

October 14, 2014

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

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

October 14, 2014

This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:10 p.m. by Chair Danny Mayfield 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 Danny Mayfield, Chair
Commissioner Robert Anaya
Commissioner, Kathy Holian
Commissioner Miguel Chavez
Commissioner Liz Stefanics

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Daniel Fresquez, the State Pledge by Tommy Garcia and the Moment of Reflection by Isaiah Romero of the Assessor's Office.

1. F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

KATHERINE MILLER (County Manager): Mr. Chair, Commissioners, we have one item that has been tabled on page 3, under V. C. 1, a resolution honoring the 50th anniversary of the Wilderness Act has been tabled by Commissioner Holian. Also, under item III, Action items, C. Miscellaneous, item #1, request approval of Santa Fe Metropolitan Planning Organization, amended and restated joint powers, we're actually

asking to table that item as well. And those are the only changes that I have to the agenda.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I would like to table VII. A 1 on page 3.

CHAIR MAYFIELD: Okay. Is that it, Commissioner Stefanics?

COMMISSIONER STEFANICS: I'll move approval as amended.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: Thank you. We have a motion and a second as amended.

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

I. G. Approval of Minutes

1. Approval of September 9, 2014 BCC Meeting Minutes.

CHAIR MAYFIELD: Do we have a motion?

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

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

I. G. 2. Approval of September 16, 2014 Special BCC Meeting.

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

COMMISSIONER STEFANICS: Second.

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

I. G. 3. Approval of September 16, 2014 Special BCC Zoning Map Meeting

CHAIR MAYFIELD: Is there a motion, Commissioners?

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

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

2014 OCT 14 PM 4:00
BCC MEETING
10/14/14

II. CONSENT AGENDA

A. Final Orders

1. BCC CASE #PCEV 14-5160 Univest-Rancho Viejo LLC Vacation of Easement. Univest-Rancho Viejo LLC, Applicant, James W. Siebert (James W. Siebert & Assoc. Inc.), Agent, Request Approval to Vacate a Platted Archaeological Easement on 118.670 Acres. The Property is Located at 65 Rancho Viejo Blvd., within Section 20, Township 16 North, Range 9 East, (Commission District 4) (Approved 4-0) Miguel "Mike" Romero, Case Manager
2. CDRC CASE # V14-5050 Lloyd and Magdalena Vigil Variance. Lloyd and Magdalena Vigil, Applicants, Requests a Variance of Article III, Section 10 (Lot Size Requirements) of the Land Development Code to Allow a 1.25-Acre Parcel to be Divided into Two (2) Lots; One Lot Consisting of 0.614 Acres and One Lot Consisting of 0.637 Acres. This Request Also Includes a Variance of Article V, Section 8.1.3 (Legal Access) and Article 8.2.1c (Local Roads) of the Land Development Code. The Road that Services the Property (Calle Rio Chiquito) Does Not Meet the Specifications of local Lane, Place or Cul-de-Sac Roads and do not have Adequate Drainage Control Necessary to Insure Adequate Access for Emergency Vehicles. The Property is Located at #15 and #16 Calle Rio Chiquito, within Section 5, Township 20 North, Range 10 East (Commission District 1) (Approved 4-0) Miguel "Mike" Romero, Case Manager

CHAIR MAYFIELD: Is there anyone from the public wishing to comment on either of these cases? Seeing none, Commissioners, what's the approval of Consent?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval of the Consent

Calendar.

COMMISSIONER CHAVEZ: Second.

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

III. ACTION ITEMS

B. Resolutions

1. **Resolution No. 2014-113, a Resolution Delegation of Authority to the County Manager to Acquire Real Property Interests in Property Located at 21 Ellis Ranch Road, Santa Fe, NM, for the Lamy Junction Project and to the County Attorney to Initiate Condemnation Proceedings if Negotiations are Unsuccessful**

ADAM LEIGLAND (Public Works Director): Mr. Chair, actually I've asked Mr. Rivers. He's the project manager on this item.

CHAIR MAYFIELD: Welcome.

SCOTT RIVERS (Open Space): Mr. Chair, Commissioners, we're requesting approval to move forward with acquiring easements that are necessary for the Lamy Junction waterline in the area of Ellis Ranch Road and Old Las Vegas Highway. This is part of the waterline extension to Cañoncito and we are requesting to obtain approximately 3.5 acres worth of easements from the Ellis family in order to place a water storage tank which would be necessary for the construction of the project.

CHAIR MAYFIELD: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Scott. I'm wondering, have you talked with the owner of the land or a representative of the owner of the land yet?

MR. RIVERS: Yes.

COMMISSIONER HOLIAN: Is there any problem anticipated?

MR. RIVERS: Mr. Chair, Commissioner Holian, we've had several meetings with the Ellises and their representative and have preliminarily agreed to an easement location and we have had quite extensive conversations with them and they're anxious for us to proceed with the acquisition.

COMMISSIONER HOLIAN: Great. That's good news. And do you have any estimates of when the project might break ground?

MR. RIVERS: Well right now the project plans are at about 90 percent complete from the Rancho Viejo water storage tank all the way to Cañoncito. It's two separate waterline projects. We're at about 90 percent complete. The location of this tank is critical to the final design. The final design has been held up for a short while until we can obtain the easements, know that this is where the tank is going to go, at this elevation and then we can proceed with final design. So dependent on how long the acquisition takes I would expect that if the acquisition went smoothly and quickly, say that takes a couple months, maybe three months. By the end of the year we'll be ready to go out to bid I would say no later than February or March.

COMMISSIONER HOLIAN: Thank you, Scott. That's good news indeed. And I move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR MAYFIELD: Thank you. Motion and a second. Question for staff. Mr. Shaffer, as far as the requests that come in front of us, is it typical that we see condemnation proceedings would move forth if negotiation couldn't be hashed out? My preference would be that staff negotiate as they've been doing and if there is a stalemate that it would come to the Commission before anybody condemned anybody's property.

GREG SHAFFER (County Attorney): Mr. Chair, it's entirely at the discretion at the Board. If they want to bifurcate the authorization and just authorize the good faith negotiations by the County Manager and the authority to acquire and sign the acquisition documents for the property interest, and then leave the issue of potential

condemnation for another day. Again, it's completely at the discretion of the Board.

The rationale for presenting it this way was simply to limit the number of authorizations that come back to Board for reconsideration and also it's everybody's interest to avoid condemnation but having that idea out there also might make the negotiations go more expeditiously. But again, it's completely at the discretion of the Board as to how you want to proceed.

CHAIR MAYFIELD: Thank you. And then right now, if you guys can disclose it, I'm looking at the appraised value on, I guess, the attachment. So we're looking at just acquiring the easement. Right? Could somebody answer that. So right now it's appraised at, what? \$32,150? If I'm reading this correctly.

MR. SHAFFER: Approximately. It's at \$31,150, I believe.

MR. RIVERS: Mr. Chair, yes, we have had an appraisal done. The figure that's in your packet is the appraised value for the two easements. One of them's an exclusive easement; one of them's a non-exclusive easement. And then if I could just correct myself. Mr. Hogan pointed out to me that our schedule – we have additional easements that we need to obtain from other property owners which may make the schedule a little bit longer than what I had indicated.

CHAIR MAYFIELD: Fair enough. Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Chair, I have a question. [inaudible] In the event that we had to go through condemnation proceedings the County would still have to pay fair market value for the parcels that have been identified.

MR. SHAFFER: Mr. Chair, Commissioner Chavez, that is correct.

COMMISSIONER CHAVEZ: We're getting indications from staff that the seller – there were positive conversations with the seller and those negotiations are moving forward in a positive way.

MR. RIVERS: Mr. Chair, Commissioner Chavez, just to be clear, no dollar figures have been discussed with the owners at this point in time. That is – the appraisal value has been kept confidential until now.

COMMISSIONER CHAVEZ: Okay. They are aware that the appraisal has been done?

MR. RIVERS: Yes.

COMMISSIONER CHAVEZ: [inaudible]

MR. RIVERS: Well, they did grant us access to the property for the appraisal. They were well aware that we were obtaining an appraisal in order to be able to make an offer.

COMMISSIONER CHAVEZ: Is there any reason why we would have to – well, I guess the negotiations – I guess we could end up paying more than the fair market value. [inaudible]

CHAIR MAYFIELD: Thank you. Again, I just stated that point. Maybe if staff could just acknowledge when something isn't negotiated through settlement and if there would be a condemnation on this or any other parcel of land throughout the county. If they just make the Commission aware of that. Thank you. We have a motion and a second on the floor.

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

CHAIR MAYFIELD: And I will go to the public. Anybody from the public wishing to comment on this resolution? Seeing none. Also, we have another resolution, if you care to comment on it just raise your hand and I'll afford public comment. I'll just recognize Ms. Paula Tackett in the back. Welcome. Thanks for being here.

III. B. 2. Resolution No. 2014-114, a Resolution Adopting Policies and Procedures for Proposing Weight Limits on Asphalt Paved Roads Maintained by Santa Fe County

CHAIR MAYFIELD: Mr. Leigland.

MR. LEIGLAND: Mr. Chair, as you know, we are undertaking or we have developed a pretty robust pavement preservation program and part of that is the resolution that you see before you today which is in order to preserve roads it may be necessary in some cases to limit the weight of the vehicle that is on those roads. So what you see before you today is a policy that would determine and at what level of such weight limit would be necessary on asphalt paved roads. I want to note that this policy, this resolution does not actually impose any weight limits; that has to be done by ordinance on a road-by-road basis. This merely establishes a process whereby it would be determined that an ordinance limiting weight on a road makes sense and what the weight limit would be on that particular road.

And I'll also note that certain category of vehicles are exempted including agricultural vehicles, emergency response vehicles, our own road maintenance vehicles. Those would be exempted from any weight limits. And with that, Mr. Chair, I'll stand for questions.

CHAIR MAYFIELD: Mr. Leigland, really quick – and I appreciate County vehicles not maybe having to abide by these restrictions if they're over the limit. What about individuals who have agricultural uses? If they're moving cattle, they're moving horses. I know on the south side we have folks who bring their horses on trailers. I don't know, nor would I assume to know how much they would weigh, but for agricultural purposes.

MR. LEIGLAND: Mr. Chair, agricultural uses are categorically exempted.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Mr. Leigland, how would this policy tie in, and maybe this is premature, but how would it tie in or connect to our PASER program that we're using for overall maintenance and scheduling of our – for our roads?

MR. LEIGLAND: Mr. Chair, Commissioner Chavez, that's a great question and actually it fits in part and parcel. The PASER program or the PASER system is how we determine the condition of the roads and there is a lot of mechanisms you can use to then determine if the road needs to be addressed to bring it up to PASER rating. So it can be capital improvements. This would be just yet another method to

temporarily – if the PASER condition is such and you don't want it to get worse.

[Commissioner Anaya joined the meeting.]

MR. LEIGLAND: The policy is intended if you see unanticipated or premature wear on a particular road.

COMMISSIONER CHAVEZ: Because that PASER program also takes into account the type of road. Is it a four-inch underlay or six-inch, or – you take all that into account, right?

MR. LEIGLAND: Mr. Chair, Commissioner Chavez, PASER itself is based on surface inspection and then you can make some educated guesses based on the surface inspection what's happening beneath. You can't truly know what's going on until you do a core sample, and that is what this policy actually outlines is how you would determine. So if we found a road that was carrying heavy traffic, we didn't know the history. We examined it. We found that it was particularly thin on the load-bearing strata, the basecourse or whatever, then this policy might come into play. Or we could make a decision to do some sort of capital improvement.

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

CHAIR MAYFIELD: Thank you. Mr. Leigland, just – I'm looking at Exhibit A right now. So that is still what you all will be discussing, Exhibit A, and then bring Exhibit A back to the Commission for final action before this is –

MR. LEIGLAND: Mr. Chair, the Exhibit is the actual process, so that's just telling staff how to do business. In order for a weight limit to be imposed we would still have to come back to the Commission to approve the particular ordinance. So the process – say for instance a road is determined to be experiencing what we consider to be premature wear. We would run through this process. It would produce through some sort of analysis that a weight limit of say, 50,000 pounds gross vehicle weight, above that is causing undue damage. We would have to come back to the Commission and say this particular road, from X to Y has to have a weight limit of 50,000 gross weight and then we're required to signpost it in certain ways, communicate to the State Police and other things. So this merely establishes a process whereby a number is arrived at.

CHAIR MAYFIELD: Okay. Thank you. Commissioners? Nothing else?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, I appreciate the exemption on agricultural vehicles. I think we might have other things that we need to take into consideration. We'll see how that evolves, but I appreciate the addition of that. I don't think we want to hurt our farmers and ranchers and ag people. So that's all I have for now. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Let me just go to the public really quick. Is there anybody from the public wishing to comment on this resolution? Please, come on up. Mr. Taylor.

ROGER TAYLOR: Hi. Roger Taylor, 54 Camino los Angelitos, Galisteo, New Mexico. I'm here on behalf of the Galisteo Community Association and also as a member of the 285 Highway Alliance Neighborhood Association. We're very strongly in favor of this policy. And I think it's for a couple of reasons. As I read through the policy, as the Utilities Director has said, it sets a framework and a structure and a process for

how you can evaluate any issues with roads. The County and the City are going through an annexation process. We have County road areas which develop over time into larger communities. We have mixed-use zoning that's being looked at. So roads will eventually at some point, from case to case, need to be looked at for changes in traffic patterns.

I think also if we just look at what's happened in the state in the last ten to 20 years and in just the last couple of years there are things that happen that we don't anticipate. New businesses that bring in new types of vehicles. So for example, with the WIPP bringing in those heavy trucks, with the explosion in fracking technology which has made a whole new industry of oil tanker trucking all over the state and the country, you have a lot more traffic that changes, you have types of vehicles, you have weight loads that change. Those things weren't anticipated back then. We have no idea what types of new industries or vehicles to serve those industries might come.

If you just take the example of the space station, so to speak, down south, who knows what might come out of that with the heavy loads and equipment that might need to come on our roads. So I think it's a good idea to have these things in place. It does provide a framework. It does provide a process for how to evaluate these things as they come up, and it gives you a fair and objective process. So we would strongly support this. Thank you.

CHAIR MAYFIELD: Thank you.

MATTHEW MCQUEEN: Mr. Chair, members of the Commission, my name is Matthew McQueen. I live at 38 Avenida Vieja in Galisteo. I would like to support this initiative. I believe it's an important first step. I would hope in practice the Public Works Department would be open and responsive to requests from members of the public to evaluate particular roads. And I would also say that I can envision in the future other considerations also being important. Perhaps the issue is not damage to asphalt but a road that is too narrow or too windy or other physical limitations make it unsafe for loads of particular size. But perhaps that's best saved for another policy. Thank you very much.

CHAIR MAYFIELD: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Adam, I have one question. Isn't there at least one other county in New Mexico that has a weight limit policy for their roads?

MR. LEIGLAND: Mr. Chair, Commissioner Holian, I don't know if there's - state statute enables counties to place limitations of various types on the roads and I know that San Juan County has a lot of road use and road management policies that we have emulated. But to be honest I don't know if it's as specific as this one is in terms of limiting weights.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIR MAYFIELD: Mr. Leigland, two quick questions. Mr. McQueen brought up a great point. As far as an unimproved road or a very windy road. I know there are some standards that definitely go through your department but why wouldn't we want to impose this also on unimproved even dirt roads within the county?

MR. LEIGLAND: Well, Mr. Chair, we could. Asphalt pavement is an easy way to see where there's damage. It's quick. It's also harder to know what's underneath pavement. But you could apply a similar thing to dirt roads.

CHAIR MAYFIELD: And I guess, Mr. Leigland, where I'm going with that is we all have bond issues in front of us. We have road requests that are unimproved roads right now that we're going to put asphalt on. So should we make that determination as far as weight limits before we decide to pave that road? Or put in adequate paving that would sustain whatever amount – I don't know what a realistic amount of weight is traveling down a road.

MR. LEIGLAND: Well, Mr. Chair, if I understand your question, instead of paving the road can another option be to impose some sort of weight limit? Is that what you're asking?

CHAIR MAYFIELD: Let's put it this way. Today there's an unimproved road that would allow – it's not going to meet this gauge so any type of traffic could go down that road. Tomorrow we decide to pave that road thereby limiting what type of traffic would go down that road.

MR. LEIGLAND: Well, Mr. Chair, if we designed the road properly, and most roads are, then you're not going to have this problem. This is only going to apply to roads that weren't necessarily constructed to a certain weight limit to begin with. But we know when we design roads now that if you have six inches of basecourse and four inches of asphalt, for instance, you're going to meet – it's roads that don't meet those standards and we won't know that necessarily until we start to inspect them, run them through this process, see what comes up if it does not meet that kind of cross section.

So if it's an unpaved road and we know – we would design it properly to take –

CHAIR MAYFIELD: And again, would it be case by case? I don't know, if somebody's moving a manufactured home down a County road, I don't know what type of weight a manufactured home has on it when it's on trailers. I see quite a few going down 84/285. Their point of origin may be going through a County road to get to their house or their vacant piece of land.

MR. LEIGLAND: Well, Mr. Chair, this also contemplates a permit. Because you may have one special time you need to get – for instance, another thing that could come up is a large water tank, for instance, for a mutual domestic. So there's always that provision.

CHAIR MAYFIELD: Thank you for that. Commissioners, I don't see a problem. I'll move for approval of this resolution.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: We have a motion and a second.

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

CHAIR MAYFIELD: I'm sorry. I hope that was all the public comment on that, seeing no more hands. Please, come on up. If you guys still want to comment, please. I saw two hands go up initially so they came up right away.

MONICA WELSH: My name is Monica Welsh. I live at 5 Raven's View Road, and I just want to give a big thank you. This has been long in the coming and I know the Commission is facing some big issues right now and those a group of us here and we have a big interest in this resolution in our area – Lamy, Galisteo, the 285 and Eldorado. So thank you for the work that's gone into this. I think it's a tough time.

CHAIR MAYFIELD: Thank you. I saw another hand in the back. No? Okay. Thank you.

III. C. Miscellaneous

2. **Approval of County Health Care Assistance Claims in the Amount of \$75,535.00**

PATRICIA BOIES (Community Services): Good afternoon, Mr. Chair, Commissioners. I'm here to recommend the approval of the County Health Care Assistance claims in the amount of \$75,535. They are listed on the presentation of claims, which community based providers put in claims and their amounts this month and I will stand for any questions.

CHAIR MAYFIELD: Commissioners, questions? Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, staff, if you could provide me some feedback as to – there were some changes that we made to our indigent fund rules relative to the use of Social Security numbers and who is eligible to receive claims. In this Commission meeting could you publicly tell the public what was done in the meeting to change those requirements and then I'll follow up with some comments?

MS. BOIES: Mr. Chair, Commissioner Anaya, at the June 29th BCC meeting the Commission passed a resolution following up on state legislation and setting forth parameters for the Health Care Assistance program moving forward, and one of the provisions in that resolution is that claims will be reviewed and people will be eligible regardless of immigration status. So that was the change. Before there was a requirement for Social Security numbers, and this is the first month that there are health care claims that include services for people who are immigrants who would not have been eligible but now they are eligible since the BCC resolution. There are three such individuals.

COMMISSIONER ANAYA: So Mr. Chair, Ms. Boies, if you can back up. It wasn't in the Commission meeting; it was in an indigent – it was in our smaller meeting that we have, that was formerly our Indigent Board or Health Care Assistance Board. Correct?

MS. BOIES: Mr. Chair, Commissioner Anaya, that was an usual meeting. It had to be called as a special meeting. It was in fact a special meeting of the BCC because the Health Care Assistance Board no longer existed under state statute. So another part of that resolution also set forth the various changes and that there's no longer a Health Care Assistance Board and that was why the BCC had to sit as the BCC and it was called as a special meeting, that last meeting in June.

