west; and

“Whereas, the Santa Fe Trail was used primarily as a commercial highway connecting Missouri and Santa Fe, New Mexico between 1821 and 1880, and as an international commercial highway used by Mexican and American traders from 1821 until 1846, when the Mexican-American War began and the Army of the West followed the Santa Fe Trail to invade New Mexico during that War.

“Whereas, Santa Fe County is a place where nationally recognized events occur and a Three Trails Conference has been scheduled for September 17-20, 2015 to bring together three nonprofit organizations: the Santa Fe Trail Association (SFTA), the Old Spanish Trail Association (OSTA) and El Camino Real de Tierra Adentro Trail Association (CARTA);

“Whereas, Santa Fe County intends to develop the site of the old County Courthouse into a new County Complex Building and has resolved that a prominent portion of the walls in the future County Complex be reserved for an art installation commemorating the 2015 Symposium and the Three Historic Trails.

“Now Therefore, Be it Proclaimed by the Board of County Commissioners of Santa Fe County that September 17, 2015 is: Three Trails Day  
Citizens and civic organizations across the County are called upon to acquaint themselves with the Three Historic Trails and the National Trails System as well as the significant role that Santa Fe County played historically as the hub of an overland continental trade

and communications network of thousands of miles.

“Approved, Adopted, and Passed on this 8th Day of September, 2015, by Robert A. Anaya, Miguel M. Chavez, Henry Roybal, Kathy Holian, Liz Stefanics, and County Manager Katherine Miller. Approved as to form by Gregory S. Shaffer, County Attorney and attest by Geraldine Salazar, County Clerk.”

COMMISSIONER CHAVEZ: So, Mr. Chair, having read the proclamation, I'd like to make the motion to approve and adopt this proclamation.

CHAIR ANAYA: Thank you, Mr. Vice Chairman, and I would proudly second. Any other questions or comments.

COMMISSIONER HOLIAN: Mr. Chair, I would just like to thank you and Commissioner Chavez for bringing this forward. And I think that it is very appropriate that in the old County Courthouse when we remodel it that we have a mural installed to commemorate the three trails.

CHAIR ANAYA: Thank you very much, Commissioner Holian. Do you have anything Commissioner Roybal?

COMMISSIONER ROYBAL: No, just thanks again, Commissioners, for bringing this forward.

**The motion passed by unanimous [5-0] voice vote. [See page 27]**

CHAIR ANAYA: Thank you so much for coming today.

MS. KUHLOFF: Thank you so much. Appreciate it.

COMMISSIONER CHAVEZ: Thank you.

COMMISSIONER HOLIAN: Mr. Chair, I would like for Commissioner Stefanics to be present when he presented the proclamation for Dr. Spencer.

CHAIR ANAYA: I had a conversation with her Commissioners and she asked that you go ahead and carry that on her behalf, if you'd like to at this time.

COMMISSIONER HOLIAN: Thank you. May I ask is anybody here for that proclamation? Is anybody here from Dr. Spencer's family?

CHAIR ANAYA: Commissioner, if you want to wait since there are no others here, we could do that if you want.

We'll go ahead and hold off on that.

**III. B. Appointments/Reappointments/Resignations**

**1. Resignation of Mr. Roger Holden from the Arts, Culture and Cultural Tourism Committee**

DAVID GRISCOM (Economic Development): Mr. Chair, Commissioners, David Griscom, Economic Development. What you have before you is a brief memo requesting that you accept the resignation of Mr. Roger Holden who was a member of the ACCT Committee, the Art, Culture and Cultural Tourism Committee. Mr. Holden was a member for roughly a year and has decided that there are others in

Edgewood who are better able to serve on this committee.

Stating he did so with reluctance, Commissioner Chavez moved to accept the resignation of Roger Holden. **Commissioner Anaya seconded and the motion passed by unanimous [5-0] voice vote.** [See page 27]

**III. B. 2. Appointment of Mrs. Karen Nance to the Arts, Culture and Cultural Tourism Committee**

MR. GRISCOM: Mr. Chair, the next item is request appointment of Ms. Karen Nance to the ACCT. We advertised, sent out a press release and advertised this for roughly a week. We received one nomination and that is Ms. Karen Nance. As you see from the memo she is from Edgewood and the secretary of the Route 66 Arts Alliance which represents roughly 70 plus artists in the southern part of the County. Staff recommends the appointment of Karen Nance to fill Mr. Holden's term which expires on July 28, 2017.

Noting that Ms. Nance has a prop fabrication business in Santa Fe County, Commissioner Chavez moved to approve the appointment of Ms. Karen Nance to the ACCT Committee. Commissioner Anaya seconded. **The motion passed by unanimous [5-0] voice vote.** [See page 27]

Commissioner Chavez thanked the ACCT committee members for their efforts.

**III. C. Miscellaneous**

**1. Consideration and Direction on an Alternate Means of Compliance Request for La Pradera**

ROBERT GRIEGO (Planning Manager): Good evening Commissioners, Mr. Chair. This request before you today is a request for the County to review the amended Affordable Housing Agreement for La Pradera in accordance with the alternative means of compliance in accordance with their agreement.

La Pradera currently has an agreement with Santa Fe County, and Affordable Housing Agreement that requires a total of 40 affordable housing units. The developer has completed 25 affordable housing units in accordance with the agreement and is needing to complete an additional 15.

They have requested that they make the alternative means of compliance for the remaining 15 that they are required to complete. This would need to be in compliance with the Affordable Housing Agreement.

Staff is requesting direction from the Board on whether to proceed with an application to amend the amended and restated Santa Fe County Housing Agreement for La Pradera to allow for the alternative means of compliance for this. If the Board does direct staff to consider this application to amend the affordable housing agreement, the applicant would need to submit a master plan amendment to amend the affordable

housing agreement and they would also need to amend the preliminary and final development plan and plat in accordance with Section XVI of the Affordable Housing Ordinance 2006-02 and 2012-1. Staff would then review the application and relevant information to verify that the affordable homes were sold in accordance with the Affordable Housing Ordinance and also the affordable housing regulations. Some of those requirements would include that there be reasonable dispersment of affordable units. That there be income qualifying in accordance with the income ranges; that the home sale prices would be accordance with the current maximum target home prices and they would be sold to first time affordable housing buyers in accordance with the ordinance and that they meet minimum requirements for eligible housing types.

In your packet is both the letter from the developer regarding the application to amend the agreement also the Santa Fe County Affordable Housing Ordinance 2012-01 and 2006-12. We also included in your packet the Affordable Housing Agreement that is currently in effect for La Pradera. With that I stand for questions.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: So, Robert, if I am understanding you this correctly, you're asking us to approve this but they're you also would have to do some fact finding on your own. You mentioned five points that Section XVI would have to address; reasonable dispersion of affordable units; income qualified in accordance with income ranges, if those units that are in question did not meet those requirements what do we do? How do you fix that? How would you change that moving forward?

MR. GRIEGO: Right now, Commissioners, Mr. Chair, Commissioners, we have issued certificates of compliance for the 25 they have completed. We would review these in accordance with the ordinance and we would then need to bring an affordable housing plan back to you and an affordable housing agreement back to the Board and indicate how they met those requirements or did not. If they did not meet those requirements then we would indicate that at that time.

COMMISSIONER CHAVEZ: And then would they have to build maybe additional units to meet our requirements or how do you see that playing out?

MR. GRIEGO: The developer is currently indicating that 25 of the homes the Community Housing Trust has built is in accordance with the ordinance and we have not reviewed that but –

COMMISSIONER CHAVEZ: -- you're going to double-check that to be sure that that's the case.

MR. GRIEGO: Yes.

COMMISSIONER CHAVEZ: So we're talking about – there's a total of 40 units that are expected that will fall under the affordable housing guidelines.

MR. GRIEGO: Those are the requirements that are currently in the affordable housing agreement, that's correct.

COMMISSIONER CHAVEZ: And we have 25 units that are already built.

MR. GRIEGO: That is correct. And we have indicated that 25 of the 40 that they are required are in compliance with our ordinance.

COMMISSIONER CHAVEZ: So then the 15 that remain would be reviewed before they're approved or before they are built?

MR. GRIEGO: My understanding is that these homes have already been built by the Housing Trust.

COMMISSIONER CHAVEZ: So we have all 40 units already in place?

MR. GRIEGO: Staff has not reviewed them in accordance with our ordinance. These homes have been built. They have identified 25 additional homes which they indicate that they are in accordance with our ordinance but staff has not reviewed them at this time. We are requesting direction from the Board whether to proceed with this in accordance with our alternative means of compliance.

COMMISSIONER CHAVEZ: Okay, thank you, Mr. Chair.

CHAIR ANAYA: So, Mr. Griego, this affords the review to take place if we provide the direction; correct?

MR. GRIEGO: That's right.

CHAIR ANAYA: And then you're going to review it and come back and bring those to us; correct?

MR. GRIEGO: That is correct.

CHAIR ANAYA: So on that, I'm going to go ahead and move approval.

COMMISSIONER HOLIAN: Mr. Chair, I'm in agreement with directing staff to investigate the sale of these homes and see whether they were in accordance with our Affordable Housing Ordinance and regulations.

CHAIR ANAYA: Excellent, can you second this motion.

COMMISSIONER HOLIAN: Mr. Chair, point of order, do we actually need to make a motion.

CHAIR ANAYA: It's an action item and I'd like to have it on the record.

COMMISSIONER HOLIAN: I'll second that.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Commissioner Roybal seconded it and we've got a motion and second. Commissioner Chavez.

COMMISSIONER CHAVEZ: Just so I understand, Robert, so for the other 15 that are still remaining those will be reviewed at a later time. We're only talking about the 25 unit that are already built currently.

MR. GRIEGO: We have reviewed those. For point of clarification, Mr. Chair, the 25 we have already issued certification of compliance with we are looking at the additional 25 that have built by a non-profit developer. We will review those in accordance with our ordinance. They have requested that 15 of those be accounted to this part of their affordable housing agreement.

COMMISSIONER CHAVEZ: Okay.

CHAIR ANAYA: So they're going to review the 25 is see that they're in compliance. So at this point we're not talking about any additional. We're talking about verifying whether the 25 – that 15 of those meet the requirement.

MR. GRIEGO: Mr. Chair, that is correct.

CHAIR ANAYA: Okay, thank you.

KARL SOMMER: My name is Karl Sommer for the record, PO Box 2476, Santa Fe, New Mexico. I'll be very brief. Thank you very much for considering this.

Just to be clear, the homes, the 25 homes that have been built will not meet clearly one aspect of your ordinance and that is that you have a lien. So what we're talking about is an alternative means to your ordinance and coming back to you and saying, Here's what your ordinance says as policies here's what we've done. And then have you look at them. I just want to make sure that you all understood that and that's part of what we're asking for. That's all I wanted to say.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: So I have a question on that point, Karl, and what will happen with that soft-second when a home is sold?

MR. SOMMER: That soft-second is paid back to the Community Housing Trust whose mission it is to provide affordable housing. I haven't seen one recently but there is a forgiveness time period for that. But there is no lien on the County. It is in a non-profit agency whose mission it is to provide affordable housing.

COMMISSIONER HOLIAN: But presumably that money will continue to be used for affordable housing.

MR. SOMMER: Exactly. It's their mission. That's what keeps them tax exempt.

COMMISSIONER HOLIAN: Thank you.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: And beyond that, Karl, the unit itself would stay in the Housing Trust for the next eligible buyer.

MR. SOMMER: Not the unit itself. The unit itself if it were sold, they would take the funds and it would be plowed backed into the Community Trust's affordable housing program which is their education, qualification, down payment assistance – all of the things that they do.

COMMISSIONER CHAVEZ: So, I'm going to ask staff then, Robert, does our provision allow for the set aside, if you will, of those units to be available for the next eligible buyer or is that not part of our affordable housing program?

MR. GRIEGO: Mr. Chair, Mr. Commissioner, the affordable housing ordinance does have a provision in it and it also has a provision that the lien shall be – that the County owns the lien in the amount of difference of the maximum target housing price and 95 percent of the unrestricted fair market value of the affordable unit at the time of sale. Their affordable agreement specifically has a provision regarding that if the non-profit would hold the lien that there are provisions that would require them to – there's a provision in Section XII of their agreement and I don't know if you want me to read the whole thing –

COMMISSIONER CHAVEZ: Just highlight if you can.

MR. GRIEGO: That the non-profit housing organization where they hold

the lien in lieu of the County's affordable lien that the total lien held by the non-profit would need to be – could be no greater than three times the amount of cash contributed by the non-profit in its own funds to subsidize the homeowner.

So there is a provision in place that if a non-profit held the lien how they would address that and we would be looking at that.

COMMISSIONER CHAVEZ: So, anyway, I think that it's interesting that you brought that up Karl because I think I do need to keep the proceeds from the sale in the pool to help in a financial sense the next eligible buyer. But then if there's a waiver we could keep the inventory also rotating also and I don't know how that would work but those are two areas that I would be interested in because I think that if we can be flexible in meeting our affordable housing requirement, I think that's good. But it needs to stay within and close to the guidelines we have currently otherwise we would be doing piecemeal and I don't think we want to be changing our Affordable Housing Ordinance all of the time. I think what we're doing here would work for this particular developer and these non-profits but I'm not sure how this would work and apply to other cases. I want to be kind of cautious in that regard.

But, anyway, Mr. Chair, I think we are ready for the vote.

MR. SOMMER: Thank you very much.

CHAIR ANAYA: Thank you, Mister Vice Chairman.

**The motion passed by unanimous [5-0] voice vote. [See page 27]**

**III. C. 2. Request Approval of Application for Santa Fe County Local Economic Development Act (LEDA) Support for The Place at Caja del Rio, a Senior Living Project. (Growth Management/David Griscom)**

MR. GRISCOM: Mr. Chair, Commissioners, David Griscom, Economic Development. What you have before you today is a memo and a packet for a project called the Place at Caja del Rio, it is a senior living project. This is a continuum of care, senior services initiative that is being developed by Mr. Jeff Stuve and Mark Haley who are here with us today. Jennifer Jenkins is there agent. This project is being proposed in four different phases. The first phase is a skilled nursing facility. It will also contain independent living units, assisted living units and memory care units.

This project has been master planned. The development plan has been approved. It sits on 28 acres on Caja del Rio. If you're on the frontage road you turn right on Caja del Rio and it's the vacant land on the right hand side before you get to the animal shelter.

CHAIR ANAYA: Mr. Griscom, we approved this particular project at our land use meeting a few months back. So I'm familiar – I appreciate the summary but I just want to say on the record that we did have a review through our development review process and the Commission did approve the project.

Go ahead and continue.

MR. GRISCOM: Thank you, Commissioner. They have submitted an application to staff requesting LEDA, Local Economic Development Act, support. Staff has reviewed their application. They requested \$2.3 million in infrastructure funding. Staff is recommending \$300,000. There's some very positive economic impact that is related to this project which I have highlighted in your memo. But to add a few more things, the project will create 170 construction jobs, roughly 170 full-time jobs, the average wage is \$52,000 and a total payroll of \$8 million, 90 percent of the new jobs will be from the local area, taxable income over the course of 10 years \$9.5 million.

So in short, Mr. Chair, Commissioners, from an economic development standpoint there definitely some positives we need to look at. In your packet I have included an executive summary of an economic impact study done by the State of New Mexico, the Economic Development Department and with that I stand for questions.

CHAIR ANAYA: I'm going to go to questions but I know that I had several comments during the review of this project. I think it's a good project. WE need more senior housing We need more facilities like this especially in this area. I'll go to Commissioners, but I'm going to move approval on it.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: And hope for a second, thank you, Commissioner Chavez. Commissioners? Commissioner Chavez.

COMMISSIONER CHAVEZ: Yeah, I would ditto your comment about the need for senior and long-term housing. This project will be built in four phases, it will include independent living, 180 units . Assisted living, 200 units. Skilled nursing unit of 120 beds and a memory care unit of 80 beds I guess if 80 units is the same as beds. I would imagine.

MR. GRISCOM: Yes, Mr. Chair, Commissioner.

COMMISSIONER CHAVEZ: So that's important but I also am also concerned about the quality that these patients will receive in any of these facilities. So do we have any say or any safeguard in who is managing these facilities? Who is operating them? And do we know – can we see their qualification? Do we have any way to ask any of these questions?

MR. GRISCOM: Mr. Chair, Commissioner Chavez, that's a very good question. I went down to Albuquerque to visit a previous project that the developers did, this project here on Caja del Rio is essentially a replica of the Rio at Las Estancias down in the south valley and I met the developer down there and got a tour of the facility. That's actually the reason that these folks are here so that they can answer that question as to the quality of the operator and you bring up an important point about the business model. They are the developers and ultimately they will bring on an operator to operate this turnkey facility, hopefully, all four phases of the turnkey facility. But I would defer to the developers and the agent as to their process of choosing an operator.

COMMISSIONER CHAVEZ: I appreciate that and I know we've asked these questions before but, Mr. Chair, I feel that we have to ask them again so that they're noted in the minutes of this meeting. And so I know that we may be asking some of the questions a second time but I'm hoping the answer is still the same.

CHAIR ANAYA: No, that's fine, Commissioner. If the applicant would

come forward and provide a little background as to the operational aspects.

