

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

October 27, 2015

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

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I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:13 p.m. by Chair Robert Anaya in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

B. Roll Call

Roll was called by Deputy County Clerk Vicki Trujillo and indicated the presence of a quorum as follows:

Members Present:
Commissioner Robert Anaya, Chair
Commissioner Miguel Chavez
Commissioner Kathy Holian
Commissioner Henry Roybal
Commissioner Liz Stefanics

Members Excused:
None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Erika Garcia, the State Pledge by Julian Sena and the Moment of Reflection by Erin Ortigoza of the Growth Management Department. Commissioner Chavez asked that Breast Cancer Awareness Month, Mental Health Awareness Week, the less fortunate, veterans and the homeless be included in the Moment of Reflection.

F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

KATHERINE MILLER (County Manager): Mr. Chair, I have a couple of changes to the agenda. First of all, item I. H. honoring our veterans and servicemen and

women, we do not have any individuals here for presentation even though you may want to make a comment. Then on – after Consent Agenda, I would request that we move the item of Presentations from the New Mexico Association of Counties which is item V. C. 1. If we could move that after the Consent Calendar.

Then also under item III. C. Resolutions, item 4 has been added to the agenda. Also I would like to move the item, if I can find it, on the precincts, action item III. F. 1 and 2 to after executive session. And then additionally, under Matters from the County Attorney, item VI. Executive Session, A. 2, Pending and Threatened Litigation, and 3. Discussion of Purchase, Acquisition or Disposal of Real Property. Those two items have been added as well as item VI. C. Possible Action with respect to any of the items in executive session. And those are the changes that I have to the agenda.

CHAIR ANAYA: Thank you, Ms. Miller. Commissioner Chavez, Mr. Vice Chair.

COMMISSIONER CHAVEZ: I would just make a motion to approve the agenda as amended.

COMMISSIONER HOLIAN: Second.

COMMISSIONER STEFANICS: Second.

COMMISSIONER CHAVEZ: And if we could, just send a collective thanks to all of our veterans, especially those that are still with us and that we have you in our thoughts and prayers this afternoon.

CHAIR ANAYA: Thank you, Mr. Vice Chair. There's a motion from Commissioner Chavez, a second from Commissioner Holian and Commissioner Stefanics. Any further discussion? Seeing none.

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

CHAIR ANAYA: Thank you, Ms. Miller, for the modification to the agenda and also would like to offer a round of applause to Ms. Miller on her recent marriage. Let's give her a round of applause.

Also appreciate the recommendation and the motions to move our special guests up as they have some other commitments but would like to welcome the president of the New Mexico Association of Counties, Ms. Sharon Stover to the meeting. If we could give her a round of applause, and the executive director, Mr. Steve Kopelman, who is no stranger to this County, was employed for some time here as a County Attorney. Mr. Steve Kopelman. Thank you, Steve.

I. H. Honoring our Veterans and Service Men and Women

CHAIR ANAYA: Thank you, Commissioners. I echo Commissioner Chavez' comments as does the rest of my colleagues and elected officials here at the County in honoring our veterans, service men and women. We had a fantastic presentation led by Commissioner Stefanics at the last meeting and we'll continue to bring those veterans in on a regular basis to honor them and their service, both past and present.

I. G. Approval of Minutes

1. Approval of September 29, 2015 BCC Meeting Minutes

CHAIR ANAYA: Commissioners, approval of September 29th.

COMMISSIONER STEFANICS: Mr. Chair, I'd move for approval of September 29, 2015 BCC meeting minutes.

COMMISSIONER ROYBAL: Second.

CHAIR ANAYA: There's a motion from Commissioner Stefanics, a second from Commissioner Roybal, approval of September 29, 2015 minutes. Seeing none discussion.

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

I. I. Employee Recognition

1. Introduction of New Employees

MS. MILLER: Mr. Chair, I just wanted to note in your book we had about six new hires in the month of September and they are listed there and I don't know if while I was away you did have the opportunity to welcome Michael Kelly, the new Public Works Director. He came on board while I was out. So I don't think any of the other individuals are there but we do have a new vehicle mechanic, GPS technician, tax cashier, Sheriff's deputy and life skills workers. So I just want to welcome them to the County.

CHAIR ANAYA: Thank you, Ms. Miller. I think it's going to be appropriate and important, he's going to be put on the spot on many, many other occasions but I'd like to have, Mr. Kelly, if you'd please come forward. Welcome to Santa Fe County. I'd like to give you the opportunity to provide some brief comments. But welcome to Santa Fe County.

MIKE KELLY (Public Works Director): Thank you very much, Commissioner. It has been a whirlwind moving here from Florida. This is the start of week 3 for me. It has been a fantastic experience. Everybody has been so warm and ingratiating. It has just been a positive, positive experience and I am honored and pleased to be here and look forward to serving the County of Santa Fe for many, many years. Thank you.

CHAIR ANAYA: Thank you, Mr. Kelly and welcome to Santa Fe County. I also think – you did make some adjustments in the department. I believe Mr. Martinez, Robert Martinez is going to be fulfilling a different capacity. Could you just provide that on the record if you would.

MS. MILLER: Yes, Mr. Chair. Robert Martinez will now be, or is now the Deputy Public Works Director so he will be, instead of as a division director he's actually second in charge of the Public Works Department and his 20 years experience, which by the way is my next item, Robert Martinez hits his 20-year mark this month at Santa Fe County Public Works and his experience with the County is very valued and I'm glad that he chose to accept the position of Deputy Public Works Director.

CHAIR ANAYA: Thank you, Ms. Miller, for noting that and I would congratulate Mr. Martinez on that new responsibility and one which he is not unfamiliar with. He understands what that challenge is and what it will take to get through it. Ms. Miller.

MS. MILLER: Also, I noted that one of the other individuals on the list, Rob Jackson – I said we had a new GPS technician and he started on September 23rd and Rob, if you'd stand up so the Board can recognize you. Welcome to the County.

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

MS. MILLER: With that, Mr. Chair, I'll go to Years of Service. I'm also not going to read all of these names because if you notice, there's about two pages worth of people who hit their 10-year mark and when I was reading the memo it dawned on me that it must be the month that we took over operating the County jail from a private operator, it would be ten years ago this month because all of them have their anniversary. So you can see that there are several County employees who have been with us since we took operating the jail as an internal function as opposed to contracted and I'd like to especially recognize those employee who have been here those ten years.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: And I think in the almost four years that I've been on the County Commission it seems to me that the jail is one of our biggest responsibilities, both the youth detention facility and the adult detention facility. Huge responsibility, huge liability, but without the staff we would not be able to do it. I did something different. I added up the years of service and it's close to 300 years of service combined, with these employees. So the experience and the knowledge that this staff brings to those facilities is incredible and again, we would not be able to do it without this staff. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Mr. Vice Chair. Other questions or comments? Commissioner Holian.

COMMISSIONER HOLIAN: I have none.

CHAIR ANAYA: You don't? I would echo the Vice Chair's comments and I would say that tenure and commitment have a lot to do with how successful any organization is, much less a county, and so I greatly admire and appreciate each and every employee. Those that continue to work here show their commitment to Santa Fe County and their dedication to the citizens of the county that they serve. So to each and every one of you, both on the list and not, I appreciate your dedication and commitment to work here at Santa Fe County. It is not unrecognized; it is greatly appreciated. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I was waiting for the next one. Thanks.

CHAIR ANAYA: Ms. Miller.

MS. MILLER: Mr. Chair, I just wanted to also point out too, as I said that Robert Martinez hit his 20-mark and I just want to say I appreciate the County employees

who do stay with us for five, ten, 15, 20, 25 years. It is truly important to have that continuity, that institutional knowledge and their experience and we do appreciate and I do as Manager very much appreciate people who make a career at Santa Fe County. And that's all I have.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics, then Commissioner Holian.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I know Robert will be embarrassed but I would like to tell him he's invaluable. I had a neighborhood meeting on Sunday. I had two or three questions I had to ask him and he quickly got back to me and he was knowledgeable about the answers and even over the weekend he will respond. But I thank him very much. The roads and the issues around roads in our county have received great service from Robert Martinez and his entire staff. Thank you very much.

CHAIR ANAYA: Thank you, Commissioner Stefanics, He doesn't answer my calls on the weekends. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Mr. Chair. Thank you, Robert, for your years of hard work. I just have so, so appreciated your advice and your knowledge and how quickly you get back to me when there's an issue in my district and I just think that you're brilliant when it comes to roads and I really do appreciate that. Also I appreciate that you're not afraid sometimes to tell my constituents the hard truths, that sometimes they actually can't get what they want, at least in the exact way that they want it. So that's been a great help to me as well, that you're willing to be honest with them. Thank you so much.