COMMISSIONER ANAYA: Okay. And I just want to clarify it was not in this chambers; it was in our small meeting that we have off the chambers for the Health Care Assistance Board which no longer exists in its previous fashion. I just want to state on the record that I voted against that particular change. I have concerns when local governments are assuming additional financial responsibilities where there hasn't been legislation in my opinion at the federal level to address some of those issues, especially with undocumented and especially as it relates to the Social Security numbers and the use of the fund.

I'm not ignorant to the use of the fund. I actually had oversight responsibility of

the Santa Fe County indigent fund for three years so I'm very familiar with the indigent fund and the resources it generated and the people it had served. And the limitations that we even have that are even more compounded now based on the recent statutory changes that were imposed on us in the last legislative session. So I would just say that on the record. I appreciate you providing the summary. Thank you, Mr. Chair.

CHAIR MAYFIELD: Yes, sir. Thank you, Vice Chairman Anaya.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: I'm going to go to Commissioner Stefanics then to Commissioner Holian.

COMMISSIONER STEFANICS: Mr. Chair, I have a question about a different topic on the health program. Recently the HPPC or department received some funding from the Association of Counties for health care enrollment. Could you describe what the funding is supposed to be used for and how Santa Fe County is going to use it?

MS. BOIES: Certainly, Mr. Chair, Commissioner Stefanics. Yes. Last fiscal year the New Mexico Association of Counties awarded us a \$3,000 grant and we spent that \$3,000 on helping encourage people to enroll in the health insurance exchange at the spring enrollment period. And so that grant covered radio PSAs for four different radio stations under Hutton Broadcasting, one of which was Spanish and also the country station and the sports station, and that produced close to 300 radio spots.

This fiscal year the New Mexico Association of Counties again put out a request for proposals and we, the Community Services Department responded and just last week heard from the New Mexico Association of Counties that they liked our proposal and they will be giving us an additional \$3,000. We focused this proposal – again, it's to coincide with the upcoming open enrollment period which begins November 15th, and decided that we would focus on the Spanish-speaking population and contract specifically for radio PSAs in Spanish with this amount of money that we had. Our community health profile found that over 50 percent of Santa Fe County's population is Hispanic and almost 20 percent of the people uninsured in Santa Fe County are Hispanic. And so we're going to be doing radio PSAs, both on the Hutton Broadcasting Spanish station, KOBV-1, and also on radio KRZY, which we heard a lot of feedback that many people listen to that station. It will cover more than Santa Fe County so other counties will be the beneficiary of that as well, and we will be doing 30-second radio PSAs to run in November until December 15th.

COMMISSIONER STEFANICS: So Mr. Chair, I wonder why we would not be using the outlets that currently serve Santa Fe County with broadcasting of our Commission meetings, with invitations to come and speak on health programs, etc. So number one, are your efforts focused strictly to radio? And number two, I'd like to know why we might not be doing a local buy.

MS. BOIES: Mr. Chair, Commissioner Stefanics, what I just detailed is the \$3,000 that we have from the New Mexico Association of Counties but we are doing a lot more and we're doing a lot more locally. We're working and appearing on KSWV and getting spots through them and through other channels. So this is not all that we will be doing; it is just how we are designating these particular funds.

COMMISSIONER STEFANICS: So, Mr. Chair and Patricia, are you saying that we are spending money on our local stations, or we're relying only on free

advertising?

MS. BOIES: Mr. Chair, Commissioner Stefanics, right now we have not allocated funding for stations beyond the ones I just detailed.

COMMISSIONER STEFANICS: Okay, so I recognize, Mr. Chair, that this is a small amount of money, but if our local entities are helping us out all year long it would seem to me that we would in turn utilize some funds in our own local market. And that's one of the topics I wanted to bring up as we consider this. So I would expect that we would never see a \$3,000 requisition come in front of the Commission, but I think it's pretty important to support local community. Thank you.

CHAIR MAYFIELD: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I move for approval of County health care assistance claims in the amount of \$75,535.

CHAIR MAYFIELD: Second.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Could I ask the maker of the motion to read the recipients of the grants into the minutes.

MS. BOIES: Mr. Chair, Commissioner Chavez, the recipients of the –

COMMISSIONER CHAVEZ: I was going to ask the maker of the motion if she would do that. It's not a real long list.

COMMISSIONER HOLIAN: You're speaking of the list on the second page here?

COMMISSIONER CHAVEZ: Yes.

COMMISSIONER HOLIAN: Okay. There were 180 claims from La Familia Medical Center in the amount of \$30,070. There were 8 claims from Southwest Care Center/Women's Health in the amount of \$855. There were 10 claims from the Santa Fe Recovery Center in the amount of \$43,330, and one claim from Life Link for \$64, and finally one claim from UNM Health Services Center in the amount of \$1,216.

COMMISSIONER CHAVEZ: Thank you.

CHAIR MAYFIELD: Thank you.

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

IV. MATTERS OF PUBLIC CONCERN

CHAIR MAYFIELD: Is there any individuals out in our listening audience today wishing to provide any comments to this Commission? Fair enough. Thank you all.

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Presentations

1. Presentation on Santa Fe County Water Supply and Water Commitments

CHAIR MAYFIELD: Ms. Borchert.

CLAUDIA BORCHERT (Utilities Director): Good afternoon, Mr. Chair, members of the Commission. With your permission I would like to give a brief presentation on the memo that is in your packet. Would that be okay with you?

CHAIR MAYFIELD: Please.

MS. BORCHERT: All right. So today I have a presentation for you on the water picture of the County utility. An update of this kind is contemplated annually by Resolution 2006-57, which is also in your packet, which is the primary document defining utility commitment and line extension policies. Both resolution and a 2010 memo are in your packet.

As per the requirements of Resolution 2006-57 today I will update you on two sides of the County's water utility, the supply and the demand side. At the most basic level supply is a service or product that the County actually delivers to our customers. Demand is the need for the service which comes in our case in the form of current customers, water service agreements and other County policy commitments. The difference between supply and demand is called the water supply gap.

I want to digress for a moment before I go on on those two items. In preparation of this memo and presentation I want to emphasize that I've reviewed and compiled as much of the material that's available to me and I expect that my understanding and the information presented in this memo has holes and has a degree of uncertainty. The process of narrowing the uncertainty is ongoing. I also want to explain that today the focus is on the water utility, the County utility only. I will not be speaking about water supply and demand throughout the county as a whole, although I recognize the need to focus on the county as a whole when it comes to water.

So following the organizational format of the memo I'd like to start with water supply. As described in the memo, water supply is a three-legged stool that includes infrastructure, water rights and wet water. Like a three-legged stool an imbalance in any one of the legs results in at best a wobbly stool and in the worst case, a non-functioning stool. So I'd like to describe to you each of the legs of the stool that makes up the County's water supply.

First, infrastructure. As shown in Table 1, utility's infrastructure capacity from the BDD is 2,563 acre-feet a year. This includes the 1,700 that the County reserved in the BDD when they became partners as well as the 541 acre feet that the County bought from Las Campanas, the so-called Arizona rights, and also 332 that the County uses from Las Campanas to provide water to the water co-op, the potable water.

Moving on to the second leg of the stool, water rights. The County currently owns 1,703 acre-feet of water rights. That's a combination of our San Juan/Chama water and

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native water rights. There's another 464 acre-feet of water rights dedicated to the County that haven't been transferred yet, so that – together those two equal 2,167,

The third leg is wet water and currently in my professional opinion the County can count on the full amount of its capacity of the 2,563 being delivered year-round, especially because of the backup water supply that exists through the water resources agreement with the City of Santa Fe.

CHAIR MAYFIELD: Claudia, excuse me. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair and my colleagues, I apologize but I want to make sure I get this right as we go so I don't ask as many questions later. But the only deviation between Table 1 and Table 2 is the fact that those haven't been, I guess implemented for lack of a better word, but for all intents and purposes those more than likely will be part of the equation where you explain at the bottom in your memo, Table 2 does not include the remaining 377 acre-feet of water nor an additional 168 of developer-owned water rights that have been transferred to the BDD with the County as co-applicant.

So for all intent and purpose those are going to be part of the equation but you're not including them because they haven't been implemented? Is that the best word?

MS. BORCHERT: Let me see if I can try to explain that, Commissioner and Mr. Chair. The 168 is for a project that – or it's a combination of water rights that are not associated with a project and in the contract associated with those water rights those entities that brought the letter to the County could turn around, not develop in the county, and take their water rights with them. So there isn't a high degree of commitment on those parts. And then with the 377, the Las Campanas water co-op, we do have a bulk water service to serve them. However, they are required to come forward and ask for that additional 377 to be delivered to them and at that point we can get access to the water rights. And so since none of those two pieces have happened I haven't included them here.

COMMISSIONER ANAYA: Okay. Thank you.

MS. BORCHERT: Okay, so now I think we're ready to move on to Table 3, which is where all three of the three-legged stools combine, so we can take a look at what kind of stool we have. And this is also where I accrued the 500 acre-feet from the City's water resources agreement. So if you add the 500 acre-feet of water supply from the City, which really basically gives us 500 acre-feet in each of the three categories of the stool we end up with infrastructure of 2,976, water rights of 2,580 – that's kind of a de facto water right – and wet water of 2,976.

So in thinking about the unknown factor of our stool we have to take the lowest number of those three and so right now, my assessment is that our water supply is 2,580 acre-feet a year. And I also want to note that I did not count any of our groundwater supplies in this calculation for two reasons. One is that we don't have any infrastructure where we can extract our water rights right now, and the second is that the County has some policies that direct – that are conjunctive management policies that recommend the use of surface water, and groundwater only as a backup supply to surface water.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. So Claudia, in the water rights category, you mentioned that the 500 acre-feet from the City-County water resource agreement, that 500 feet is de facto. Could you expand on that just a bit?

MS. BORCHERT: Sure, Mr. Chair, Commissioner Chavez. So the 500 acre-feet that we get from the City is a water supply complete, and it implies that they have taken care of the infrastructure to deliver it to us. They are going to use their water rights to deliver it to us and that the water is there hence they're delivering us the supply. So that's why it's a complete package and we don't split it up into the three-legged stool like I have for our own supply.

COMMISSIONER CHAVEZ: And then you have a County water resource agreement, and then in parentheses you have "implied".

MS. BORCHERT: So, Mr. Chair, Commissioner, I think what I meant by that is just – it's not that the agreement is implied but rather it's implied that it's broken up into those three pieces. It is a solid agreement.

COMMISSIONER CHAVEZ: And the 500 acre-feet is not just capacity but it's actually wet water that's deliverable.

MS. BORCHERT: Mr. Chair, Commissioner, that's right.

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

CHAIR MAYFIELD: Thank you.

MS. BORCHERT: And so I also wanted to at this point make a note that the Commission is to be commended for all the efforts it's put into getting the water supply for the utility that it has thus far. Having overall 2,500 acre-feet of water supply and the potential to have almost 3,000 has come as a result of a lot of work on behalf of the Commission, a lot of funds allocated, and a lot of pursuit of opportunities. And so that is not an insignificant amount of water that the County has accumulated over the past – let's see. The utility started I think in 95, so the last almost 20 years.

CHAIR MAYFIELD: Claudia, I was looking ahead to water commitments. I'm just going to ask you, what's the definition of raw water?

MS. BORCHERT: Of raw water. Raw water would be, Mr. Chair, raw water would be untreated water, so non-potable, and we have one raw water agreement with the Club of Las Campanas, so in that case we sell them water that has not been through the Buckman regional water treatment plant.

CHAIR MAYFIELD: But it's still going through a sediment process where we're pulling out a bunch of sediment, so there has been some initial desediment treatment to that water that's coming directly off of a diversion before it filters out to Las Campanas. There is a cost involved in that. Why don't we have a classification for that, in between raw and potable water?

MS. BORCHERT: Mr. Chair, our rate schedule right now does have two rate schedules, depending on whether they are paying for the delivery or raw – and you are right, desedimentized, or desed-ed water, versus potable water. So the cost that is assigned to their delivery or raw water does include the pre-sedimentation that takes place to deliver that water.

CHAIR MAYFIELD: It's inclusive of it? So it's not pre-wholesale

agreement on raw water? Or let me ask this? Do we have a wholesale agreement on raw water and do we have a wholesale agreement on potable water or is it one and the same?

MS. BORCHERT: Mr. Chair, Commissioners, we do have two different rates, one for potable, one for raw.

CHAIR MAYFIELD: And so this entity that's receiving this much water from us is being applied a surcharge on the raw water for the desedimentation?

MS. BORCHERT: Mr. Chair, could you please repeat the question?

CHAIR MAYFIELD: So we're still doing a lot of sediment removal from that water before it gets pushed up there. Is there a surcharge on them for that process? I mean it's not – to desediment water is not free. There's huge cost involved to do that.

MS. BORCHERT: Mr. Chair, the rates that we're charging them for the delivery of that water includes the cost to us to have sediment removed from that water. It's included in the rate.

CHAIR MAYFIELD: Is there any other type of raw water – maybe you can help me this way – that we're giving to any other entity that does not go through the BDD?

MS. BORCHERT: I can't think of any, Mr. Chair.

CHAIR MAYFIELD: Okay, so I'll get to that a little later with well use.

Thank you.

MS. BORCHERT: All right. So moving on to the commitment side, as I mentioned earlier, the commitment includes three different categories – our current water customers, water commitments that were allocated by the Board from 1995 to 2010, and that's some information that's in your packet, and the water commitments that I'm aware of that occurred between 2010 and 2014. The section identifies that we expect to deliver around 1,300 acre-feet of water to customers this year. We also have the amount commitments that were committed in the 1995-2010 range was 823. The commitments from 2010 to 2014 is almost 2,000 acre-feet and the sum of all the commitment to date is 2,800.

So if we compare the commitments of 2,800 versus the supply of almost 2,600 we have a gap of almost 200 acre-feet. Now, it's important –

CHAIR MAYFIELD: Claudia, just one second. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I recognize that this might not be part of the discussion but could you explain for me – I know we're not discussing wells, but could you discuss or just tell me about the Raney well?

MS. BORCHERT: Mr. Chair, Commissioner Stefanics, so the Raney well was drilled – when you say Raney well I think of the one at San Ildefonso.

COMMISSIONER STEFANICS: Yes.

MS. BORCHERT: So the San Ildefonso Raney well was drilled – I'm going to say the late 90s with three partners – San Ildefonso, the County and the City, and it currently is infrastructure in the ground that I believe all three partners still own a share of. It has not ever been put to use. Even now as we consider diverting through some kind of Raney well/infiltration gallery for the Aamodt at the diversion spot I understand the Bureau of Reclamation has dismissed the idea of using that well in the ground, that

Raney well as a source of supply.

Now, I don't know if you want me to try to explain what the construction of a Raney well is like, how that's different than another well?

COMMISSIONER STEFANICS: No. I would like to know, Mr. Chair, why they dismissed the possible use of it.

MS. BORCHERT: Mr. Chair, Commissioner Stefanics, I believe for several reasons. One is that a well of that nature, a Raney well that has been unused for 15 years can tend to gather silt and not produce as much water over time. I believe that's the primary reason. I'm not sure it's up to the production needs of the regional water system.

COMMISSIONER STEFANICS: Okay, so Mr. Chair, this might come back later in the conversation. Thank you.

CHAIR MAYFIELD: Claudia, real quick on a follow-up to that though, and knowing that with your experience and your past history of the City of Santa Fe, was a Raney well ever contemplated at the BDD site?

MS. BORCHERT: Mr. Chair, Commissioners, the Raney well at San Ildefonso was drilled as an understanding of what options the City and Las Campanas and the County had for pursuing diversion sites. The geotechnical work that was done in the Buckman area itself proved that there wasn't enough alluvial aquifer, there wasn't enough shallow, sandy aquifer available for enough Raney wells to cover the extent to produce the 15 million gallons a day that the diversion facility had been scoped to produce the amount that the partners needed.

CHAIR MAYFIELD: Thanks. And I guess it doesn't matter if you're half a mile as the river flows versus 300 yards from one area. It could be any area where a Raney well might be situated.

MS. BORCHERT: Mr. Chair, you really want a Raney well to be someplace where it's thoroughly connected with the river. So it's related to the distance along the river and a certain distance away from the river. I'm going to say maybe your 300 yards would be a good – you can't go too far away. The water produced from a Raney well is called groundwater under the influence of surface water. It's not groundwater per se.

CHAIR MAYFIELD: Percolating down.

MS. BORCHERT: Right. So the connection is necessary.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Claudia, I just wanted to be sure I caught the – I was following the math right. You said that doing the math between the supply and demand we would be at a 200 acre-foot gap right now?

MS. BORCHERT: Mr. Chair, Commissioner Chavez, that's right.

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

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, to say I have some major concerns with the memo would be putting it lightly. The one piece I want to get some feedback from you on and I want to hear more about – and we're going to have to go

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back, Ms. Miller. I think I mentioned this at a prior meeting where we had a long – several long discussions about water commitments, water supply and available water, and in those discussions on this bench we never arrived at a gap of resources but always arrived at a balance of resources that were unallocated.

And the specific item I want to focus on right now, and I'm going to ask you, Claudia, to give me some clarity too because you speak to in your memo BCC and utility commitments and I want you to help me quantify those with some backup language and documentations from when we did that. But that 785 acre-feet of water that you have noted as assuming .25 use per residential lot, I need a lot more information and clarity because in no discussions that we had during our settlement agreements did we get into that level of detail on what those commitments would be, and there's some huge assumptions in there associated with water developments that already had City water allocated to those developments and as I read this the assumption that's being brought forth is that we were going to provide water rights after they're already being served by City water. So I have big problems on page 5, annexation and 785 acre-feet of water commitment that you're saying we're obligated to. I have major concern with that.

So help me understand, and it's probably not going to all happen today but help me understand those assumptions that you drew and then back them up and substantiate them based on the agreement itself. Because I have big concerns.

MS. BORCHERT: Mr. Chair, Commissioner Anaya, I'd be happy to. This was one of the areas that I would say has a certain degree of uncertainty and has also been the result of a lot of work on our part. So what would – I just would note also –

COMMISSIONER ANAYA: Before you do, if I could. The backup to this, which predates even your work here at the County was that we were going to take those unallocated or uncommitted rights and begin to evaluate areas like La Cienega, for example, where we wanted to create opportunities for possible recharge of existing wells and other out of the box thinking measures that would help supplement our water system and when I'm looking at this today for the first time I'm looking at a gap that you're proposing making assumptions that we've committed all of our water. So it's huge. It's really huge that I'm sitting here and you're showing me a balance of water that we can't even fulfill commitments on and I guess I'm in complete disagreement as to some of the assumptions that are drawn in here. So I just want to be clear where I'm coming from and I want to be clear that we had conversations on this bench, in detail where not only myself as a Commissioner but my colleagues on the bench raised similar questions as to what do we have committed and what do we have available? And it wasn't added up to what you're bringing us today.

MS. BORCHERT: Mr. Chair and Commissioner Anaya, the reason I [inaudible] spare my commitments and my assumption is because I do want you and the rest of the Commissioners to ask yourselves as the policy makers are those the assumptions I should be using? And so you're right that I'm using quarter acre-foot per lot. So what we did is we made a map of all the various areas we annexed. We counted up the number of lots total. We counted up the number that were vacant and the number that we're currently serving and we took the number of vacant lots for every area of annexation and multiplied it times .25.

One easy way to reduce the gap would be to make a commitment of .2 or .18, some other number other than .25. I haven't done the math to figure out what that would mean. I wrote a share of .25 because that's in our current, existing land development code, assuming a level of service of .25. It doesn't have to be that.