JEFF STUVE: Absolutely. My name is Jeff Stuve and I'm with Cauwels & Stuve Realty and Development. We will be the developer and owner of the first phase and we too are always extremely concerned about the quality of care and the quality of the operator. We have made no final selection as of yet as to who that operator will be. In the skilled environment that is a licensed facility that is regulated by the State of New Mexico and will be surveyed regularly. So in terms of maintaining the quality of care in those facilities, that is taken on by the State of New Mexico and those people will have to maintain the care, respond to any deficiencies, etc. But we too are extremely concerned about the quality of the operator to ensure the long-term success of the property.

COMMISSIONER CHAVEZ: So, generally, when you enter into an agreement for an operator, I guess you have a pretty extensive selection process and then what would be the term, standard term of a contract be once you get to that point?

MR. STUVE: Well our contract is relatively simple in that it's a lease for the property and it typically is a 15 year period in terms of its initial term with several renewal terms beyond. But that contract is a pretty straight forward real estate contract. The care contracts are standard that are reviewed and regulated by the State. There's groups called CARF accreditation and other accrediting things but that contract is really between the family and the provider. We're only involved in the real estate agreement with the operator and certainly we care as to the quality of it.

COMMISSIONER CHAVEZ: So you're in a selection process to have the first operator –

MR. STUVE: We have a detailed selection process –

COMMISSIONER CHAVEZ: Okay.

MR. STUVE: If any of these – as you may know there's been some facilities with deficiencies here in Santa Fe that are challenged and that certainly carries over to the real estate. So it is of utmost concern who your operator is and the quality of that operator.

COMMISSIONER CHAVEZ: Okay. Thank you, Mr. Chair.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I noticed that this is being developed in four phases and I wonder if you would sort of give us an idea of the timeline for all four phases?

MR. STUVE: Well, we anticipate the entire project to occur over a period of five years. We don't really have any definitive other than we're prepared and capitalized to move on phase one. We don't have any definitive plans for the future phases other than the use so that it is a true continuum of care.

COMMISSIONER HOLIAN: And when do you think phase one would be completed?

MR. STUVE: As soon as we get approval.

COMMISSIONER HOLIAN: Okay, I see. The other thing, Mr. Chair, I

just wanted to clarify on your motion that it was for a LEDA ordinance in the amount of \$300,000; is that correct?

CHAIR ANAYA: That's correct.

COMMISSIONER HOLIAN: Thank you.

CHAIR ANAYA: Any other questions of Commissioners? There is a motion that I made. A second from Commissioner Chavez –

GREG SHAFFER (County Attorney): Mr. Chair, if I could.

CHAIR ANAYA: Mr. Shaffer.

MR. SHAFFER: I just want to be clear that by stating the obvious – by law LEDA projects have to be approved by ordinance and so what is being asked for today is a conceptual approval of the project and with that conceptual approval staff will then work with the applicant to develop the necessary agreements, the project participation agreement, security interest securing the LEDA support as well as the ordinance approving those. I just wanted to make sure that the record was clear as to the road ahead.

CHAIR ANAYA: So we're going to get another document that will ratify what we're doing today.

COMMISSIONER CHAVEZ: So, Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Greg, maybe to put it in another – phrase it in a different way. The request before us is just approval of the application for Santa Fe County Local Economic Development Act to support the Place at Caja del Rio a senior living project. So it really doesn't talk about a dollar amount but the next step will be the ordinance with the application and the dollar amount.

MR. SHAFFER: Mr. Chair, Commissioner Chavez, the dollar amount is there. It is \$300,000 is what staff is recommending as the LEDA assistance. But the next step would be to formally document all terms of the transaction and bring that back with an ordinance and specifically a request to publish title and general summary and then you'd have a public hearing on the ordinance at which formal approval would be made.

I think the idea here was to kind of give you a conceptual look at the project so that if it wasn't amenable to the Board then staff wouldn't invest those resources to come forward with a full-blown package.

COMMISSIONER CHAVEZ: Okay, thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. There's a motion and second.

**The motion passed by unanimous [5-0] voice vote. [See page 27]**

The Board set aside their agenda to welcome the 2015 Santa Fe Fiesta Court. The Mariachi Buenaventura entered the chambers followed by the court. The court thanked the Commission for their continued support and those present were introduced. Deputy County Manager Tony Flores was knighted Don Diego Vargas of Santa Fe County for the day. County Manager Katherine Miller was knighted La Reina of Santa Fe County

for the day.

The Commission thanked and recognized the Fiesta Council and Corte Real for their service and the importance of working across all cultures in Santa Fe. The Fiesta schedule of events were reviewed for the audience.

**III. C. 3. Request Authorization to Utilize the New Mexico Association of Counties Voluntary Benefits Program**

BERNANDETTE SALAZAR (HR Director): Good afternoon, Mr. Chairman and members of the Commission. In your packet is a summary of benefits of a new program instituted by the New Mexico Association of Counties for voluntary benefits. This program was intended to fill the gap of core employee benefits especially as a local public body covered under the State of New Mexico's plans those voluntary benefits were dropped in 2013 so the Association put together this program to help counties across the State of New Mexico to fill those gaps with the voluntary benefits.

These benefits include universal life with long-term care, critical illness with cancer polices, accident insurance, short term disability insurance, a wellness program and legal insurance.

Should the Board of County Commission direct the Santa Fe County staff to utilize this program initiated by the New Mexico Association of Counties then staff will begin to work with the Association to develop a program that will be tailored to Santa Fe County employees. And I stand for any questions.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: I have a question. Is any change going to be a detriment to the employees or is it going to be something smooth that they'll be able to accommodate utilizing the program?

MS. SALAZAR: Mr. Chair, this program is just simply voluntary benefits so there won't be any change to the existing core benefits. It will be a supplement and should be a smooth transition.

CHAIR ANAYA: Okay, Commissioner Chavez.

COMMISSIONER CHAVEZ: Bernadette, I appreciate New Mexico Association of Counties offering these programs because as is stated in the memo, it does two things. It combines New Mexico county employees into a single pool so it gives us a scale of economy with the idea that the benefits would be accessed at a very low cost. So we don't know how the cost will vary but we're hoping that with New Mexico Association of Counties because of their programs there should be a cost saving to our – to all county employees, right?

MS. SALAZAR: Mr. Chair, Commissioner Chavez, the idea is that the bigger the pool the more savings we'll realize so hopefully we'll be able to realize those

savings. So, yes, you are correct.

COMMISSIONER CHAVEZ: Okay, thank you, Mr. Chair.

**The motion passed by unanimous [5-0] voice vote. [See page 27]**

CHAIR ANAYA: Okay, I think we have some people here for the Dr. Spencer proclamation so we'll go to Commissioner Holian.

**V. A. 3. Presentation of a Proclamation to Remember and Honor the Contributions of Steven Spencer, MD, to the State Of New Mexico and to Santa Fe County**

COMMISSIONER HOLIAN: Thank you very much, Mr. Chair.

Commissioner Stefanics sponsored this proclamation unfortunately she could not be here right now and I believe that there are a couple members of our audience who would like to be present for this proclamation. So I believe first we'll read the proclamation and I would like to ask my fellow Commissioners if they help me do so:

WHEREAS, Steven S. Spencer was born to Steven and Mary Spencer in Philadelphia;

WHEREAS, graduated from Swarthmore College, where he met his wife, Joan, and the University of Pennsylvania Medical School, with a fellowship at the Mayo Clinic;

WHEREAS, Dr. Spencer believed that the greatest value in life came from helping others and he dedicated his life to trying to make a difference through service;

WHEREAS, he served as Senior Assistant Surgeon and Chief of Outpatient Services for the US Public Health Service in the 1950's based on the Navajo Reservation;

WHEREAS, in 1960 he enthusiastically seized an opportunity to work with a man he greatly admired, Dr. Albert Schweitzer, a physician and winner of the Nobel Peace Prize. Steve worked for six months at Schweitzer's Lambarene Hospital in the African country of Gabon. His experiences there inspired and influenced him for the rest of his life;

WHEREAS, Dr. Spencer had a private practice of internal medicine in Flagstaff, Arizona, where he also established a coronary care unit in the Flagstaff Community Hospital. Dr. Spencer was an Associate Professor at the University of Dar es Salaam, Department of Medicine in Tanzania from 1970-74, and Head of the Department of Medicine there for two years;

WHEREAS, he was on the Faculty of the Medical School at the University of Arizona, Tucson from 1974-79, where he founded the C.U.P. Program (Commitment to Underserved People), a special educational and enrichment program for medical students. Steve served as Medical Director, Navajo Nation Health Foundation and Sage Memorial Hospital, in Ganado, Arizona, 1979-85;

WHEREAS, he later became an Independent Consultant in Correctional Health Care, working in several states, and a Member of the Disability Review Committee of the Public Employees Retirement Association for the State of New Mexico;

WHEREAS, Dr. Spencer had various hospital staff appointments, published many articles and received numerous fellowships, grants and honors;

WHEREAS, He was a recipient of the 1998 Bernard P. Harrison Award of Merit, National Commission on Correctional Health Care, a recipient of the 2003 Armond Start Award of Excellence, Society of Correctional Physicians and appointed to the President's Council, Society of Correctional Physicians in 2012;

WHEREAS, the University of Arizona College of Medicine, Department of Family and Community Medicine established a new award in December 2010 titled, "Steven Spencer Award for Community Service." This award will be presented annually to a deserving recipient;

WHEREAS, he served in various professional positions and appointments in Wyoming, Louisiana and New Mexico;

WHEREAS, he served on the New Mexico Governor's Task Force on HIV/AIDS 1986-1993;

WHEREAS, his consulting expertise was extensive to helping various medical communities in New Mexico such as, to the Community Health Medic Training Program, Indian Health Service and University of New Mexico from 1975- 1983; for New Mexico Children, Youth and Families Department, Juvenile Justice Division, 1999; and to the State of New Mexico Legislative Finance Committee, evaluating the health care in New Mexico Corrections Department facilities, with report and recommendations for improvement, February to April 2007;

WHEREAS, from 1991- 1997, he was on the Board of Directors of St. Elizabeth Shelter for the Homeless;

WHEREAS, in 1996, then-Governor Gary Johnson appointed him to the New Mexico Senate Joint Memorial Blue Ribbon Committee, to study the status of the mentally ill in local government detention facilities and recommend measures for appropriate services;

WHEREAS, he served on the Jail Health Subcommittee of the Santa Fe County Health Policy and Planning Commission, 2007-2010;

WHEREAS, he served on the Santa Fe County Corrections Advisory Committee 2002-2007, and 2013 to 2015, appointed by the Board of County Commissioners to serve as liaison and consultant regarding the quality of health care being provided in the County's adult and juvenile detention facilities;

WHEREAS, along with his wife, Joan, Dr. Spencer was one of the founding members of the New Mexico Coalition to Repeal the Death Penalty, which was instrumental in the ultimate repeal of the death penalty in New Mexico;

WHEREAS, Steve was an avid fly fisherman and a member of the Santa Fe Men's Camerata and other singing groups. He loved skiing, camping, spending time with family, and world travel; and,

WHEREAS, Steve is survived by his wife of 60 years: Joan; his children: Beth and husband Jerry, Peggy and husband Paul, Sally, Becky and husband Marty; his brothers: Douglas and David; and his grandchildren: Greg, Katie, Serena, Derek, Jaden, Erika and Travis; and

WHEREAS, we are saddened by his passing on July 11, 2015 and wish to express our condolences to the family, friends, and colleagues of Steven Spencer, MD.

Now, Therefore, be ut Proclaimed this proclamation, the Board of County Commissioners of Santa Fe County recognizes and honors Dr. Steven Spencer for his many contributions to New Mexico and his service to Santa Fe County.

Steven Spencer

Approved, Adopted, and Passed on This 8th Day Of September 2015.

COMMISSIONER HOLIAN: Mr. Chair, I move for approval.

CHAIR ANAYA: There's a motion from Commissioner Holian.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Second from Commissioner Chavez.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I would just like to make a few comments and then I believe we have someone here who would also like to say a few words in memory of Dr. Spencer.

Dr. Spencer had a varied and eclectic career that took him all over the world. But we are really very fortunate that he and his wife Joan settled in Santa Fe in later years. Dr. Spencer was one of those people who really gave back to his community by serving on boards and committees and he was a real inspiration to me when I was running for commissioner. As a matter of fact, that is how I met him in the first place. I was going door-to-door and he and his wife Joan invited into his house and I must have had an hour long conversation with him at the time and the discussion, actually it was more of a tutorial really as far as I was concerned, was about medical care at the jail, at our jail and even more importantly following through on medical care for people who are released from our jail which we weren't doing a very good job of at the time.

I must have spent an hour maybe a couple of hours talking to him and I didn't mind it at all even though I was going door-to-door at the time because I really learned a huge amount from talking to him about that very important subject which I came to get to know a lot better when I actually became a County Commissioner.

So I just want to say that we have really lost a great member of our community but I take comfort in the fact that he lived an interesting life. He lived a full life and it was on his terms. And I just want to send my deepest sympathy to his wife Joan, his four daughters, his seven grandchildren and all of the people in this community who loved and respected and knew him. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Holian.

MARIA JOSE RODRIGUEZ CADIZ: Gracias, Mr. Chair and Commissioners. My name is Maria Jose Rodriguez Cadiz and I am the director of one of the local non-profits in Santa Fe, the Solace Crisis Treatment Center We are your local sexual assault service provider.

I stand here in front of you very respectfully to thank you for what you're doing today to give this incredible dedication. It's hard to follow it by adding anything else because your proclamation is so comprehensive and it speaks so well about him.

I think it is of the status of heroes. To me, what was more important perhaps about him not just what he did but how he did it. He did it in the shape of an angel because when you were with him you will never realize what he had done in the world here and abroad because he was so humble and so personable and so warm.

I had the pleasure of working with him with the Corrections Advisory Committee when he was a member and that's how I got to meet him and so I wanted to express my gratitude today, and that's we came here, myself and my colleague, Michelle George, and of course Director Pablo Sedillo. So thank you very much for helping us in another way to keep him alive in our memory.

COMMISSIONER HOLIAN: Thank you, Maria.

PABLO SEDILLO (Public Safety Director): Commissioners, Pablo Sedillo, Public Safety Director for Santa Fe County. Mr. Chair, members of the Commission, I want to thank you first and foremost for allowing Dr. Spencer for being part of the Correctional Advisory Committee. He was a big asset in that committee. His eyes lit up all the time when we talked about the medical care inside the facility. He was very proud of Santa Fe County obtaining the National Commission of Correctional Health Care accreditation when we received it last year. He boasted about that.

A real quick story about Dr. Spencer: I was getting my hair cut and he was getting a hair cut at the same time and we sat and talked about medical care and the accreditation that Santa Fe County had achieved. His eyes lit up and he told me how proud he was to be part of the team with Santa Fe County Advisory Committee. Part of the team that he had some input with our medical care. He was very dedicated and committed in regards to what we did at the facility and he would go there on his own to visit our medical department and talk to our medical staff. That truly was a dedicated, committed person for Santa Fe County.

I want to thank you behalf of Santa Fe County for allowing Dr. Spencer to be part of that group.

CHAIR ANAYA: Thank you, Commissioners. Well said by all, the proclamation, the words, he will be missed. Before we vote, let's have a brief moment of silence for Dr. Spencer and his dedication to his family, his community and his service in the help of others.

Thank you.

**The motion passed by unanimous [5-0] voice vote [See page 27]**

**III. C. 4. Request a Waiver to Ordinance 2012-5, Section Two, Periodic Rebidding, and Approval to Enter into a Five (5) Year Term Xerox Lease Agreement**

BILL TAYLOR (Purchasing Division): Thank you, Commissioners. Bill Taylor, Purchasing Division. I am here before you to ask your approval to enter into a five-year term lease agreement with Xerox. The ordinance requires your approval to any kind of modification beyond a four-year term. With that I'll stand for questions.

CHAIR ANAYA: I just have one. The service is good and there seems no apparent reason for us to consider options? Does this have any other impact on any other agreements that we had?

MR. TAYLOR: Mr. Chair, it does not. This is typically these leasing of this equipment they usually offer a 60 month term with some minimal savings. There will be an approximate \$500 a year savings to it. But other than that there's no difference

from that term.

CHAIR ANAYA: I'd move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Any further discussion?

**The motion passed by unanimous [5-0] voice vote. [ See page 27]**

**III. C. 5. Request Approval for a Waiver from Section 1 of Ordinance No. 2012-5 to Purchase Two (2) Tandem Dump Trucks with Snow Removal Equipment in the Amount of \$436,000.00 Utilizing the Houston Galveston Area Council Cooperative Purchase Agreement and Grant Signature Authority to the County Manager to Sign the Purchase Order and Any Other Purchasing Documentation**

MR. TAYLOR: Again, Mr. Chair, Commissioners, I am here before you to ask a waiver of another ordinance that requires our approval when we use an outside contract in the amount over \$250,000 rather than going out to bid. In an actuality, Mr. Chair, Commissioners, these vehicles – the competitive process has been filed through using the HGAC contracts. They have performed that for us.

CHAIR ANAYA: Thank you, Mr. Taylor. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yeah, Mr. Taylor, if you could for the record and for the public explain because in this request and the one before it the purchasing division is requesting a waiver and just explain that waiver for the record and for the public because really the waiver is in the best interest of the County and it is saving money because you're able to purchase from a larger pool of vehicles but you could probably explain it a little bit better than I just did.