CHAIR ANAYA: Thank you, Commissioners. Other comments? Ms. Miller.

MS. MILLER: So Mr. Chair, that's all I had on the employee presentations but I know your next item is the Consent Agenda and I just want to make one note. In your packets in the resolutions, item II. B. 1 and 2, the attached grants, when we were assembling the packets – so the memo and the resolutions are correct but the attached grants got switched. So I just want to make sure, and we did switch it on line but I don't know that they got switched in your packets and I just want to make note for the record that the attached grants belong to the other item. And that's the only thing on the Consent.

CHAIR ANAYA: Thank you, Ms. Miller.

II. CONSENT AGENDA

A. Final Orders

1. **CDRC CASE # V 15-5110 Marta And Dolores Perez Variance. Marta and Dolores Perez, Applicants, Request a Variance of Ordinance No. 2002-9 (La Cienega and La Cieneguilla Traditional Community Planning Area and La Cienega Traditional Community Zoning District), Section 6.4 (Zoning Density) to Allow a Land Division of 2.5 Acres into Two Lots; Each Lot Consisting of 1.25 Acres. The Property is Located within The Traditional Historic Community of La Cienega at**

19 B Las Estrellas, within Section 27, Township 16 North, Range 8 East (Commission District 3) Mathew Martinez, Case Manager (Denied 2-1)

2. **CDRC CASE # V 14-5310 Patrick Lysaght Variance. Patrick Lysaght, Applicant, Requested a Variance of Article VII, Section 3.4.1.c.1.c (No Build Areas) of The Land Development Code, to Allow the Construction of an Accessory Structure on Slopes Greater than 30%, A Variance of Article VII, Section 3.4.1.d.6 (Development Site), to Allow the Finished Floor of a Structure to Exceed (5') Above Natural Grade, and a Variance of Article III, Section 2.3.6.b.1 (Height Restrictions) of The Land Development Code, and Section 3.8.2.d of Ordinance 2000-13 Tesuque Zoning District to Allow the Accessory Structure to Exceed the 18' Height Limitations for Structures on a 15% Slope or Greater. The Property is Located at 11 Via Vecino in The Traditional Community of Tesuque, within Section 31, Township 18 North Range, 10 East (Commission District 1) John Lovato, Case Manager (Denied 2-2)**
3. **CDRC CASE # V 15-5120 Cynthia Carter Variance. Cynthia Carter, Applicant, Requested a Variance of Article III, § 10 (Lot Size Requirements) of Santa Fe County Ordinance 1996-10, The Land Development Code (Code), to Allow Two Dwelling Units on 1.458 Acres. The Property is Located at 17 Cloudstone Drive, within the Vicinity of Old Santa Fe Trail, within Section 6, Township 16 North, Range 10 East, (Commission District 4) John Lovato, Case Manager (Approved 3-0)**

B. Resolutions

1. **Resolution No. 2015-138, a Resolution Approving the County Manager's Signature on Grant Agreement 15-0553-STB, and Designating Official Representatives for Grant Agreement 15-0553-STB for Utility Line Improvements for the Village of Agua Fria in the Amount of \$190,000 (Public Works Department/Erik Aaboe)**
2. **Resolution No. 2015-139, a Resolution Approving the County Manager's Signature on Grant Agreement 15-0550-STB, and Designating Official Representatives for Grant Agreement 15-0550-STB, and Designating Official Representatives for Grant Agreement 15-0550-STB for Vista Aurora Sewer System Improvement in the Amount of \$40,000 (Public Works Department/Erik Aaboe)**
3. **Resolution No. 2015-140, a Resolution Authorizing the Disposition of Fixed Assets in Accordance with State Statute (Finance Department/Carole Jaramillo)**

4. **Resolution No. 2015-141, a Resolution Requesting an Increase to Capital Projects Federal Fund (305) to Budget a Grant from the Federal Highway Administration to Construct Segment 4 of the Santa Fe Rail Trail Project from Avenida Vista Grande to Avenida Eldorado in the Amount of \$96,798 (Finance/Carole Jaramillo/Public Works/Michael Kelley)**
5. **Resolution No. 2015-142, a Resolution Requesting an Increase to Capital Outlay GRT Fund (313) to Budget Project Funds for the Santa Fe County Fairgrounds Site Improvements Including an Extension Office in the Amount of \$239,500 (Finance/Carole Jaramillo/Public Works/Michael Kelley)**
6. **Resolution No. 2015-143, a Resolution Requesting an Increase to Capital Outlay GRT Fund (313) to Budget Project Funds for the La Barbaria Road Improvements Project that were Liquidated in Prior Year Purchase Orders in the Amount of \$56,620 (Finance/Carole Jaramillo/Public Works/Michael Kelley)**
7. **Resolution No. 2015-144, a Resolution Requesting a Budget Increase to the General Fund (101) to Budget a Grant Awarded to the Community Services Volunteer Program / \$8,200 (Finance Department/Carole Jaramillo)**
8. **Resolution No. 2015-145, a Resolution Requesting a Budget Increase to the Fire Protection Fund (209) to Budget the FY-2015 Availability Cash Balances for Various Fire Districts and to Reconcile the Current Year Allocation to the Actual Distribution Amount for the County Fire Department / \$1,675,656 (Finance Department/Carole Jaramillo)**
9. **Resolution No. 2015-146, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget One (1) Grant Awarded Through the New Mexico Department of Transportation for Highway Safety Projects in the Amount of \$60,500 to fund the DWI Vehicle Forfeiture Clerical Position (Finance Department/Carole Jaramillo)**
10. **Resolution No. 2015-147, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) to Budget a FEMA Grant Awarded to the Fire Department / \$56,819 (Finance Department/Carole Jaramillo)**
11. **Resolution No. 2015-148, a Resolution Requesting a Budget Increase to the Fire Tax Fund (222) to Budget a Grant Match for a FEMA Grant Awarded to the Fire Department / \$5,681 (Finance Department/Carole Jaramillo)**
12. **Resolution No. 2015-149, a Resolution Requesting a Budget Increase to the Alcohol Programs Fund (241) to Budget a Grant Awarded to the DWI Program / \$60,000 (Finance**

- Department/Carole Jaramillo)**
- 13. Resolution No. 2015-150, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) to Budget a Grant Awarded through the Department of Justice/Edward Byrne Memorial/JAG and a Grant Awarded Through the Bureau of Land Management / \$28,584.50 (Finance Department/Carole Jaramillo)**

C. Miscellaneous

- 1. Approval of County Health Care Assistance Claims in the Amount of \$76,603 (Community Services Department/Patricia Boies)**
- 2. Request Acceptance of the Three Temporary Construction and Permanent Utility Easement Agreements for the La Cienega Waterline Extension Project (Public Works Department/Michael Kelley)**
- 3. Request Acceptance of the Full Assignment of Right-Of-Way Easement No. R-34372 with the New Mexico State Land Office from the Pena Blanca Partnership (Public Works Department/Robert Martinez)**

CHAIR ANAYA: If I could just summarize, are there any questions or comments or any Consent items that any Commissioner wants to pull? Commissioner Chavez, then Commissioner Holian.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Yes, I'd like some discussion, and I did ask staff to think about this item, II. B. 1 and 2. I'd like some brief discussion and some clarification on that, and then 5 and 7 as well, Mr. Chair. I don't think it will take too long on any of these items.

CHAIR ANAYA: That's fine. Tell me those numbers again, Commissioner.

COMMISSIONER CHAVEZ: B. 1, 2, and 5 and 7.

CHAIR ANAYA: B. 1, 2, 5, and 7. Okay. Commissioner Holian.

COMMISSIONER HOLIAN: Mr. Chair, I also have a comment on 7, and I have a question on 6, II. B. 6.

CHAIR ANAYA: So we'll add 6. So these are all brief questions. 1, 2, 5, 6, and 7. Others, Commissioners? So then we'll just go to those. B. 1. Commissioner Chavez.