COMMISSIONER ANAYA: Mr. Chair, I'm going to do this several times, because this is a very substantial issue relative to what we have existing and what we potentially have going forward for the county. One of the things that I said over and over again with our unutilized or unallocated water from the onset was the assumption is not in my opinion that that is water that is committed to new development. That's one of the things that I've said over and over and over again is that the assumption shouldn't be how does water get allocated to build new projects. That's one component.

But there are other components associated with our water and our water use that deal with offsetting or recharging wells or other areas that necessitate more water. Or even diverting water off the Buckman Diversion to use for agricultural use. And so I would say, and respectfully, you're trying to figure out where to go forward and how to go from somewhere, I would say that our assumption is flawed if the assumption is all of the unallocated or available water is to be used for only development. That's flawed. Because we have development as an aspect but we also have areas that have had limited water where we might need to offset that limited water.

And I guess to compound matters, not only did we provide that assumption associated with new development, but then we said we're going to tie it directly only to the annexation, which completely would cripple and tie the hands of this governing Board and this governing body. So there are several assumptions that we drew that you were trying to figure out where do we go but I think we need to be very careful and analyze water availability, potential use on multiple components. You said a tree-legged stool. It's not only development capacity but it's also the maintenance of ag, the maintenance of agriculture the maintenance of wells and the whole gamut.

So I apologize for interrupting but it's a very, very critical and important matter that we need to all make sure that we're on the same page with, especially this governing Board as we try and set policy moving forward.

MS. BORCHERT: Mr. Chair, Commissioner Anaya –

CHAIR MAYFIELD: Commissioner Chavez has a question then I have a question.

COMMISSIONER CHAVEZ: I'm going to just piggyback on Commissioner Anaya for a minute but I'm also going to sort of deviate because I agree with him on one point where I don't think that we should necessarily allocate any or all of our water towards new development. I think we should have a list of priorities that we would want to allocate our water in. And so I agree with him on that point but on the point of the assumption that we would allocated 785 acre-feet to honor the annexation settlement agreement, that's where I part ways, because I don't want that to unravel.

COMMISSIONER ANAYA: If I could clarify.

COMMISSIONER CHAVEZ: Sure.

COMMISSIONER ANAYA: If I could, Mr. Chair and Commissioner

Chavez. My intent isn't to unravel the annexation agreement but those are broad assumptions associated with available water that we in prior discussions on this bench had understood what our availability was and it wasn't that level of commitment in our agreement. And I guess – I don't want to leave this meeting – I don't want to unravel the annexation; absolutely not. But I also don't want to commit potential resources that we have as a County to offset needs that we've had in our community and that is why I bring it up because we had a balance.

The other thing I would note is that there were water commitments associated with properties within the annexation area that were commitments made by the City to respective areas aside from or apart from the annexation agreements. There were already prior commitments made and I want to make sure that we're not crossing the line or crossing into commitments that were already made by the City for the delivery of water to a respective development or area. So I just – I want us to be cautious and I want us to make sure we evaluate it. But I appreciate you letting me provide that feedback.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I'll yield the floor.

CHAIR MAYFIELD: Thank you. Claudia, going back to one of your other pages on the water rights, the estimated additional 464 acre-feet of water. Where in this legend is there commitments for the proposed Aamodt settlement agreement?

MS. BORCHERT: Mr. Chair, they do not appear here since this is only about the water coming in to the current water utility.

CHAIR MAYFIELD: Okay, so those water rights are individually carved out from this total allocation that Santa Fe County has?

MS. BORCHERT: Mr. Chair, yes.

CHAIR MAYFIELD: Okay. Thank you. It needs to be noted here. My understanding again was that the purchase of that ranch and the water that hasn't been transferred down here yet that they were specifically for the use of the northern area. But I think there has to be some reference in this document on it.

MS. BORCHERT: Mr. Chair, I'm sorry if I didn't make that clear. I tried to make that clear when I talked about this being the water for the current water utility, which doesn't serve anybody in the Aamodt region.

CHAIR MAYFIELD: We have various facilities in the Aamodt region and that's why I was going to ask you, how are we allocating our county for our well water that we have up there? And/or is well water, any County facilities that are on a well included in this throughout – there has to be more wells than northern Santa Fe County.

MS. BORCHERT: Mr. Chair, we have what is sometimes called public water supply systems throughout the county, and we also have facilities that are served by domestic wells. In almost all cases except for maybe the well that serves the Nancy Rodriguez and La Familia, they are domestic wells serving County facilities. And so perhaps it wasn't clear. In speaking about the utility, I'm talking about the utility that takes water from the BDD, it's treated at the Buckman regional water supply treatment plant and delivered to the customers on the pipelines connected to the County water utility pipelines.

CHAIR MAYFIELD: So do you have somewhere – and it doesn't have to

be today – a separate spreadsheet with our private well obligations to Santa Fe County facilities?

MS. BORCHERT: We are working on that. We had a meeting last week and we have a list of all facilities and we understand which facilities are served by wells. And we're in the process of making sure that we are currently serving those wells and those systems as they need to be served, in the sense of metering the groundwater, the water quality, making sure the maintenance is adequate – those kinds of utilities facility services.

CHAIR MAYFIELD: Thank you. Please.

MS. BORCHERT: Mr. Chair, Commissioner Anaya, I just want to – I have some understanding a little bit more about what you are referring to with respect to the tables on 2010 through 2014, Table 5, of all the water commitments, this is our best understanding of commitments. And I also know that if we look at the memo that was included from 2010 there is discussion about all the other kinds of County priorities that I think speak to what you're asking for which is the idea that water gets allocated to County priorities, not necessarily to the [inaudible] process. And so let's just say that the next time I come before you to talk about this will be to put before you all the water requests that have been made in the meantime.

I have, I think, over 250 acre-feet of water requests that I've been holding off on and that need your approval. And so it is my rough understanding right now that the commitments were essentially made through the actions that are identified in Table 5, although some of the assumptions, like am I going to use a quarter acre-foot or less for the vacant lots, can be changed. But I guess my understanding is that there's not – other than going through the water service agreements and identifying which ones have expired, which is my next task, these are essentially identifying the water service agreements that are currently in place.

The question before you is what do you want to do with the water requests that are coming to you and how are you going to carve out water for your priorities, I believe. And I don't have – I don't think that's a discussion we can jump into right now but I think that's the question that I think, if I understand your right, you're asking too.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I think many of the – the comments that I'm going to make on the record I already made associated with the annexation in particular. I think that's going to involve a more detailed, off-line conversation with staff and the attorneys to make sure that all of us on this bench fully are on the same page with what those commitments are, and how we'll allocate those commitments or carry forward those commitments. So that's all I had right now, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, Claudia – thank you, Mr. Chair. Claudia I have a question. You directed us back to Table 5 and these are the commitments that you've identified to date and there's one subdivision or area that stands out that's a little different from the others. Hyde Park Estates, their quantity in acre-feet is 38.6. You have an asterisk and parentheses for that subdivision. The asterisk indicates

that the County is acquiring groundwater rights with these systems but why the parentheses?

MS. BORCHERT: Mr. Chair, Commissioner Chavez, we are moving forward under the assumption that we will acquire Hyde Park Estates. They come with a commitment to serve by the City already and so therefore we could look at that as a 500+, plus whatever the delivery amount the Estates has been getting from the City in the past.

COMMISSIONER CHAVEZ: And that piece is also part of the annexation settlement agreement, right? Or not?

MS. BORCHERT: Mr. Chair and Commissioner Chavez, they are next to the boundary of the – Adam just told me they are deliberately excluded.

COMMISSIONER CHAVEZ: Okay. But the City will still be the delivery system? Adam's saying yes. For Hyde Park Estates the City will still be the delivery system.

MS. BORCHERT: We will use the contract that Hyde Park has with the City of Santa Fe as the water supply that provides Hyde Park Estates in combination with the wells that they have.

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

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. So, Claudia, I'd like to put you on the spot for a minute and let's hypothesize. We have more water supply than it's expected to be needed in 2014, according to bullet one. Could you relate that comment to a possible regionalization of a water system that might pull in large entities that are not currently part of a commitment? And it could be anything. It could be north, south, east, west. But if we have more water supply is this the right time for the City and the County to be thinking larger in what could be brought in?

MS. BORCHERT: Mr. Chair, Commissioner Stefanics –

COMMISSIONER STEFANICS: And I want you to tell me how I'm thinking wrong about this. So that's why I'm asking you to hypothesize. When I read a statement like that I'm reading that we have availability to help others.

MS. BORCHERT: Mr. Chair, Commissioner Stefanics, we have the ability to help others in the short term. The place where we have difficulty is once all of our demand comes on line that we've committed to. In the long term we don't necessarily have the ability to help others. So this is a classic place where, for example aquifer storage and recovery is used. When you have a short-term excess of supply and you don't want to commit that to somebody but you want to – and you know that you'll need it in the future, then that's where aquifer storage and recovery can be helpful, because you can take that water in the meantime, store it in the ground, and then when your delivery requirements come due, you can also add that water you've stored to the amount of water you have available decades in the future.

It doesn't quite help you with your regionalization question.

COMMISSIONER STEFANICS: Well, put the regionalization question aside. We have had communities come to us over time saying we'd like to be included in some water hookups. And the cost has been prohibitive in terms of pipeline and

infrastructure that's required to do such a thing. But in actuality if the infrastructure could be accommodated you're saying we have the water availability to assist those communities?

MS. BORCHERT: Mr. Chair, Commissioner Stefanics, in the short term we do.

COMMISSIONER STEFANICS: Now, we have also made some land – I just am putting this out there for a thought, Mr. Chair and for the staff as well, for them to be thinking about this, because sometimes I don't know that our departments work together like land use is making recommendations for decisions based upon our ordinances and our codes and utilities and water might be making recommendations for something else. But for example, when we had some large developments approved down 285 we indicated that when there was County water availability to hook up to they were required in their development to do that. That's not an uncommon requirement for us to put into some land use decisions.

And so perhaps we're not being realistic by putting those requirements in. We're thinking about the future, but if we're not doing any kind of planning to do any infrastructure expansion then maybe we shouldn't be doing that.

MS. BORCHERT: Mr. Chair, Commissioner Stefanics, we faced that question in the interim too and I believe the logic we used there is that those who are required to hook up are required to hook up when the County tells that customer, that entity, we are ready to take you. So in any case, where there's a land use approval where somebody is required to hook up the utility would not require them to hook up until we were sure we had the water supply to provide them. So in some ways that gives us the option on when that can occur. We can make sure we have all the supply needed before we would require them to hook up.

COMMISSIONER STEFANICS: So Mr. Chair, and this isn't for Claudia, it makes me wonder if we should have a deadline or a sunset for those requirements in our land use decisions. Because if we cannot accommodate it why would we have it in perpetuity? So just something for us to think about. Thank you.

CHAIR MAYFIELD: On that note, we did pass it in our Sustainable Land Development Code also. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Claudia for the presentation. It was really a great presentation. It put the status of the County water supply and the demands on that water supply in perspective and I really appreciate that. In your – under next steps in the memo you talk about developing a master plan for the utilities and I think that that is really, really crucial that we do that, because in that master plan we can detail what our capacity is and that means both infrastructure and water rights and it will sort of prompt us to start setting some priorities. And I think that we're going to need to rethink our policies in the future. We have a number of water supply policies that have to do with our utilities and it's probably time to start thinking about that again and to look at that issue. So that's my take on it. Again, thank you so much. This really put it in perspective.

CHAIR MAYFIELD: Claudia, if you know. I know it talks a lot about the Aamodt, but what's typical use of an average sized home, average sized family. Maybe

some small agricultural fruit trees or something outside?

MS. BORCHERT: Mr. Chair, I've been looking at the use by different subdivisions that we serve so with that in mind I can work – it varies greatly between smaller lots and larger lots. In Las Campanas the average use is between .22 and .25. The lots in Longford Homes for example, and Valle Vista, it's more like .13 or .14. So there's quite a range there depending on the size of the lots.

CHAIR MAYFIELD: Thank you. So then I guess my follow-up to that and as Commissioner Stefanics was saying if a water system comes in proximity to a homeowner, let's say a current homeowner who elects to jump on to it, right? Because they're going to be grandfathered in that they don't have to. So let's not even talk about new subdivisions, a current homeowner. If the elected or petitioned our Utility Department to be served by them, would we get credit for their domestic well use?

MS. BORCHERT: Mr. Chair, no. That was the case when the County bought the waterline on Paseo C de Baca in La Cienega, and since then the Office of the State Engineer allows that transfer to go to a mutual domestic but not a County utility. And Aamodt again being the exception since we're creating a new waterline in it. In Aamodt it is true but generally, through the State of New Mexico if you're a utility, no it's not. You cannot.

CHAIR MAYFIELD: Even if you're the government.

MS. BORCHERT: Even if you're government.

CHAIR MAYFIELD: Thank you. Commissioner Chavez please.

COMMISSIONER CHAVEZ: Yes. On the next steps Commissioner Holian identified number 5, she read that in. I'm at the top of the list, number 1, refine existing and potentially estimates for annexed areas, because again, I would hate for the work done on annexation to be stalled for that and there is one area, Area 1 that still is yet to be annexed. So we need to work on that area. But if you go to page 5, paragraph 4, it reads the actual amount of water required to meet commitments may be reduced. Water conservation programs and a reduction in the level of service from 0.25 acre-feet a year per residential lot to perhaps 0.2 acre-feet a year will moderate the County's current commitment. The City of Santa Fe has had success with this approach.

So that addresses the individual, single family or maybe multi-family unit. It tells us that we should have some leeway in determining what that acre-foot a year would be and so that the assumption then would be different than what it is now. So I just wanted to point those out, because it's a moving target and the annexation again I believe is something that we need to hold on to. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Chavez. Commissioners, anything else?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: I also think that it's extremely important to develop a bulk water service policy. We're lacking that.

CHAIR MAYFIELD: Thank you. Claudia, have you had a chance to convene our Water Policy Advisory group that this County Commission commissioned

some time ago?

MS. BORCHERT: Commissioner, yes. We met last Thursday. We've been meeting quarterly. Right now they're working on aquifer storage and recovery.

CHAIR MAYFIELD: But they've looked at your memo and also what you brought to us today.

MS. BORCHERT: Mr. Chair, I provided it to them last Thursday. Yes, sir.

CHAIR MAYFIELD: Did they provide any comment back or no?

MS. BORCHERT: Not at this time yet. I think they need time to digest it, sir.

CHAIR MAYFIELD: Thank you. Thank you for the presentation today.

V. A. 2. Update on the La Bajada Ranch Steering Committee progress and request direction on planned approach for soliciting, evaluating and recommending project alternative to the Board of County Commission (Resolution 2012-106)

CHAIR MAYFIELD: Mr. Flores. Go ahead, Tony. You've got a couple seconds, you've got to get people up here.

TONY FLORES (County Manager's Office): Thank you, Mr. Chair. The purpose of today's discussion is to provide a brief overview of the progress that the La Bajada Ranch Steering Committee has made since the update presented in January of this year. The committee has gone through some diligent efforts on trying to move to the next steps of actually soliciting project proposals as defined in the resolutions for development of the property. Through the last committee meeting of Thursday of last week staff and the committee have developed a proposal schedule for release at the end of this month with some trigger dates after that. We have Mr. Eric Blinman here who is the chairman of the subcommittee that would actually like to do a brief presentation.

A couple of discussion points that we'd like to have from the Board today is one, let us present the proposed schedule that we anticipate letting for the proposals as required by the resolution. And the second part is to have a frank discussion on the potential for having a call for public ideas in addition to the two documents that were done in 2010 and 2011 which garnered input from the community as well as the public for potential uses for the property. And with that, Mr. Chair, if you indulge me I'd like to turn it over to the chairman of the committee.

CHAIR MAYFIELD: Please. Welcome. Thank you.

ERIC BLINMAN: Mr. Chair, Commissioners, the committee has been meeting since our last update and I'm very happy to announce that especially with the support of County staff and Bill Taylor in Purchasing and Procurement that we are poised to move forward. We expect in October 31st or 1st of November release of the advertisement for the RFP and we hope to have a short list of developers selected by mid-December. The committee has been working very effectively without me; I had to take a couple of meetings off to deal with personal issues but I think we've been pretty focused and effective although as always, any bureaucratic process never goes according to plan or schedule.

We hope to have our next meeting in two weeks and at that meeting we should be able to approve the procurement documents so that they can be released at the end of the month and at that meeting we would also like to entertain a final encouragement for public suggestions that can then be posted on the website for consideration by the responders to the solicitation. By and large I think we're finally to the point where you're going to be able to see progress.

CHAIR MAYFIELD: Thank you. Commissioners?

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman.

COMMISSIONER ANAYA: Are we going to get a little more information on the RFP or which part of the RFP are you going to touch on, and I'm looking at the resolution now. Are you talking about – we have a conservation piece. We have development areas that we were going to get feedback on which –

MR. BLINMAN: Those are incorporated in the RFP. The RFP process is two-stage. The first stage is the qualifications, short-listing down to probably at least three offerors who will then give their oral presentations from which a final selection will be made, but the criteria from the Commission's original mandate to us are the foundation of the RFP.

COMMISSIONER ANAYA: Do you have ideas on types of projects already? Based on that scope of work that you did in the RFP? Help me understand how – we haven't had any discussions at the Commission level and I haven't had any off-line either. How are we going to go from an RFP to the project? Help me understand the RFP itself a little better.

MR. BLINMAN: This is where we get technical advice. Do you want to field any of this or shall I?

COMMISSIONER ANAYA: And if you could, just give me the framework of what we're asking.

BILL TAYLOR (Procurement Director): Mr. Chair, Commissioner Anaya, the purpose of the competitive sealed proposal is to find the short-listing, as Mr. Blinman described of the qualification-based selection of selecting at least three top qualified teams that would then be given the opportunity to develop a resolution or solution. Really, for a team that's going to come to us with ideas and the solution to that property that will then be ranked by the selection committee and brought before this Board for vetting with the Board.

COMMISSIONER ANAYA: Teams of people that are going to do the full component of conservation, development areas –

MR. TAYLOR: That's correct. We've got, as Mr. Blinman outlined, the foundation of your resolution is in there plus the specific evaluation criteria pertaining to specific experiences, capacity, capability, but the bottom line is we're looking for the professionals to come forward with a solution for the property with implementation. The development, the conservation aspect, everything that will be presented before the subcommittee.

COMMISSIONER ANAYA: So is it written in a manner that affords a broad spectrum of potential uses? For the team? Mr. Blinman's nodding. Go ahead, Mr. Blinman.

MR. BLINMAN: In all of our work as a committee we've worked to maintain the greatest breadth of potential uses. We did not want to a priori constrain any possible use of the landscape which we felt reflects the intent of the Commission.

COMMISSIONER ANAYA: Okay. Thank you, Mr. Chair. Thank you, Mr. Blinman.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: So I'm just reading in the memo, recommended action. Staff is recommending that the Board of County Commission approve the proposed formal solicitation methodology and provide direction on the request to have an additional call for public ideas to include any ideas presented as a result of a public survey in 2010 and the guidelines developed from the community forum in 2011. So basically, you're using that as a foundation to build on. You're adding one component I think, additional component which would be for more additional ideas from the public that you would incorporate into the final document.

So basically you're asking us to approve the methodology and the format that you'll be using to go forward. Is that pretty accurate? I'm trying to wrap my arms around it.

MR. FLORES: Mr. Chair, Commissioner Chavez, in reality, we are taking the resolution that the Board adopted whereby it's set forth that the subcommittee of the committee would be receiving and evaluating project proposals. So that methodology is already incorporated within the resolution. The process today is to talk about the next schedule and also to clarify whether the call for additional public ideas which would occur prior to the release of the formal document would be acceptable to the Commission.