MR. TAYLOR: Thank you, Mr. Chair, Commissioner Chavez. The opportunity here, the waiver is actually – there's an ordinance in our purchasing regulations that anytime we're going to use a price agreement that is offered to local public bodies to utilize we need to ask for approval by the Board. This does allow – this is a process where vendors across the nation that build these type of vehicles and this type of item are competitively giving a competitive and fair price in this price agreement because they know that local public bodies of governmental entities throughout the United States are going to utilize that price agreement. And so as you mentioned, Commissioner, that does allow a small community such as Santa Fe County to take the advantage of the larger competitive pool that has been performed by the Houston Galveston Cooperative.

COMMISSIONER CHAVEZ: And so that also means that we're not using our local preference in buying in this case these two – these are two tandem dump trucks with snow removal equipment – so we're not buying them locally but the maintenance will be done locally.

MR. TAYLOR: Mr. Chair, Commissioner Chavez, yes, the maintenance and wholesalers are located within New Mexico, Albuquerque typically.

COMMISSIONER CHAVEZ: Okay, so that's till close enough. So I just wanted to touch on that because a lot times we try and favor the local businesses and use a local preference but to be cost effective it doesn't always work and I just wanted to touch on those points.

MR. TAYLOR: Thank you.

CHAIR ANAYA: Thank you, Commissioner Chavez. Any other questions or comments? I would entertain a motion.

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: Motion from Commissioner Chavez and second from Commissioner Roybal.

**The motion passed by unanimous [5-0] voice vote. [See page 27]**

CHAIR ANAYA: Motion carries, thank you, Mr. Taylor.

**III. C. 6. Request Approval for a Waiver from Section 1 of Ordinance No. 2012-5 to Purchase Two (2) Tractor Trailer Trucks in the Amount of \$292,406.00 Utilizing the Houston Galveston Area Council Cooperative Purchase Agreement and Grant Signature Authority to the County Manager to Sign the Purchase Order and any Other Purchasing Documentation**

MR. TAYLOR: Again, Mr. Chair, Commissioners, we, the public works division and utilities is looking to purchase two tractor trailers utilizing the HGAC contract and taking advantage of the price savings in that purchase. With that I'll stand for questions.

CHAIR ANAYA: What's the pleasure of the Board?

COMMISSIONER CHAVEZ: Move for approval.

COMMISSIONER HOLIAN: Second.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: There's a motion from Commissioner Chavez and second from Commissioner Roybal and Commissioner Holian. Any other discussion? The only comment that I would make in looking at these purchases that we are utilizing tax dollars and budget and resources, I would just say that the County has gone a long way as it relates to equipment in this county. It wasn't that long ago when we were one of the counties that had you know difficulties with equipment or aging equipment and we've been able to for several years now, but it wasn't that long ago when it was a struggle. I just want to commend all the staff and Public Works and the Manager's Office and everyone else involved, prior Commissions that moved in a direction to make sure that not only the roads are maintained and taken care of but the equipment is top notch. And I will tell you that if you have good equipment and good maintenance of that equipment then you have good roads and you have good service to the public. And when

you go to the public work shop or you go around the County and you look around in any district where our equipment is, it is taken care of and it is top notch equipment and I think that goes to the needs of taxpayers and making sure they have what they adequately need. And so I just want to commend everyone, including yourself, Mr. Taylor that is involved in these acquisitions and purchases of the equipment.

MR. TAYLOR: Thank you, Mr. Chair.

CHAIR ANAYA: All those in favor.

**The motion passed by unanimous [5-0] voice vote. [See page 27]**

CHAIR ANAYA: Thank you, Mr. Taylor, for those items.

**III. C. 7. Request Approval of an Order Imposing Tax Rates on the Net Taxable Value of Property Allocated to Governmental Units within Santa Fe County for the 2015 Tax Year**

*[Exhibit 1: Tax Rate Information]*

CAROLE JARAMILLO: Good afternoon, Mr. Chair and Commissioners. Each year on or before September 1<sup>st</sup> DFA issues the property tax rate certificate to each of the counties. Under statute the BCC is required to issue the rate setting order within five days of the property tax certificate being received. Today is the fifth day after the property tax rate certificate was issued by DFA.

The rates outlined on the certificate will be the rates used for the tax bills which will go out on November 1<sup>st</sup>. Earlier in the meeting or prior to the meeting rather, I handed out a few items. *[Exhibit 1]* The tax rate certificate is on top and indicates by district what the tax rate will be in mills. I have also given you a handout that shows a comparison from tax year 2014 to tax year 2015 that would be the amount of taxes that property with a \$300,000 value or \$100,000 taxable value would see and the changes between 2014 and 2015. Following that, you have a comparison of the mill rates by district from 2015 to 2014 with percentage change the mill change. And finally I gave you a listing of each of the taxing authority's mill rate 2015 and 2014 and an increase or decrease over the prior year. For background information I have given you a small handout on how the property tax rates are set which goes into the whole issue of yield control and how yield control impacts the property tax rates.

Again, the statute requires that the BCC issue a written order to establish their property tax rates on the net-taxable value of property allocated to the appropriate governmental unit by the fifth day after the issuance of the property tax rate by DFA. And I stand for questions.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval.

COMMISSIONER CHAVEZ: Second and I have a question, Mr. Chair.

CHAIR ANAYA: There's a motion and a second and I have several

comments. Go ahead, Commissioner Chavez.

COMMISSIONER CHAVEZ: Ms. Jaramillo, in the document in our packet it's titled, the order imposing tax rate on the net taxable value of property allocated to governmental units for the 2015 tax year, it reads that that the BCC having received the certificate of property tax rates in mills from the New Mexico Department of Finance and Administration attached hereto as Exhibit A -- would this be Exhibit A?

MS. JARAMILLO: Exhibit A would be the tax rate certificate, yes, that would be the top document in the handouts I gave you earlier.

COMMISSIONER CHAVEZ: So then the motion probably should include the handouts you distributed earlier?

MS. JARAMILLO: It would need to include the certificate, yes.

COMMISSIONER CHAVEZ: Okay, so I just wanted to double check that because I didn't see Exhibit A in the packet so that's why I was asking it.

MS. JARAMILLO: Mr. Chair, Commissioner Chavez, Exhibit A was not in the packet because a I only actually was able to get it completely verified with DFA as of this morning.

COMMISSIONER CHAVEZ: Okay, I just wanted to clarify that.

CHAIR ANAYA: Thank you, Commissioner Chavez. Carole, could you talk about the differences briefly between the mill rates when you're inside a city jurisdiction or out of it. You could use anyone that you'd like but there's differences inside the City of Santa Fe as opposed to outside. Could you talk about that and what that is and why it's different.

MS. JARAMILLO: Sure, Mr. Chair, Commissioners. Each municipality has the option of imposing their own operational mill as well as issuing debt which would be covered by a mill levy as well. So those mill rates would be determined by the city. The mill rate for the operational mill within the municipalities is also subject to yield control. So each municipality may impose its rate. It goes through yield control and so between the City of Santa Fe the Town of Edgewood or the City of Española you could have completely different tax rates within those municipalities. Those rates then get added to the state's rate, the county's rate and any school rates that you have in the school district that applies to you in the location that you're in.

CHAIR ANAYA: Thank you, Ms. Jaramillo. And so in analyzing those rates those come from the jurisdiction, the governing body provides the recommendation, if you will, for the rate increase that then goes back to the state for review for that yield control?

MS. JARAMILLO: Mr. Chair, yes. The municipalities would have to impose the rates that are authorized by statute for them and then those rates would be subject to yield control and they would be reduced from the imposed rate the same way ours is.

CHAIR ANAYA: And just for clarity, the approval that we go through annually that there's been a lot of discussion about in prior years, is essentially not really approval. I mean we approve it but those rates are determined by the State of New Mexico; isn't that correct?

MS. JARAMILLO: That is absolutely correct, Mr. Chair.

CHAIR ANAYA: So we don't determine the rates. They do an analysis based on our property tax region by region and those rates are provided through the State of New Mexico and the State of New Mexico essentially hands them back to us that includes yield control and says, approve them.

MS. JARAMILLO: Mr. Chair, Commissioners, our rates were – you've imposed our mill rates but once they go to the state they do go through yield control and then they turn around and give us the actual rate that we then charge to the taxpayer.

CHAIR ANAYA: Okay, so then the last thing I'll ask ties to the discussions that have been occurring in the northern part of the County associated with that valuation of property. Any sharp changes in valuation in any area of the County could affect the rate; correct?

MS. JARAMILLO: Our rates – yield control is determined by the valuations so it has an inverse relationship with the rates when our valuations go up our actual mill rate goes down and vice-versa. So if we do have a significant change in the valuation it does have an impact on the rates.

CHAIR ANAYA: So any reduction in valuation in any part of the County and specifically we're concerned right now about that one segment in northern district, in Commissioner Roybal's district, any large scale reduction in valuation needs to offset somehow through rate and yield control. Is that an accurate statement?

MS. JARAMILLO: Yes, sir.

CHAIR ANAYA: Is there anybody that want to – our assessor is here, Mr. Assessor, is there anything else you'd like to add at all?

GUS MARTINEZ (County Assessor): Mr. Chair, Commissioners, you know I just had a meeting up north last week regarding the issue of the easement problem up there and I believe that we're almost done with the percentage of adjustment that we're going to offer them and we are going to send a letter to them of the value that we can go with in the reduction. At that point they can either accept that reduction and sign the letter and send it back to us or continue the appeal before the Board of Equalization through the state and then it goes at that point it can go further.

CHAIR ANAYA: Right and just for the public's understanding. So you're going through a process right now where property owners are saying but property is not worth the valuation that we've been receiving because of the easement challenges and that's the issue you're trying to work through and then on the other side of spectrum, Commissioner Roybal and the rest of the County staff and the rest of us is trying to resolve those matters so that there isn't a reduction in value. So you're doing your chartered responsibility as the County Assessor to make sure that people's values are true and correct based on circumstances beyond their control maybe for a lack of a better work and we on the other side are trying to figure out how to sustain and make sure that people have adequate easement and access to their property. Two separate processes but did I summarize those two processes correctly?

MR. MARTINEZ: Mr. Chair, correct, yes.

CHAIR ANAYA: Thank you, Mr. Assessor and thank you for your work.

So there's a motion and there's a second; is there any further discussion?

**The motion passed by unanimous [5-0] voice vote. [See page 27]**

CHAIR ANAYA: Let the record reflect that's the first time in five years that I've voted for that particular vote because of my frustration of the state process that essentially sets that rate but so be it. Thank you everyone for your work.

MS. JARAMILLO: Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Ms. Jaramillo.

- III. C. 8. Request Approval of an Amendment to Contract No. 2015-0128-AO-BT with Pictometry International Corp. in the Amount of \$26,000 for Change Finder Detection Software - TABLED

[The Commission recessed from 4 to 4:15]

Chairman Anaya excused himself from the remaining of the meeting and Commissioner Stefanics arrived at this point.

COMMISSIONER CHAVEZ: Let's reconvene and Commissioner Stefanics you had some comments that you wanted to make for the record.

COMMISSIONER STEFANICS: Yes, Mr. Chair, I am sorry that I missed the earlier part of the meeting for a medical issue. I would like to be shown as voting in the affirmative on all of those things that we already passed.

COMMISSIONER CHAVEZ: Okay, we will go back to our regular agenda.

III. D. **Resolutions**

1. **Resolution No. 2015-127, a Resolution Requiring the County's Operating Budget for Fiscal Year 2017 and Future Fiscal Years to be Developed Utilizing Results Based Accountability or Another Form of Priority -Driven Budget Process**

MS. JARAMILLO: Mr. Chair, Commissioners, back in 2011 the BCC adopted resolution 2011-24 which directed the County Manager and County departments to develop the FY2013 budget utilizing results of accountability or some other form of performance budgeting.

Since the FY2013 budget, County departments have been transitioning to a full use of performance-based budgeting by developing goals and objectives based on citizen and Commission priorities and tying those goals to requests for funding. The resolution that we are bringing forward directs the creation of budget policy for all County departments and elected offices that will require development of the FY17 budget and future budgets utilizing the results-based accountability.

The County Manager's staff will train and implement a system of developing, tracking, and reporting performance indicators and measures to the population goals of Santa Fe County residents.

We have a presentation for you – the budget administrator, Adam Johnson will be presenting to you. He has done an awful lot of research and study on this results accountability and he's going to present to you the process and the information regarding this process. And I will turn the microphone over to him.

COMMISSIONER CHAVEZ: Thank you.

ADAM JOHNSON (Budget Administrator): Thank you, Mr. Chairman, members of the Commission, Adam Johnson, Budget Administrator for Santa Fe County. I think you have the presentation in your packet.

So the broad topic of discussion today is the FY17 budget process. As Ms. Jaramillo mentioned I did a lot of homework in developing this process and this presentation including studying numerous other organizations, our own organization in this process, I've met with multiple division directors and department heads, as well as been working with the Manager's Office and of course with Finance.

This presentation has also already been seen by all of the other elected offices. It is broken into three different components. First, the County's place in the evolution of developing a priority driven budget and the next steps. Tools to track and monitor the performance indicators and measurements. And then finally using and reporting the results of the County's efforts to achieve its stated goals and objectives.

So, on slide two, the first question in this topic is what is a priority driven budget process and I have on slide two a definition from the GFOA. And to paraphrase, it's essentially a philosophy that budgeting that resources should be allocated according to how effective a program or service achieves the goals and objectives that are greatest to the community. So in government and non-profits financial statements are very useful to many folks including managers, elected officials, creditors and investors and the general public to tell the story of how much government costs. But those statements are nearly useless to tell a story about how well an organization achieves its goals. The goals that are of the greatest interest of the community within its limited resources and following the tax conversation we all know we have limited resources. A well designed priority budget process will give us and our customers, the general public, the information on what works and what does not work so we can make well informed decisions on the direction of the state of the ship. I like to think of it as driving your car using only your rear view mirror to get from A to B or driving your car using a full panel of dashboard indicators.

So the second question is what is not a priority driven budget process. Well, what is not meant to be concluded by this process is to create a punitive process, meaning if goals and performance measurements are not met, budget resources are not decreased for that reason instead now we just have data and information about the resources and how they apply specifically to the goals and I will elaborate on the specifics on this. In the end we hope that two opportunities will emerge. Those two opportunities would be, one, to pat ourselves and the folks we work with on the back and the other opportunity would be to improve.

High level objectives for this year, we would like to complete the process from

population and performance goal development through tracking and measuring. We would like to provide everybody, the departments, the divisions, and elected offices the tools to complete this connection from start to finish. We intend to deploy a few different tools and resources in order to achieve all of these objectives including the ICMA insights which stands for International City/County Management Association and also the results based accountability framework and their software created by Mr. Mark Freidman and then finally a new tool that would round out the process is called the GASB Service Efforts and Accomplishment Performance. And we'll talk specifically about all of those.

In the spirit of the State of the County Address everybody talked about where we've been and where we are and where we're going so I like to think about in this graphic depiction of how that applies to the priority driven budget process. As Ms. Jaramillo mentioned in 2011 the Commission adopted by resolution instructing the departments to embark on the use of results based accountability or other priority driven process. Since that time considerable work has been done in the area of identifying our resources, defining goals, population goals particularly, and developing budgets. The portion that has not been completed yet is the missing pieces to close the feedback loop. Those steps will be to develop performance indicators and measurements that support the set goals, to track that agreed upon data, and finally to create accountability for results in a constructive manner. In some cases, such as the Sheriff's Department they have already done a lot of work and work within the frame of their performance measures and indicators in providing public safety. In other cases, we have not accomplished that work yet. In all cases, we have not put together a single uniform platform by which we would report this information and so that is critical to achieving the closing of the feedback loop. It is important to note that we at this point are at a new milestone rather than any type of failure, meaning that these processes are unique to every organization that undertakes it and we happen to be at the point where we have developed a lot of the population goals and we need to move forward with the performance measurements and closing the feedback loop. And in my research I found that it was often the case that many organizations had similar challenges within the timeline of where we are.

The next step to talk about where I want to spend some time is population goals. In 2014 staff developed department goals and strategies that go across all of the organization and those concluded – provide a safe community, support a healthy community, promote a sustainable community and be a proficient, transparent and accessible County government. So what's important about population goals is one, they are very broad. They are subjective in and of themselves. They apply to everybody in the organization but they also apply beyond the organization and I think what is important to note about that part of the process is that there are likely other partnerships in the community, whether it be businesses, other levels of government, etc., that share similar goals that we would partnership given our limited resources. This is a simple graphic illustration of the four goals and them surrounding the citizens of Santa Fe County.

The next question that is begged from what I have said so far is how do we know that these four population goals are of greatest value to the community as I said from the GFOA's definition of a priority driven budget process. What I learned in doing my homework on this process is the County's done a tremendous amount of work in different

areas to figure out what are all the goals of the community and some very notable efforts are included on this slide which are the citizen surveys, many community meetings conducted by staff and elected officials, our very well developed Health Action Plan, the comprehensive Sustainable Growth Management Plan and also the institutional knowledge of our staff and our elected officials. Within all of these different efforts there has been considerable public engagement and feedback so we feel confident that we can distill the population goals to the four aforementioned goals.

This next slide depicts perhaps how elected offices would be aligned with the goal of be a proficient, transparent and accessible government. So just to give you some ideas of what comes to mind, our Clerk's Office works hard to provide accessible voter polls and absentee ballots and also conduct unbiased and secure elections. Our Treasurer's Office strives for proficiency and accessibility in collecting taxes as well as transparency with the investment of taxpayers' dollars. And on and on and on we can come up with examples that align our elected offices with this similar population goal.