- II. B. 1. Resolution No. 2015-138, a Resolution Approving the County Manager's Signature on Grant Agreement 15-0553-STB, and Designating Official Representatives for Grant Agreement 15-0553-STB for Utility Line Improvements for the Village of Agua Fria in the Amount of \$190,000. (Public Works Department/Erik Aaboe)**
- II. B. 2. Resolution No. 2015-139, a Resolution Approving the County**

Manager's Signature on Grant Agreement 15-0550-STB, and Designating Official Representatives for Grant Agreement 15-0550-STB, and Designating Official Representatives for Grant Agreement 15-0550-STB for Vista Aurora Sewer System Improvement in the Amount of \$40,000. (Public Works Department/Erik Aaboe)

COMMISSIONER CHAVEZ: Mr. Aaboe, if you would, I did ask you to put some thought into this ahead of the meeting. So just give us – what I asked, Mr. Chair, is that staff give us an outline and a summary on these two. They're tied together as the Manager mentioned earlier there's some grants involved in both B. 1 and B.2 but Erik, if you want to do that and then I'll make a motion to approve as we get closer to that.

ERIK AABOE (Public Works): Thank you, Commissioner, Mr. Chair, Commissioners. These two items are resolutions to be able to apply for grants from the Environment Department for some severance tax bond appropriations that were made in the very abbreviated capital session this last year. Both of them have received previous appropriations.

Taking them in order, the Village of Agua Fria utility line improvements, because the Village of Agua Fria is surrounded by city but is a part of the county the water and wastewater delivery really needs some logistical thought and planning. So the concept with the utility line improvements is to do a preliminary engineering report, an analysis to determine what is the most cost-effective way to bring – in phase 1 of this project what's the most cost-effective way to bring water and wastewater services to the Village of Agua Fria. We've gotten an appropriation from them previously and we're in the process of issuing the procurement for that appropriation.

So this brings additional money to the project so that once we have the analysis we can then focus on design for some specific solutions.

Similarly, the Vista Aurora project, we received a grant for \$70,000 in 2014. We put some capital outlay GRT monies in. There's a wastewater lift station in the Vista Aurora Subdivision on Lopez Lane in the Agua Fria community that a developer went out of business and the systems needs either upgrading or replacement with gravity sewer. So we will be doing a design contract first to figure out, because of the elevations of various components, if we can go gravity, if we have to improve the lift station.

So these two projects would add additional funding from the state toward these important projects in the Agua Fria community.

COMMISSIONER CHAVEZ: And so on both of these, Erik, it would just be funding for design only. We would have to allocate the money for the actual construction.

MR. AABOE: Mr. Chair, Commissioner, we believe that with the Vista Aurora project we will be able to use some of this funding for the construction solution, but we really need to do that analysis and design before we find out how much would be available for that.

COMMISSIONER CHAVEZ: And just for more background, the Vista Aurora is about an 80-unit subdivision that's within the traditional historic boundaries.

MR. AABOE: Correct. It's just off Lopez Lane between Rufina and Agua Fria and that's – there's a ridge that separates it so the gravity is a little confusing there. So we're getting some analysis to work that out.

COMMISSIONER CHAVEZ: Okay. Good. And then the Manager mentioned earlier that the actual grants were just switched in these two items but that's just –

MR. AABOE: I think that was just in a copying situation.

COMMISSIONER CHAVEZ: Okay. Got it. So any other questions. I don't know if anyone else has any questions on this item, Mr. Chair. Should I go ahead and make a motion?

CHAIR ANAYA: A motion's in order, Commissioner.

COMMISSIONER CHAVEZ: Okay, so I would make a motion to approve – can I make one motion for both B. 1 and B. 2? Or do they have to be separate?

CHAIR ANAYA: I think what we can do is take all the questions and then we can take a motion for adoption.

COMMISSIONER CHAVEZ: Good.

CHAIR ANAYA: Thank you, Commissioner Chavez. You're up on item 2, Commissioner Chavez.

COMMISSIONER CHAVEZ: Erik, did you have anything else to add to item B. 2?

CHAIR ANAYA: So we're good. Vista Aurora. My apologies.

COMMISSIONER CHAVEZ: Yeah, I think we're good on that.

CHAIR ANAYA: Let's do 5 and 7 on Commissioner Chavez and then we'll go to Commissioner Holian for 6 and she can add questions on item 7. Let's do 5, Ms. Jaramillo.

[Deputy Clerk Trujillo provided the numbers for the approved resolutions throughout the meeting.]

II. B. 5. Resolution No. 2015-142, a Resolution Requesting an Increase to Capital Outlay GRT Fund (313) to Budget Project Funds for the Santa Fe County Fairgrounds Site Improvements Including an Extension Office in the Amount of \$239,500 (Finance/Carole Jaramillo/Public Works/Michael Kelley)

CAROLE JARAMILLO (Finance Director): Mr. Chair, Commissioners, item number 5 is a resolution to budget \$239,500 of capital outlay GRT to be budgeted in the Santa Fe County Fairgrounds site improvements project fund. The item is to complete funding for a project that has an estimate of \$1.6 million. \$610,500 is coming from grant funding which we've already received, and \$750,000 is coming from lodgers' tax. The remaining allocation of \$239,500 was to come from other sources and we're proposing that those other sources be the capital outlay GRT. And I stand for questions.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Ms. Jaramillo. The reason I – you touched on all the reasons why I wanted to pull this. Two main reasons – the grant

funds and the funds from the lodgers' tax, so it's not all coming from the general fund and that's what I wanted to highlight. Plus the fact that it's the fairgrounds, County Fairgrounds. I know the 4-H is very interested in the improvements that we're doing on the fairgrounds and so because there's been a lot of interest and activity around this discussion I thought it would be good to highlight what we're doing, the improvements that we hope to make and where the funding is coming from. So thank you for doing that.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. Commissioner

Stefanics.

COMMISSIONER STEFANICS: On this item, the Santa Fe County Fairgrounds was just written up as a project that had not been completed in the LFC newsletter that came out this week. So I just wanted to bring that to the attention of our staff. Thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics. One thing I would add on this item is this is the County Extension facility that we had as a high priority as a Commission. The facility that this project is replacing was built in the mid-1950s. So this facility will be utilized by our County Extension staff and for other events, even including master gardeners, home economics, many, many other projects that we do in close collaboration with the New Mexico State University. So we've been assembling the resources necessary. Finally, we're to the point where we can pull the trigger, so to speak and get this project completed. It will replace our oldest County facility in our inventory and so we very much want to put that out for the public to understand and it will be a facility for public use and public purpose. So, thank you, Commissioner Chavez, for pulling the item.

II. B. 6. Resolution No. 2015-143, a Resolution Requesting an Increase to Capital Outlay GRT Fund (313) to Budget Project Funds for the La Barbaria Road Improvements Project that were Liquidated in Prior Year Purchase Orders in the Amount of \$56,620 (Finance/Carole Jaramillo/Public Works/Michael Kelley)

COMMISSIONER HOLIAN: Thank you, Mr. Chair. This is a question about the La Barbaria Road improvements project and in the memo it's not totally clear to me what the funds would be used for. I'm wondering if they're going to be used for design or whether to actually start doing some of the improvements that came out of the drainage analysis.

MS. JARAMILLO: Mr. Chair, Commissioner Holian, I believe it is to complete design but I will have to defer to Public Works on that question.

COMMISSIONER HOLIAN: Thank you, Carole.

CHAIR ANAYA: Mr. Hogan.

MARK HOGAN (Public Works): Mr. Chair, Commissioners, this money will be used to complete the design and go towards construction. We have limited the scope of that work to available funds with this gap and so we're just trying to fill that so

we can keep the project moving.

COMMISSIONER HOLIAN: Thank you, Mark. So do we have any other funds budgeted for the actual work itself?

MR. HOGAN: We do. We have funds for the section – we essentially scoped it to meet the budget. So we're not able to go all the way up La Barbaria. We have an alternate to get it up to a further point where it diverts off and serves more properties and so we'll see when the bids come in whether we can do the base bid and the alternates. But it does include the construction.

COMMISSIONER HOLIAN: Great. Thank you, Mark.

MR. HOGAN: You're welcome.

CHAIR ANAYA: Thank you, Commissioner Holian. Any others on 6, Commissioners? That's it?

II. B. 7. Resolution No. 2015-144, a Resolution Requesting a Budget Increase to the General Fund (101) to Budget a Grant Awarded to the Community Services Volunteer Program / \$8,200.00 (Finance Department/Carole Jaramillo)

COMMISSIONER CHAVEZ: Yes, thank you, Mr. Chair. Looking at this Consent Agenda there's a lot of good work that the County's doing on these two pages and it's hard to just go over it without really highlighting some of the work that's being done. And so on this resolution what caught my attention again was a grant that was awarded to the Community Services Volunteer program, a grant from New Mexico Clean and Beautiful program. Also the New Mexico Department of Tourism to install signage at the Cerro Gordo and St. John's College trailheads and the Dale Ball trail system. So just congratulations to staff, to Community Services. I don't know if you want to talk. Could you share a little bit about the volunteer program and how that will play out? Because I think it's encouraging that we have volunteers that can help us with our work also.