COMMISSIONER CHAVEZ: Okay. So that's where I was trying to get to. And so we do have the La Cienega land use survey and we have a table of contents methodology, summary of results and all that. So that's one piece. Then so the call for public ideas I think – I personally would be open to that because it would help get additional information on what the public would like to see with that open space, so I would be open to that, if that's the one question that we're being asked.

MR. FLORES: Commissioner Chavez, just for clarification, the call for public ideas precedes the formal solicitation. So we have to keep those as separate processes.

COMMISSIONER CHAVEZ: Okay. But all of it would be combined into one final document.

MR. FLORES: Mr. Chair, yes. The information that's garnered from any additional public comment plus the two documents that were prepared in 2010 and 2011 would be included in the final solicitation.

COMMISSIONER CHAVEZ: Okay. All right.

MR. BLINMAN: And just to, Mr. Chair and Commissioner Chavez, just to be clear, the purpose of all of the public surveys and this additional request for public ideas, they're really opportunities for public ideas, is intended to be a resource that the formal proposers have access to. There is no compulsion on them that they need to address all of the ideas that are put forward by the public. It's just the public community is creative. They understand their needs better than anyone else and my personal belief is

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that the more public input to all of these planning processes the better. The last thing we would want would be someone to have a great idea, something whose time has come, but because it wasn't available when the surveys were originally conducted it doesn't end up being considered by the planners. And so the idea is to just assemble these ideas from hopefully our next public meeting, get them put with the surveys on the website so that they're available for everyone, but also for the professional planning and development teams.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I'm sorry that I had to step out for a minute. I'd like to ask the County Manager, is there any current proposal that has come forward to you from any private entity for use of this land?

MS. MILLER: Mr. Chair, Commissioner Stefanics, I do not have any specific proposal that's been brought to me, however, there has been some interest and I do believe there is an individual here who is going to speak to that, if you'll allow them.

COMMISSIONER STEFANICS: Okay. So Mr. Chair, did we not hear in the past – and I might be confusing it with the mining activity versus the ranch, but did we not hear that there was a group working on a monument area that might include this parcel? And correct me if I'm wrong, Commissioners.

CHAIR MAYFIELD: You're correct. I think for a national park.

COMMISSIONER STEFANICS: Okay. I'm sure they'll get up and comment because I am going to go out to public comment on this.

COMMISSIONER STEFANICS: Okay. Well, the reason I'm asking my question is if there is something that either needs to be put on the table so that everybody's aware of what might be considered before the group does a lot of work on a proposal. That's all I'm trying to bring up. Thank you very much.

CHAIR MAYFIELD: Thank you. And on that note I think that a great suggestion by Commissioner Stefanics. We've even kicked around a lot of ideas from up here. Honestly, and please don't take any offense to this, it kind of seems like this contract is doing what we asked all of you to do when commissioned this initial resolution. That's how I'm seeing it. Granted, opinions from outside experts. I don't know if they're going to be local to Santa Fe or from Massachusetts or New York for that matter, telling suggestions of what to do with our land. But I was hoping that by the composition of the board that we put together that we would already be having a lot of this coming to us and we wouldn't have to go down the road of other contractual work for somebody to tell us.

I know you've had numerous public meetings. Attended well or not attended well, I know you had one up in the Pojoaque or Nambe area. That probably was not that well attended. But there were numerous individuals providing public comment at your all's meetings, giving you suggestions and thoughts. Were those incorporated? I know one thing that I have stated and I won't get on my bully pulpit with this but I wanted to go out to all of Santa Fe County that this was bought with their general fund money, countywide. Respecting Commissioner Anaya's district and the La Cienega area, but this still is Santa Fe County property that everybody should have a right to voice their opinion on. There's a master plan on this property that I don't believe we've lost. I think that that needs to be conveyed to whoever, if this gets approved, so that can be conveyed out to

the public. I don't think there's a current appraisal on this property. I would again believe whatever option we're going to decide to take we really should know what the value of this property is. I know we've kicked that idea around. I think I tried to pass a resolution. It probably failed pretty miserably but that's okay. But I still think we even need to know the true value of this property today. Not what it was yesterday, but today, before suggestions are coming to us. We have to be responsible with the taxpayer dollars that were spent on this. Those are just my thoughts. I do appreciate the work and value the work you and all the committee members are putting on this. Thank you so much.

This is a little – I don't know if it's unusual because I pretty much go to the public on everything. So I'm going to – I'll let you close but then I will go to the public to see who from the public would like to comment on this proposal.

MR. BLINMAN: Mr. Chair and Commissioners, I would like to respond briefly. The committee you put together does have a full range of expertise and the intent of that committee is an evaluation committee. None of us have the expertise or ability or even resources to pull together a development plan. That really needs to be in the hands of the professionals. But what you do have is you have an evaluation committee of people with very, very different perspectives, very strong skills in their individual areas, who will be able to look at the proposals and provide what we hope is cogent and clear recommendations to the Commissioners for decision making down the line.

I think you're going to get what you want from us and at the same time have a strong and effective product. Evaluation is one of the criteria that is part of the whole proposal process so that will not be neglected as we move forward.

CHAIR MAYFIELD: Thank you, Chairman. Are there any other members from the committee? I know Commissioner Holian is on that committee but any other members from the committee in the audience who would like to comment? Seeing none, Commissioner Holian and a member of the committee.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I just want to try to put things in perspective a little from my particular point of view which is sort of unique. First of all, I would really like to thank the committee members. Many of them worked long and hard on this, and they had a really challenging task when you think about it. The County had never, ever done anything like this before. Buy a piece of land for which they really had no plan and they had no idea what they wanted to do with it. And not only that, this particular piece of land was in the cross-hairs of a major disagreement between the would-be developers and the people who lived in the nearby area.

Also I think it's really worth noting that this was not purchased with open space monies. The County had purchased land like this, I guess you might say, before, but purchased it specifically for open space. But that was not the case with this particular piece of property. But I think on the positive side we all – that is the Board all and the people in the community recognized that this was a special piece of land. It has a lot of historical significance from many of the different eras that Santa Fe County is associated with and it has a lot of really special natural assets, specifically water. It's a place where animals in the area are dependent upon the water and migrating animals are dependent upon the water as well that's on that particular piece of land.

So it was worth doing something to protect that piece of land. But because it was purchased with taxpayer money and I think Mr. Chair alluded to this whatever is done

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with it should benefit the whole community, not necessarily just the people who live in the La Cienega area. And that's why the committee was formed. But to be fair, it took a while for them to figure out what they were supposed to be doing and how they were supposed to be doing it.

If I'm really, really truthful I have to say that they got mixed messages from the BCC and probably mixed messages from the community as well, and they were really pioneering a process that we had never done before in this county. So of course it took a while to do that. And I've used the term guinea pigs before which maybe isn't quite a very attractive image to use but let's just say that maybe this committee was really more analogous to an expedition that was organized by an explorer like Coronado. I think that's a better image to use.

But anyway, in my opinion, this committee, given the sort of the murkiness of the task, really, when you think about it, has made remarkable progress. They also faced various political pressures too, and I think that they've really come to a good solution on how to really bring in suggestions for what can be done with the property in a way that is concrete enough that we can actually evaluate it. As Chair Blinman pointed out that's a monumental task to do something like that, to come up with a specific plan for the property. And the committee just really cannot accomplish something like that on their own. It would take hours and hours of time.

So this is why the RFP process is going forward, so that we can get some concrete suggestions for what can be done with this very special piece of property. Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm unclear, Mr. Chair. What amount of money are we talking about?

CHAIR MAYFIELD: I was going to ask that same question, and where is it coming from?

COMMISSIONER HOLIAN: You mean the money for the purchase?

CHAIR MAYFIELD: For the RFP.

COMMISSIONER STEFANICS: What amount of money is being requested?

CHAIR MAYFIELD: And where is it coming from? I'm going to ask that.

MR. FLORES: Mr. Chair, Commissioner Stefanics, there is no money being requested for this. We're actually looking for project proposals for developers to bring the financing to the table through the process.

COMMISSIONER STEFANICS: Maybe you're misunderstanding. Usually an RFP process costs something. I am asking what costs are we talking about with an RFP process?

MR. FLORES: Mr. Chair, Commissioner Stefanics, thank you for that clarification. The only costs involved in an RFP process are the costs for advertisement and those will be borne out of the Projects Division.

COMMISSIONER STEFANICS: So you're really asking for a request for information, a request for a proposal but not a bid?

MR. FLORES: That's correct, Mr. Chair, Commissioner Stefanics. Not a bid.

CHAIR MAYFIELD: Can I ask a question on that? How are you guys going to have criteria to rate? If somebody says, I want to put an amusement park there? What is going to be your evaluation, respecting the committee, but where are you going to be able to say no to somebody or yes, you have a viable idea?

MR. FLORES: Mr. Chair, through this process there is triggers on the criteria that was set up by the resolution for both the conservation and the development section and those are drilled down even further that with all due respect I'd hate to get into that discussion at this meeting since we haven't released that RFP yet, but there will actually be evaluation that the criteria that the committee has proposed to the Projects Division and the Purchasing Division on how things will be rated. So there is a rating criteria and formula that are involved in the RFP where you'll be able to assign point values to different aspects of the proposal, as any other request for proposals or concepts or whatever we call them. So there is a weighting criteria established in the document.

CHAIR MAYFIELD: So any individual potentially bringing an idea forward is going to have to be thoroughly familiar with our Sustainable Land Development Code as it is written today?

MR. FLORES: Correct. And that's part of including the master plan documents, and that's part of the requirements within the solicitation. They have to bring some knowledge and some development proposals to the table that can be evaluated by the committee that then can be brought to the Commission for your consideration.

CHAIR MAYFIELD: Thank you, Mr. Flores. Thank you, Chairman. I'm going to go out to the public. Any of the public members who wish to comment please come forward.

KYLE HARWOOD: Good afternoon, Mr. Chair and Commissioners. My name is Kyle Harwood. I represent the individual that recently purchased the Santa Fe Canyon Ranch private section that neighbors this property. Mr. and Ms. Mancuso would like you all to know that they're very interested in working on a proposal with the local community and with the BCC for the County-owned portion of Santa Fe Canyon Ranch. He is interested and committed. We've been kicking around some ideas. It's probably premature for me to share those with you but we are aware of the steering committee's work. We're aware of the resolution. We're aware of the history and background of the property, the potential of the property and Mr. Mancuso is very interested in being a part of this Santa Fe County-owned portion that is now neighboring his property. So he's excited to have that conversation and exactly in what format or what process going forward is still not entirely clear to me so we are available to discuss that further with you or your staff as you wish.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. So I have a question for you, Mr. Harwood. So has Mr. Mancuso or you as the representative spent any time with the committee discussing any of this?

MR. HARWOOD: Unfortunately, Commissioner Stefanics, we have not. We've only just recently closed after a fairly intense six-month process going under contract to closing. Mr. Mancuso is in the process of designing his home and those other elements but I did make him aware of the steering committee's work and so we've been trying to figure out the right time and place to bring this forward and this seems like a

time to introduce this to you at the BCC.

COMMISSIONER STEFANICS: So Mr. Chair and Kyle, is this something that – so why don't you extend your futuristic thinking about this? Is this something you believe that you would want to sit down and discuss with the committee? You're supportive of the RFP process moving ahead? Kind of explain a little bit about if your owner has interest, then what?

MR. HARWOOD: That's a great question, Commissioner, and I think it would be very appropriate to meet with the steering committee given all the hard work that they've put in to envisioning for this property. I know Mr. Mancuso has some particular ideas in mind of the kinds of things he's hoping to do on his property that might have some synergy on the County property. I have to admit I'm a little daunted by the RFP process that's been described. I've drafted RFPs, I've responded to RFPs before but I am a little daunted by the description of that process that I've heard, but of course we're coming to the discussion fairly late and we'd be happy to cooperate in any way we can. Did I answer your question?

CHAIR MAYFIELD: Anybody else from the public? Seeing none, thank you. Commissioners, this is just noticed as a presentation. I see discussion, informational items and presentation. It's an update. Oh, I see.

COMMISSIONER STEFANICS: And request for direction in the body of the item.

CHAIR MAYFIELD: Request direction. Okay. General direction. I guess we'll give general direction without taking a vote on it.

COMMISSIONER ANAYA: I move that we continue with the process in moving forward with the RFP.

COMMISSIONER HOLIAN: Second.

CHAIR MAYFIELD: I'm not taking a vote; just general direction from the Commission. It's not noticed – correct me if I'm wrong, Greg. I don't see this as a voting item; I see this as just as a general consent direction from the bench.

COMMISSIONER ANAYA: So I'm okay with it moving forward.

MR. FLORES: Mr. Chair, if I may, the part that moving forward on the solicitation on that formal process is the first part of it. The second part of it would actually be getting direction on the call for additional public ideas prior to the release of the solicitation. There are two components as I described in my presentation. So I'd be looking for direction from the bench, non-action item but direction from the bench on whether we could proceed with that concept or that call for ideas and then release the solicitation.

COMMISSIONER ANAYA: I'm okay with it.

CHAIR MAYFIELD: I haven't heard anybody opposed so I guess you've got direction there, Mr. Flores. Thank you, Mr. Chair.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: I'm the only one that's okay going forward with the evaluation?

CHAIR MAYFIELD: You guys probably don't want to hear me speak on this anymore.

COMMISSIONER STEFANICS: Well, Mr. Chair, I'm fine with it but, the big but hanging over the head is are there other things going on? Is the committee going to be fairly represented if in fact they go out to an RFP and we have a proposal that comes to us and we just move and do something. And we can't say that we wouldn't and that's why I'm asking is are there some other presentations? Are there some other proposals? Are there some other offers? And if Mr. Mancuso or this national monument or some other things are coming down the pike, do we really want to go out for an RFP and then have the committee sit around and evaluate? That's the question.

I'm not opposed to an RFP but I'm just saying are all the forces being reckoned with?

COMMISSIONER ANAYA: Mr. Chair.

MR. BLINMAN: Mr. Chair, Commissioner Stefanics, our hope for the process is that the issue of the possibility of a monument will be fully aired as part of both the public ideas in advance of the RFP but also the RFP process itself. What I fear is that any – that if we continue to delay the process that there's an opportunity at every turn for something new to maybe come up. But this –

COMMISSIONER STEFANICS: Mr. Chair, this really isn't his response. I'm sorry.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Commissioner Anaya asked if other people – and out of deference to you, please step back because I'm not asking you for your opinion. I'm dialoguing with my peers about this. And any legislator – Congressman or US Senator can come in and say we've been working with the community group on a monument. We've put it out to the president and the Department of the Interior to consider. And if it moves, which I don't think it's going to because we've had so many named in our state in the past couple of years, but if it moves it makes all of this moot. And it's even taken out of our hands. We would have to be willing partners of course but this is where I'm going is it's – I understand the group is invested and they want to do good work. It's really about where are we?

If somebody comes to us with a proposal are we going to say, go away; come back next year?

CHAIR MAYFIELD: Commissioner Holian please.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I will just point out again that we're talking about the first part of the process being this request for ideas and so if there is anybody out there right now who has some interesting ideas they can come in right at the beginning and express those and then I would imagine that the committee would make a decision as to whether to go forward with the RFP process.

CHAIR MAYFIELD: Could I interject something?

COMMISSIONER HOLIAN: But I'm all for –

CHAIR MAYFIELD: On that note, Commissioner, aren't people already doing that at the meetings that you all are having?

COMMISSIONER HOLIAN: One.

CHAIR MAYFIELD: I thought there were a few. I thought there was a request for some photovoltaic out there. I believe there was a request for a national monument. At least one meeting that I attended I heard of two different requests.

COMMISSIONER HOLIAN: Mr. Chair, there's only really been one consistent request. I think that the photovoltaic idea was discarded for a number of reasons. But the situation with the neighbor who just purchased the neighboring property is relatively new and I would certainly encourage Mr. Harwood or another representative of that neighbor to come to that meeting to talk to the committee.

CHAIR MAYFIELD: I'm going to go to our County Manager. Ms. Miller.

MS. MILLER: Mr. Chair, Commissioners, I'd suggest that it doesn't hurt us to see if there's any other ideas out there but in order to actually see who's serious – because it is true. People have come forward since the County purchased that property and had ideas, but whether anybody's actually been able to really put pen to paper and come with any financing or any true development ideas that they're willing to bring to the table we don't really know. A lot of the ideas have been, well, hey, County, do this, do that, and you come up with the money and you figure it out. I would say that getting some ideas from – if there's anything that hasn't been brought forward since 2011 from the community wouldn't be bad. They can refine the RFP and put the RFP out and see if there's anybody serious who wants to work with us on that property.

And then if not, we go to phase 2 and that's figure out whether we want to do something separate from soliciting proposals from outside.

CHAIR MAYFIELD: Ms. Miller, has Mr. Griscom with our Economic Development Department attended these meetings and has he tried to – I'm sure he has a vast network of who he speaks to.

MS. MILLER: Mr. Chair, I don't know that he's attended all the meetings but he has been to some for sure and he has been participating in some of what's going on. He also knows that the ranch is a resource for anybody who comes to us with economic development proposals.

CHAIR MAYFIELD: So, again, I would just ask – I think his input would be pretty invaluable to this process, as far as one of the components in here that we requested for was any economic return on this property for Santa Fe County's past expenditure. So I would like to hear from David.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Since we were asked for direction I would just like to put it on the record that I am for going forward with the process as described.

CHAIR MAYFIELD: Let me ask this: Can we see the RFP that's going to go out? And then just take formal action on it or we can't do that because that's proprietary?

MS. MILLER: Mr. Chair, a couple things. One, you can make a motion to give us direction on how you'd like us to go. Greg and I were talking about that. He's going to clarify that. It doesn't have to be noticed as an action item; you're just giving us direction. So if you want to make a motion you can do that.

Number two, we can bring the RFP back to you before it goes out on the streets. We don't typically do that but if that's something that you want to see we can. It's not proprietary. What we're doing is actually putting a solicitation out for proposals back to us on whether there's any entities serious about helping us develop the property in some form or another.

CHAIR MAYFIELD: And again, and I mean this very respectfully, but are we going to just put that in a legalese in one of the local newspapers? How are we going to solicit that RFP?

MR. TAYLOR: Mr. Chair, Commissioners, that will be advertised and put on the website. Advertised in the papers, the *Journal* and –

CHAIR MAYFIELD: Trying to drum up some interest. Maybe we don't need to but I also think we should drum up some interest for any entity who wants to hopefully – maybe people will be reading it all the time, but there's x-amount of acreage and we want to do something with it. But I would just maybe we do a media blitz on it. I have no problem with that. Even though we're not going to release the contents of that RFP but saying, look, this is out there, this is the Commission's criteria. We have a group put together. If you have any thoughts or ideas, put them forth.

COMMISSIONER HOLIAN: I was just going to add that the committee has put a lot of work into coming up with a list of places where this is going to be advertised, where interested parties most be most likely to see it. Places like the *High Country News*, for example.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, Greg, you stop me if I do anything wrong, okay? I move that we move forward with the proposed formal solicitation methodology and provide for an opportunity for a call for public ideas to include ideas presented as a result of the public survey in 2010 and guidelines developed from the community forum in 2011. And I would add to that, in line with the resolution approved that established the La Bajada Steering Committee.

COMMISSIONER HOLIAN: Second.

COMMISSIONER ANAYA: Is that okay, Greg?

CHAIR MAYFIELD: Thanks. And again, respecting the motion and the second, Mr. Shaffer, I don't believe it's been noticed for that so you take me to how I can take action on this formally without it being properly noticed.

MR. SHAFFER: Mr. Chair, I think the agenda item, in my opinion clearly indicates that there was a request by staff to the Board for direction and the Board typically expresses its views to give that direction through the entertainment of a motion so I think it's proper and it was duly noticed. In any event, at the end of the day this doesn't commit the Board to a specific course of action from which it can't step back from. Rather, it's a direction for staff to proceed to obtain proposals that would ultimately need to be acted on by the Board. If that answers your question, Mr. Chair.