This is a depiction, I think everybody can pretty easily draw the obvious conclusions of the four main pillars that support the goal to provide a safe community being our elected Sheriff's Office and then our four departments of the Public Safety Division being RECC, Corrections and Fire and I'll save you specific examples.

This example here is directly divisions or departments that support idea or the population goal of support a healthy community. So things that come to mind when we think about this would be Public Works through providing safe drinking water, Growth Management through open space and economic development, Public Safety through emergency preparedness and responsiveness and then finally the most obvious link the Community Services Division which the majority of their initiatives are entirely for supporting a healthy community.

The next step is to drill down and connect those population goals specifically to the departments and programs that work on those goals. And so this goes from the population goal of support a healthy community down to community services division down to the different programs within that.

Please stop me if I'm moving too fast or if you have any questions.

A couple of challenges that I found in my research of this process is that it is critical to make sure that everybody is on the same page with the use of terms. So here just to take a moment to define "an indicator" is a measure to help quantify the achievement toward a population goal. I also use it interchangeably with "performance goal." And the next "performance measure" which is the how much did we do or the actions that we take that support that performance goal.

The second challenge that is common amongst organizations in developing this process is actually developing your performance indicators or goals and also the performance measures. So first off, Santa Fe County has already spent time and resources and significant accomplishments in the plans that are listed here on this slide. These documents I believe can help act as a guide as departments and elected offices develop their own performance indicators and measurements. Additionally, the method of results based accountability is really based upon the internal creation of your own performance goals. And then we also have already deployed in the past the use of the ICMA insights metrics system which is more of an out-of-the-box system that's got

hundreds of performance indicators and measurements that are used across the nation for similar organizations. In our process we're pitching that we would use both and so what that would do is that would allow for the internal development and that would allow – which would help with buy-in at all levels of folks involved – but then also we would allow for the use of the ICMA and that would be a powerful tool for a couple of reasons. There may be measurements in there that this body would just choose to use because they're already listed and they're common. And also other offices or departments might also go that route. But the other thing that comes from that is that if we use those measurements we can compare our organization to like-sized organized across the country. So the goal would be a hybrid version of internal and external development measurements.

Just to recap real quick connecting the population goal all the way to performance, this slide is for example the population goal of provide a safe community. And it's connected to what I created as four different performance goals or measures that we would likely or perhaps use to tell us our progress towards the safe community population goal because these in that column are quantifiable. To take one example, the bottom one in purple is percent of 911 calls received that go to the proper dispatch in less than one minute. If we were to have that as a performance measure we would know that if they were successful at doing that it would be part of providing a safe community. That is obviously linked to our regional communications center and what we might want to know for example in this slide is three different additional points of data that tell us about the number or volume of calls that they receive and so the idea is that, one, we would know what their benchmark baseline goal is and then, two, we would know what are the challenges affecting them to help them achieve that whether it be volume or the appropriate number of staff, those types of questions that intended to come from this process.

Once a department or an office has drilled down and aligned themselves with a population goal the next step after the development of performance measurements and indicators is to put them all into one place in what we call a strategic goal map. And this is really the final place where we want to connect goals and performance to the budget. This example on this slide, I was fortunate to be able to use this information directly from the Santa Fe County Health Action Plan but the information in this slide comes directly from there and so take for example the bottom green bubble of one of their goals is to reduce, reduce meaning quantifiable, the low birth weight and then below that its performance measurement is the percentage of babies averaging less than 2,500 grams. So this is a great example to make the connection here of the process that I've described but also to show that some of this work has already been done in some of our departments and we want to take it to the next level by tying it all together.

Another way to think about the connection to the budget here is that you just have to ask yourself the question, what are the services being bought by the budget which impact the population goal. And that's a very simple way to draw that connection all the way through.

I won't go through this slide in its entirety but this is another just an example that I created of perhaps the Clerk's Office and say – because they spend so much time on our voting process, we might want to know statistic called, percent of voters satisfied with

voting experience, and below that because they already have and do so much work in these activities we might want to know the number of hours for volunteers trained, the number of polling hours and the number of polling locations which we also know is part Madam Clerk's initiatives.

To recap and I'll just draw your attention down to the second half of this slide, once we've created a strategic goal map from the proceeding steps we want to build our budgets from those goal maps. Once we've done that, we've only gotten to the point where now we want to track the data that's been developed. Our intention is to deploy a new tool this year, results based accountability has developed a software as a service. That software can be used to create strategy maps, track performance and oversee the actions they impact and finally it can easily be shared with the community with one click you can embed the data and information from their website onto our website. We also intend to use when appropriate the performance goals and measurements that match the ICMA insights as well.

To take it one step or a couple of steps further, once we've been able to track this information we want to be able to use the information, determine successes and challenges from the data, we want to use that data to make our budget and management decisions and then finally we want one way to comprehensively report that information back to our managers, back to our governing body and also back to the general public. So in comes the third and final piece of this presentation is the GASB concept statement two. As I mentioned earlier non-profit and government financial statements are very useful to tell us about how much government costs but it doesn't tell us much about how we've achieved our goals. What GASB set out on about two decades ago was to help develop a framework by which organizations like ours would put together a comprehensive report that would accompany their financial statements. Again, it's not a requirement of our financial statements but it would be an enhancement in GASB's eyes they see as a completion of our statements that we're showing not only where the resources came from and how they were spent but also what did we achieve with those resources and our execution of their deployment.

Without going into great detail about that statement, the main focus is that you must have these six qualitative characteristics of your data in order to conform to their framework and get the GASB seal of approval once it is all completed. That includes relevance, understandability, comparability, timeliness, consistency and reliability. So relevance meaning we have to be able to connect what we're tracking to our population goals which I think I've illustrated. The information needs to be understandable by the general public and not by necessarily by policy and finance geeks, such as all of us. The information needs to be comparable to itself perhaps across timelines and against other organizations. If it is not timely it is nearly useless. It must be consistent and finally reliably meaning we don't want to dull down or enhance the reports we want the information to just be reported as is so that we can learn from the report and change course or continue with what works.

The next slide is a simple depiction of what I call shared population goals and shared resources. This is essentially the County's operating budget less capital. So it's not the entire budget. But what does show is that we all are in the same pool and what we've attempted to do here is to try and get us all on the same page marching to the same

drum if you will on following a priority driven budget process from the department levels across all the elected offices and that is part of the request we have here today before you.

Finally, this illustration is simply to show that we would like the individual efforts of our divisions, departments and elected offices following this framework having been provided the tools and the training to culminate in one singular Santa Fe County priority driven budget as well as eventually once we've completed enough tracking the GASB SEA, Service, Efforts and Accomplishments reports. What I like about this illustration is that it incorporates a bottoms up and top down approach. That slide is just a recap of the tools we intend to use and on the last slide is a timeline that we are intending and working on aggressively to follow. I won't go through the whole thing, just a couple of highlights here. Our intention is to kick off and deploy training, further training, on results based accountability in October as well as training specifically on the software that we intend to deploy. We want to aggregate from that training folks would have opportunity to develop their own performance measurements and indicators, indicators and performance measurements I should say. And we want to aggregate all that information and bring it back to this body to look at our progress on that and that would happen in November. We would hopefully be wrapped up with that portion of priority driven budget where we finish developing our strategic goal maps and we would be moving more into the nuts and bolts of budgeting and financial planning for the rest of the season beginning in November, skipping January since we will be working on our own mid-year budget and then continuing on with the more usual and customary process that folks are used to for budget kickoff. The items March through May are usual and customary, come July we would propose to have developed our score cards to the point that we could create a dashboard and then track all of our information for a year and then with the ultimate goal of reporting that back in October 2017, all the while reporting the progress of this to this body on a quarterly basis but in general the GASB report will be issued in October of 2017 and that concludes my presentation. Thank you for bearing with me and I'm happy to answer questions.

COMMISSIONER CHAVEZ: Thank you for your presentation and I'm sure that there will be some questions and I'm going to start with Commissioner Stefanics and then we can go down the dais.

COMMISSIONER STEFANICS: Thank you, very much, Mr. Chair. And thank you very much for formalizing this process. I'd like to thank all of the departments and the elected officials who have participated in the performance based budgeting up to this date. I know that it was encouraged of all the manager's departments but some of the elected departments came forward and I appreciate that very much.

I believe that what you're describing and I hope that you can confirm this won't be a lot of new work for people who have already started doing performance based budgeting; is that true?

MR. JOHNSON: Mr. Chair, Commissioner Stefanics, yes, that is correct. We do have varying levels of having already developed the statistical measures and so in those cases that work won't start over by any means. We would just take and formalize that process and get it into the results scorecard database that we would want to use to aggregate all the information rather than have various systems of spreadsheets etc. that that information is reported by.

COMMISSIONER STEFANICS: Okay, thank you and, Mr. Chair, I believe that this is another example, we jokingly mention to Adam Leigland about all his lists at lunch and moving us to another professional level, I believe that this process will continue to move Santa Fe County to another professional level and I appreciate Finance very much taking the initiative to work with all the departments on this. I know the burden of the work is going to fall upon the manager, deputy county manager, you all, as you work with your relationship with these departments so thank you very much. And I would move for approval.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: Motion and a second any further discussion? Commissioner Roybal?

COMMISSIONER ROYBAL: No, I just wanted to also thank Adam for your hard work on this. I really appreciate it.

COMMISSIONER CHAVEZ: Commissioner Holian, comments?

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just want to make a quick comment. First of all, Adam, thank you for your presentation it really put everything into perspective and I appreciate that.

I really think that going towards performance based budgeting has really helped us to become more accountable and more professional as Commissioner Stefanics said. And I think it's really important to implement the final piece of this process as we move forward. Thank you.

COMMISSIONER CHAVEZ: And I guess what I like about the process so far and the process moving forward is that as you mentioned earlier it is bottom-up top-down so it involves all of the County departments. But most of importantly it involves the citizens because we're doing a lot of surveys and outreach to our citizens so we're hearing from them of what their interests are, what their concerns are and I think that is helping us set our priorities. That is a big part of it. So I think that is what I'm most encouraged about. I would stand in support of the motion.

There's a motion and a second.

**The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action.]**

COMMISSIONER CHAVEZ: The motion carries, thank you.

#### **IV. MATTERS OF PUBLIC CONCERN**

None was presented.

#### **V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS**

##### **A. Matters from County Commissioners and Other Elected Officials**

- 1. Elected Officials Issues and Comments**
- 2. Commissioner Issues and Comments**

COMMISSIONER CHAVEZ: Does anyone have anything at this time?  
Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just want to recognize again the passing of Pamela Lindstam who worked for the County most recently I believe in procurement. She was one of those people – not only was she very effective at work but she was also one of those people who was really an important member of her community. She lived in the Glorieta area which is how I got to know her and she was very involved in the Greater Glorieta Water Association, in fact, very shortly before she died she was engaged in setting up the billing for the water association. And I just want to say that my heart really goes out to her family and her friends and particularly to her sister Lola who works in our Housing Department. Thank you, Mr. Chair.

COMMISSIONER CHAVEZ: Thank you, Commissioner Holian. Any other comments? Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. First of all, I am very sorry that I missed the proclamation for Dr. Steven Spencer. It was my every intention of course of being here and besides our staff person who recently passed away we had a volunteer pass away that Rachel O'Connor reminded me at lunch. Bryan Conklin was the gentleman who was found missing and he used to be on our Health Policy and Planning Commission and I read about it in the paper and didn't put two and two together because it was living in Rio Rancho. But in spent a few years volunteering for Santa Fe County and we truly appreciate it.

And I wanted to wish all of our labor friends, past Happy Labor Day. And I hope they were able to take some time off but recognize that the Santa Fe County Commission truly appreciate all their efforts, thank you.

COMMISSIONER CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I don't have anything to add at this time.

COMMISSIONER CHAVEZ: I have nothing at this time either.

## **VI. MATTERS FROM THE COUNTY MANAGER**

### **A. Miscellaneous Updates**

MR. FLORES: I'll fill in for Katherine. Four quick announcements. On Friday afternoon, this Friday afternoon the 11<sup>th</sup> Santa Fe County will be closed from 1 to 5 in observance of the Fiesta or State Fair holiday. So staff will be out and we'll be sending out a press release on that shortly. The City of Santa Fe Healthy Neighborhood and Healthy Choices celebration will be taking place on September 19<sup>th</sup> from 11 a.m. to 5 p.m. The City of Santa Fe will be hosting a ribbon cutting for the newest regional park. It's called the Southwest Activity Area Node Park which is located at 5000 Plaza Central at the end of Jaguar Drive. Activities include live entertainment, community booths, voter registration, etc. and Councilor Dominguez has invited all County Commissioners to this event. I sent out the invitation to your liaisons last week. I know some of you have confirmed to be there. My interest would be to make sure that we get that notice properly as a potential meeting.

Also, on September 26<sup>th</sup> the Santa Fe County Fire Department along with the community will be hosting a community event at the Frank B. Lopez Gym in Pojoaque. The theme of that will be community fire and life safety. They'll be a blood drive, vendors, fire trucks, law enforcement exhibits, fire extinguisher training, car seat safety instruction, boat safety, wildfire information and much more. And I know our fire department is working diligently with the community of Pojoaque to put on this event and that's on September 26<sup>th</sup>. That date precedes the ribbon cutting ceremony for the Pojoaque Recreation Complex and the grand opening that Commissioner Roybal is hosting on the 27<sup>th</sup> which is a Sunday. So that event starts at noon with the grand opening ceremony following immediately by the kick-off of the youth soccer league on the new County complex. So we have sent out – actually, Ms. Valdez I want to thank Commissioner Stefanics' office for assisting me in the save a date invite that went out and the invitation and the agenda are being published.

So if you have any questions, those are the only four items I have from the County Manager.

COMMISSIONER CHAVEZ: Thank you, Mr. Flores.

## VII. MATTERS FROM THE COUNTY ATTORNEY

### A. Executive Session

1. **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**
  - a. **Arbitrations Involving the City of Santa Fe**
  - b. **Litigation Concerning Rights-of-Way for County Roads.**
2. **Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978**
  - a. **Acquisition of water systems**
3. **Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations, as Allowed by Section 10-15-1(H)(5) NMSA 1978**
  - a. **Negotiations with Santa Fe County Fire Fighters Association, Local 4366, International Association of Firefighters**
  - b. **Negotiations with The New Mexico Coalition of Public Safety Officers**

MR. SHAFFER: Vice Chair Chavez, I think we would have a need for an executive session for those items as allowed by the law stated on the agenda that are listed on the agenda. I wouldn't estimate that we would need more than a half-hour in total.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Yes, Commissioner Holian, go ahead.

COMMISSIONER HOLIAN: I move that we go into executive session threatened or pending specifically arbitrations involving the City of Santa Fe and litigation concerning rights-of-way for county roads. Number 2, discussion of the

purchase, acquisition or disposal of real property or water rights, specifically the acquisition of water systems; finally, discussion of bargaining strategy preliminary to collective bargaining negotiations, specifically negotiations with Santa Fe County Fire Fighters Association, Local 4366, International Association of Firefighters as well as negotiations with the New Mexico Coalition of Public Safety Officers.

COMMISSIONER CHAVEZ: Thank you, Commissioner Holian. The only thing I would add is that there's discussion and possible action with respect to items discussed in executive session. Do I hear a motion then to go into executive session?

COMMISSIONER HOLIAN: Mr. Chair, I just made that motion.

COMMISSIONER CHAVEZ: There's a motion. Do I hear a second?

COMMISSIONER STEFANICS: Second.

**The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7, 8 and 5) to discuss the matters delineated above passed by unanimous roll call vote as follows:**

Commissioner Anaya	Not Present
<b>Commissioner Chavez</b>	<b>Aye</b>
<b>Commissioner Holian</b>	<b>Aye</b>
<b>Commissioner Roybal</b>	<b>Aye</b>
<b>Commissioner Stefanics</b>	<b>Aye</b>

[The Commission met in Executive Session from 4:55 p.m. to 6:30 p.m.]

**Commissioner Stefanics moved to come out of executive session having discussed only the matters outlined in the agenda, and she identified the following individuals as having participated in the session: Commissioners Holian, Chavez, Roybal, Stefanics, the County Attorney, Deputy County Attorney, County Manager and the Human Resources Director. Commissioner Roybal seconded. The motion passed by unanimous [4-0] voice vote. [Commissioner Anaya was not present for this action.]**

**VIII. PUBLIC HEARINGS**

**A. Ordinance**

**1. Ordinance No. 2015-8, an Ordinance Amending Ordinance No. 2012-5 to Clarify that the County is Not Prohibited from Maintaining Roads Located on County-Owned Property (Final Public Hearing)**

COMMISSIONER CHAVEZ: I want to thank the audience for being patient. We're just now going into our public hearings. Mr. Martinez, do you want to walk us through this?

ROBERT MARTINEZ: Yes, Mr. Chair. This ordinance will amend Ordinance 2012-5 which prohibits road maintenance section from doing maintenance on anything other than roads that are on our County road list. This amendment will allow the road maintenance department to do maintenance when requested as far as like on open space and trails, parking lots, Camino Jacobo, which is in the Housing. So this is a public hearing. I stand for questions. If there's no questions I request that the public hearing be conducted.