MS. JARAMILLO: Mr. Chair, Commissioner Chavez, Carol Branch will take that question for you.

COMMISSIONER CHAVEZ: Thank you.

CAROL BRANCH (Open Space and Trails): Mr. Chair and members of the Commission, what was the question again?

COMMISSIONER CHAVEZ: Just if you could share, Ms. Branch, some components or features of the volunteer program, Volunteer Services program.

MS. BRANCH: Well, it's been a very successful program. I have more volunteers than I have project so I am constantly looking for projects to keep my volunteers busy. One of my biggest groups is 17 students from the masters program, which is an alternative high school and I have them every Friday for 3 ½ hours, so we spend most of our time on the trails and stretches of the river and it's a public lands class so these kids are really motivated and they love to be outside.

We also work with Teen Court, Youth Works. I get lots of calls from different schools, private schools that like to work outside.

COMMISSIONER CHAVEZ: And you're focusing primarily on our trail system?

MS. BRANCH: The trail system really needs a lot of work, so, yes.

COMMISSIONER CHAVEZ: Good. Good. Okay. Well, again, congratulations. I know that there are a lot of people that use the trails and enjoy the trails, so without that maintenance I know that they would not be as safe and easy for those users. So again, just congratulations to you and all your volunteer team. Let them know that we appreciate them.

MS. BRANCH: Thank you, Commissioner.

CHAIR ANAYA: Commissioner Holian, you had another question, I believe.

COMMISSIONER HOLIAN: Yes. No, actually I just had a comment as well. For this particular item I really want to thank staff and Carol in particular. I'm really glad to see signage going up on our trails. I think that's really an important thing to have. And I also want to thank the volunteers for maintaining those trails and keeping them safe. I just think that our Open Space and Trails program really, really contributes to the quality of life in our county, so this is a big deal. Thank you.

MS. BRANCH: Thank you, Commissioner.

CHAIR ANAYA: Thank you, Commissioners. A few brief comments and then I'll go to Commissioner Chavez for the motion because he started it and I stopped him from making it. But just a few points: \$190,000 for utility line improvements for the Village of Agua Fria; \$40,000 for Vista Aurora sewer system; \$96,798 for Avenida Vista Grande in Eldorado; \$239,500 for the fairground improvements, specifically the Extension site facility; \$56,620 La Barbaria Road improvements; \$8,200 for the volunteer program previously noted; \$1,675,656 for various fire districts' projects. I want to thank the New Mexico Department of Transportation for their continued partnership for the safety projects in the amount of \$60,500. Fire operations fund, a FEMA grant, \$56,819; \$5,600 for a resolution for a FEMA grant as well; \$60,000 for DWI program funds; \$28,000 for our law enforcement operation fund; \$76,603 for county community healthcare assistance claims. And also an approval on easement agreements necessary for the La Cienega waterline extension.

Many, many projects throughout every part of Santa Fe County touching the lives of many, many residents in Santa Fe County. Commissioner Chavez, I'll go to you for the motion.

COMMISSIONER CHAVEZ: Thank you for highlighting all of the other projects and grants that we received. Again, it's a lot of good work. It's truly encouraging to know that we have staff and that we're able to do this. So it gives me great pleasure to make a motion to approve the Consent Calendar.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion from Commissioner Chavez, second from Commissioner Holian. Any further discussion? Seeing none.

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

V. C. **Presentations**

1. **Presentation by New Mexico Association of Counties (NMAC) on NMAC and Legislative Priorities [Exhibit 1: Supporting Material]**

CHAIR ANAYA: Now, up our president of the Association of Counties, Ms. Sharon Stover. Thank you for being here, and executive director, Mr. Kopelman.

SHARON STOVER: Good afternoon, Commission Chair and Commissioners, thank you and congratulations on all the good work of you guys. I just heard it covers a lot of your residents in your county. That's outstanding. Kudos. Again, just for the record, my name is Sharon Stover. I'm currently serving as the County Clerk for Los Alamos where I've lived for over 30 years. However I was born and raised in your district, Commissioner Roybal, the beautiful of El Rancho and still have many family residing in that area. In fact, Commissioner, I was thinking we may even be related because my mom's maiden name was Roybal, so who knows?

It's an honor and a pleasure to serve as your NMAC president. It's important in this day of snapchats and texting and email blasts that Steve Kopelman, executive director, and myself wanted to put kind of a real face behind who NMAC is and most important, we wanted to solicit your feedback on issues that are affecting your county so we could take those back to our board. The continued success of NMAC depends on all of us collectively – citizens, employees and yourselves. You are the 11th county to host us, so thank you.

Just a little bit of background. NMAC was established in 1936 when our state's population was just 500,000 and Franklin D. Roosevelt was our president. NMAC's mission from day one and it continues to this day is to champion each county's ability to govern their own affairs and to improve the well being and quality of life for their constituents. NMAC continues to be a strong voice for county government overall. And I just want to note, Santa Fe County has been very active and supportive. I want to acknowledge Commissioner Stefanics for her leadership in serving on the NMAC executive committee, chair of the Healthcare Committee and as you know, she's also on the NACo, National Association of Counties board of directors.

In addition NMAC has been well served by our chair, Robert Anaya, who's also served on the board and workers' comp, and I want to acknowledge Katherine Miller who's been serving on the pool boards. And in my time on the board she's always been available to lend her expertise when NMAC has needed some of those staff resources. So thank you to her.

Steve and I are going to kind of tag-team our presentation, if that's okay. I know you have this packet but on page 1 you see the pretty office that we just moved into not too long ago. I know all of us in this area are close to the capital, but just wanted for those across the state and even if you're here, particularly during the legislation, the legislative session, if you need a break from the session consider it kind of your home away from home. I'd like to turn you on to page 3 of your packets and there's some tidbits that we wanted just to acknowledge for the record.

New Mexico counties, we have over 10,500 employees throughout the state and we vary in population and also our needs. Bernalillo that has close to 675,000 and we

have Harding County that has 707 residents. One of the things that I think is maybe a disadvantage for us is that we, unlike the cities, we have term limits, and there are 44 states that do not have those term limits imposed on them. As you know, everybody loves this. Santa Fe is the oldest capital in the nation and the highest capital city in the US at 7,000 feet. Counties maintain over 29,000 miles of road, and now is the time I want to turn it over to Steve and I will be tag-teaming this. Thank you.

STEVE KOPELMAN: Thank you. Good afternoon. It's really great to be back here. I was figuring out on the math, because I was County Attorney for about – almost 6 ½ years here and I figure I've probably spent about 4,000 hours at Commission meeting in this room. So Greg, you have a little ways to go, but it's something to look forward to.

Just really quickly, county jails – I know I'm preaching to the choir, but it's probably the most challenging issue that counties face. It's certainly the most expensive that counties face. Statewide, we figure that counties spend about \$250 million a year on a recurring basis just to operate their detention centers. That doesn't even include capital costs, reserves and liability insurance and the like. It's about one out of every three general fund dollars statewide.

You all know jails are the de facto mental health hospitals. New Mexico is one of two states in the entire country where we have more people in our county jails than there are in the state penitentiary. Nationwide there's only two states – New Mexico and Massachusetts – but nationwide the average is two individuals incarcerated in penitentiary to one in county jail; we have over 2,000 more individuals in our county jails. We have more than twice as many women in our county jails as there are in the state penitentiary.

And part of the reason is because the statutes that make counties responsible for housing people charged with crimes, that statute was passed by the territorial government in 1865 and it's been virtually unchanged. We're about the only state that incarcerates anybody who's sentenced to less than a year. So we have people who are accused of serious felonies that are in our county jails as well as misdemeanors, as you know.

Page 4 is our organizational chart, page 4 and 5, the Association of Counties, we're here for one reason and one reason only. We serve and provide support for county government throughout New Mexico. We don't do municipalities. We don't do schools. It's just counties, and we have a lot of expertise to help support you all.