CHAIR MAYFIELD: It does, Mr. Shaffer. Let me just ask this question. Again, going out for RFP as Mr. Flores explained it, if any proposal comes back that is or is not approved by the committee and maybe does not make it to the way of this Commission of five, would we have the opportunity to see them? Would individuals who put in an application I guess through a public records request have the opportunity to see every proposal that came forth?

MR. SHAFFER: Mr. Chair, I would defer to Mr. Flores and the committee members in terms of what they anticipated for the vetting process and how proposals want to be vetted by the committee and brought back to the Board for consideration. There are provisions in the procurement code that would keep proposals confidential

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during the pendency of the evaluation process and consideration. But again in terms of how the committee envisioned that process working, I'm not privy to that so I would defer to Mr. Flores or to the committee.

CHAIR MAYFIELD: Thank you. I'm going to go to Vice Chairman Anaya first please.

COMMISSIONER ANAYA: I'm going to just oversimplify. We're going to get, I think, Mr. Chair, from this process, ideas by which the committee will review and say we think this is a good idea or these are good ideas and those would come back to the Commission for presentation and further direction if such thing would occur. So they're going to solicit, they're going to get feedback, they're going to evaluate that feedback and then they're going to say we got ten respondents and here's what they were, but three of them were awesome and here's why.

CHAIR MAYFIELD: Commissioner, I guess what I'm getting at is let's say there's an interested party who wants to purchase this property for whatever amount of money, and the committee says yea or nay to that, how would we ever know if there was that interest as far as somebody saying we just had an individual comment here. Maybe they want to outright buy the property.

COMMISSIONER ANAYA: Mr. Chair, I think I can help with that and I would, if the seconder of the motion would accept it I would add that any proposals received, a summary of those proposals would be brought back to the Commission as to ones recommended in favor or ones adverse with adverse recommendations be added. Are you okay with that?

COMMISSIONER HOLIAN: Yes.

CHAIR MAYFIELD: Okay. Thank you. Okay, I think that's well discussed.

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

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Commissioner Anaya.

COMMISSIONER ANAYA: I appreciate the work of the committee and I guess it's still in progress so we'll just see how things go. Thank you for your work. Bye.

V. B. Matters from the Commission

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'm sorry that I missed that. Did you already hear from the County Clerk about early voting and absentee voting? Because if not I'd like for her to say a few words.

CHAIR MAYFIELD: I'd love for her to say a few words.

GERALDINE SALAZAR (County Clerk): Thank you. Right now voting is going on. People can come to the County Administrative Building and vote and in addition to that we'll have more sites. On October 18th people can go to the fairgrounds, in Pojoaque, Eldorado, and Edgewood. So I encourage everyone to go and get out and vote. Also, we do have a League of Women Voters voter guide that they've printed out so

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I encourage people to look at this also. I think this is an important printout about what's going on on the ballot and I encourage people to look at this and a request from the League of Women Voters also. Thank you.

COMMISSIONER STEFANICS: Thank you, Mr. Chair.

CHAIR MAYFIELD: Thank you. And Commissioner Stefanics, my apologies. I had not gone to matters from the Commission yet. So my fault. Clerk Salazar, really quick. If somebody would like to obtain – I think there's a few statewide bond initiatives on the ballot, correct? If they would want a full explanation of that they could go to your office? They go to the Secretary of State's Office?

MR. SHAFFER: Secretary of State's Office.

CHAIR MAYFIELD: Okay. So if anybody wants a full explanation of anything on the ballot, the Secretary of State and they most likely have that on their website. Commissioners, we're on Commissioner comments. And the Santa Fe County Clerk has a link on her website.

COMMISSIONER CHAVEZ: I have nothing at this time, Mr. Chair.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I've had some discussions with the Manager and I know that staff's been talking to all of us and I'm looking forward to recommendations and an opportunity for us to provide direction on capital projects. I have several that I have an interest in. My Stanley Wellness Center for the community and other projects in La Cienega and other parts of the district. So I'd like to see those as soon as we can so that we can advance the determinations of the Commission so we can move forward. That's all I have.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: Actually, on that note, Commissioner Anaya and to staff, we have our list of I guess five priorities that we're trying to focus on and then being that it's a people's legislature we have individual – I'll use one individual request from a homeowners association that has a project. It's on our ICIP list. It's not on our short list of priorities, but they would like to see that project advance through the legislature. So on one hand we're saying here's our five priorities that we would like to focus on, but we can't exclude these other requests at the same time.

So we have that challenge in focusing on our five priorities and then trying to manage or accommodate these other individual requests that go to our Santa Fe delegation but then ultimately are our responsibility to implement. So I think that we need to look at the five priorities and then this other sort of shotgun approach that's a catchall. And I think the catchall will compete to some degree with our priorities and it's going to add to staff's workload in implementing those projects. So I don't want to mislead the public, right? If we support a project that's not on our list, I don't want to mislead them in expectations about when that project might be done. It needs to be on our list of projects and it will be done in a sequence. So it's – I think their expectations are sometimes they receive the money and they expect the project to be done within the next six months. That may not happen. So I think we need to really have that discussion with the public and with our Santa Fe delegation.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair and Commissioner Chavez, I agree. Specifically, I'm glad you brought that point up because it ties into our overall capital projects but the capital funds that I was initially referring to are those capital dollars in our capital pool for our gross receipts tax that we allocate as Commissioners to individual projects, like you had your Nancy Rodriguez Park and we've put money in roads and senior centers. So I think it's the combination of the two. But I'm glad you brought that up because that happens a lot where there are multiple competing projects and the anticipation that they're going to happen immediately.

COMMISSIONER CHAVEZ: Yes. And actually in a way they could be complementing each other but I think the expectations sometimes mislead people or get in the way.

CHAIR MAYFIELD: Well, and Commissioners, I'll say this and Mr. Flores could probably elaborate a lot more on it. But when legislature capital is rolled out, everything will say Santa Fe County when it just goes directly to some entity that's within Santa Fe County that we have nothing to do with it whatsoever. So I think just for that to be distinguished of which is specifically Santa Fe County projects by Santa Fe County, how it's rolled down through our local legislature would be probably a good, maybe I guess spreadsheet to have, Mr. Flores and our public could be aware of that also.

Also, on that, Commissioner, I'll go to my comments. One project I think that was done with both local Santa Fe County capital and also some state legislative appropriation for acquisition is the Pojoaque fields. I know that we now have probably finalize the purchase of that field from what was stated. I think there will be a document rolling out, hopefully for an RFP. I would believe my successor would want to see this through. I don't see why. But there have been – I have no problem with saying this – there have been a lot of District 1 set-aside dollars in anticipation of that project. So I'm just going to make a public appeal here, knowing that anybody can do whatever they want, but that those dollars that have been set aside in anticipation of the acquisition of this park, hopefully make it to the Pojoaque ballfields. That's all I'm saying. Thank you. We'll go back to Commissioner Holian if she comes back in and wants to address.

III. D. Matters from the County Manager

1. Miscellaneous Updates

a. Update and Possible Direction on Ordinances Pending Adoption or Amendment

MS. MILLER: Mr. Chair, Commissioners, just a comment on the capital outlay. We are working on putting together a pretty comprehensive plan for you with different proposals of how to finance projects that are currently underway, either already have the design done or even we've gotten bids and we're short on funding as well as things that we need to look at for multi-year funding. And in addition to looking at that in conjunction with the legislative process as well.

So I'm hopeful that we'll bring that next BCC meeting on October 28th with proposals to you that you can look through and either give us direction then or mull over and have us change them around a little bit. But my goal would be to get that to you and get something approved in the next couple of meetings so that we can put that funding

into the budget and move on some of the projects that have been on our radar screen for a while.

CHAIR MAYFIELD: Ms. Miller, let's go to Commissioner Anaya on that point please.

COMMISSIONER ANAYA: Mr. Chair, in fairness to staff, I know we've had some problems having an individual discussions but before we come to the meeting I would ask that you visit individually with the Commissioners on their respective projects, before it comes – before we have the broader discussion in November, it looks like. If that works.

MS. MILLER: Mr. Chair, that's fine. We can do that as well. One of the requests that came forward last BCC meeting was an update on any ordinances that we had published title and general summary yet not concluded those ordinances. We went back through, I think the last four or five years. The Legal staff went back through. There were some that have come forward and not had authorization to publish title and general summary so we didn't include those because we never actually went forward with doing that and scheduling any public hearings.

The only one other than the Ethics Ordinance that was tabled earlier that sits in that category would be the animal control ordinance. That one we did request and get authorization to publish title and general summary and I believe we had one hearing. At that particular time it was tabled and if we were to bring that back for consideration we would need to renote. Because it's been the better part of a year. I think maybe over a year, so our noticing has really expired on that particular item.

So if there is a desire of the Board to bring that back we can do so but we would need to request authorization to publish title and general summary; otherwise we would just consider it not an active ordinance to vote on. So I don't know if there's any direction to do so. If not we'll just consider that not an active ordinance, or pending action anyway.

CHAIR MAYFIELD: Thank you, Ms. Miller. Commissioner Stefanics.

COMMISSIONER STEFANICS: Well, I was just going to say, Mr. Chair, I'm not sure that we had any clarification on the changes that we wanted to the animal control ordinance. So I don't think that our silence today is that we don't want something in the future. I think we just never agreed on what we think should be in it. So that's just my comment. Thank you.

CHAIR MAYFIELD: Thank you. Ms. Miller.

MS. MILLER: Mr. Chair, so that would concluded on the issues on any pending ordinance amendments or adoption. And then I wanted Tony to give you a copy of the draft agenda that we have for the joint City-County Commission meeting that is schedule for October 20th, 9:00 am to 12:00 pm. *[Exhibit 1]* That is actually now scheduled to be in the Commission chambers. This goes back to the issue of where the County Commission needs to hold their County meetings. Unfortunately, statute doesn't leave us much room to have them in other than a County building in the County seat. So we've put it back to this room on October 20th, 9:00 am to 12:00 pm.

Based on your comments from the last Commission meeting we went back through and revised the agenda with the City. We talked to them about your desire to have other issues come forward so we left a – kind of the way it's arranged right now is to give some historical context, to have some introductions and then some historical

context relative to the RPA, the annexation, and where we were when we finished the annexation meetings and it all kind of dropped off.

And then how this has come back up as focusing on economic development to start but then towards the end of the meeting, leaving a good 30 minutes to talk about all the other issues that you might want to bring forward for us to get on the list of how we deal with our next subject matters and these issues going forward to include the possibility of a different JPA for meetings or doing quarterly meetings like you had brought up the last time as possible a way to move forward on regional issues.

So what we tried to do is narrow the details down to just a couple of economic development ideas but then the last 45 minutes or so of the meeting to really talk about how you'd like us to move forward on multiple regional issues.

So this is where the agenda stands today. It's gone back and forth between the City and County several times trying to accommodate kind of desires of both governing bodies into one meeting.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, thank you, Mr. Chair. Katherine. Two things that I would like to add if possible. One would be the potential or suggested service to the ski basin, and I think that could be under the Occupancy Tax Advisory Board, or economic development. And then I don't know if this fits but we're using the annexation that we've accomplished to date as a springboard in a sense to go into this joint meeting and at some point in time, if not at this meeting I would like to have some discussion about the annexation that's still pending to see if there's any interest in working on that and trying to set some sort of a timeline for that to happen.

MS. MILLER: Mr. Chair, Commissioner Chavez, that's why we allotted 45 minutes for items 6. and 7. for those things that individual Commissioners or Councilors want to see us put some specific dates and ways of meeting to paper. That would be where you could bring those items up.

COMMISSIONER CHAVEZ: So do you see the request for service to the ski basin as a standalone item?

MS. MILLER: Mr. Chair, Commissioner Chavez, we thought that could either come up on opportunities for regional collaboration or if it has to do with the occupancy tax – what our problem was we had maybe six or seven additional items brought up and we said, well, we can't – we'll end up taking up the entire meeting and not get to the overall issue that I heard the BCC say last week. Well, we want to set some specific issues on an agenda for the next meetings and a mechanism for doing that. So that was why we took a couple of the other items that the City had requested being on there. We took those off and then made that last 45 minutes under 6. and 7. for really hearing from the Board members of what you'd like us to set the next agendas and the next way we should meet to give direction for that.

COMMISSIONER CHAVEZ: Okay. Well, the service to the ski basin then I think it seems to me that it could fall under outdoor economy or maybe just economic development in general. I think that it could fit in 6. That would be open discussion and opportunities for regional collaboration. But when you talk about the service to the ski basin it's really not only about taking people to ski during the ski season but Ski Santa Fe and the company that runs, that leases that land and manages that ski

company also want to get into ecotourism and do mountain biking during the summer and zip lines on that mountain.

So we're not talking about only the activity during the ski season but we're talking increased activity throughout the year that could help increase lodgers tax, GRT and all the other things that we need to provide services to the public. So I just want – I'm just hoping that we can have the discussion. I think it fits in here somewhere.

MS. MILLER: Mr. Chair, Commissioner Chavez, it may be one of the items that they had specifically under outdoor economy as well. I know they had a couple of proposals that we could collaborate on. So I'll check the more detailed agenda with that.

COMMISSIONER CHAVEZ: Now, the other reason I bring this up is because as a member of the RTD that is the entity that will really be responsible for budgeting and for providing a service to the ski basin or up to the mountain. It's in our five-year service plan but it's not funded. So now we the City and the County are expected I think to contribute to that service, but I don't see a big contribution or a big commitment from the ski company themselves. So I have a concern about that. I think we need to be careful on the fiscal impact. If we're being asked to make a financial contribution I can accept that but it has to be a fair contribution and there has to be other people, other entities contributing as much or more than we would.

CHAIR MAYFIELD: Commissioner Anaya, then Commissioner Stefanics.

COMMISSIONER ANAYA: Mr. Chair and Commissioner Chavez, I think it's a good thought but I'm not to the point as a Commissioner where I would put a ride to the ski basin in front of commuter service into Santa Fe. And so I guess for clarification as a discussion piece I could see us having a discussion but I have areas – Madrid, Cerrillos, Highway 14, that I'm still wanting to get commuter service into town, Golden, and so I've been pretty consistent about saying I think from a transportation standpoint I'm hopeful that we as a Commission try and get that before we broaden anymore the tourism aspect I guess. So if you could clarify for me.

COMMISSIONER CHAVEZ: No, well, I think you're right. You're right on the mark. I would not want to put one before the other, and that's why this additional route cannot compete with any existing routes or proposed expansion in those routes. It has to stand alone. It has to have its own funding source separate from what the RTD has already budgeted and planned for. So if it does happen it can't happen on the RTD's dime. It cannot impact in any way their service plan or current routes. That's always been my position and that will stay.

So if there is interest in this route to the ski basin or up to the mountain it will acquire separate funding from what the RTD has now. It's own funding.

COMMISSIONER ANAYA: I guess, if I could, are you suggesting County funding? Because if we're going to put County funding I'm going to suggest that we try and do the commuter piece first and then move to those.

COMMISSIONER CHAVEZ: Well, I think that there could be the possibility where the County might be asked to contribute a portion for that route, but there's also the potential that that route could charge a small user fee, like maybe \$5. So it would be a special route. It would have user fee where our other routes in RTD do not

have a user fee. So it would be carved out of the RTD service plan and it would be a standalone project, hopefully with its own funding source.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. First of all I had already notified the staff I cannot make that meeting and so I'll be interested in hearing the results of the discussion. Secondly, I have out of town guests every year that go skiing and we would be putting shuttle services out of business. They pay a good price to shuttle companies to actually go up the mountain. And if we're talking about local economy and small businesses, there are small businesses that do exactly that. So I would be very careful about providing a free or even a very low cost service because some of our sports, eco-tourism, ski shops, etc. are already in the business of charging and transporting people. Thank you.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Katherine, I'll talk to you. By no means do I want this meeting to hold up but I may not be here on the 20th either, just for what that's worth. But please don't let this meeting hold up on account that I'm not here. Commissioner Anaya.

COMMISSIONER ANAYA: Yes, just I think – I appreciate that you went back and asked for the changes. I think it's a little broader than just a feel-good meeting and I think that's going to be helpful and I think it could hopefully springboard us into broader and more in-depth discussions. So I appreciate the changes and getting through the first phase of the first meeting.

MS. MILLER: Mr. Chair, Commissioner Anaya, Commissioners, thank you. It's always hard to develop an agenda that gets 13 different elected officials' interests incorporated into it. So I'm hopeful that this will really be a constructive meeting that we actually get some progress towards several issues, not just economic development.

CHAIR MAYFIELD: Let me ask a quick question. I know Mayor Gonzales, and we've even had some discussions prior to his announcement on public banking. Is that something that we would want to discuss at this time? I think if we went down that road it's going to have a benefit both to the City and the County and I know on our Treasury, Investment Committee Board we've talked about public banking already.

MS. MILLER: Mr. Chair, that is something the City had mentioned. I think it's something – they went forward with I think it's an RFI and they have proposals coming in under that. So I think it might be one of the things that comes up of opportunities for future collaboration, but the County hasn't really been participating with them on that issue. So although I am going to sit on their committee for looking at proposals just so I get an understanding. They requested that I do. So I'll get an understanding and be able to give the Board some information on kind of where they're headed. But we thought that one might be – that they're a little further down the road and we'd be playing kind of catch-up on their side of it, and that that might be one for a future meeting because it could end up kind of taking up the whole meeting from kind of where they've gone. So that was one we also kind of put to the potential opportunities for collaboration until later. But it is on the radar screen, just so you know.

So that was everything I had on that, and then I don't know if Tony had some updates for any legislative items but otherwise I think that was all of my updates and if

you want to kind of give us a heads-up. I can tell you that with the NMAC we're still working on a tax policy committee and healthcare committee, and I also think Pablo's on the corrections committee. So we've been trying to work with the Association of Counties and small groups to try to help formulate some positions going into the legislative session. And I'll let Tony give you any other updates.

MR. FLORES: Mr. Chair, real briefly, staff as the intergovernmental and legislative team are working on a schedule as I discussed at the last Board meeting in anticipation of the upcoming session that would take the gamut of all the items that the Board has directed staff to look at, including ICIP. There has been a couple of interesting committee meetings, one last weekend at the New Mexico Highlands Student Union Building that did specifically deal with the Indian Water Rights Settlement Act that was chaired by Senator Griego. There was quite a bit of discussion out there about promulgating of rules and the OSE's requirements specifically dealing with Aamodt. So that issue I do feel that there will be more movement upon the – from the Water and Natural Resources Subcommittee. The upcoming agendas include LFC at the end of the month and Tax, Rev and Policy and Tax, Rev and Policy will be looking specifically at County GRT increments and potential options. They're trying to wrap all that in together with other initiatives through the Association of Counties.

We are, as many of you know and Commissioner Stefanics would attest to this, we are getting into the crunch period of time of the interim committees and I do anticipate that as we move forward from October through November we will actually start seeing the actual pieces of legislation that each committee will be endorsing or proposing for the session. And this is an integral and very unique time for us to start trying to get ahead of those options as they come forward.

Our update that will happen on the 28th will be much more detailed on specific committees and potential legislation that they're proposing. And with that, Mr. Chair, I'll stand for any questions.

CHAIR MAYFIELD: Mr. Flores, I would like a little more detail on the subcommittee, or I don't know if it was a sub. It was an interim committee meeting in Las Vegas, Natural Resource Committee, please, as it specifically pertained to Aamodt and the impacts it could have on Santa Fe County.