COMMISSIONER CHAVEZ: Let me ask the Commission if there's any questions of staff. Seeing none, thank you Mr. Martinez. Then I will open the public hearing portion of the meeting. This is an ordinance and if there's anyone here to speak on this you can come forward at this time. Going once, going twice. I see that there are no public here wanting to speak to this item, this ordinance amending Ordinance 2012-5. Questions of the Commission?

COMMISSIONER STEFANICS: Mr. Chair, I move for approval.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: Okay, we have a motion and a second.

Commissioner Anaya	Not Present
<b>Commissioner Chavez</b>	<b>Aye</b>
<b>Commissioner Holian</b>	<b>Aye</b>
<b>Commissioner Roybal</b>	<b>Aye</b>
<b>Commissioner Stefanics</b>	<b>Aye</b>

Ordinance 2015-8 passed by unanimous roll call vote.

**VIII. B. Community Plans**

**1. Resolution No. 2015-128, a Resolution Amending Resolution No. 2003-4, the El Valle de Arroyo Seco Highway Corridor Plan, and Resolution Nos. 2010-210 and 2010-225, the Sustainable Growth Management Plan, to Create the 2015 El Valle de Arroyo Seco Highway Corridor Plan Update (Second Public Hearing)**

COMMISSIONER CHAVEZ: Staff, you'll do your presentation and then I'll open it up to a public hearing.

PAUL OLAFSON (Planning Division): Good evening, Mr. Chair and Commissioners. The item before you today is a resolution to adopt the 2015 El Valle de Arroyo Seco Highway Corridor Plan. This is the second public hearing. At the first public hearing on August 25<sup>th</sup> we reviewed the planning process. There were two community-wide open house meetings and we outlined the level of community participation. The planning meetings and the community-wide open houses were noticed in newspapers, in an email and posted on the County's website. The update is intended to serve as an amendment to the El Valle de Arroyo Seco Highway Corridor Plan. This update will guide future development in the corridor and ensure that the plan's overall goal of protecting unique rural character of the area is maintained.

The planning process for the highway corridor update is consistent with the Sustainable Growth Management Plan and with the Community Planning Ordinance, No. 2002-3. This is the second of two public hearings. Staff is recommending approval and with that I'd stand for any questions.

COMMISSIONER CHAVEZ: Questions of staff? Okay, this is a public hearing. This is the second and final public hearing on this resolution. Are there any members of the public that would like to speak to this resolution at this time? Please come forward. Going once, going twice. I will then close the public hearing portion of this meeting and bring it back to the County Commission. Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, I'd like to first thank staff and the community members that were involved in the process. You guys did a great job again, and with that being said I'd like to move to approve the resolution amending Resolution No. 2003-4, the El Valle del Arroyo Seco Highway Corridor Plan.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: So we have a motion and a second. Any further discussion? Seeing none.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Anaya was not present for this action.]

**VIII. B. 2. Resolution No. 2015-129, a Resolution Amending Resolution No. 2004-73, the US 285 South Highway Corridor Plan, and Resolution Nos. 2010-210 And 2010-225, the Sustainable Growth Management Plan, to Create the 2015 US 285 South Highway Corridor Plan Update (Second Public Hearing)**

COMMISSIONER CHAVEZ: This is the second public hearing so we'll have a final vote on this. Robert, Mr. Griego, do you want to walk us through this?

MR. GRIEGO: Yes Mr. Chair, Commissioners. This is the second public hearing for the US 285 South Highway Corridor Plan update. At the first public hearing staff presented to the Board the purpose of the plan, including goals and the transitional provisions of the plan, the plan update process, which included planning meetings, open house meetings and public notification. Then the 2015 US 285 South Highway Corridor

Plan update includes a new land use plan and a land use map which was presented to the Board at the first public hearing. The plan is in accordance with the Sustainable Growth Management Plan and the Community Planning Ordinance, 2002-3. This concludes my presentation. I stand for questions from the Board.

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: The question I have was the same one I had last time. Is the community along the highway corridor totally in agreement with this?

MR. GRIEGO: Mr. Chair, Commissioner Stefanics, the plan update, it does have the support of the community as a whole. We have gone through the overlay. I think we talked about at the first public hearing August 25<sup>th</sup> that there were some concerns regarding the overlay and the easement which have gone through a different process in front of the Board but we have had support from the latest plan we have. We have made some adjustments to the overlay district and the use matrix which I think accommodates the concerns from the community.

COMMISSIONER STEFANICS: Thank you very much.

COMMISSIONER CHAVEZ: Any other questions of Mr. Griego?

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I would just like to thank staff. I know that this was probably one of the more challenging community plans to update and so I know it was a lot of hard work and I just want to tell you that I really appreciate everything that you did.

COMMISSIONER CHAVEZ: Thank you, Commissioner Holian. So now I will go to the public hearing and ask if there is anyone in attendance this afternoon, please come forward. This is the US 285 South Highway Corridor Plan.

KATHERINE TOLL: That's right. My name is Katherine toll. I live at 65 Camino Ocote, which is off Highway 285 South, and I was part of the committee that was meeting since last January to update the plan as well as the ordinance. Now, the thing is that the 285 South had something that most of the other communities didn't, and that was the ordinance that was passed in 2005 I believe, and we very quickly understood that our task was to be able to translate the intention of the ordinance into the new code, land use, etc., etc. And I'm afraid that over the months in an effort to do that and to understand that we probably didn't see the forest for the trees. So when we had our first public meeting we got a lot of input from the public at large about some of the things that had not been permitted in the past that let's just say an evolving community would need. And the staff was fabulous in being able to accommodate that.

When we met again we all agreed that these requests were quite reasonable, and the staff was able to help us along the way of how one accommodates that within the actual plan, code and land usage. So I just wanted to just take a moment to say thank you to the County staff and for all the patience and good work they put in. Thank you.

COMMISSIONER CHAVEZ: Thank you, ma'am and I do want to also thank not only the staff but the public, yourself and all of your community members that participated in the process because it really did help. It really set the stage for our bottom-

up approach to develop these plans and staff really stepped up and did the work that needed to be done, but I really like the partnership that was established between staff and the community members and hopefully we can build on that and keep that communication open as we move forward.

MS. TOLL: Good. Thank you.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER HOLIAN: Well, I would like to thank you, Ms. Toll, for imparting that information to us. We really appreciate it. I realize it's difficult going through this community planning process but I think in the long run it really does help to being people together and to talk about what's really important about their community and what they want to preserve in their community. So I appreciate all the work that everybody did in your community as well.

MS. TOLL: Thank you.

COMMISSIONER CHAVEZ: So that closes the public hearing portion then. Pleasure of the Commission?

COMMISSIONER STEFANICS: Mr. Chair.

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER STEFANICS: I would move for approval.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: So we have a motion and a second.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Anaya was not present for this action.]

**VIII. C. Land Use Cases**

- 1. CDRC Case # V 15-5150 Jude Tercero. Jude Tercero, Applicant, Maria Cerquera, Agent, Request a Variance of Ordinance No. 2007-2 (Village of Agua Fria Zoning District), Section 10.6 (Density and Dimension Standards), to Allow Three Dwelling Units on 0.962 Acres. This Request also Includes a Variance of Article V, Section 8.2.1c (Local Roads), of the Land Development Code as Paseo de Tercero which Services the Property Does Not Meet Local Road Standards Consisting of Two Ten Foot Driving Lanes, a Minimum Right-Of-Way of Fifty Feet and an All-Weather Driving Surface. The Property is Located within the Traditional Community of Agua Fria, at 2293 Paseo de Tercero, within Section 5, Township 16 North, Range 9 East (Commission District 2)**

COMMISSIONER CHAVEZ: Mr. Romero, you'll be presenting for us?

MIKE ROMERO (Case Planner): Mr. Chair, that is correct. Jude Tercero,

applicant, Maria Cerquera, agent, request a variance of Ordinance No. 2007-2, the Village of Agua Fria Zoning District, Section 10.6, Density and Dimension Standards, to allow three dwelling units on 0.962 acres. This request also includes a variance of Article V, Section 8.2.1c, Local Roads, of the Land Development Code, as Paseo de Tercero which services the property does not meet local road standards consisting of two ten-foot driving lanes, a minimum right-of-way of fifty feet and an all-weather driving surface.

The property is located within the Traditional Community of Agua Fria, at 2293 Paseo de Tercero within Section 5, Township 16 North, Range 9 East, Commission District 2.

On July 16, 2015, The CDRC met and acted on this case. The decision of the CDRC was to recommend approval with staff conditions of the applicant's request by unanimous 6-0 vote.

The subject lot was created in 1991, by way of Family Transfer and is recognized as a legal lot of record. The applicant has provided proof of ownership of the property by providing a warranty deed which was recorded in the County Clerk's Office on June 23, 1998, in Book 227, Page 048. There are currently two dwelling units on the subject property. The main residence was constructed after 1992, permit #94-1335, which is approximately 2,500 square feet and is served by City of Santa Fe sewer and a private well. The second dwelling unit was permitted in 2012, permit #12-442, which is approximately 1,440 square feet and is served by City of Santa Fe sewer and the Agua Fria Community Water System. As part of that approval, the applicant was required to install a retention pond on the property. The proposed third dwelling unit would be served by City of Santa Fe sewer and Agua Fria Community Water System. Currently, the applicant rents both dwelling units for additional income.

The applicant requests a variance of the Agua Fria Ordinance, Section 10.6 Density and Dimension Standards, to allow three dwelling units on 0.962 acres. In the Traditional Community of Agua Fria, minimum lot size per Code is 0.75 acres per dwelling unit. Lot size can be further reduced to 0.33 acres per dwelling unit with community water and community sewer. For construction of one to four dwelling units Article III Section 2.4.1, states that the applicant must provide submittals for new construction, and meet standards as applicable and as required in Article V, Section 8, Subdivision Design Standards. The applicant also requests a variance of Article V, Section 8.2.1c, Local Roads, of the Code. The road Paseo de Tercero, which services the property, fails to meet local road standards, which require two ten-foot driving lanes, a minimum right-of-way of fifty feet and an all-weather driving surface. Currently Paseo de Tercero does not meet these standards because it is a sixteen-foot wide dirt road with a twenty-foot entrance, and the exit and utility easement is 817 feet from Rufina to the end of the applicant's property line. Paseo de Tercero can be accessed through Rufina or by Agua Fria Road.

The applicant asserts these variances are needed in order to develop the remaining portion of the property. The applicant intends to place an additional home on the property both to provide additional income and to give to their children when they meet adulthood. The applicant intends to give each child a dwelling unit at that time. The property is

lacking approximately .448 acres in order to meet Code requirements.

During the CDRC meeting, Committee Member Katz remarked that if the main residence were on community water, the amount of land required in order to place a third dwelling unit would be significantly less, and would bring the land area much closer to the necessary acreage. Mr. Tercero asserted if the water system offered membership, he would be willing to connect to the water system. Currently the main residence is connected to City of Santa Fe sewer and is utilizing a private well. The applicant has since provided correspondence from the Agua Fria Community Water System, dated August 10, 2015, acknowledging that water will be made available for the applicant. With all three dwelling units on Community Water and City Sewer, the applicant will now be lacking approximately 1600 square feet in order to meet density requirements to allow a third dwelling unit.

Staff recommendations: Denial of a variance of Ordinance No. 2007-2, Village of Agua Fria Zoning District, Section 10.6, Density and Dimension Standards, to allow three dwelling units on 0.962 acres and a variance of Article V, Section 8.2.1c, Local Roads, of the Code. If the decision of the BCC is to approve the applicant's request, staff recommends imposition of the following conditions. May I enter these into the record?

[The conditions are as follows:]

1. The Applicant shall comply will all applicable water conservation measures. (As per Ordinance No. 2002-13).
2. The Applicant must obtain a development permit from the Building and Development Services Department for the additional dwelling unit. (As per Article II, Section 2).
3. The placement of additional dwelling units is prohibited on the property. (As per Ordinance No. 2007-2, Section 10.6).
4. The Applicant shall comply with all Fire Code requirements and Fire Prevention Division requirements at the time of Development Permit Application. (As per 1997 Fire Code and NFPA Life Safety Code).
5. The Applicant shall provide proof that the main residence is connected to the Agua Fria Community Water System prior to issuance of the Development Permit for the third dwelling unit.
6. The Applicant shall provide a Road Plan showing proposed improvements to Paseo de Tercero for review and approval. The road must be built out to 20' in width, where possible, and must include pull outs as determined by the County Fire Marshal. All road improvements must be constructed prior to the issuance of the building permit for the third dwelling unit.

The letter that has been provided to you is from Santa Fe County Fire. [Exhibit 2] That letter was provided to me before the public hearing. The applicant has been provided a copy of that new letter from Fire.

COMMISSIONER HOLIAN: Mr. Chair.

COMMISSIONER CHAVEZ: Commissioner Holian.

COMMISSIONER HOLIAN: I have a question. In view of this new letter from our Fire Prevention Division, there are some requirements under the roadways,

driveways section. And if we were to approve this variance with staff recommendations, with staff conditions, would that mean that they would have to comply with these requirements?

MR. ROMERO: Mr. Chair, Commissioner Holian, that is correct. In the staff report that has been provided one of the conditions of approval actually is – which would be #6, if you look at #6, if you look at condition #4 and you look at condition #6 they do mention the fact that #4 does state that the applicant shall comply with all fire code requirements and the Fire Prevention Division requirements at the time of development permit application. Number 6 does state that the applicant shall provide a road plan showing proposed improvements to Paseo de Tercero for review and approval. The road must be built out to 20 feet in width where possible and must include pull-outs and determined by the County Fire Marshal. All road improvements must be constructed prior to the issuance of a building permit for the third dwelling unit.

COMMISSIONER HOLIAN: Okay. Thank you.

COMMISSIONER CHAVEZ: So, Mr. Romero, so let's go back to that language in condition 6. The road must be built out into 20-foot width where possible. And I think in the village where possible – there's going to be a lot of limitations, a lot of constraints on right-of-way because of how the settlement pattern have evolved. And so I think in some cases it's going to be almost impossible to create that 20-foot width where there's no right-of-way, there's no easement. There just isn't any room to move. So I think we really need to take that to heart where it says where possible, where it makes sense or where it's feasible.

MR. ROMERO: Correct.

COMMISSIONER CHAVEZ: So I just wanted to go back to that language for just a minute.

MR. ROMERO: Mr. Chair, that is correct. I went out there; Fire's been out there. We conducted site visits and there are areas that aren't able to be built out to 20 feet. There is a 20-foot easement that is an access and exit easement on that road, but that is correct. Where available they would have to provide that 20-foot driving surface for fire.

COMMISSIONER CHAVEZ: And I don't know if the pull-outs would be feasible or practical either, but this condition also goes on to state that all road improvements must be constructed prior to the issuance of the building permit for the third dwelling unit. So again I think within reason, we could expect for some road improvements but again, I think that there are going to be some limitations there so I'm not sure how that's going to work. Anyway, those are I think my comments. Are there any other questions or comments to staff? Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. In all full disclosure, I'm going through the same kind of discussion on my own road, and I'm wondering – this isn't so much about this case and I'm wondering if Penny is here, who could talk a little bit about this in the Land Use Code we're going to be looking at. Similar to Commissioner Chavez' comments about the feasibility, what happens in our code to come, that we've approved in principal, when there are difficulties to accomplish this? The 20 feet? Because I'm looking at the future, Penny; not about this case. Not

about this case, about the future in the code when we come up with cases where the 20 feet is not going to work, what provisions do we have in the new code?

PENNY ELLIS-GREEN (Growth Management Director): Mr. Chair, Commissioner Stefanics, I'm not 100 percent sure I understand the question but I think the 20 foot is the reduced amount allowed in this code. The standard in the new code at the moment is the full 38-foot easement and so I don't think there is that exception for family transfers, and then it would be a request for a variance, a similar kind of process.

COMMISSIONER STEFANICS: Okay. So what I'm actually suggesting, Penny, is that I think we're going to need to add some – and I don't have the solution – I think we're going to need to add some specific language, instead of just a variance for anything, maybe there needs to be some specific suggestions for when something cannot be met. Because you have a lot of pre-existing lots and legal non-conforming lots. So I think that instead of having hundreds – and I think it will be hundreds over the future of variances, maybe we need to come up with some language. So I'm just asking you to think about that. Okay?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, I would add that at some point there is going to be kind of like a minimum that is required for public safety. And whether that is the 38-foot, the 20-foot or 18-foot could be case by case depending on the length of the driveway or roadway, but at some point it is going to be a public safety issue and then I think that the staff position would be that then the land shouldn't be further divided. But where that cutoff would be is something that we would need to discuss.

COMMISSIONER STEFANICS: Well, we might also look at things like homeowners signing release of liability for the County to protect – if somebody wants to live in an area – and I'm not talking about our heavily populated areas but if somebody wants to live in an area that is not conducive to having a wider road because it might go off the edge of the mountain or whatever, maybe we need to look at some liability releases or waivers or something.

MS. ELLIS-GREEN: Okay.

COMMISSIONER STEFANICS: Okay. It's just a thought to look at. Thank you. Thank you, Mr. Chair.

COMMISSIONER CHAVEZ: Okay, so I think we've covered questions from staff. I want to now ask the applicant if they have anything that they want to add, and if there's anyone else that would like to speak in support or opposition to this request please come forward at this time. The applicant, you're welcome to add anything that you would like to at this time.