You can see on this chart, we do a lot of legislative lobbying work with you folks and I should point out that you as the elected officials and staff are really the best lobbyists, but we have some really good people. We have Brian Moore who works for us. I think a lot of you know Brian and Tasha Young. Also in every area really of county government we have people with expertise and we provide a lot of support, especially for the smaller, rural counties. But everything from legal and employment issues – Grace Phillips who used to work here. Grace is our general counsel. Finance and procurement issues that we provide support. Intergovernmental with Joy Esparsen.

And then of course we operate and administer the self-insurance pools on behalf of 31 counties on the workers' comp and 29 on multi-line. And so we have a very extensive staff on the insurance side and we do almost all the work in-house. We do all of the loss prevention. We have specialists in detention. We have two folks that do only

detention and I think some of you know Manny Romero. I'm sure that Pablo has dealt with him a bunch, but Manny is actually a nationally known expert. He does a lot of work for the Department of Justice. He was a deputy cabinet secretary and one of the foremost experts in the country. We're real happy to have him on staff also.

MS. STOVER: And Commissioners, before we turn to page 6 I just wanted to – and I wanted to say something about staff and I really do say this is full truth. They are extremely professional under Steve's leadership. There's been a true sense of collaboration and teamwork. I would be remiss if as an elected official, although he hit on it, we do have our great lobbyists, Brian Moore and Tasha, but it's really up to all of us, you guys, during that legislative session, to communicate to your legislators, because they really do want to hear from us rather than staff. I believe that.

So I'm going to direct you now to page 6, the NMAC policy statement, and this year, the board took what was a 38-page document and broke it down into eight key statement areas. I'm not going to read under each category but I'll just call to your attention the categories: County government, economic development, elections and accountable government, energy, environment and natural resources, healthcare and human services, infrastructure, justice and public safety. And then taxation and revenue.

The board, we wanted to focus on broad statements that could be articulated to a legislator or congressional representative. In addition the board wanted to ensure that any proposed legislation could be tied to one of these eight key policy statements. Basically, did any of the proposed legislation pass the smell test?

We also this year took a new approach in developing the legislation that Steve will go into a little bit with you later on. This approach included the executive committee and then each elected affiliate chair, so like your treasurers, your clerks, your assessors, plus the chair of the County Manager affiliate. We spent a whole day detailing the proposed resolutions and providing recommendations that went to the full board. This process kind of allowed for a more in-depth discussion of the pros and cons on the legislation rather than trying to have 33 people make the decisions.

I'm going to move you on now to page 9, which are our policy committees, and these have been in place for about three years now and they are basically – you have subject experts or those who have a high interest. And I won't read each of the charters but want you to know that each of these committees meets on a regular basis throughout the year and if you are interested in serving on them we're looking for volunteers. Briefly, a brief update on some of the committees' activities – the criminal justice reform, that's a committee that I chair. We're actually going to be meeting tomorrow and Pablo is on our board as well. And they have been focused on SJM-4, that is the study regarding the housing and clinical services options for individuals with serious mental illness who are in our jails. There have been about 50 stakeholders who have given testimony and even those stakeholders have also been some that have had mental illness who have been providing input to this report. This report will be available prior to December.

I want you to know that my interest in this committee is focused on youth. I also serve as the chair for the Juvenile Justice Advisory Committee and in May the Supreme Court, CYFD and NMAC signed an MOU that will bring JDAI, which Juvenile Detention Alternatives Initiatives. They're trying to bring this statewide. And it's basically – it's not a program, it's a process that ensures that youth are being served at the

right place. So think about if it was your kid, how would you want your kid to be handled through the system?

For Santa Fe I note that you collaborate with the City and this year you've spent nearly \$72,000 for the County's day reporting center.

Moving onto the Economic Development and Infrastructure Policy Committee, that's chaired by Glen Walters, and this committee, they have a regular meeting first Wednesday of each month and they are currently serving counties on the economic development capability. And they are also working so that NMAC could have a voice on the New Mexico Jobs Council.

The Healthcare Policy Committee, chaired by Commissioner Stefanics. I don't want to put her on the spot but I think she's probably better prepared than I am to give an update maybe on the LFC leveraging of the Medicaid, or do you want to add anything, Commissioner Stefanics?

COMMISSIONER STEFANICS: No, thank you, Ms. Stover. We now have a vice chair, Rhonda Burrows, from Lincoln County is on this as well. We want to make sure the southern part of the state is well represented in all of this and we have expanded the healthcare policy mission to be more than just indigent healthcare. But thank you very much.

MS. STOVER: Moving on, the Native American – thank you, Commissioner – the Native American Policy Committee. This is chaired by Commissioner Lloyd Felipe, and they're working with the New Mexico EDGE program in developing a curriculum to strengthen the communication and understanding of Native American tribes in counties. And Regis Pecos is also assisting with this effort.

The Public Lands and Natural Resource Committee, this is chaired by Commissioner Danny Monette, and they recently met and discussed a legislative resolution that's been supported by Yvette Harrol over the years that would ensure that the Native American, as well as other key stakeholders, were included in that legislation that she's going to be bringing this session.

The Tax Policy Committee, this is our last committee. This is chaired by Commissioner Debbie O'Malley from Bernalillo, and they are working on GRT reform to ensure that NMAC has a seat at the table. Steve recently provided comments to the Revenue Stabilization Committee to discussion GRT and noting the impact again on the jail operations to the counties.

MR. KOPELMAN: Thanks. Very briefly, I talked a little about the legislative session and that's a real big area that NMAC works on on behalf of the counties. If you look at page 13, it's just a real brief review of last year's session where we had four of our legislative priorities were passed, including SJM-4 which is looking at services for mentally ill and people who are housed in county jails. One of the biggest things that we did, actually, was opposing legislation that actually cut back on the authority of county government and of note is the bills to pre-empt county land use authority over oil and gas operations, as well as mining and agricultural operations. There were a number of bills that would have taken counties totally out of that equation so that only the state would pass on those projects, and those bills were all killed in committee.

In addition, there were several attempts to reduce the counties' authority to impose increments under the hold-harmless gross receipts tax. We worked real hard on

that. We brought up a bond attorney. I worked real closely with Katherine, actually, on kind of formulating our position and we were able to convince sponsors not to move forward with those bills, and then one bill that we actually killed in committee.

And then finally, there was a bill that would have put really tight restrictions on the counties' ability to house people in special management. In other words only one person in a cell and not to have them in the general population. It's a really complicated area with people with mental health issues, people who are violent, and that's something we are working on internally and hopefully we'll be able to come up with our own solutions on those issues.

On page 14, real quickly, the four legislative priorities at this moment that were voted on by our board of directors. Foremost is restoring detention center funding under the County Detention Facility Reimbursement Act. A lot of you may remember about ten years ago the Association of Counties and San Miguel County brought a lawsuit against the Department of Corrections. At that point Corrections was not reimbursing the counties for housing parole violators. That case went up to the court of appeals. We won that, and that same year the legislature passed the County Detention Facility Reimbursement Act. They funded it to the tune of \$5 million. Three categories of offenders – parole violators, parole/probation joint, or dual supervision, and then those who are convicted of felonies and are in jail waiting transportation.

The cost last year, according to a Sentencing Commission survey and sentence was about \$5.5 million. That fund is down to \$2.69 million now and so we're really hoping to get some more additional funds in House Bill 2 and we'll really be calling on you to help us with that. Also support funding for statewide EMS assessment. We know especially in rural areas that there's a huge gap in being able to provide necessary EMS and so this is a real critical area. We're working with the Fire Marshal, Department of Health on this one.

Gross receipts tax reform – the major thing from our vantage point is we want to be a partner on any discussion of changes. We don't want the state dictating to us what we can and cannot do and our Tax Policy Committee has come up with a proposal to de-earmark pretty much all of the county increments so that the Commission can make a decision how that money should be used. Right now we have so many increments that are unusable or unused, and so that's something that probably will not happen this session. It's a 30-day session but it's a real important issue, obviously, for our county government.

The last priority has to do with LIDAR and high tech laser mapping. Erle Wright from the GIS affiliate has played a major role in this. This is actually an area where there's federal funds available. We don't have any fund to accept in so one of the things we're trying to do is establish a state fund, perhaps in the State Engineer's Office. This kind of mapping benefits really in every conceivable area, everything from water to land use to tourism, FEMA. It's really important. We're a little behind the times but we're moving forward with that.

Page 15, just some of the federal legislative initiatives. Sharon had mentioned NACo. We work real closely with NACo and obviously, the major issues we're looking at is PILT, the re-authorization, secure rural schools, the highway and transportation funding. We're hoping that there's actually a bill going forward now for a six-year re-

authorization. At this point they're doing the re-authorization every six months, every three months. So we're looking for something permanent, just like we are on PILT.