MR. FLORES: Mr. Chair, that discussion was led by Representative Trujillo and although the titling of the interim committee item was Indian Water Rights Settlement discussion it basically boiled down to Aamodt and the ideas that we need to get some of the information released from the Office of the State Engineer, specifically the rules, and also to look at how certain things of Aamodt will be implemented and those costs associated with that implementation. The discussion lasted about an hour and 46 minutes. They were running behind, but those were the key points, is costs from the state's perspective, how the state was going to be complying with the federal legislation on putting dollars forth to complete the Aamodt and the regional water system, how the OSE is going about their processing for determining water rights applicability and the rules that would go along with that.

The rest of the discussion at that hearing about other issues that are going on in the Pojoaque Valley, specifically dealing with the sovereign nations and how that would affect any of those discussions. There was some discussion that we need to have a

broader panel and a broader perspective from all the interested parties rather than being driven from one perspective.

The sense that I got from the interim committee was that they are very interested in how the state or if the state will come to the table with any type of capital dollars to fund their portion of the settlement agreement.

CHAIR MAYFIELD: Mr. Flores, was there discussion on the draft JPA on Santa Fe County and the parties involved?

MR. FLORES: Mr. Chair, there was some discussion on that process moving forward but the specifics of the interim committee were more on the overall Aamodt and the federal legislation.

CHAIR MAYFIELD: Thank you.

MS. MILLER: Mr. Chair, that's all I have for updates unless you have any questions.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Yes.

COMMISSIONER STEFANICS: I'd like to wish our County Manager a pre-birthday. It's coming up this week. And I hope she has a good time.

MS. MILLER: Mr. Chair, Commissioner Stefanics, thank you very much, and I would also like to wish our chair a happy birthday tomorrow. Is that right?

CHAIR MAYFIELD: You're a day off, but you're close.

MS. MILLER: I just found that out today, as a matter of fact. Mine is Thursday and his is tomorrow. So happy birthday, fellow Libra.

CHAIR MAYFIELD: When anybody indicates I don't have a commitment to this County, today is my birthday. So I am here on my birthday. And I was supposed to be out of town today.

MS. MILLER: I thought it was tomorrow.

CHAIR MAYFIELD: I came in early.

MS. MILLER: Well, happy birthday.

CHAIR MAYFIELD: Thank you. I think all of us have been here on our birthdays. So just so the public knows that. We're just getting a day older anyways. It doesn't matter that much. Thank you, all.

VI. MATTERS FROM COUNTY ATTORNEY

A. Executive Session

- 1. Threatened or Pending Litigation, as Allowed by Section 10-15-1(H)(7) NMSA 1978**
 - a. Threatened or Pending Litigation Concerning the Adult Detention Facility**
- 3. Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978**
- 6. Deliberations in Connection with Administrative Adjudicatory Proceedings, as Allowed by Section 10-15-1(H)(3) NMSA 1978**
 - a. BCC CASE # PCEV 14-5120 Heather McCrea Vacation of Easement**

CHAIR MAYFIELD: Mr. Shaffer, is there a need?

MR. SHAFFER: Mr. Chair, it would be brief, say 15 minutes or 20 minutes. The items 1, 3, and 6 on the agenda under executive session.

CHAIR MAYFIELD: And Mr. Shaffer, will you read those three items in please?

MR. SHAFFER: Threatened or pending litigation, as allowed by Section 10-15-1(H)(7) NMSA 1978; specifically, threatened or pending litigation concerning the Adult Detention Facility; discussion of the purchase, acquisition or disposal of real property or water rights, as allowed by Section 10-15-1(H)(8) NMSA 1978; deliberations in connection with administrative adjudicatory proceedings, as allowed by Section 10-15-1(H)(3) NMSA 1978, specifically with reference to BCC Case # PCEV 14-5120, Heather McCrea Vacation of Easement.

CHAIR MAYFIELD: Thank you. And then once we come out we have three matters on our agenda for public hearing. That will start probably a little after 5:00 for whoever is listening.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: I'll make a motion to go into executive session for the items that were listed previous.

COMMISSIONER STEFANICS: I'll second.

CHAIR MAYFIELD: Motion and a second. Could we have a roll call please?

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (7, 8 and 3) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Mayfield	Aye
Commissioner Anaya	Not Present
Commissioner Stefanics	Aye
Commissioner Holian	Aye
Commissioner Chavez	Aye

[The Commission met in closed session from 4:50 to 5:40.]

CHAIR MAYFIELD: We're going to come out of executive session, Commissioners. There are three of us here now so does somebody want to take us out please?

COMMISSIONER ANAYA: Mr. Chair, I move we come out of executive session and only items listed on the agenda were discussed, as well as the County Attorney, Deputy County Attorney, the five Commissioners and the County Manager were present.

CHAIR MAYFIELD: Thank you.

COMMISSIONER CHAVEZ: And I'll second the motion and state that

no action was taken on any of the items.

CHAIR MAYFIELD: Thank you.

The motion passed by unanimous [3-0] voice vote. [Commissioners Holian and Stefanics were not present for this action.]

VII. PUBLIC HEARINGS

A. First Public Hearing on the Ethics Ordinance TABLED

B. Land Use Cases

- 1. CDRC CASE # V 14-5240 Julie Lopez Variance, Julie Lopez, Applicant, Michael Sandrin, Agent, Requests a Variance of Article 4, Section 4.2 of Ordinance No. 2008-10 (Flood Damage and Stormwater Management) to allow a Driveway within a Flood Hazard Area. The Property is Located at 12 Calle Dos Puentes, within the Vicinity of Chimayo, within Section 2, Township 20 North, Range 9 East (Commission District 1)**

JOHN LOVATO (Case Manager): Thank you, Mr. Chair. The subject lot was created in 1968, and is considered a legal lot of record. The property is currently vacant. The Applicant requests a variance of Article 4, § 4.2 of Ordinance No. 2008-10, Flood Damage and Stormwater Management, to allow the construction of a driveway within a FEMA designated Special Flood Hazard Area.

On June 28, 2014, the Applicant submitted an Application for the construction of a driveway. After review of the Application, staff determined that the proposed driveway was located within a FEMA designated 100-Year Special Flood Hazard Area, therefore, the Application was denied. The Applicant intends to develop the lot and place a residence on the property. The Applicant states, denying the driveway presents a hardship due to it being the only access to the property and only buildable area on the lot.

The subject property is accessed off Calle Dos Puentes, a private road. The portion of Calle Dos Puentes that services the property is approximately 690 feet in length and ranges from 16 to 20 feet in width and is a dirt driving surface located within a FEMA designated Special Flood Hazard Area. Calle Dos Puentes may be frequently impassible during inclement weather and thereby is not all-weather accessible. The designated Special Flood Hazard Area runs along the entire frontage of the property and there is no other location to place a driveway outside of the Special Flood Hazard Area.

Growth Management staff have reviewed this Application for compliance with pertinent Code requirements and finds the project is not in compliance with County criteria for this type of request. However, this property is accessed via a private road and there is no other feasible way to relocate the road or driveway outside the floodplain.

On August 21, 2014, the County Development Review Committee, CDRC, met and acted on this case. The decision of the CDRC was to recommend approval of the Applicant's request by a 5-0 vote, with the finding that the variance criteria of Ordinance 2008-10 had been met with staff conditions.

Staff recommendation: Denial of a request to allow a variance of Article 4, § 4.2

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of Ordinance No. 2008-10, Flood Damage and Stormwater Management. The recommendation of the CDRC was for approval of the variance request subject to the following conditions. Thank you, Mr. Chair, and I stand for any questions.

CHAIR MAYFIELD: Thank you. Will you read staff's recommendations in for the record please?

MR. LOVATO: Sure.

1. Water use on the lot shall be restricted to 1.00 acre-foot per year per lot. A water meter shall be installed for each lot. Annual water meter readings shall be submitted to the Land Use Administrator by January 1st of each year. Water restrictions shall be recorded in the County Clerk's Office (As per Article III, § 10.2.2 and Ordinance No. 2002-13).
2. The Applicant must obtain a Development Permit from the Building and Development Services Department for the driveway and dwelling unit. (As per Article II, § 2).
3. The Applicant shall comply with all Fire Prevention Division requirements at time of Development Permit Application (As per 1997 Fire Code and 1997 Life Safety Code).
4. A restriction must be placed on the Warranty Deed regarding the lack of all-weather access to the subject lot. This restriction shall include language as follows: The access to this property does not meet minimum standards set forth by County Ordinances and Code. Site access, including access by emergency vehicles, may not be possible at all times. (As Per Ordinance 2008-10).

CHAIR MAYFIELD: Thank you. Do we have the applicant with us today? Would you care to provide any comment?

[Duly sworn, Julietta Lopez testified as follows:]

JULIETTA LOPEZ: My name is Julietta Lopez and I live at Las Golondrinas Museum, which is at 334 Los Pinos Road in Santa Fe County. I'd like to thank the County Commissioners for letting me speak on my own behalf this evening. I've been a curator at Las Golondrinas Museum for over 28 years and I've lived in staff housing all that time. Knowing that housing wouldn't always be available in January of 2010 I bought a piece of land in Chimayo. My significant other, David Perigo, was an architect here in Santa Fe and he and I were very excited about this land because we're both avid gardeners and this has a large growing space.

When I purchased the land in 2010 the survey that showed the existing floodplain was a 2004 survey. This is the floodplain survey that David was using when he started investigating what we would need to begin planning the site's infrastructure, such as access, electricity, wells, septic – those things that would be needed in order to eventually build our home. Well, David died suddenly of a massive heart attack in September of 2012 and all of our planning came to a halt. It took me about a year and a half before I was ready to start the process again. And luckily, he had made this binder of notes so I wouldn't have to start cold and I hired Michael Sandrin to also help me through the building permitting process.

When Michael and I were trying to decide where to put a driveway for this site we used the 2005 boundary survey plat that David had picked up in May of 2012. We originally proposed a driveway that started at the existing front gate and then crossed

over to where the main driveway would run along the north property line. This did cross a large area of floodplain. A friend of mine suggested that I retire this old farm entrance and cut a new entrance to the property on the far northwest corner. This new driveway would only cross a tiny portion of the floodplain.

When we learned in August of this year that FEMA had released a new floodplain boundary map after May of 2012 and these new boundaries placed a significantly larger portion of my land in the floodplain and made the second driveway proposal pass through just as much floodplain as the original one, unfortunately.

Access to my property is off County Road 94A as listed on the survey plat. Since this road and all the property fronting it is in the floodplain and as this obstacle to building the driveway is totally beyond my control I respectfully ask that the approval be granted for a variance to cross the portion of the floodplain in order to access what I hope will be the site of my future home. Thank you.

CHAIR MAYFIELD: Thank you. Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair and staff, I appreciate the presentation. I've reviewed the packet. This item is consistent with items that we've seen previously associated with the areas that have limited access and we on this Commission added the restriction on condition 4, a restriction must be placed on the warranty deed regarding the lack of all-weather access subject to this lot. This restriction shall include language as follows: The access to this property does not meet minimum standards set forth by County Ordinances and code. Site access, including access by emergency vehicles, may not be possible at all times, as per Ordinance 2008-10.

Ma'am, do you understand this particular provision and the other conditions that have been set forth as read in by staff?

MS. LOPEZ: I do.

COMMISSIONER ANAYA: And accept those as well?

MS. LOPEZ: I certainly do.

COMMISSIONER ANAYA: I would move for approval with staff conditions, Mr. Chair.

CHAIR MAYFIELD: Thank you, Commissioner Anaya. I'll second that. This being a public hearing though, let me go out to the public. Is there anybody else from the public wishing to comment on this case? Mr. Gonzales.

[Duly sworn, J.J. Gonzales testified as follows:]

J.J. GONZALES: My name is J.J. Gonzales. I live at 54 Entrada La Cienega, and thank you for this opportunity to address this Commission. I am in support of this variance. I'm a friend of Julianna and my wife works with her at the museum and she was surprised that she found out in August that the floodplain maps had greatly increased from 2010. I think in your packet you have a survey from when she bought the property and that was in 2010 and the survey shows that the floodplain was in the area but it wasn't as expanded as it was. The new floodplain maps were adopted in 2012. That put a significant larger portion of her property in the floodplain and I think all she's asking for is that the minimum necessary to build a driveway within a designated floodplain.

This driveway will be at the edge of the floodplain. The Santa Cruz River is a few hundred feet away and that is sloping to the south. So as you go south the land is sloping

and it goes boundary to the Santa Cruz River. To access this area you need to go to Rio Arriba County and County Road 76, then take Rio Arriba County Road 94, which turns into Calle Dos Puentes, which is a Santa Fe County road. The Rio Arriba portion is an established county road. It's mostly paved. Then in Santa Fe County it turns into Calle Dos Puentes which is next to the floodplain or the arroyo that they have there. And all she's asking for is the minimum necessary to build a road. There's no other access to this property other than Calle Dos Puentes.

The Fire Department I think gave a conditional approval provided that she does have a sprinkler in her house to maybe buy more time. Buster Patty at the last meeting discussed that with the CDRC members. In August the CDRC acted on this case. They took a lot of time discussing this and they recommended the approval of this case so I urge you to also recommend approval of this case. Thank you very much.

CHAIR MAYFIELD: Thank you, Mr. Gonzales. Is there anybody else wishing to comment? Seeing none, this portion of our public hearing was now closed. Commissioners, any discussion? We have a motion and a second with staff's recommendations for approval.

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

CHAIR MAYFIELD: Just one quick point I want to notice for staff regarding all-weather crossings and low weather crossings. I would hope within our code as it goes along, even our zoning map, that we recognize the importance of low weather crossings within Santa Fe County. Individuals, subdivisions can't even afford – the County can't even afford to put all-weather crossings in the county on the roads that we have. I just hope that we would recognize a hardship that this imposes on people if they're not afforded the opportunity to do a low weather water crossing at their house and I wish the code would address that. Thank you.

COMMISSIONER ANAYA: Mr. Chair.

CHAIR MAYFIELD: Vice Chairman Anaya.

COMMISSIONER ANAYA: Mr. Chair, I know that that's an item that's continuously affected your district probably more than any of the others but we all have circumstances like that throughout the county so I appreciate those comments.

CHAIR MAYFIELD: Thank you.

COMMISSIONER ANAYA: Thank you.

- VII. B. 2. BCC CASE # PCEV 14-5320 Brian & Susanne Carlson
Vacation of Easement. Brian and Susanne Carlson, Applicant,
(Sommer, Karnes & Assoc, LLP) Joseph Karnes, Agent,
Request Approval to Vacate a platted Forty Seven Foot (47')
Wide Private Open Space and Drainage Easement on One Lot
Totaling 2.55 Acres. The Property is Located at 7 Hasta
Manana, within Section 5, Township 17 North, Range 9 East,
(Commission District 2)**

MIKE ROMERO (Case Manager): Good evening, Commissioners. The

subject lot was created on August 17, 2000, through a Division of Land and is recognized as a legal lot of record. There is currently a residence and a studio on the property, which was permitted and approved by Santa Fe County pursuant to the code.

The 47-foot wide private open space and drainage easement runs east to west through the property. The Applicant has provided a proposed plat that shows the 47-foot wide private open space and drainage easement running through a portion of the residence, driveway, wall, which is located in front of the residence and studio. The Applicants state that they recently discovered that the residence and studio that were permitted by the County and constructed on the property encroach into the easement. The Applicants also state that these encroachments affect the marketability of the property. Therefore, the Applicants request to have 3,300 square foot of the open space that runs through the structures relocated to another portion of the property and 3,300 square foot of the drainage easement that runs through the structures vacated. The Applicants state in the letter of request that no other property will be affected by the vacation of a portion of the drainage easement or relocation of a portion of the open space easement.

In 2000, when the lot was created, the subject property was located within the Santa Fe Extraterritorial Zoning District and therefore under the jurisdiction of the Extraterritorial Zoning Ordinance. The EZO required that all proposed divisions of land were required to preserve no less than 30 percent of the entire tract as permanent open space.

Staff recommendation: Approval to vacate a 3,300 square foot portion of the existing 47-foot drainage easement and relocate a 3,300 square foot portion of the platted private open space easement on one lot totaling 2.55 acres. Staff supports the vacation of 3,300 square foot of the drainage easement that runs through the portion of the residence, driveway, wall and studio and the relocation of a 3300 sq. ft. portion of the open space easement that runs through the portion of the residence, driveway, wall and studio without any alteration of the remainder of the easement, subject to the following conditions. May I enter these into the record?

CHAIR MAYFIELD: Please.

MR. ROMERO:

1. The Applicant shall file the portion of the Final Plat (Lot 2D-A) affected by the vacated easement and the relocation of the open space easement with the County Clerk's Office (As per Article V § 5.7.3).
2. The area for the relocation of open space must be equal in size to the open space that will be removed from the existing 47' easement.

I stand for any questions.

CHAIR MAYFIELD: Thank you, Mr. Romero. Commissioner Chavez, please.

COMMISSIONER CHAVEZ: Mr. Romero, so the easement, is it a utility easement or just access?

MR.ROMERO: It's open space and drainage.

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

CHAIR MAYFIELD: Thank you, Mr. Chair. I'll go to the applicant. Does the applicant wish to provide any comment. You're not Mr. Karnes.

KARL SOMMER: No, I'm doubling for him tonight. He has the night off. My name is Karl Sommer. My mailing address is Post Office Box 2476, Santa Fe, New Mexico. Just briefly, this property is under contract for sale and the reason I raise that is this is the last matter before the closing can occur. Normally, what you have is your findings of fact and conclusions of law come back to you and then the appeal period starts. And we can't close this transaction until the appeal period is done. That would be 60 days. And I think the normal process for you all is to get your findings of fact back probably in about 30 days. I'm wondering if you could authorize staff to bring them back to you at your next hearing so we could start that period running at your next meeting on your consent agenda or whatever agenda – however, you handle those matters on your agenda.

I don't know if they're consent or not. But I know you have broken your agendas into handling certain administrative matters and land use matters and your land use matters, I think, are every other agenda generally and I'm asking if you could authorize staff to bring back the findings of fact and conclusions of law on your next agenda. I'm not sure it would normally get there.

Aside from that, we agree with all the conditions of staff and we don't have any other points to make. And if you would see fit to allow them to do that, I would be most appreciative. Thank you.

CHAIR MAYFIELD: Thank you. This is still out for public comment. Is there any other members of the public wishing to provide any comments. Seeing none this portion of our comment period is over. Commissioners? Commissioner Chavez.

COMMISSIONER CHAVEZ: I would move for approval.

COMMISSIONER ANAYA: Second.

COMMISSIONER CHAVEZ: And discussion.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: I do see that in the staff report it does mention the vacation of a 3,300 square foot drainage easement but it doesn't say anything about open space. So if we could just have that language in there, would that be okay?

MR. SOMMER: It doesn't mention the open space?

COMMISSIONER CHAVEZ: No, not in –

MR. SOMMER: We're going to relocate the open space to the north so it's actually not getting vacated.

COMMISSIONER CHAVEZ: Okay, wait a minute. It actually here, Karl, I apologize. In one paragraph it only mentions the drainage easement but in the first condition it says, the Applicant shall file the portion of the Final Plat, Lot 2D-A affected by the vacated easement and the relocation of the open space easement with the County Clerk's Office. So that does it. It's there.

MR. SOMMER: We're going to record a new plat with County Land Use approval.

COMMISSIONER CHAVEZ: Got it, so we're okay.

CHAIR MAYFIELD: Thank you.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. I have a question,

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would it be feasible to get the final order out by the next BCC meeting? Is that a possibility? Because we aren't going to have a meeting in early November.

VICKI LUCERO (Building & Development Services Manager): Mr. Chair, Commissioner Holian, the packet material for the next meeting is actually due tomorrow and I don't know that we would be able to have the meeting minutes from this meeting in time to be able to put together the final order.

COMMISSIONER HOLIAN: Okay, thank you.