[Duly sworn, Jude Tercero testified as follows:]

JUDE TERCERO: The only thing I'd like to add is we went through the other hearing, so we're already going to add the water, so we've already complied with that. Talked with the Fire Marshal and willing to do whatever they need to do that we can do. The part that I'm kind of not clear about is if I can't get the permit before these requirements are – because I have to tear up the road to run the water, so I would like to get the permits so I can do the work but if I have to fix the road before I get the permits then I'm going to do double work, which is going to cost me. So I didn't understand that

language. So if I can get the permits so that I can start the utility work and then fix the road when I'm done – because I don't want to do it twice is what I'm saying.

COMMISSIONER CHAVEZ: Right. Well, I want to defer that question to staff because it is spelled out in one of the conditions of approval but I'm not sure – I want staff to respond to that question.

VICKI LUCERO (Building & Development Services): Mr. Chair, just to clarify, the condition says that the requirements will need to be completed at the time of development permit application. So we would actually issue the permit for the utilities and for the site improvements before we issued the permit for the residence. So we would issue two separate permits.

COMMISSIONER CHAVEZ: Okay. So then if I read the condition 6 it says all road improvements must be constructed prior to the issuance of the building permit for the third dwelling. So you're saying that the permits for road improvements will be separate from the building permit.

MS. LUCERO: That's correct, Mr. Chair.

COMMISSIONER CHAVEZ: So, Mr. Tercero, does that help? That would help you, right?

MR. TERCERO: Yes. Thank you.

COMMISSIONER CHAVEZ: Sure. So then I'll close the hearing portion and bring it back to the Commission. I'll go ahead and make a motion to approve this request. On this case with staff recommendations. So I want to ask the applicant again. You agree with the six staff recommendations? [Mr. Tercero nods in the affirmative]

COMMISSIONER ROYBAL: I'll second.

COMMISSIONER CHAVEZ: Okay. There's a motion and a second. Any further discussion? Seeing none.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Anaya was not present for this action.]

- VIII. C. 2. **CDRC CASE #V 15-5160 Susan Stokes. Susan Stokes, applicant, Requests a Variance of Ordinance No. 2007-02, Section 10.6 (Village of Agua Fria Zoning District, Density And Dimensional Standards) to Allow the Creation of Three (3) Lots (Lot 1-1.642 Acres, Lot 2-1.010 Acres, and Lot 3-1.174 Acres) on 3.826 Acres, More or Less, Utilizing an On-Site Well and Septic System rather than Community Water or Sewer. The Property Lies within the Agua Fria Low-Density Urban Zone (AFLDUZ) Where the Minimum Lot Size is 2.5 Acres per Dwelling. The Property is Located within the Village of Agua Fria Zoning District at 4745 Rivers Edge Lane, within Section 32, Township 17 North, Range 9 East (Commission District 2)**

VICENTE ARCHULETA (Case Manager): Thank you, Mr. Chair. On

July 16, 2015, the County Development Review Committee met and recommended approval to allow the creation of three lots on 3.826 acres more or less utilizing an onsite well and septic system rather than community water or sewer, subject to staff conditions, by unanimous voice vote of 6-0.

In February of 2004, the applicant was issued a permit for a second dwelling unit on her 4.972-acre lot. The applicant was allowed to connect to the City of Santa Fe trunk line via a four-inch private sanitary sewer lateral subject to seven conditions, which included the condition, If the property is ever subdivided, an eight-inch diameter sanitary sewer mainline extension will be required.

On March 3, 2010, the applicant submitted an application for a four-lot Summary Review Subdivision on 4.972 acres. The application was reviewed and approved. Prior to recording the plat, the applicant was required to provide an all-weather access road to all proposed lots, sign water restrictive covenants, provide a disclosure statement and submit a shared well agreement. The all-weather access road was constructed and inspected by County staff.

At the time the plat was approved in 2011, one of the conditions of approval for the lot sizes requested was, the applicant must connect to community services, either community water or community sewer, to be allowed the lot size that they were proposing, less than 2.5 acres. The applicant agreed to the condition that they would connect to City sewer. This condition was noted on the plat. The plat along with the water restrictive covenants, disclosure statement and shared well agreement were then recorded on August 12, 2011.

The Applicant now requests a variance of Ordinance No. 2007-2, Section 10.6 to allow the creation of Lot 1, Lot 2 and Lot 3 without the requirement of connection to community services. Lot 4 is not included in the variance request as it is already connected to City of Santa Fe sewer.

The Applicant is now trying to sell Lot 1, the lot furthest away from the sewer trunk line, and made a request to the Agua Fria Community Water Systems for service. The AFCWS is unable to provide service to the property. The Applicant then pursued connection to the City sewer system. The distance from Lot 1 to the City sewer line is approximately 825 feet and will require cleanouts every 100 feet. The applicant submitted a cost estimate that has determined the cost of construction, permitting and connection. The estimate is approximately \$30,000 and could increase with unexpected excavation or soil testing and with the eight-inch line that the City requires.

The Applicant states, that the substantial amount of additional work to connect to the City sewer due to this property's unique situation has made it impractical to develop the property.

The applicant has stated that they could not afford to do the sewer line and the road at the time of platting for the four-lot summary review subdivision, and the previous Land Use Administrator allowed them to record the plat without hooking existing homes. The applicant knew about the cost at plat approval but still agreed to the condition. The applicant also knew that the size of the sewer line needed to be increased when they received their 2004 permit.

Staff recommendations: Staff recommends denial of the variance of Ordinance No. 2007-02, Section 10.6, Village of Agua Fria Zoning District, Density and

Dimensional Standards, to allow the creation of three lots on 3.826 acres, without community services. The decision of the CDRC was to recommend approval subject to the following condition:

1. The Applicant must amend the Plat of Survey to remove the condition stating: "These lots are subject to using the City of Santa Fe sewer system. No individual wastewater system shall be allowed" and the applicant shall submit the plat with the new language for Staff review and record in the County Clerk's office.

Thank you, Mr. Chair.

COMMISSIONER HOLIAN: As I understand it, there are going to be three lots created. Is there another lot in question here as well that has a dwelling unit on it that is neighboring to these lots? Or is it just the original lot is now being divided into three?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, there's already one lot. The lots – there's already actually two lots. Lot #4 is its own lot which was created with a summary review subdivision. So now the applicant is requesting that the other – the additional three acres be subdivided into three lots with – well, let me take that back. They did a summary review subdivision and created the four lots and now what she's requesting is to be allowed to connect the three lots – not to connect the three lots to community water or community sewer.

COMMISSIONER HOLIAN: So there are two dwelling units, however, on the property. Are either of those dwelling units on one of the three lots that would be created?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, yes, there are. I believe it's Lot 3 and Lot 4 that have the dwelling units on there.

COMMISSIONER HOLIAN: Would all four, if there were residences built on the other two lots, would all four residences share the same septic system and the same well?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, no. They would have their own individual septic.

COMMISSIONER HOLIAN: So two of the lots – so there would actually be four septic systems?

MR. ARCHULETA: Commissioner Holian, just three. Lot #4 is already connected to the sewer. That's the closest to the trunk line.

COMMISSIONER HOLIAN: Oh, right. Okay. And has the Environment Department come out and said that if there were septic systems put on the other three lots that they would be in compliance?

MR. ARCHULETA: Mr. Chair, Commissioner Holian, the lot sizes are more than what the Environment Department would require so at the time of building permit they would be subject to bringing in the septic permits.

COMMISSIONER HOLIAN: And they couldn't build until they had the permit, correct?

MR. ARCHULETA: That's correct.

COMMISSIONER HOLIAN: Thank you, Vicente.

COMMISSIONER CHAVEZ: So, Mr. Archuleta, so they're using – it's an onsite well and septic system, but the onsite well, will that still be a shared well?

MR. ARCHULETA: Mr. Chair, that would be a shared well.

COMMISSIONER CHAVEZ: Okay, if this is approved I would suggest that maybe there be a condition of approval that there be a shared well agreement, because I didn't see that in the staff recommendations but it is mentioned in your summary.

MR. ARCHULETA: Mr. Chair, when they created the four-lot subdivision, the summary review subdivision, they signed a well-share agreement for the four lots, so there's one in place.

COMMISSIONER CHAVEZ: Okay. So that shared well agreement will go with the plat then? It's recorded on the plat?

MR. ARCHULETA: Mr. Chair, that's correct.

COMMISSIONER CHAVEZ: Okay, so I guess that covers it. So Lot #4 is already connected to the City sewer but they will still be on the shared well. All of the lots, even though they have separate – one is connected to the City sewer. The other four will have their individual septic tanks but all four lots will be on a shared well.

MR. ARCHULETA: Mr. Chair, that's my understanding. Maybe the applicant can verify that, but when we did the four-lot subdivision, the summary review subdivision, that was the intent that all four lots shared the same well.

COMMISSIONER CHAVEZ: Okay. So then if Ms. Stokes then, do you want to come forward and it's your chance to present anything that you would like to to the County Commission and then I have this question about the shared well. So do you agree that all four of the lots will be sharing one well? Go ahead.

[Duly sworn, Susan Stokes testified as follows:]

SUSAN STOKES: Yes, to answer your question. They would all share the same well.

COMMISSIONER CHAVEZ: And you do agree with Mr. Archuleta that you have submitted a shared well agreement?

MS. STOKES: Yes. And it was part of the original subdivision creation.

COMMISSIONER CHAVEZ: Okay. But things have changed because we were going to go to a community sewer and water system and now things are changing a little bit. We're going to onsite septic and a shared well, so that's a little bit different than what was presented before. It's a little bit different than what was approved before, so we have some variances that we have to consider now. So I wanted to be sure that you were in agreement with the one staff recommendation and then you agree with the shared well scenario.

MS. STOKES: Yes. And the community water system said that they could not service the area so there is really no choice as far as the water.

COMMISSIONER CHAVEZ: Right. That's okay, but for me, as long as we have the shared well agreement and all the lots are covered under that agreement, that's the one question that I wanted to be clear on.

MS. STOKES: Yes.

COMMISSIONER CHAVEZ: Thank you for that. So are there any other questions of the applicant? Did you want to add anything else, Susan, at this time?

MS. STOKES: I don't think so. The only thing is, and I just want to bring this up is when I – when the subdivision was originally created the two residences were

already in existence on the property. So the one was connected to the sewer because it was very close to the river, and at that time we were very involved with restoring the river and it sort of made sense not to be a septic system that close to the actual river itself. The other residence was there since 1988 and was on a septic system, just to clarify what you had brought up, Commissioner.

So when the subdivision was put in effect those two residences just stayed the way that they were and I did not realize, to be honest, that I would have to actually put in the sewer system in order to finalize the subdivision. I thought that I could do it as new construction occurred. And so when I started looking into the permitting and I realized that I needed to put this sewer system on the whole property it became a burden. There was absolutely no way, because the estimate that I have submitted is for one line; not for three. So it became really financially impossible. And the only other thing that I would like to mention is that when the Agua Fria Village got involved with their planning code and revising the new code actually for the land use plan update I was part of that committee and the Agua Fria Village actually has recommended that the area that I live in be able to do exactly what I'm asking for, that the density can be increased in the area with having a shared well or community water. And they are recommending a minimum of one acre. And all of these lots are over that minimum, because I had very close to five acres, 4.9 or something. So they are all over the one-acre minimum that Agua Fria is actually asking to put into their new code for this area.

And the other thing is that at the TAP community planning meeting it was stated that the new Sustainable Land Development Code had a provision stating that the County can certify it will not provide sewer services within the next five years to an area the landowner developing a property can be held harmless from the mandate of having to hook up to a community sewer line when it is within 200 feet. So all of that is sort of going in the direction of the variance that I'm requesting.

COMMISSIONER CHAVEZ: Okay. Thank you. So seeing there are no other members of the public here this evening to speak on this case I'll close the public hearing portion of the meeting and I'll go ahead and make a motion to approve the request for a variance on this Case #2007-2 [sic].

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: There's a motion and a second. Any further discussion? Seeing none.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Anaya was not present for this action.]

MR. ARCHULETA: Mr. Chair, did that include staff's condition?

COMMISSIONER CHAVEZ: Yes. There's the one staff recommendation. Yes.

**VIII. C. 3. CDRC CASE # V/FDP 15-5170 Jacona Collection Center.  
**Santa Fe County, Applicant, Received Conditional Approval from the County Development Review Committee (CDRC) for Final Development Plan to Allow a Facility to be Utilized as a County Collection Center on +19.63 Acres. The Applicant Requests Approval by the Board of County Commissioners for a Variance of Ordinance No. 2002-6, Article III, Section 4.4.4(C) (Maximum Height) to Allow the Structure to Exceed 24 Feet in Height, A Variance of Ordinance No. 2000-01, Section 2.3.6.D.2, to Allow Retaining Walls to Exceed 10 Feet in Height, and a Variance of Article VII, Section, 3.4.1.1.C.1 (No Build Areas) to Allow 5 Isolated Disturbances of 30% Slope for Access Roads totaling 1,313 Square Feet. The Property is Located off Highway 502, within the Jacona Land Grant, within Section 15, Township 19 North, Range 8 East (Commission District 1)****

JOSE LARRAÑAGA (Case Manager): Thank you, Mr. Chair. On July 16, 2015 the CDRC approved the final development plan to allow a facility to be utilized as a County Collection Center on 19.63 acres. The CDRC also recommended approval to the BCC of a variance of Ordinance No. 2002-6, Article III, Section 4.4.4.C, maximum height to allow the structure to exceed 24 feet in height. A variance of Ordinance 2000-1, Section 2.3.6.D.2, Walls and Fences, to allow retaining walls to exceed ten feet in height, and a variance of Article VII, Section 3.4.1.1.C.1.c, No-build areas of the code to allow five isolated disturbances of 30 percent slope for access roads totaling 1,313 square feet.

The applicant received final development plan approval from the CDRC for the Jacona Collection Center as a Community Service Facility in conformance with Ordinance No. 2010-13 § 7, Community Service Facilities, and the Code. The Center will consist of a main building which will be utilized for waste unloading and recycling and a sheltered area for re-use items for a combined roofed area of 9,623 square feet, in addition to a flat pad for green waste and a flat pad for scrap metal and tires. The Jacona Collection Center will be a County-owned and operated facility.

The applicant is requesting three variances: a variance of Ordinance No. 2002-6, Article III, Section 4.4.4.C, maximum height; a variance of Ordinance 2000-1, Section 2.3.6.D.2, Walls and Fences, and a variance of Article VII, Section 3.4.1.1.C.1.c, No-build areas of the code.

The applicant asserts a variance of Article III, Section 4.4.4.C, Maximum height, is necessary for the following reasons: In order for the facility to function, the tunnel where trash collects in trailers must be at least 16 feet below the collection/tip floor in the main facility, and the public areas need to be at least 2' 8" above the tip floor. The tunnel needs 14 feet of clear space above the tip floor as well. Because of these functional considerations, the height of the facility requires an exception. The overall height from lowest grade to highest point is 41 feet 9 inches. However, the ridge of the main facility

is only 23' 1" above finish grade. The ridge of the tunnel is 38' above grade.

Other mitigating factors: The design incorporates several features to lessen the appearance of height. The tunnel floor is 10' below grade so that it is not seen from Highway 502. The slope of the roof is 2:12 so although the visible height above grade is 28' at the ridge it's only 22' 3" and 19' 3" at the eaves. The mass of the facility is broken up into four volumes; an open-air cover echoes the roof pitches and breaks up the mass of the tunnel.

Staff Response: The height of the structure is necessary in order for the facility to function in a safe and efficient manner. The height is required to allow the headroom required for the equipment to be used in the daily operation of the facility. The applicant has designed the facility, utilizing the natural topography, so that the height will be a minimal visual impact on the public traveling along Highway 502.

The applicant asserts a variance of Ordinance No. 2000-01, Section 2.3.6.D.2 is necessary for the following reasons: Given the function requirements of the facility, some retaining walls are required to be built over ten feet to allow waste to be pushed into trailers from the greenwaste area and the main facility, below the public level. Where possible the retaining walls will be designed with a series of walls set back from each other.

Staff Response, The facility is designed to handle a large amount of waste and large trucks and trailers will be utilized to haul off the waste. The facility is designed for these trucks/trailers to be positioned below the main facility and still be able to circulate through the facility and not impede the traffic created by the public. The design creates an efficient and safe facility and utilizes the bulk of the structure and the natural topography to shield the mass of the retaining walls from any possible visual impact to Highway 502.

The applicant asserts a variance of Article VII, Section 3.4.1.C.1.c of the code is necessary for the following reasons: The project site is relatively flat, however, the topography of the areas surrounding the site is challenging with hills and arroyos, making access an issue. The main facility is located on slopes of less than 20 percent and is sited to preserve natural features such as trees and hills. Roads were designed to avoid arroyos and hills as much as possible, winding around the hill that screens the collection facility site from Highway 502. Some grading on 30 percent slopes is inevitable due to the topography of the site. The location of the entrance was dictated by the features of Highway 502, and it enters the site at a steep embankment. The road enters on a man-made area greater than 30 percent slopes. An exception is required because there are more than three occurrences of disturbance of greater than 30 percent natural slopes. There are five instances, however, these are all small and represent only 1,313 square feet, less than half of the 3000 square feet allowed. The disturbance is only on areas for access roads and not for any buildings.