And then on page 16, real quickly, I know you folks – and we really appreciate you being in the three self-insurance pools that the counties have joined together on. It's workers' comp, law enforcement and multi-line. I'm not going to read through the advantages of pooling but I did want to mention, when we say return of equity to county members, I went back and took a look and I noticed that over the years the pool has returned over \$830,000 to Santa Fe County on the workers' comp side, and that's years where you've had really good results and the pool has done well. Unlike commercial insurance companies when they have a good year, the shareholders and the owners get it, you are the owners and so that's real important.

And on the multi-line side we've returned almost \$100,000 to you. So I wanted to bring that up, but again, I think the reason the pools have been so successful is because as counties, when we join together we're a lot stronger when we collaborate. We get much better rates from our re-insurers and again I think there's really a great reason for us to do that. So we appreciate that. Thank you.

MS. STOVER: Commissioners, I think now we're on page 17, I believe. Yes. And this is a new program, new this year. I know they're working with Katherine and staff and this is voluntary. It's a win for counties. They can buy benefits that were no longer available before. It's with Daniels Insurance, a long-term care, disability, accident coverage, and we hope that Santa Fe County will become a partner with that.

On page 18, there's just some additional resources that NMAC is involved with. Of course the legislative conference that we'll be hosting. Santa Fe hosts it each year in January, the annual conference, and then the BIPO, the Better Informed Public Officials conference. The EDGE, there's lots of opportunities to partner with and get engaged in all aspects of EDGE classes and then NACo, over 3,000 counties and I won't go into all the resources but they have – NACo now has a new website and Liz, Commissioner Stefanics is your best resource for NACo but they truly have – I know you guys have joined the Safe and Secure Counties initiative. There's just a lot of resources there available to you or to employees.

And there's additional boards and caucuses, steering committees, if you're interested, they're on page 19. Liz is again – Commissioner Stefanics is your good resource there.

On page – finally, the end of our presentation, page 20, we really want to hear from you. What are some issues? How can we be better partners? One thing that I know you'll be getting from NMAC I think and you've done it in the past is a resolution supporting the initiatives, the legislative items we will presenting for the session this year, but give us some feedback. Give us some input.

And I want to just thank you for taking us a little early. I have what's on your agenda tonight with the polling places, I've got to go do that up in Los Alamos tonight with my council members and I know Steve was at an LFC hearing, so thank you for moving us up on the agenda. I'll stand for questions.

CHAIR ANAYA: Commissioners? Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. Let me see. On the Healthcare Policy Committee, I would be interested in being a member of that

committee. I was recently appointed by the National Association of Counties to sit on their Health Policy Committee, so I think that would bring things full circle.

MS. STOVER: Thank you. I had one question too, because I know that you provide a lot of services to counties throughout the state. Is there a grant-writing service that you have purchased that we have access to?

MR. KOPELMAN: Mr. Chair, Commissioner Chavez, that's a good question. It's actually something we're working on. Right now our intergovernmental department with Joy Esparsen, we do the wildfire grants for a lot of communities, but we actually are looking to expand that and so I'm hoping that maybe within the next six months to nine months that we will have somebody on staff that will be doing that and we'll keep in touch with Katherine and let her know.

COMMISSIONER CHAVEZ: So this grant-writing service would be a service that New Mexico Association of Counties would provide to their members for grant-writing services in different areas? Or how would that work?

MR. KOPELMAN: Well, it's still a work in progress, Commissioner, so it's something we're working on and we're looking at the finances, but it's something that I think we'll have on board hopefully within the next six to nine months.

COMMISSIONER CHAVEZ: So maybe I was jumping ahead a little bit in thinking that you already had that in place.

MR. KOPELMAN: You're reading my mind.

COMMISSIONER CHAVEZ: I apologize. The other comment I wanted to make is that New Mexico, when it comes to the National Association of Counties is 100 percent. Each of our counties is a member of the National Association of Counties.

MS. STOVER: Mr. Chair, Commissioner Chavez, thank you for bringing that. That was one of my talking points and I messed up, did not prepare. It's quite an honor. We actually get one more seat at the table.

COMMISSIONER CHAVEZ: Well, I think it's for me maybe a little bit more than an honor because we're not one of the 15 missing states when we're at one of the conferences. They know where we are on the map. And so that's refreshing. So I think it's good for New Mexico to be participating, to be represented, and to be visible. And I'm sure that we are and so I just wanted to expand on that just a little bit. Thank you.

CHAIR ANAYA: Commissioners, other questions or comments?

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I really think that Santa Fe County receives a great benefit from being part of the state association. I want to thank Steve Kopelman and his predecessors and all the staff and of course the volunteers. And Sharon Stover is our current president. We just had an unexpected election for president-elect and Tyler Massey became that person and now we have a vacancy for a vice chair, which I believe will be elected in January?

MS. STOVER: In January, prior to our – well, at our board meeting.

COMMISSIONER STEFANICS: Right. So I just wanted to indicate that we're fully involved but we have some openings coming up as well. And I am off of the board next year anyway, sometime. Either in July or December. So thank you.

CHAIR ANAYA: Thank you, Commissioner Stefanics. First I want to thank Commissioner Stefanics for her involvement at the county level on the board. She's been dedicated and worked not only through the state initiatives on behalf of the County and the Association board but has become progressive on the Health Policy Committee and also at the national level, national NACo. So thank you for that.

I had two areas that I wanted to just highlight and maybe get a little bit of feedback from either Mr. Kopelman or you, Ms. Stover. One of them is relative to the gross receipts tax reform and the scope of that particular initiative. As we all know, especially those of us that deal in public policy and taxes, it's a difficult and cumbersome issue. It's beyond the scope of just the gross receipts tax but basically the whole structure in our tax policy in New Mexico. Is there an intention that that scope be broadened as you move into it? Obviously, one will affect the other, but if you could briefly touch on the efforts of the gross receipts tax in particular and then how that might impact future direction the Association might take as far as overall tax policy for the citizens.

MR. KOPELMAN: Mr. Chair, this session coming up, it's a 30-day session. I don't expect there is going to be any major reform but there have been a number of initiatives now about trying to get rid of a lot and reducing the number of exemptions, credits, and deductions. There's about 370 I think, and so as a result of that, our GRT rates in the state are really high, especially compared with our neighbors. So the long-term effort is to get rid of a lot of those, broaden the base and reduce the rate. But at this point now, I think we're probably just going to be watching. We're going to hope and fight to protect what we have already.

And I should mention, I want to just call out to Greg Shaffer because you probably know there was a lawsuit brought by the City of Espanola that actually challenged Santa Fe County's right to impose the hold-harmless GRT increments. That case went to court. Greg did a really good job, filed really effective briefs. The oral arguments were really top-notch and Judge Singleton granted the motion to dismiss. So that was really a major effort but at this point now the state is looking at whatever areas they can to get more money from cities and counties and so we just have to be vigilant and watch that and hope that our state economy turns around so that we're not going to have to play defense so much.

CHAIR ANAYA: So if I could, Mr. Kopelman, I appreciate your response, in essence the gross receipts tax has become regressive in many ways because of state loopholes or state tax loopholes that are provided. Correct? So if we essentially try and close those loopholes and those special accommodations or considerations we'll in fact grow the general fund budget and have less of a need for such high gross receipts tax. Is that an accurate statement?

MR. KOPELMAN: Mr. Chair, I would say it is, yes.

CHAIR ANAYA: Great. Thank you. The other comment that I would have, and I did share this with Ms. Stover as did Ms. Miller, relates to the multi-line and the workman's comp pool. I think that the work of the Association is exceptional and whenever we can collaborate it's important to do so. When we talk about our insurance pools we're talking about a fiduciary responsibility that each Commission has to make individually. And so we evaluate what are the things and services we get through the pools and then what is our highest, best use of tax dollars. So we're continually, as you

know, evaluating and re-evaluating our presence in the pools and then what our direct benefits are as they relate to our citizens and our respective county.

That being said, I would just suggest as a thought that we work together to figure out ways to have more focused discussions with Class A counties, middle sized counties and smaller counties. That's kind of the best way I can put it forward to you to maybe better understand the individual dynamics in each of those respective groups and that might help us as you get into difficult policy questions. I know we had some policy adjustments that I appreciate that yourself and your team worked on, some adjustments before we went to the final vote in workman's comp. And I know that there were some recent policy changes in the multi-line pool that frankly could really put us in a pretty difficult situation as far as overall expenditures on those policy discussions.