CHAIR MAYFIELD: Thank you. What's the pleasure of the Commission, please?

MR. SOMMER: May I add one thing, I'm sorry. Sometimes I have been able to expedite the preparation of the minutes for the portion of the meeting that we're talking about. If that's the only hold-up if we had those to you tomorrow and we could get those, is it possible to get this done?

CHAIR MAYFIELD: Mr. Sommer, I'm respectfully not going in that debate. If you can work that out with staff and staff can have this working with our contractors who provide those minutes for us however, that works its way out. If it's on the next meeting, it's on the next meeting and respectfully if it's not because of time constraints. But I'll ask that you work that out with staff and other parties.

MR. SOMMER: I guess the only thing is if the Board will allow it. I guess what I'm hearing said is that if they can get it done, great. If they can't, then they can't. But I think it's a Board issue as to whether you would allow it on your next –

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: We would have to pay for expedited minutes and I don't think this Commission is in a position to pay for expedited minutes.

MR. SOMMER: No, no, I would.

COMMISSIONER STEFANICS: Well, Mr. Chair, I would like to know from Mr. Shaffer if that's – if an outside party is allowed to pay for one of our functions?

MR. SHAFFER: Mr. Chair, Commissioner Stefanics, it wouldn't be the ordinary course but what I'm hearing from the Board is that it's not an insurmountable problem for it to be on the next agenda if that's possible and we'll work out the details as to whether that's possible with the County Manager's office and the applicant, I think is the direction. And consider whether or not minutes can be expedited and if so who can properly pay for that.

CHAIR MAYFIELD: Thank you, and just some follow up for me, what about the Commission having to approve our minutes; does that have to be pre-fact or post-fact?

MR. SHAFFER: Mr. Chair, I don't think that the – the order reflects the factual and legal basis for the Board's decision so I don't know if it would be insurmountable for that to come back before the minutes. But, again, that's really at the discretion of the Board as to whether it wants to do that or whether it wants the order to come back with the minutes.

CHAIR MAYFIELD: Thank you. Commissioner Stefanics, are you okay with that? Thank you. Commissioners, again, we have a motion and a second on the request that is in front of us, the vacation of the easement.

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

CHAIR MAYFIELD: I have not given any direction so far, but I think we kind of heard it.

MR. SOMMER: We'll work it out.

CHAIR MAYFIELD: Thank you, Mr. Sommer. Let me ask one question, I will. Mr. Romero, whose case was that? Mr. Romero, how long has this been in process? When was this initially filed?

MR. ROMERO: The application was submitted on August 27th.

CHAIR MAYFIELD: Okay, thank you so much.

- VII. B. 3. **CDRC CASE # V/Z 14-5210 Senior Campus at Caja del Rio.**
Caja del Rio Holdings, LLC, Applicant, Jenkins/Gavin,
Agents, Request Master Plan Zoning Approval to Allow the
Creation of a Large Scale Mixed Use District, to be Utilized as
a Senior Care Facility, to be Developed in Four Phases on 28+
Acres. The Request Also Includes a Variance of Article III,
Section 6.4.2 (Density Review) and Article III, Section 10 (Lot
Size Requirements) of the Land Development Code. The
Property is Located at 28 Caja del Rio Road, within Section 2,
Township 16 North, Range 8 East, (Commission District 2)
[Exhibit 2: Applicant Material]

CHAIR MAYFIELD: And I love the name of the road.

JOSE E. LARRAÑAGA (Case Manager): Thank you, Mr. Chair. On August 21, 2014 the County Development Review Committee met and acted on this case. The decision of the CDRC was to recommend approval of the applicant's request for master plan zoning to allow the creation of a large-scale mixed-use district to be utilized as a senior care facility, and a variance of Article III, Section 6.4.2 and Article III, Section 10 of the land development code with staff conditions, by unanimous 5-0 voice vote.

The Applicant requests master plan zoning approval to allow a large-scale mixed-use development to be utilized as a senior care facility on 28 acres. The proposed senior campus at Caja del Rio will provide a full spectrum of senior care and living options, including a skilled nursing facility, assisted living, a memory care facility and independent living.

The proposed senior care facility will be developed in four phases over a period of 8 to 10 years. Phase 1 will consist of a 58,000 square foot skilled nursing facility and a wastewater treatment system, leach field and centralized drainage pond. Phase 2 will consist of a 150,000 square foot assisted living facility. Phase 3 will consist of a 180,000 square foot retirement housing/independent living complex. Phase 4 will consist of a 35,000 square foot memory care facility.

The Applicant is requesting the following permitted uses as a large-scale mixed-use designation: retirement housing; assisted living facility; life care or continuing care facilities; skilled nursing facility; hospitals; medical clinics; social assistance, welfare and

charitable services; services for elderly and disabled; offices; research and development services.

The Applicant also requests a variance of Article III, Section 6.4.2, Density Review, and Article III, Section 10 of the land development code, to allow a maximum residential density of 20 dwelling units per acre. The proposed site is within the Basin Hydrologic Zone where the minimum lot size is one dwelling unit per 2.5 acres.

The Applicant states the following reasons to allow the variance: 20 dwellings per acre is in accordance with the multi-family density permitted in the Sustainable Land Development Code; the density is permitted under the current County Land Development Code pursuant to Article III, Section 11 which states: Developments which import water from the surface Rio Grande or other locations outside Santa Fe County to any location in Santa Fe County designated in the development code as other than urban or metropolitan locations are permitted to locate anywhere in the County provided they meet all requirements of the code, except that in lieu of the density requirements as specified in Article III, Section 10, the proposed development shall meet the following criteria. The multi-family uses permitted by the large-scale residential provisions cannot be developed at the single-family density of one dwelling per 2.5 acres.

Staff Response: The Land Development Code rather than the Sustainable Land Development Code is governing law at this time and does not provide regulations to fully implement the density permitted in the SLDC. The SLDC density requirements have not been established within a public institutional zoning district. The proposed amendments to the SLDC which will be adopted with the adoption of the zoning map will establish the density within a public institutional zoning district.

The requested density exceeds the requirements of the Land Development Code. Article III, Section 11 of the Land Development Code was reviewed by County staff and it was determined that this section is not applicable in regards to the density proposed for this development due to the fact that this development will be utilizing County water rather than independently importing water from the Rio Grande. The Application is subject to compliance with Article III, Section 10, of the Land Development Code in regards to density. There are no features of the land which create a non-self-inflicted hardship which could be addressed through a variance.

Building and Development Services staff has reviewed the Applicant's request for a variance of Article III, Section 6.4.2 and Article III, Section 10 of the Land Development Code to allow a maximum residential density of 20 dwelling units per acre, for compliance with pertinent code requirements and has found that the following facts presented do not support the request. The requested density exceeds the requirements of the Land Development Code. No Application shall be approved unless it is determined that the density requirements of the Code will be met. Minimum lot size shall be calculated based upon ground water storage only and the minimum lot size shall not be less than 2.5 acres. There are no features of the land which create a non-self-inflicted hardship which could be addressed through a variance. A variation or modification of this section of the code may be considered more than a minimum easing of the requirements.

Building and Development Services staff has reviewed this project for compliance with pertinent code requirements and has found the following facts presented support the request for master plan zoning to allow a large-scale mixed-use development:

the application is comprehensive in establishing the scope of the project; the proposed uses are in compliance with the uses associated with a large-scale mixed-use district; the application satisfies the submittal requirements set forth in the Land Development Code, with the exception of the density element of the request.

The review comments from state agencies and County staff have established that this Application for master plan zoning to allow a large-scale mixed-use development, is in compliance with: state requirements; Article III, Section 4.2.1.d.1, Large-Scale Mixed-Use Development; Article V, Section 5, Master Plan Procedures. This Application is not in compliance with Article III, Section 6.4.2 Density Review and Article III, Section 10, Lot Size Requirements.

Staff recommendation: Staff recommends denial of the Applicant's request for a variance of Article III, Section 6.4.2 and Article III, § 10. Staff has determined that the density requirements of the code have not been met, therefore staff cannot support the request for master plan zoning to allow a large-scale mixed-use development.

If the decision of the BCC is to recommend approval of the density variance and the request for master plan zoning to allow a large-scale mixed-use development, to be utilized as a senior care facility and be developed in four phases on 28 acres, staff recommends the following conditions be imposed:

1. The Applicant shall comply with all review agency comments and conditions as per Article V, § 7.1.3.c.
2. Master Plan with appropriate signatures, shall be recorded with the County Clerk as per Article V, § 5.2.5.
3. Prior to submittal of Preliminary Plat or Development Plan the Applicant shall meet the requirements set forth in Resolution 2006-57.

Staff also recommends the imposition of the following additional conditions by the BCC:

4. A revised traffic impact analysis shall be submitted for each phase of preliminary and final development plan, analyzing the intersection and intersection turning volumes for the driveway-Caja del Rio intersection to determine if a southbound left turn lane will be required for future phases. (Article III, Section 4.1.5.c)
 5. Prior to submittal for preliminary development plan approval each phase of development shall submit a proposed water budget that meets County code requirements and incorporated Santa Fe County conservation ordinances and resolutions. Upon approval Utilities will add 20 percent to the development's water budget for line losses per Resolution 2006-57 and submit the water budget to the BCC for a water allocation.
 6. Prior to submittal for preliminary development plan approval each phase of the development shall have a BCC-approved water allocation in the amount needed for the development's wastewater budget.
 7. Prior to final development plan approval each phase of the development shall provide the County Rio Grande surface water rights or a water right acquisition fee will be added to the meter installation fee, per Resolution 2012-88, customer service policy 15, at the discretion of the Santa Fe County Utility Division.
- Mr. Chair, I stand for any questions.

COMMISSIONER ANAYA: Thank you, Mr. Larrañaga. Is there any

questions of staff?

COMMISSIONER CHAVEZ: I just have a question or two on water supply. In the packet it does state the proposed water budget for this development ranges from 59.4 acre-feet to 67.9, so that's quite a big spread. So I wonder, Jose, if you could explain why there's such a spread in that water budget. And I'm wondering which is more accurate?

MR. LARRAÑAGA: Mr. Chair, Commissioner Chavez, that is a typo. That should be 67.9. 57.4 acre-feet to 67.9 acre-feet.

COMMISSIONER CHAVEZ: Well, that explains that a little bit. Okay, so it's 67.9?

MR. LARRAÑAGA: Yes.

COMMISSIONER CHAVEZ: Okay. And so that, the water budget then is really depending on our water system, then, right? The developer right now is not expected to bring any water rights to the project?

MR. LARRAÑAGA: Mr. Chair, Commissioner Chavez, as per one of our conditions per the requirements of the utilities, they would have to bring either water rights or pay fees in lieu of.

COMMISSIONER CHAVEZ: Okay. I didn't see that anywhere. Is that one of the conditions?

MR. LARRAÑAGA: I believe it's our added condition. In condition 7, It's on NBF-9A, last condition recommended by staff.

COMMISSIONER CHAVEZ: Read that into the minutes, please.

MR. LARRAÑAGA: Prior to final development plan approval each phase of the development shall provide the County Rio Grande surface water rights or a water right acquisition fee will be added to the meter installation fee, per Resolution 2012-88, customer service policy 15, at the discretion of the Santa Fe County Utility Division.

COMMISSIONER CHAVEZ: Okay. And that's based on their assumption of the 59.4 to 67.9 acre-feet for their water budget.

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

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

COMMISSIONER ANAYA: Any other questions of staff? Seeing none, we'll go to the applicant.

JENNIFER JENKINS: Good evening, Chair, Commissioners, I'm Jennifer Jenkins and this is Colleen Gavin. We are JenkinsGavin Design and Development here this evening on behalf of Cauwels and Stuve in request for master plan approval for a large-scale, mixed-use senior care campus on Caja del Rio.

[Duly sworn, Jennifer Jenkins testified as follows:]

MS. JENKINS: So as Jose mentioned in his staff report, this is a request for master plan zoning for a large-scale mixed use and this is a 28-acre parcel that is right off of Caja del Rio, just northwest of the 599 frontage road and this area has sort of developed with a lot of institutional uses in the vicinity. Like I said, our parcel is about 28 acres and just up the street we have the Challenge New Mexico non-profit horse facility. We have the Santa Fe Animal Shelter. We have the Municipal Recreation Complex, Marty Sanchez Links, as well as the New Mexico Archeology Office directly across the street, and then a little further down the frontage road we have the Santa Fe County

Public Works Facility.

And this campus is going to be developed in four phases and will provide much needed senior care and living options for not only Santa Fe County but our regional northern New Mexican community as well. As we all know, our demographics are changing dramatically in our community, but there's a void of services here. For example, our first phase is a skilled nursing rehabilitation facility. This is the type of facility when someone is released from the hospital but they're not quite well enough to go home because they need continual care but not necessarily hospital care, and then they get the rehabilitation and the care they need, then they are released home. We have no facility like that in Santa Fe. We have no facility like that in northern New Mexico.

So what families are forced to endure is when mom gets out of the hospital they've got to send mom to a facility in Albuquerque, driving down there, visiting, doing the whole thing. It's such a critical healthcare service in our community that we don't have right now. And this is the concept, continuum of care. So we have one campus where you could be in independent living and then if a couple – say if only one of the couple experienced some health issues and they need more assistance they could move into the assisted living. Or someone is dealing with dementia or Alzheimer's. There's a memory care facility right there.

And so it really creates such important options that keeps families close together and doesn't uproot people unnecessarily from something they've become accustomed to. So again, it's being developed in four phases with that continuum from skilled nursing, independent living, memory care and assisted living.

So with respect to the site plan, we have one access point off of Caja del Rio. We did conduct a traffic impact analysis and we will be developing a dedicated right turn lane for people on Caja del Rio northbound into the facility. And as I mentioned, as we move forward with additional phases we will update the TIA to ensure that there aren't any additional improvements to Caja del Rio that may be warranted as the project develops.

There is County water infrastructure in Caja del Rio. We have a water availability letter from Santa Fe County so we are anticipating being Santa Fe County water customers and currently the plans reflect onsite wastewater treatment. There is no public wastewater infrastructure in the vicinity right now. However, we have a request that we have jointly submitted with Santa Fe County Public Utilities Department. We have a request that is moving through the process at the City of Santa Fe to request a connection so we could potentially build a connection and send our wastewater into the City's treatment plant. This would potentially serve a lot of these users. Your own Public Works Facility is on a septic system. The New Mexico Archeology Office is on a septic system so there's an opportunity for some collaboration for the users in this vicinity and we are hopeful that we will be successful in gaining approval of that application through the City so then we can look at constructing the requisite infrastructure for that.

But at the moment we know that onsite wastewater treatment is always an option and that is one of the reasons why we have a range in the water budget, because if we're treating our wastewater on site we're going to have a lot of treated effluent for irrigation purposes. We won't have to use one drop of potable water to irrigate anything because we will have so much water that we will be treating onsite. And so that's the lower end of

the budget, obviously if there's no need for any potable water to back up the stormwater catchment for irrigation purposes.

And the fact that we are going to be served by Santa Fe County water is really the basis for the density variance, and I would like to speak to that briefly. The current County code multi-family – when we talk about multi-family we're talking about the independent living component of the project. It's a permissible use in the Santa Fe County code. We have large-scale residential uses listed in the Santa Fe County code. Large-scale mixed use, which is a combination of commercial or institutional and residential. But yet there's nothing in the current County code that permits the type of density that you have to have.

You can't build 180 independent living units at one unit per 2.5 acres. It's not a reality and I think we all know that. So I think that's why there is an area of the code in Article III, Section 11 that says if you're not pumping groundwater, because we know the hydrologic zones that the County's based on right now for establishing density – if you're in the basin it's one per 2.5. If you're over here, it's one per 40. That is based upon what's available in terms of groundwater. And we all know that's the basis for it. So if you're not pumping groundwater then it's logical to assume that that metric doesn't apply to you. If you're importing water from elsewhere and you're not pumping groundwater onsite, that's what Article III, Section 11 is referring to. However, County staff has determined that is not applicable in our situation. That's fine.

So we are here requesting a density variance so we can build a project that your current code permits, but yet the missing piece in the current code was a mechanism to allow or the type of density that is necessary to realize that. And so we asked the CDRC, we had unanimous recommendation for approval from the CDRC for the master plan and the variance because they recognized that was the proverbial missing link, so to speak.

And so in addition to these services frankly that are important to our community, there's also the component of our first phase is 120 jobs. Just in the first phase. And then overall, the project we're looking at at least 250 jobs for our community. And so with that I would be happy to stand for any questions and I greatly appreciate your time.

COMMISSIONER ANAYA: Commissioner Chavez, then Commissioner Stefanics, then Commissioner Holian.

COMMISSIONER CHAVEZ: Okay. Thank you, Mr. Vice Chair. I'm reading in the packet again under water supply and it states that this development will be served by the County water system and I think you just touched on that. It also goes on to say that the developer will be responsible for constructing the waterlines to serve the development. Five hydrants are proposed along the access drive of the development, and so you're okay with that?

MS. JENKINS: Absolutely. Absolutely.

COMMISSIONER CHAVEZ: Then it goes down a little bit further, it reads, let's see, approval by the BCC of the project's water budget of 69.7 acre-feet a year, which is in excess of the maximum of 35 acre-feet a year identified in Resolution 2006-57. The development shall justify the extraordinary circumstances that merit an exception to the water allocation limit. Then it goes on to say – there's a semi-colon, then it goes on to say the developer shall compensate Santa Fe County Utility for the quantity of water rights and supply assigned to the development per Resolution 2006-57 of

attached A, currently valued at \$11,000 per acre-foot. The development shall meet all other conditions of Resolution 2007-7. So you're okay with all of that too?

MS. JENKINS: Yes. This is pointing out all the conditions of the resolution and we're actually going to – tentatively we're going to be back before you in two weeks. Claudia is bringing some water allocations before the Board, and so we will be on that agenda. That's the plan at the moment, to be on that agenda for the water allocation for this so we can – that's kind of our next step. Because the way your policies are right now it's kind of bifurcated. We come for master plan and then we come back for the water allocation. That's supposed to be happening in a couple weeks.

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

COMMISSIONER ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. Are you the applicant or representing the applicant?

MS. JENKINS: We are representing the applicant.

COMMISSIONER STEFANICS: Okay. Has the applicant in fact done any other projects of this nature and of this scale?

MS. JENKINS: Absolutely. They are very active in Albuquerque. They actually just finished a skilled nursing facility very similar to what we're proposing in the first phase in Albuquerque and the applicant – the owner of the property and the developer are here if you would like them to speak to some of the other facilities they have built, but yes, they are very experienced with this.

COMMISSIONER STEFANICS: I'd like to hear a little bit about their experience before – an entity doing a project of this magnitude, we'd like to hear from them.

MS. JENKINS: Sure. Who am I going to hear from? This is Jeff Stuve with Cowles and Stuve.

[Duly sworn, Jeff Stuve testified as follows:]

JEFF STUVE: Good thing Jennifer's tall. Mr. Chair, Commissioner Stefanics, we have had the experience that Jennifer just referenced in the last couple years in terms of licensed skilled facilities. My background was with a company called Horizons CMS Healthcare based out of Albuquerque and we developed post-acute healthcare product in 36 different states. The most applicable in New Mexico would be the Village at Northrise, which was an independent assisted and memory care facility with a skilled component as well, of similar scale and magnitude to this project. And that would be in the state of New Mexico.

COMMISSIONER STEFANICS: So, Mr. Chair and Mr. Stuve, are you the developer or are you the operator? Or both?

MR. STUVE: Mr. Chair, Commissioner, we are the developer and it would be our intention to own the skilled facility, phase 1, under a lease with an operator. And the operator for the balance of the site will be a separate operator from that skilled operator as well. But they will be either tenants or joint venture partners or potentially we would ultimately sell the land to that operator. But we do not operate the facility.