Staff Response: The five separate occurrences of 30 percent slopes is minimal as the square footage of those combined disturbances totals 1,313 square feet. These disturbances are necessary to create a safe access for the general public utilizing the facility and the employees, and emergency vehicles. The disturbances of the 30 percent slopes will have a minimal visual impact from Highway 502.

Building and Development Services staff have reviewed the applicant's request for a variance of Ordinance No. 2002-6, Article III, Section 4.4.4.C, Maximum height, to

allow the structure to exceed 24 feet in height, a variance of Ordinance No. 2000-01, Section 2.3.6.D.2, Walls and Fences, to allow retaining walls to exceed ten feet in height, and a variance of Article VII, Section 3.4.1.C.1.c. No-build areas of the code to allow five isolated disturbances of 30 percent slopes for access roads totaling 1,313 square feet of disturbance for compliance with pertinent Code requirements and have found that the following information presented may support a variation of these sections of the code and ordinances. The height of the structure is required to provide a safe and adequate service as a collection center for the general public and the employees. The height of the retaining walls is required for proper circulation of vehicles and for efficient use of the facility. The disturbance of five occurrences of slope over 30 percent is well below the square footage allowed by the code for three occurrences which is 3,000 square feet. The requested variances will have little to no visual impact to the surrounding properties as well as the public traveling along Highway 502. These variances may be considered a minimum easing of the code.

Building and Development Services staff reviewed this project for compliance with pertinent code requirements and has found that the facts presented supported the request for Final Development Plan: the facility will provide a community service to the County; the use is compatible with development permitted under the code; the application, excluding the height of the structure and retaining walls and the disturbance of 30 percent slopes, satisfies the submittal requirements set forth in the code.

The review comments from state agencies and County staff have established findings that this application, for Final Development Plan is in compliance with state requirements, Ordinance No. 2010-13, Community Service Facilities, and Article V, Section 7.2, Final Development Plan of the code.

Staff recommendation: The request for a variance of the height requirements may be considered a minimal easing due to the height required for the structure is designed to provide safe and adequate service as a collection center for the general public and the employees. The height of the walls is required for proper circulation of vehicles and for efficient use of the facility. The disturbance of 1,313 square feet of 30 percent slope is well become what is allowed by the code for three occurrences.

The Board may vary, modify or waive the requirements set forth in Ordinance No. 2002-6, Article III, Section 4.4.4.C, Maximum height, to allow the structure to exceed 24 feet in height. A variance of Ordinance No. 2000-01, Section 2.3.6.D.2, to allow retaining walls to exceed 10 feet in height, and a variance of Article VII, Section, 3.4.1.1.c.1, No Build Areas to allow five isolated disturbances of 30 percent slope for access roads totaling 1,313 square feet of disturbance.

Mr. Chair, I stand for any questions.

COMMISSIONER CHAVEZ: Thank you, Mr. Larrañaga. Any questions of staff? So this is interesting because the County is the applicant.

MR. LARRAÑAGA: Mr. Chair, that's correct.

COMMISSIONER CHAVEZ: So I guess we would still have a public hearing. Was there a public hearing – because I know this went to the CDRC. Was there any public comment period? Or did you go out to the public on this?

MR. LARRAÑAGA: Mr. Chair, yes. We do have the architect here and staff that can answer any questions on the function of the facility and why some of these

variances are needed in detail.

COMMISSIONER CHAVEZ: Well, I think I understand that part of it. It's just a little interesting that we're the applicants, so I think we're trying to lead by example and we want to do the right thing. We expect others to get permits for their projects and I think it's appropriate that we would do the same thing. So that just is a little different approach to things because usually the applicant is not us, the County. But I will ask, just for the comfort, is there anyone from the public that would like to speak on this issue? Seeing none then I'll close the public hearing portion.

Questions of staff? Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, I did have one question. I was wondering, on the small County road that's just – I guess that would be north of the transfer station – has there been a study done for traffic that is exiting out of there headed eastbound on 502?

MR. LARRAÑAGA: Mr. Chair, Commissioner Roybal, I believe Mark can answer that. We were just talking about the study on the traffic.

MARK HOGAN (Projects and Facilities): Mr. Chair, Commissioners, that road is 84D. We have studied the traffic at that intersection as well as both directions associated with that site. And so right now there's the road conditions that exist are adequate for the service of the facility.

COMMISSIONER ROYBAL: Okay. So with that added structure that will be there is it going to be more difficult for the traffic or it will remain the same?

MR. HOGAN: There will be a de-acceleration lane for traffic that's approaching from the west to slow down and go into it. We did a study on an accel lane leaving the property, found out that it was not warranted from the traffic conditions and there was an additional provision that if it served the safety of the site that we could add an accel lane.

As it turned out the distance we had available merged over with the access to the high school and actually created an unsafe condition so we are not recommending an accel lane leaving the property.

COMMISSIONER ROYBAL: Okay. I know that that was off the subject but I do want to – with any other questions that anybody else has I'd like to move for approval after.

COMMISSIONER HOLIAN: Mr. Chair – well, I would like to second that but I have a question.

COMMISSIONER CHAVEZ: Go ahead, Commissioner Holian, and I have a comment to build on what Commissioner Roybal just stated.

COMMISSIONER HOLIAN: So, Mark, if everything goes according to plan, how long do you think it will take the new transfer station operational?

MR. HOGAN: Mr. Chair, Commissioner, we're hoping that this will go to bid in the first part of 2016, January, and we hope to have it operational by July or August 2016.

COMMISSIONER HOLIAN: Great. And I just wanted to make the comment that I think in this particular case the variances that are requested are actually going to make the facility safer in this case.

MR. HOGAN: That's correct.

COMMISSIONER HOLIAN: Thank you.

COMMISSIONER CHAVEZ: So, Commissioner Roybal, your comments about traffic study I think are spot on and in the memo – of course this is a development plan report. There is a section here on a traffic study and it reads that a TIA, that's a traffic impact analysis, a TIA was not required by the Department of Transportation, however, an STA – tell us what STA is. An STA was performed.

MR. MARTINEZ: Mr. Chair, it's a site threshold analysis.

COMMISSIONER CHAVEZ: A site threshold analysis was performed. There's no significant impact on Highway 502. Most traffic is on the weekend and there is just one large trailer per day exiting and entering the facility. So is that still an accurate statement?

MR. MARTINEZ: Mr. Chair, Commissioners, that is accurate. And that's what's existing. Well, actually, the amount of County traffic that we have currently at the station that's just about a mile or so down the road has more traffic than what we're proposing because earlier today you approved that waiver for the tractor-trailers for solid waste, we are going to be using walking floor trailers at this facility as opposed to roll-off containers which are smaller bins so we make more trips with the roll-off containers. With the walking floor containers it will be at the most one trip per day of the tractor-trailer.

COMMISSIONER CHAVEZ: Okay. So I had highlighted the traffic study and Commissioner Roybal had the same concerns about that, so that's been addressed. I think everything else is ready to go and as Commissioner Holian pointed out, the design of this facility is going to have to serve the residents for many years to come, so we have one chance to do it right and I think that's what we're doing. From what I see that's the approach that we're taking. So I want to thank staff and the public for working on this. So we have a motion and a second.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Anaya was not present for this action.]

VIII. C. 4. CDRC CASE # Z/PDP/FDP 15-5130 Ashwin Stables. TABLED

VIII. C. 5. BCC CASE # MIS 10-5354 Rio Business Park. TABLED

#### IX. Concluding Business

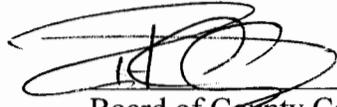
##### A. Announcements

None were presented.

**B. Adjournment (Action Item)**

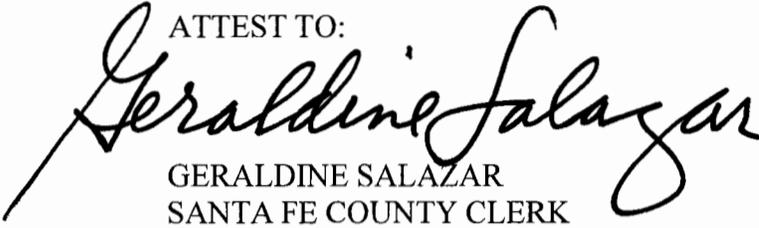
Having completed the agenda and with no further business to come before this body, Vice Chair Chavez declared this meeting adjourned at 7:35 p.m.

Approved by:



Board of County Commissioners  
Robert A. Anaya, Chair

ATTEST TO:



GERALDINE SALAZAR  
SANTA FE COUNTY CLERK



Respectfully submitted:

  
Karen Farrell, Wordswork  
453 Cerrillos Road  
Santa Fe, NM 87501



COUNTY OF SANTA FE ) BCC MINUTES  
STATE OF NEW MEXICO ) ss PAGES: 72

I Hereby Certify That This Instrument Was Filed for  
Record On The 22ND Day Of October, 2015 at 08:38:11 AM  
And Was Duly Recorded as Instrument # **177754**  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy  County Clerk, Santa Fe, NM

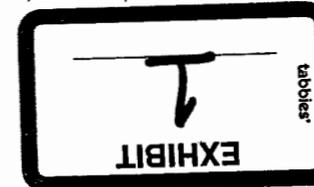
CERTIFICATE OF PROPERTY TAX RATES IN MILLS  
 SANTA FE COUNTY  
 TAX YEAR 2015  
 NET TAXABLE VALUE:

Amended 9/4/15

\$6,563,245,270

MUNICIPALITY:	Santa Fe	Santa Fe									Espanola
TAXABLE VALUE:	2,657,318,887	1,145,395,708	1,844,718,389	372,205,440	137,518,406	42,249,542	109,985,546	43,091,092	33,270,590		
CATEGORY:	C IN R	C IN NR	C OUT R	C OUT NR	1 R	1/1D NR	8T R OUT	8T NR OUT	18 IN R		
State Debt Service	1.380	1.360	1.360	1.360	1.360	1.360	1.360	1.360	1.360		
<b>Total State</b>	<b>1.380</b>	<b>1.360</b>									
County Operational	6.085	11.786	6.085	11.786	6.065	11.786	6.065	11.786	6.065		
County Debt Service	1.974	1.974	1.974	1.974	1.974	1.974	1.974	1.974	1.974		
<b>Total County</b>	<b>8.039</b>	<b>13.760</b>	<b>8.039</b>	<b>13.760</b>	<b>8.039</b>	<b>13.760</b>	<b>8.039</b>	<b>13.760</b>	<b>8.039</b>		
Municipal Operational	1.327	2.709	0.000	0.000	0.000	0.000	0.000	0.000	3.193		
Municipal Debt Service	1.045	1.045	0.000	0.000	0.000	0.000	0.000	0.000	0.000		
<b>Total Municipal</b>	<b>2.372</b>	<b>3.754</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>3.193</b>		
School Dist. Operational	0.156	0.494	0.156	0.494	0.193	0.500	0.391 (2)	0.500 (2)	0.169		
School Dist. Debt Service	3.417	3.417	3.417	3.417	9.434	9.434	8.848 (2)	8.848 (2)	4.944		
School Dist. Cap. Improve.	2.000	1.976	2.000	1.976	2.000	2.000	2.000 (2)	2.000 (2)	2.000		
1B33 School Building	1.500	1.482	1.500	1.482	0.000	0.000	0.000 (2)	0.000 (2)	0.000		
School Dist. Educ. Tech. Debt Service	1.499	1.499	1.499	1.499	0.000	0.000	0.000 (2)	0.000 (2)	0.571		
<b>Total School District</b>	<b>8.572</b>	<b>8.868</b>	<b>8.572</b>	<b>8.868</b>	<b>11.627</b>	<b>11.934</b>	<b>11.239</b>	<b>11.348</b>	<b>7.684</b>		
<b>Total State, County, Municipal, &amp; School Dist.</b>	<b>20.343</b>	<b>27.742</b>	<b>17.971</b>	<b>23.988</b>	<b>21.026</b>	<b>27.054</b>	<b>20.638</b>	<b>26.468</b>	<b>20.276</b>		
Other:											
Santa Fe Comm.Col.(1)	2.776	2.995	2.776	2.995	0.000	0.000	0.000	0.000	0.000		
Santa Fe Col.Bldg.Levy (1)	1.000	1.000	1.000	1.000	0.000	0.000	0.000	0.000	0.000		
<b>Total Other</b>	<b>3.776</b>	<b>3.995</b>	<b>3.776</b>	<b>3.995</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>		
<b>GRAND TOTAL</b>	<b>24.119</b>	<b>31.737</b>	<b>21.747</b>	<b>27.983</b>	<b>21.026</b>	<b>27.054</b>	<b>20.638</b>	<b>26.468</b>	<b>20.276</b>		

Where Applicable:	Res	Non-Res	(1) To Santa Fe Com. College--P.O. Box 4187, Santa Fe, NM 87502						
Cattle Indemnity 8.739	Edgewood SWCD 1.000	1.000	(2) To Moriarty Board of Education						
Sheep/Goats/Swine/Alpaca 9.440			(3) To Espanola Board of Education						
Wairy Cattle 4.523	Rancho Viejo Sp. Assmt Dist Debt 0.000								
Person/Camelids/Ratite 10.000	El Dorado Area W&S Dist Oper: 2.188								
Horses/Asses/Mules 8.709	El Dorado Area W&S Dist Debt: 2.058								



**CERTIFICATE OF PROPERTY TAX RATES IN MILLS**  
**ANTAFE COUNTY**  
**TAX YEAR 2015**  
**NET TAXABLE VALUE:**

Amended 9/4/15

		<b>\$6,563,245,270</b>				
	<b>MUNICIPALITY:</b>	<b>Espanola</b>			<b>Edgewood</b>	<b>Edgewood</b>
	<b>TAXABLE VALUE:</b>	15,445,476	43,798,867	17,182,600	66,416,222	34,648,505
	<b>CATEGORY:</b>	18 IN NR	18 OUT R	18 OUT NR	8T IN R	8T IN NR
<b>State Debt Service</b>		1.360	1.360	1.360	1.360	1.360
<b>Total State</b>		1.360	1.360	1.360	1.360	1.360
<b>County Operational</b>		11.786	6.065	11.786	6.065	11.786
<b>County Debt Service</b>		1.974	1.974	1.974	1.974	1.974
<b>Total County</b>		13.760	8.039	13.760	8.039	13.760
<b>Municipal Operational</b>		5.407	0.000	0.000	0.000	0.000
<b>Municipal Debt Service</b>		0.000	0.000	0.000	2.496	2.496
<b>Total Municipal</b>		5.407	0.000	0.000	2.496	2.496
<b>School Dist. Operational</b>	(3)	0.243 (3)	0.169 (3)	0.243 (3)	0.391	0.500
<b>School Dist. Debt Service</b>	(3)	4.944 (3)	4.944 (3)	4.944 (3)	8.848	8.848
<b>School Dist. Cap. Improve.</b>	(3)	2.000 (3)	2.000 (3)	2.000 (3)	2.000	2.000
<b>B33 School Building</b>	(3)	0.000 (3)	0.000 (3)	0.000 (3)	0.000	0.000
<b>School Dist. Educ. Tech. Debt Service</b>	(3)	0.571 (3)	0.571 (3)	0.571 (3)	0.000	0.000
<b>Total School District</b>		7.758	7.684	7.758	11.239	11.348
<b>Total State, County, Municipal, &amp; School Dist.</b>		28.285	17.083	22.878	23.134	28.964
<b>Other:</b>						
<b>Antafe Comm.Col.(1)</b>		0.000	0.000	0.000	0.000	0.000
<b>Antafe Col.Bldg.Levy (1)</b>		0.000	0.000	0.000	0.000	0.000
<b>Total Other</b>		0.000	0.000	0.000	0.000	0.000
<b>GRAND TOTAL</b>		<b>28.285</b>	<b>17.083</b>	<b>22.878</b>	<b>23.134</b>	<b>28.964</b>

**Where Applicable:**

Little Indemnity	8.739
Sheep/Goats/Swine/Alpaca	9.440
Woolly Cattle	4.523
Person/Camelids/Ratite	10.000
Horses/Asses/Mules	8.709

# SANTA FE COUNTY

## TAX RATE COMPARISON: TY 2014 TO TY 2015

Example of Taxes on Total Value of \$300,000 w/out Exemptions

$$\begin{aligned} \$300,000 / 3 &= \$ 100,000 \times \text{Mill Rate} / 1000 \\ &= \text{Taxes Due} \end{aligned}$$