So maybe there's a way to craft some other discussions where we isolate those counties of interest and those respective areas as we evolve to those policy decisions. But overall, I appreciate the efforts. I thank you very much for coming and being present today and would offer you any closing remarks you might have.

MS. STOVER: No, it's just been a pleasure to have you give us this opportunity and thank you for all the work that you guys do in your county and also in the region. Coming from Los Alamos we're neighbors so I appreciate the support that we've received over the years as well. Thank you.

CHAIR ANAYA: Thank you both. Thank you, Commissioners.

If the Commissioners would indulge, the Treasurer has another obligation that he needs to attend to a little bit later so I'm going to move his item up.

The Board of County Commissioners temporarily adjourned at 3:20 p.m.

V. B. Treasurer's Office/County Board of Finance Meeting

1. Call to Order

At 3:20 Commissioner Stefanics made a motion to recess as the Board of County Commission and reconvene as the Board of Finance. Commissioner Chavez seconded.

2. Roll Call

The motion to convene as the Finance Board passed by unanimous roll call vote as follows:

| | |
|-------------------------------|------------|
| Commissioner Anaya | Aye |
| Commissioner Chavez | Aye |
| Commissioner Holian | Aye |
| Commissioner Roybal | Aye |
| Commissioner Stefanics | Aye |

3. Presentation of the County's Investment Portfolio for the Five

Months Ending September 30, 2015

PATRICK VARELA (County Treasurer): Thank you. I did something a little bit different this time. I added the actual portfolio and balance sheet because I had remarks the last time that you were having a little bit of trouble reading the slides. So I added that in there in the packet.

Okay. Right now in the office we're challenging, our challenges are volatile market conditions, predicted slow upward market growth, the fed funds still are stale until, I don't know, probably next March when the federal open committee meets again. Something different is some now some volatile Treasury market, so the markets fluctuate day to day – actually hour to hour. And our banking service has changed over from LANB to First National Bank of Santa Fe, which has been a big challenge. I'll go over that briefly in a little bit.

Next, our fixed income portfolio, our operations portfolio, is at \$73,771,117.36. Our general obligation portfolio is at \$9,882,766.36. Our core portfolio, which are our longer terms are \$31,445,444.93. Our general obligations 2013 is \$9,096,523.18 for a total portfolio of \$124,195,851.83, which is now at Fifth Third because they got the RFP back in early spring. So it went from Schwab to Fifth Third.

Our next slide shows just a portfolio on a pie chart of what I just read to you. If you look at your included portfolio, inside we have it segregated in different fonts. That's the Excel spreadsheet and there you'll see where we have change – where it's marked "new" those are the new accounts that have opened at First National Bank that we've moved over from LANB. This has kind of been a lengthy process for us. It's efforts between our office, Finance, IT. We're meeting weekly every Wednesday to go over our change over. We have our core account which are longer term. We segregated those last year and if you go into our operation accounts you'll see some bonds that have been called that have matured so they fell into our lean months, so these fell into our lean month last month and got either called or they got matured.

And then we have our munis and treasuries and then we have our LGIP. Now, the LGIP had kind of disappeared because of what happened a couple of years ago but the new treasurer gave us a little surprise so we have – it went from \$641 to \$26,000 in the LGIP. We still have it there. We need to draw it down and move it into our operations account, so we're in the process of doing that.

Our other accounts that we have are still between Los Alamos National Bank and First National. One account that's going to stay at LANB is the film studio account. That CD will stay there, remain there, because it was on LANB paper. So our LANB account right now is at \$8,662,193.85. Our various accounts at LANB are at \$22,630,028.93. First National of Santa Fe has \$13,038,3017.31. Our Wells money market is \$30,045,394.76. UBS, \$6,014,465.94. And again, our LGIP pool at \$26,920,78, which gives us a total of \$80,417,311.57.

Our next slide will have the actual graph where I break it down. I have these actual slides in our packet for our monthly investment meeting so many of you are familiar with these.

Our liquid earnings, LANB we're getting 10 basis points and 9 basis points credit

from the FDIC. First National is giving us 10 basis points. UBS is giving us 12 basis points and Wells is still giving us 21 basis points on their money market. I don't know how long that roller coast is – we're going to get that but it's been a good ride because that's probably the best money market that there is around, government money markets.

Our total ending balance is \$204,613,163.40. I included a balance sheet of everything I just read for you in the packet.

I included a slide of the treasuries. This is how volatile the market has been since May. Every kind of action worldwide will cause this fluctuation to move. A couple of weeks ago there was a picture of ISIS with a Toyota. That moved the market even in their market so that's how volatile it is. And the way we've been doing it in our Investment meeting, we look at the treasuries day to day when we're going to invest or we'll look at the agency paper – Fannie Maes, Freddie Macs, etc. and we'll find out what is the best deal for that duration that we're going to be in. This is a strategy that we've been using for the summer and I'd like to continue it. It's day to day.

The next slide is our actual bond market. When the treasuries are up the bond market was done. This is the aggregate so this is mostly government agencies and you can see again how it's been fluctuating. Right now the bond market is good so it rose up to, I think 109. Back in February it was as high as, like it was at 111. So when the bond market is down more there's an opportunity to buy discount paper. So if it was at par, which is \$100, when it's down it might be at 99, 99.3, 99.80 and so on and so when they're up we always have our – our portfolio looks really pristine, because it fluctuates from a day to day basis.

And just for reiteration, when we put in \$1 million in we get the million out, so it always fluctuates. We will buy and hold. We don't do daily trades, so we're buying it just for the duration.

V. B. 4. Presentation and Approval of the County Treasurer's Investment Plan

TREASURER VARELA: The investment plan for the next quarter is investing again in short-term treasury bonds and notes, investing in short-term bullet government agencies, investing in collateralized money markets, and now we're only investing in the above that out-perform the particular window of time. Like I mentioned, we look for three-month treasury or a three-month CD. We can do those. That gives you the best deal for that duration of time.

All maturities will be for 2016 to 2020. Any additional monies will be invested in for 2015 lean months. Then we'll also maintain a liquidity cushion which we moved \$12 million in June to pay off a general obligation bond or make a bond payment actually. So with this I need a motion for approval for my next term or any questions I could answer before.

COMMISSIONER CHAVEZ: So, the chair stepped out of the room.
Commissioner Stefanics.

COMMISSIONER STEFANICS: Yes. Mr. Chair and Mr. Treasurer, are

there regular meetings being held?

TREASURER VARELA: Yes, ma'am. Every month.

COMMISSIONER STEFANICS: And in the past quarter, since we hold these meetings quarterly, has there been any objection to any of the investments in the meetings?

TREASURER VARELA: Mr. Chair, Commissioner Stefanics, no, none at all.

COMMISSIONER STEFANICS: Thank you. And Mr. Chair, unless there's further discussion I would move for approval of the County Treasurer's investment plan.

COMMISSIONER HOLIAN: Second.

COMMISSIONER CHAVEZ: There's a motion and a second. Mr. Varela, you also have a lot of this information on your webpage, right?

TREASURER VARELA: Correct. And if you recall last time, and that was actually from Commissioner Stefanics, we did a white paper that's on line. This presentation goes on line or our portfolio goes on line. I'm trying to be as transparent as I can, so I put everything as online as we can.

COMMISSIONER CHAVEZ: That's what I thought. Okay. Thank you for sharing that. There's a motion and a second.

The motion passed by unanimous [5-0] voice vote. [Commissioner Anaya voted after the fact.]

TREASURER VARELA: Thank you. Update on our delinquencies. Our delinquency report, we have collected year to date, this is two individuals in my office, they have collected \$3,234,930.46. In September alone they collected a total of \$357,540.15, and that was 2,131 accounts that they worked.

Our red tagging program, we have collected year to date \$117,134.48; September alone, \$10,270.30. And that is a total of 223 mobile homes that they worked.

And upcoming projects that I have are property tax collection outreach program, which starts in two weeks. We'll be going to different districts throughout the county. We've done this before and we collect property taxes so they don't have to come in to Santa Fe. We basically take the office to them, the same – everything that's done we take it over there on site.

Now we're extending the payments on line. I'm glad to say I'm now in the process that we changed over banks. The website to actually make payments is going to look different. It's going to look identical to the Santa Fe County website. This has been a collaboration between my office, Finance and IT again. [inaudible] And it's going to be a kind of different experience. You can actually go on line, type in your account number and get an identical copy of your bill. It's going to be a lot different. Hopefully now when we do this we can also get – do utilities on line. We can do the water on line. Hopefully, I want to get with the utilities once this is up and going but I've already tested the static side. It goes live, I believe next week and it's a different experience so if you have an

opportunity I ask you to play with it because it's pretty nice.