COMMISSIONER STEFANICS: And so, Mr. Chair, have you already identified an operator?

MR. STUVE: We have not finalized with an operator at this point. No.

COMMISSIONER STEFANICS: Well, Mr. Chair, the reason I'm asking is we have a need for skilled nursing and independent living and assisted living, but we also have some companies that come into the state that don't meet, necessarily the standards that the state has established and I get concerned about that. And so I understand we're only dealing with the development but the aftermath is something that would be left in Santa Fe County. So those are the reasons for my questions. Thank you.

COMMISSIONER ANAYA: Commissioner Holian. Can I comment on her concern?

COMMISSIONER HOLIAN: Yes, indeed. Because in fact that was going to be my question about the operation of the facility.

MR. STUVE: Which is, Mr. Chair and Commissioners, that is the absolute most critical component to that. The current operator for our facilities in Albuquerque is On Point Healthcare, which would be known as a small regional provider. Those are typically the providers we like to approach because of the level of care that they typically provide. Your large national providers, the largest here in New Mexico is Genesis Healthcare who is the largest, and we have not approached Genesis at this juncture. They just recently purchased another operator here, and so they are the largest.

But the protection mechanism in place on the skilled licensure level is very high. They're heavily regulated. They're surveyed regularly by the state, but we too, for our ownership purposes, we recognize and understand the critical piece of this is the operation and it's a difficult industry.

COMMISSIONER HOLIAN: Thank you.

COMMISSIONER ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: My question was about the operation.

Thank you.

COMMISSIONER ANAYA: Any other questions of the applicant? We'll move to public hearing. Is there anybody here who would like to speak in favor of or against this project? Seeing none. Mr. Chair. The public hearing is closed. Mr. Chair, the floor is yours.

CHAIR MAYFIELD: Thank you. I'll go to the Commission.
Commissioner Stefanics.

COMMISSIONER STEFANICS: I'd like to hear from staff again, please. Mr. Larrañaga, could you summarize briefly the staff's concerns? I've read the entire packet but I'm trying to determine how serious they are.

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, the concerns as far as master plan and the submittal, they meet all the requirements. It's the density requirements, 2.5 acres and that's the section of the code that they're asking for the variance. That's our main concern that they're not meeting those density requirements. And the fact that they're even in the SLDC, it's still not defined the density requirements in an institutional zone.

COMMISSIONER STEFANICS: So, Mr. Chair, Jose, there's no concern about the water or wastewater?

MR. LARRAÑAGA: Mr. Chair, Commissioner Stefanics, water, they would have to follow the guidelines of the utilities to get the water allocation. The wastewater, this is master plan so at phase 1 development plan the wastewater, the septic

system that they're going to be putting in would have to be reviewed by NMED and get it approved before it comes forward to CDRC for final development plan.

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

CHAIR MAYFIELD: Thank you. Commissioner Anaya.

COMMISSIONER ANAYA: Mr. Chair, very familiar with campus facilities of this nature. I would concur with Commissioner Stefanics, there is an absolute need to have these types of facilities in this area and in the region in particular. But those operational concerns are something that I think as Commissioners we're going to be obligated to continually review and raise questions as this project moves through the process. But without a doubt, this type of campus model is something that will benefit the area and we would need to make sure we're conscious and deliberate in our review of the project and it moves through the process. But with those items stated I'd move for approval, Mr. Chair.

CHAIR MAYFIELD: I'll second.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR MAYFIELD: Commissioner Holian.

COMMISSIONER HOLIAN: With staff conditions?

COMMISSIONER ANAYA: Absolutely, Commissioner Holian.

COMMISSIONER HOLIAN: And is that including the density variance?

COMMISSIONER ANAYA: Including the density variance. Thank you, Commissioner Holian.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR MAYFIELD: Commissioner Chavez.

COMMISSIONER CHAVEZ: I want to ask the maker if that includes the additional conditions, 4 through 7?

COMMISSIONER ANAYA: Yes, sir, Mr. Chair, Commissioner Chavez.

COMMISSIONER CHAVEZ: Okay. So I would just state for the record that I agree that the project does have merits. I'm a little concerned about the density but hopefully that will work itself out and maybe the need will outweigh the negative side in the increased density. I'm also a little concerned about future development along the 599 corridor, that it not be done too much in a piecemeal way, that there be some focus in master planning that corridor so that when we're done that it looks good. And we're following the right setbacks and those kinds of things. That's all I have, Mr. Chair.

CHAIR MAYFIELD: Thank you. Seeing nothing else we have a motion and a second as stated.

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

VIII. CONCLUDING BUSINESS

A. Announcements

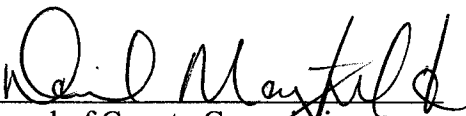
COMMISSIONER ANAYA: Mr. Chair, I wanted to wish you a happy birthday today.

CHAIR MAYFIELD: I appreciate that. Thank you.

VIII. B. Adjournment

Having completed the agenda and with no further business to come before this body, Chair Mayfield declared this meeting adjourned at 6:40 p.m.

Approved by:


Board of County Commissioners
Daniel W. Mayfield, Chair


ATTEST TO:


GERALDINE SALAZAR
SANTA FE COUNTY CLERK

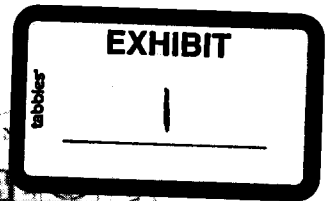
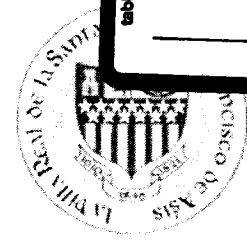
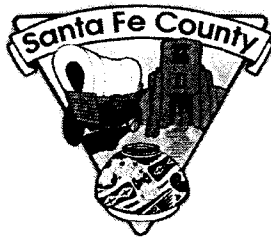
11-25-2014



Respectfully submitted:


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

2014 OCT 25 12:00 PM



**Santa Fe County Board of County Commissioners and City of Santa Fe City Council
Joint Meeting On Economic Development
October 20, 9am to 12pm
Santa Fe County Commission Chambers**

DRAFT agenda

- 1) Opening Comments
 - a. City of Santa Fe Mayor Javier Gonzales (5 minutes)
 - b. Santa Fe County Commissioner Daniel Mayfield (5 minutes)
- 2) Historical Context For Regional Discussion (Katherine Miller- 5 minutes)
- 3) County Economic Development Overview (David Griscom- 15 minutes)
- 4) City Economic Development Overview (Kate Noble- 15 minutes)
- 5) Discussion on Key Areas of Collaboration (1 hour)
 - a. Outdoor Economy (Kate Noble and David Griscom)
 1. Background, Opportunities and Potential Impacts
 2. Video
 3. Action item: Direction to staff
 - b. Film/Media Industry (Kate Noble and David Griscom)
 1. Background, Opportunities and Potential Impacts
 2. Action item: Direction to staff
 - c. Occupancy Tax Advisory Board (OTAB) and Lodgers Tax Advisory Board (LTAB)- (Randy Randall, John Berkenfield)
 1. Background, Opportunities and Potential Impacts
 2. Action item: Direction to staff
- 6) Open Discussion on Opportunities for Regional Collaboration (30 minutes)
- 7) Next Steps (15 minutes)

15 minute break at the discretion of the County Commission and City Council

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2020 OCT 20 10:00 AM
SANTA FE COUNTY
RECORDED
10/20/2020

Senior Campus @ Caja del Rio

Master Plan



Municipal Recreation
Complex

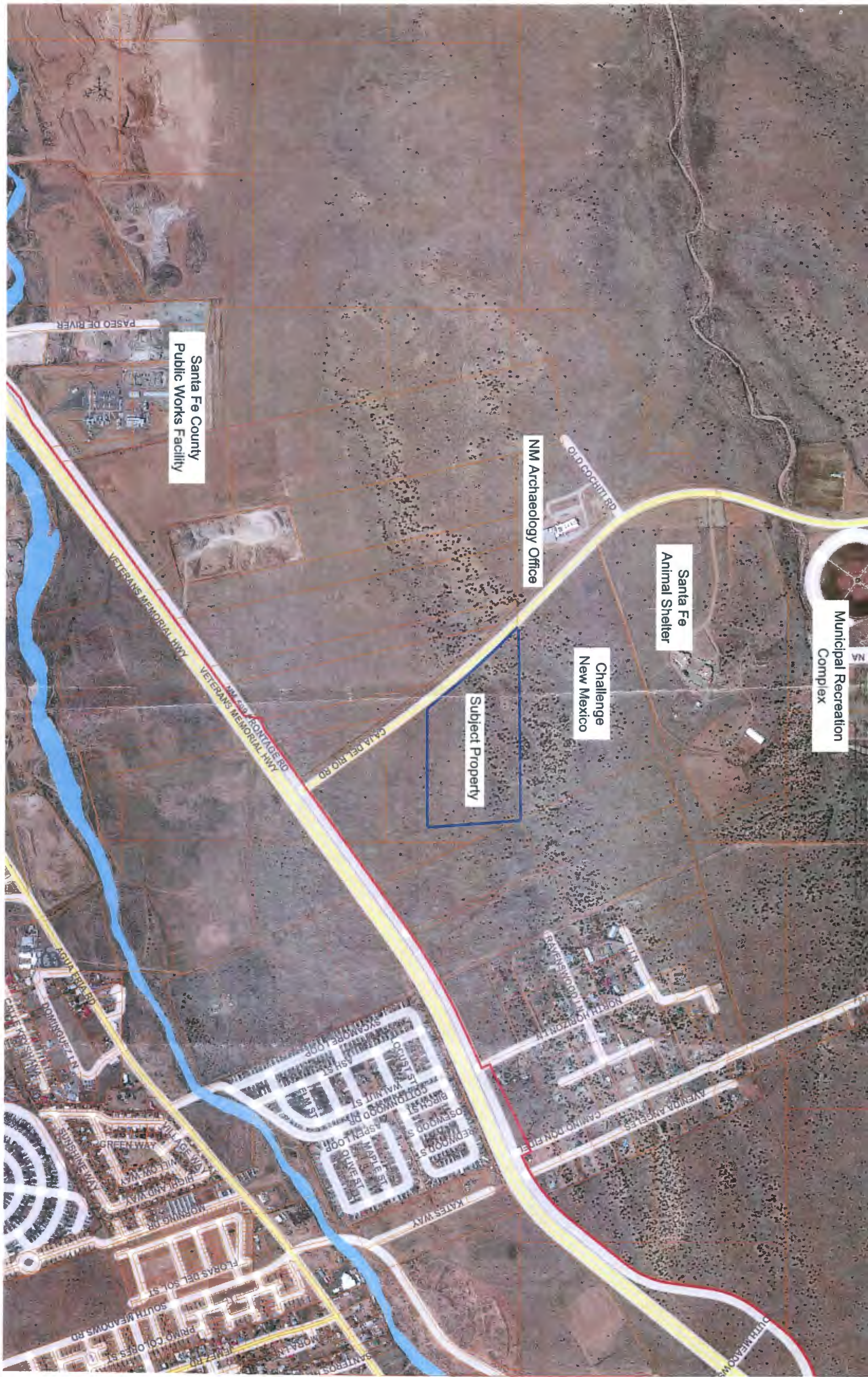
Santa Fe
Animal Shelter

Challenge
New Mexico

NM Archaeology Office

Subject Property

Santa Fe County
Public Works Facility





3

TRACT 3
STATE OF NEW MEXICO

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S 23°17'11"E
3.17'

R = 11334.16'
L = 1086.75'

CAJA DEL RIO ROAD

LOT 5
6.69 ACRES
291,420 SF

PHASE 1

LOT 1
6.26 ACRES
272,539 SF

Skilled Nursing Facility

PHASE 2

LOT 2
2.10 Acres
91,312 SF

Assisted Living

PHASE 1

PHASE 2

PHASE 4

LOT 4
2.95 Acres
128,601 SF

Memory Care

PHASE 3

LOT 3
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Independent Living

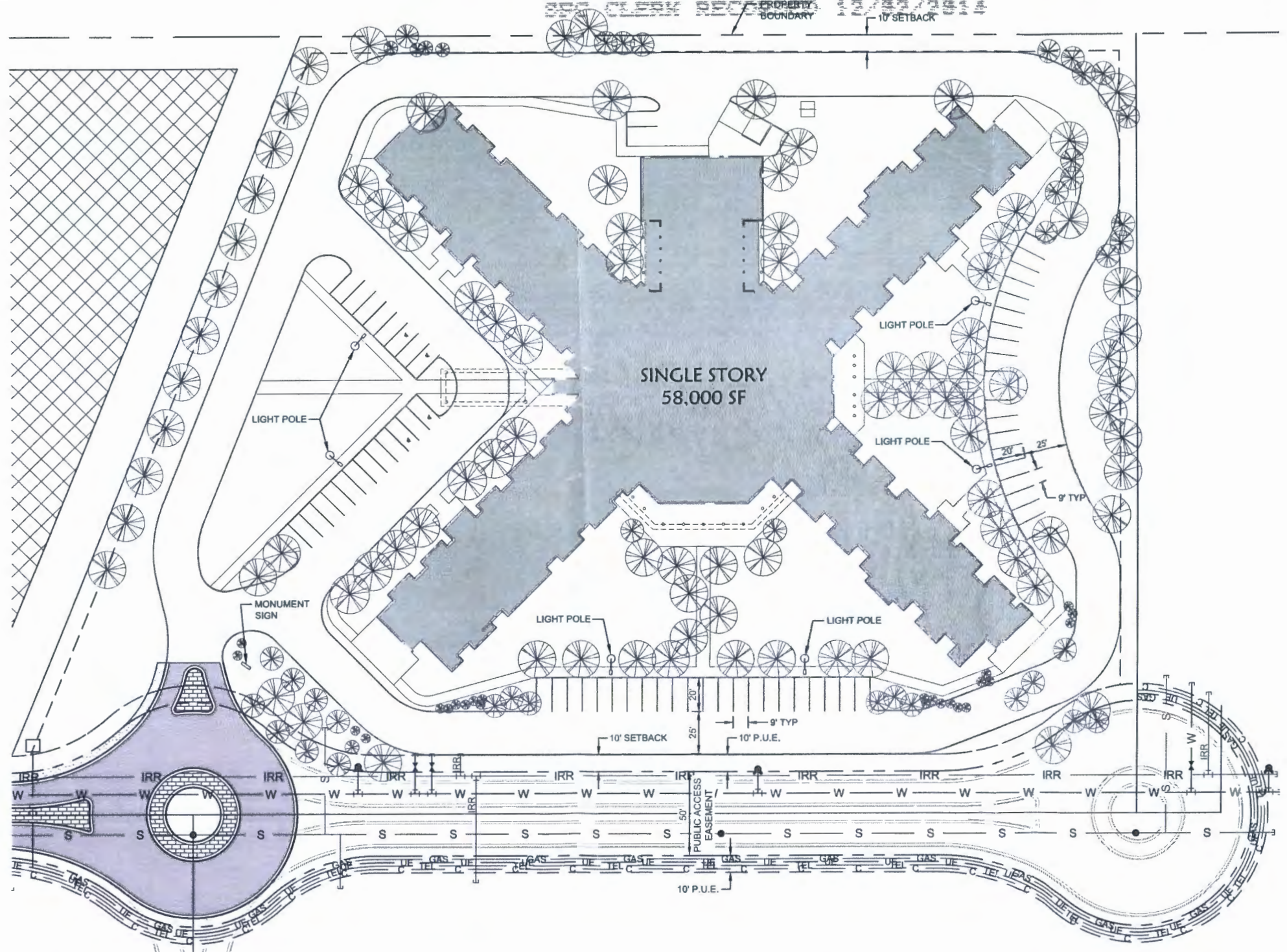
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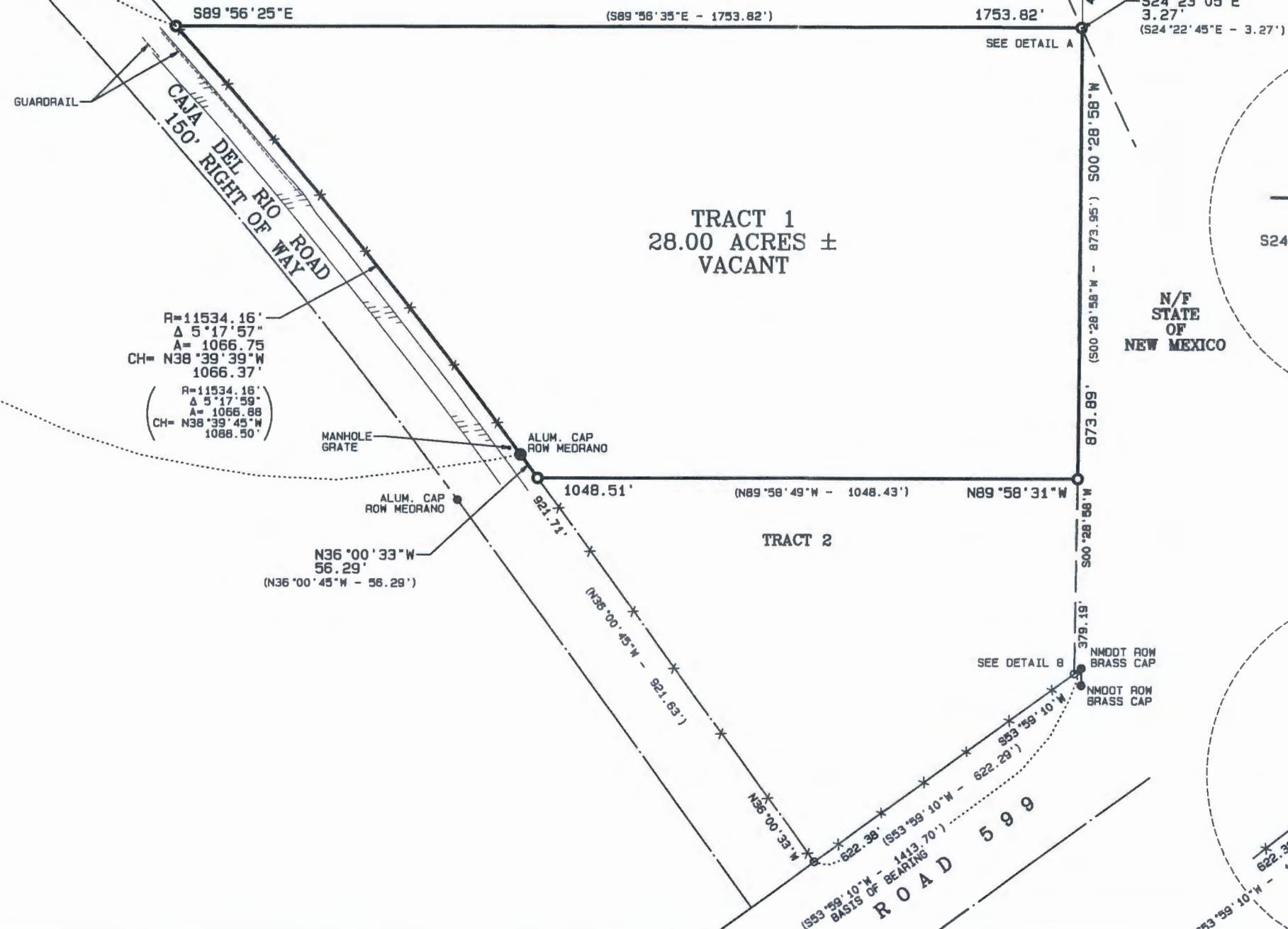
STATE OF
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LOT TYPICAL - PHASE 1 SKILLED NURSING

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