DISTRICT LABEL	RES/ NON-RES	Geographic Area/ School District	2014 MILL RATE	2014 TAXES	2015 MILL RATE	2015 TAXES	CHANGE (\$)	CHANGE (%)
C IN R	res	City of SF/SF School District	23.363	\$ 2,336.30	\$ 24.12	\$ 2,411.90	\$ 75.60	3.24%
C IN NR	non-res	City of SF/SF School District	31.447	\$ 3,144.70	\$ 31.74	\$ 3,173.70	\$ 29.00	0.92%
C OUT R	res	Outside City of SF/SF School Dist	21.212	\$ 2,121.20	\$ 21.75	\$ 2,174.70	\$ 53.50	2.52%
C OUT NR	non-res	Outside City of SF/SF School Dist	27.804	\$ 2,780.40	\$ 27.98	\$ 2,798.30	\$ 17.90	0.64%
1 R	res	Pojoaque/Pojoaque School Dist	20.642	\$ 2,064.19	\$ 21.03	\$ 2,102.60	\$ 38.41	1.86%
1 NR	non-res	Pojoaque/Pojoaque School Dist	26.899	\$ 2,689.90	\$ 27.05	\$ 2,705.40	\$ 15.50	0.58%
8T IN R	res	Town of Edgewood/Moriarty School Dist	23.508	\$ 2,350.80	\$ 23.13	\$ 2,313.40	\$ (37.40)	-1.59%
8T IN NR	non-res	Town of Edgewood/Moriarty School Dist	29.558	\$ 2,955.80	\$ 28.96	\$ 2,896.40	\$ (59.40)	-2.01%
8T OUT R	res	Outside Edgewood/Moriarty School Dist	20.573	\$ 2,057.30	\$ 20.64	\$ 2,063.80	\$ 6.50	0.32%
8T OUT NR	non-res	Outside Edgewood/Moriarty School Dist	26.623	\$ 2,662.30	\$ 26.47	\$ 2,646.80	\$ (15.50)	-0.58%
18 IN R	res	City of Espanola/Espanola School Dist	19.319	\$ 1,931.90	\$ 20.28	\$ 2,027.60	\$ 95.70	4.95%
18 IN NR	non-res	City of Espanola/Espanola School Dist	26.348	\$ 2,634.80	\$ 28.29	\$ 2,828.50	\$ 193.70	7.35%
18 OUT R	res	Outside Espanola/Espanola School Dist	16.080	\$ 1,608.00	\$ 17.08	\$ 1,708.30	\$ 100.30	6.24%
18 OUT NR	non-res	Outside Espanola/Espanola School Dist	22.059	\$ 2,205.90	\$ 22.88	\$ 2,287.80	\$ 81.90	3.71%
<b>El Dorado Area W &amp; S District</b>								
		<b>Operational</b>	1.112	\$ 111.20	2.188	\$ 218.80	\$ 107.60	0.00%
		<b>Debt</b>	1.992	\$ 199.20	2.058	\$ 205.80	\$ 6.60	3.31%
<b>Edgewood SWCD</b>								
		<b>residential</b>	1.000	\$ 100.00	1.000	\$ 100.00	\$ -	0.00%
		<b>non-residential</b>	1.000	\$ 100.00	1.000	\$ 100.00	\$ -	0.00%

TY 2015 VS. TY 2014 COMPARISONS  
 TOTAL MILL RATE BY DISTRICT

PROPERTY TAX DISTRICT	TY 2015	TY 2014	Inc/Dec mill	Inc/Dec %
Santa Fe C IN R	24.119	23.363	0.756	3.2%
Santa Fe C IN NR	31.737	31.447	0.290	0.9%
C OUT R	21.747	21.212	0.535	2.5%
C OUT NR	27.983	27.804	0.179	0.6%
1R	21.026	20.649	0.377	1.8%
1/1D NR	27.054	26.899	0.155	0.6%
8T R OUT	20.638	20.573	0.065	0.3%
8T NR OUT	26.468	26.623	(0.155)	-0.6%
ESPANOLA 18 IN R	20.276	19.319	0.957	5.0%
ESPANOLA 18 IN NR	28.285	26.348	1.937	7.4%
18 OUT R	17.083	16.080	1.003	6.2%
18 OUT NR	22.878	22.059	0.819	3.7%
Edgewood 8T IN R	23.134	23.508	(0.374)	-1.6%
Edgewood 8T IN NR	28.964	29.558	(0.594)	-2.0%

TY 2015 VS. TY 2014 COMPARISONS  
MILL RATE BY TAXING AUTHORITY

NET TAXABLE VALUE	TY 2015	TY 2014	Inc/Dec
State Debt	1.360	1.360	-
<b>Santa Fe County Operational-Res</b>	<b>6.065</b>	<b>5.911</b>	<b>0.154</b>
<b>Santa Fe County Operational-NR</b>	<b>11.786</b>	<b>11.850</b>	<b>(0.064)</b>
<b>Santa Fe County Debt</b>	<b>1.974</b>	<b>1.731</b>	<b>0.243</b>
City of SF Operational - Res	1.327	1.308	0.019
City of SF Operational - NR	2.709	2.800	(0.091)
City of Espanola Operational - Res	3.193	3.239	(0.046)
City of Espanola Operational - NR	5.407	4.289	1.118
City of Espanola Debt	-	-	-
Edgewood Operational - Res	-	-	-
Edgewood Operational - NR	-	-	-
Edgewood Debt	2.496	2.935	(0.439)
City of SF Debt Service	1.045	0.843	0.202
SF Schools Operational-RES	0.156	0.152	0.004
SF Schools Operational - NR	0.494	0.500	(0.006)
Pojoaque Schools Operational-Res	0.193	0.183	0.010
Pojoaque Schools Operational-NR	0.500	0.500	-
Moriarty School Dist Operational-Res	0.391	0.389	0.002
Moriarty School Dist Operational-NR	0.500	0.500	-
Espanola School Dist Operational-Res	0.243	0.169	0.074
Espanola School Dist Operational-NR	0.169	0.209	(0.040)
SF Schools Debt	3.417	3.401	0.016
Pojoaque Schools Debt	9.434	9.464	(0.030)
Moriarty Schools Debt	8.848	9.182	(0.334)
Espanola Schools Debt	4.944	4.570	0.374
SF Schools Capital Improvement-Res	2.000	2.000	-
SF Schools Capital Improvement-NR	1.976	2.000	(0.024)
Pojoaque Schools Capital Improvement-Res	2.000	2.000	-
Pojoaque Schools Capital Improvement-NR	2.000	1.993	0.007
Moriarty Schools Capital Improvement	2.000	2.000	-
Espanola Schools Capital Improvement	2.000	2.000	-
SF Schools HB33 School Building-Res	1.500	1.500	-
SF Schools HB33 School Building-NR	1.482	1.500	(0.018)
Pojoaque HB 33 School Building	-	-	-
Moriarty Schools HB 33 School Building	-	-	-
Espanola Schools HB 33 School Building	-	-	-
SF School Dist. Educ. Tech. Debt Service	1.499	1.532	(0.033)
Poj. School Dist. Educ. Tech. Debt Svc	-	-	-
Mor. School Dist. Educ. Tech. Debt Svc	-	-	-
Esp. School Dist. Educ. Tech. Debt Svc.	0.571	0.340	0.231
Santa Fe Comm. College - Res	2.776	2.695	0.081
Santa Fe Comm. College - NR	2.995	3.000	(0.005)
Santa Fe Col. Bldg. Levy	1.000	0.930	0.070
<b>Special Assessments:</b>			
Edgewood SWCD-Res	1.000	1.000	-
Edgewood SWCD-NR	1.000	1.000	-
El Dorado Area W & S Dist Operations	2.188	1.112	1.076
El Dorado Area W & S Dist Debt	2.058	1.992	0.066
<b>Where Applicable:</b>			
Cattle Indemnity	8.739	10.000	(1.261)
Sheep/Goats/Swine/Alpaca	9.440	10.000	(0.560)
Dairy Cattle	4.523	5.000	(0.477)
Bison/Comelids/Ratite	10.000	10.000	-
Horses/Asses/Mules	8.709	10.000	(1.291)

# PROPERTY TAXES

Understanding how property tax rates are set in  
Santa Fe County

# Mill Rates in New Mexico

(Mill = \$1.00 for each \$1000 of net taxable value)

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## Operating Mills

(applies equally to Residential and Non-Residential properties)

- NM Constitution sets a maximum of 20 operating mills.
- §7-37 NMSA 1978 defines the maximum rates that may be imposed for general purposes (operations) by local governments without requiring voter approval.
  - Counties - 11.85 mills maximum.
  - Municipalities – 7.65 mills
  - School Districts 0.5 mills

## Debt Service Mills

(applies equally to Residential and Non-Residential properties)

- Debt service mill rates are determined annually and are dependent upon the general obligation debt payment requirements of the governmental entity.
- Total amortization schedules/debt service payments for the following 18 months as well as GO bond debt service fund available cash balances are analyzed to determine needed revenue for debt service.
- Certified taxable valuation data is factored into the debt service revenue needs to determine the debt service mill rate each year.
- The general obligation bonding capacity requires that debt principal does not exceed 4% of the certified total net taxable value.
- Prior to issuance, general obligation debt is subject to voter approval.

# Verification of Rates

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Once established, but no later than September 1\*, DFA will submit the property tax rates to the Chair of the Board of County Commissioners. The BCC has 5 days to verify the rates and issue its written order setting the rates for the tax year effective the following November 1. Prior to the issuance of a written order by the BCC, County rates are verified by the following processes.

## County Assessor's Office

- Compares valuations on the tax certificate to valuations certified by the Assessor to the State.
- Verifies the math for rates by district.
- Research any large/unexplainable changes in rates.

## County Finance Division

- Verifies the math for rates by district.
- Check each rate for "reasonableness" compared to prior years.
- Run information through "yield control worksheet" to verify SFC operational mill.

# Understanding Yield Control

7

DFA does not require a net new calculation. The net new calculation is a separate calculation.

Yield Control (Calculated Tax Rate) =

$$\frac{\text{Prior Year Tax Effort} \times \text{Growth Factor}}{\text{Current Year Tax Effort} / (\text{Sum of Current Year Unimproved Valuation and Base Assessed Property}) \times 1,000}$$

This calculated rate is compared to the imposed rate and the LOWER rate becomes the operational property tax rate for the new tax year.

Residential Rate Calculation  
Non-Residential Rate Calculation

## Definitions:

- Prior Year (PY) Tax Effort - PY Tax Rate / 1000 X PY Base Value
- Growth Factor - PY Base + Net New / PY Base = Growth from New Construction + Inflation Factor (established by DFA)
- Net New - Additions to the Base – Deletions from the Base
- Current Year Tax Effort – PY Tax Effort x Growth Factor

# Calculation of the Growth Factor

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## GROWTH FACTOR

$$\begin{aligned} & \text{Previous Year Base} \\ & + \text{Net New Valuation} \\ & \quad (\text{Additions less Deletions}) \\ & / \text{Previous Year Base} \\ & = \text{Growth from New Construction} \\ & + \text{Inflation Factor} = \\ & \text{Growth Factor} \end{aligned}$$

### Calculation of Growth Factor :

Total Previous Year Base	\$4,912,762,670
+ Total Current Year Net New Valuation	\$43,050,069
= Base + New	\$4,955,812,739
/ Total Previous Year Base	\$4,912,762,670
= Growth Attributed to New Construction	1.008763
+ Current Inflation Factor	0.0131
= Construction Growth + Inflation Factor	1.021863
= Growth Factor*	1.021863

\*Growth factor will at least be equal to inflation factor.

# Non-Residential Operational Mill Rate

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## Calculation of Tax Year 2014 Property Tax Effort:

2014 Non-Residential Operating Mill Rate	11.85
Tax Year 2014 Rate Divided by 1000	0.011850
X Total Tax Year 2014 Base Valuation	\$1,609,925,244
= Tax Year Property Tax Effort	\$19,077,614

## Calculation of Growth Factor:

Total Tax Year 2014 Base	\$1,609,925,244
+ Total Tax Year 2015 Net New Valuation	\$30,236,360
= Base + New	\$1,640,161,604
/ Total Tax Year 2014 Base	\$1,609,925,244
= Growth Attributed to New Construction	1.018781
+ Current Inflation Factor	0.0131
= Construction Growth + Inflation Factor	1.031881
= Growth Factor*	1.031881

\*Growth Factor will at least be equal to inflation factor.

## Calculation of Yield Control Rate:

Tax Year Property Tax Effort	\$19,077,677
X Growth Factor	1.031881
= Tax Year 2015 Property Tax Effort	\$19,685,832
/ Total Tax Year 2015 Valuation	\$1,670,218,363
= Yield Control (YC) Computed Rate	0.011786

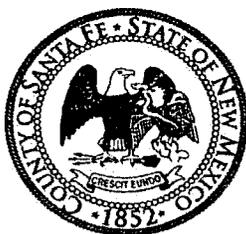
## Determination of Tax Year 2015 Non-Residential Operational Mill Rate:

Current Imposed Operational Mill Rate	11.850
Versus Yield Control Computed Rate X 1,000	11.786
<b>= Current Year Rate (lower rate)</b>	<b>11.786</b>

Henry P. Roybal  
 Commissioner, District 1

Miguel Chavez  
 Commissioner, District 2

Robert A. Anaya  
 Commissioner, District 3



Kathy Holian  
 Commissioner, District 4

Liz Stefanics  
 Commissioner, District 5

Katherine Miller  
 County Manager

## Santa Fe County Fire Department Fire Prevention Division



### Official Submittal Review

<b>Date</b>	9/8/15	
<b>Project Name</b>	Jude Tercero	
<b>Project Location</b>	2277 Paseo de Tercero, Santa Fe, New Mexico 87507	
<b>Description</b>	Variance of Density and local road requirements	<b>Case Manager</b> M. Romero
<b>Applicant Name</b>	Jude Tercero	<b>County Case #</b> V 15-5150
<b>Applicant Address</b>	2563 Withington Peak Drive NE Albuquerque, NM 87144	<b>Fire District</b> Agua Fria
<b>Applicant Phone</b>	505-604-1353	
<b>Review Type</b>	Commercial <input type="checkbox"/>	Residential <input checked="" type="checkbox"/>
	Master Plan <input type="checkbox"/>	Preliminary <input type="checkbox"/>
	Wildland <input type="checkbox"/>	Variance <input checked="" type="checkbox"/>
	Sprinklers <input type="checkbox"/>	Hydrant Acceptance <input type="checkbox"/>
	Final <input checked="" type="checkbox"/>	Inspection <input checked="" type="checkbox"/>
		Lot Split <input type="checkbox"/>
<b>Project Status</b>	Approved <input type="checkbox"/>	Approved with Conditions <input checked="" type="checkbox"/> Denial <input type="checkbox"/>

SFC CLERK RECORDED 10/22/2015

**The Fire Prevention Division/Code Enforcement Bureau of the Santa Fe County Fire Department has reviewed the above submittal and requires compliance with applicable Santa Fe County fire and life safety codes, ordinances and resolutions as indicated (*Note underlined items*) :**

**Fire Department Access**

*Shall comply with Article 9 - Fire Department Access and Water Supply of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal*

- **Fire Access Lanes**

*Section 901.4.2 Fire Apparatus Access Roads. (1997 UFC) When required by the Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.*

▪ **Roadways/Driveways**

*Shall comply with Article 9, Section 902 - Fire Department Access of the 1997 Uniform Fire Code inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.*

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development. Final acceptance based upon the Fire Marshal's approval.

Roads shall meet the minimum County standards for fire apparatus access roads within this type of proposed development in all locations that can be widened to the minimum of 20 feet. The driveway turnaround at the end lot shall be County approved all-weather driving surface of minimum 6" compacted base course or equivalent. Minimum gate and driveway width shall be 14' and an unobstructed vertical clearance of 13'6" and 20 feet wide on Paseo de Tercero.

▪ **Street Signs/Rural Address**

*Section 901.4.4 Premises Identification (1997 UFC) Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property.*

*Section 901.4.5 Street or Road Signs. (1997 UFC) When required by the Chief, streets and roads shall be identified with approved signs.*

All access roadway identification signs leading to the approved development area(s) shall be in place prior to the required fire hydrant acceptance testing. Said signs shall remain in place in visible and viable working order for the duration of the project to facilitate emergency response for the construction phase and beyond.

Properly assigned legible rural addresses shall be posted and maintained at the entrance(s) to each individual lot or building site within 72 hours of the commencement of the development process for each building.

▪ **Slope/Road Grade**

*Section 902.2.2.6 Grade (1997 UFC) The gradient for a fire apparatus access road shall not exceed the maximum approved.*

The maximum approved slope of the driveway access/egress shall not exceed 11%.

Slope shall not exceed 11%.

▪ **Restricted Access/Gates/Security Systems**

Section 902.4 Key Boxes. (1997 UFC) *When access to or within a structure or an area is unduly difficult because of secured openings or where immediate access is necessary for life-saving or firefighting purposes, the chief is authorized to require a key box to be installed in an accessible location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the chief.*

All gates on a public way shall be operable by means of a key or switch, which is located in a Knox Lock entry system, keyed to the Santa Fe County system. Details, information and forms are available from the Fire Prevention Division.

A final inspection by this office will be necessary to determine the applicability of the installation of the Knox lock access system in regards to emergency entrance into the fenced area. Should it be found suitable for such, the developer shall install the system.

▪ **Fire Extinguishers**

Article 10, Section 1002.1 General (1997 UFC) *Portable fire extinguishers shall be installed in occupancies and locations as set forth in this code and as required by the chief. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.*

Portable fire extinguishers should be installed in occupancies and locations as set forth in the 1997 Uniform Fire Code. Portable fire extinguishers shall be in accordance with UFC Standard 10-1.

**General Requirements/Comments**

▪ **Inspections/Acceptance Tests**

Shall comply with Article 1, Section 103.3.2 - New Construction and Alterations of the 1997 Uniform Fire Code, inclusive to all sub-sections and current standards, practice and rulings of the Santa Fe County Fire Marshal.

▪ **Permits**

As required

**Final Status**

Recommendation for Final Development Plan approval with the above conditions applied.

Buster Patty, Fire Marshal

  
Code Enforcement Official

9-8-15  
Date

Through: David Sperling, Chief

File: Agua Fria/Distr./Jude Tercero/9/8/15

Cy: Land Use  
Applicant  
District Chief  
File