As chair of the Treasurer's Affiliate we have a couple of legislative items. We have our broker CD that almost got to the floor last year on the House side. It was in the last 72 hours and it didn't get called out, but that's getting up there again. We also have legislation on PIDs, TIDs and special assessment districts that they have to work with the County Assessor and the Treasurer's Office, so we're not blindsided and they ask for a mill levy increase and the customers are always mad because they're not informed in their notice of value or because they come after the notice of value. So hopefully this will get passed and be able to work with our offices. That's just another avenue that we're looking at.

Are there any questions? I'm open for any kind of questions.

CHAIR ANAYA: What's the pleasure of the Board? Is there any questions or comments?

COMMISSIONER STEFANICS: Mr. Chair, while you were out we did approve the investment plan.

CHAIR ANAYA: Let the record reflect that I voted in favor of the investment plan. Mr. Treasurer, Mr. Deputy Treasurer, I appreciate your continued efforts and work in partnership with the Investment Committee and your office and working with the constituents on a regular basis and the citizens of Santa Fe County. Thank you very much.

TREASURER VARELA: Thank you.

V. B. 5. Adjourn

Upon motion by Commissioner Chavez and second by Commissioner Stefanics, and unanimous [5-0] voice vote the Board of Finance adjourned.

Commissioner Stefanics moved to reconvene as the Board of County Commissioners. Her motion was seconded by Commissioner Roybal and Commissioner Chavez. Upon unanimous [5-0] voice vote the BCC reconvened at 3:35.

III. ACTION ITEMS

B. Appointments/Reappointments/Resignations

1. Acceptance of Resignation of William Baker from County Open Lands, Trails and Parks Advisory Committee (COLTPAC)

MARIA LOHMANN (Open Space and Trails): Mr. Chair, Commissioners, Bill Baker submitted his letter of resignation from COLTPAC on October 12th. Mr. Baker was appointed as the District 3 representative on October 2013 for a three-year term. This term expires in December 2016. Staff is requesting that the Board accept Mr. Baker's resignation in order for a new District 3 representative to be appointed.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval and I would also like to make a comment if there's a second.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: A motion from Commissioner Holian, second Commissioner Chavez. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you. Maria, I'd really like to send my thanks to Bill Baker for his services over the years. I've known him now ever since I've been on the Commission and I know that he's really been involved in trying to make the county a better place, especially when it comes to trails and he's really given a lot of thought to that and I just want to pass on my sympathy to him and his wife for their recent medical challenges. And I hope – will we be sending him a letter or something like that?

MS. LOHMANN: Mr. Chair, Commissioner Holian, absolutely. We have really enjoyed having Bill on the COLTPAC committee and we'll definitely miss him and we're going to send him all of our love and a letter of thanks.

COMMISSIONER HOLIAN: As a matter of fact if you'd be willing to work with me I'd like to work on a proclamation for him recognizing his service because he really has done a lot for the county.

MS. LOHMANN: Absolutely. I'd love to help.

COMMISSIONER HOLIAN: Thank you very much.

MS. LOHMANN: Thank you.

CHAIR ANAYA: There's a motion, there's a second. Is there any further discussion?

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

III. B. 2. Appointment of Primary Member to the NMAC Workers Compensation Pool Board

TONY FLORES (Deputy County Manager): Thank you, Mr. Chair. Good afternoon, Commissioners. It's kind of an apropos time that we discuss this item as we just received a presentation by Association of Counties executive director on the changes that are going on with both the multi-line pool and the workers' comp pool committees. An item has presented itself to us. We are looking for now a Board recommendation and appointment as the primary member to the Workers' Compensation Pool Committee. We had some recent changes in the ability to get some representation, I believe. I'm not quite sure of the circumstances but we now have a vacancy as a primary member.

It's important to point out that in my discussions on trying to formulate this recommendation is to understand the role of the person that's been appointed by the Commission. As the Board knows, we appoint on an annual basis to boards and committees. We'll be taking on that endeavor soon with the initial draft going out at the

end of this month and the Board can be prepared to act on the new appointments for January for calendar year 16. But one of the issues that I've seen is the time commitments that this particular pool committee, this worker pool committee takes as does the multi-line. And also, as the Chairman indicated there's a great deal of fiscal responsibility on both of these pools and committees and one of the things that I would recommend or humbly request from the Commission is that we keep that in mind when we're dealing with those recommendations coming from the County Manager through staff to the Board of County Commissioners when we deal with our annual budgets because these do play into our annual budgetary and fiscal requirements.

So with that, Mr. Chair, I would humbly request and recommend that for the duration of this calendar year, because there is a meeting coming up in December that we allow Ms. Miller, who is our appointed alternate member to this committee serve as the primary member, and that way we can get that letter to the Association of Counties to bestow the privileges of voting to that member. With that, Mr. Chair, I'll stand for any questions.

CHAIR ANAYA: So, Mr. Flores, I sit on the Board and I'm the one that approached yourselves and I appreciate that you're coming back. I had a conversation with Commissioner Roybal and I know that Ms. Miller, you had some additional thoughts. Did you want to add anything at this time? I'm fine with the recommendation but did you have anything you'd like to add, or Commissioner Chavez? I'll go to you, Ms. Miller, first.

MS. MILLER: Mr. Chair, I just want to say that I have been serving on multi-line this year and I have gone to a few of the workers' comp meeting. We have one meeting left in this year of both multi-line and workers' comp, and I offered that I would attend on behalf of the County for that one meeting while the Board decides whether they would like to – who would like to do it for the next year, whether they want that to be a BCC member of a staff member. So I'm fine with whichever decision and I'm willing to serve for that last meeting this year if you would like.

CHAIR ANAYA: Thank you, Ms. Miller. Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I do want to let you know that I did have a conversation with the Manager. I'm interested in serving but it did make sense to make the appointments in January so we're all – I guess we're going to have to make the re-appointments in January anyway. So it seemed to make sense to let the County Manager finish this year and then we make the appointments in January to all of the committees and I don't know how much they're going to be changing but certainly we'll have to go through that process and see where we're at with the committees and what we're comfortable – where our comfort level is on those committees. But I would be willing to fulfill that role if the Board sees fit in January.

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

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I would like to move to appoint Katherine Miller to serve out the term on the NMAC compensation pool board as the primary member.

CHAIR ANAYA: There's a motion. Is there a second?

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion from Commissioner Holian, second from Commissioner Chavez. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I'm wondering in January, if we meet early enough for the first meeting in January.

MR. FLORES: Mr. Chair, Commissioner Stefanics, the first BCC meeting will be January 12th, and I believe that's right before the NMAC meeting.

COMMISSIONER STEFANICS: Okay. Thank you very much.

CHAIR ANAYA: Thank you, Commissioner Stefanics. There's a motion, there's a second.

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

III. C. Resolutions

1. Resolution No. 2015-151, a Resolution Authorizing the Chairperson of the Santa Fe County Commissioners to Sign the Four-Year Plan Proposal and Enter into a Contract for Approved Four-Year Area Plan (2016-2020) for Senior Services in Santa Fe County

GREG SMITH (Community Services): Good afternoon, Chair, Commissioners. Mr. Chair, Commissioners, in front of you is a resolution. It's the Santa Fe County Division of Senior Services are currently in the process of completing and submitting a four-year plan to the Non-metro Area Agency on Aging. This plan will allow the County to continue as beneficiary of funding from the Area Agency on Aging. The grant award is related to services that will be provide in fiscal years 2017 through 2020. The four-year plan will allow Santa Fe County to continue requesting state and federal grant funding through the Non-metro Area Agency on Aging on an annual basis for the next four years.

Again, Mr. Chair, Commissioners, the resolution is delegating signature authority to the Santa Fe County Commission Chair to approve and execute the Santa Fe County's proposal and four-year plan and to provide the senior services and to execute the subsequent contracts based on the approved proposal and four-year plan. Mr. Chair, with that being said I stand for any questions.

CHAIR ANAYA: Thank you, Mr. Smith. Are there any questions or comments?

COMMISSIONER STEFANICS: Mr. Chair, I'll move for approval but then I have a comment.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Motion from Commissioner Stefanics, second Commissioner Chavez. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you. I recently met with an Alzheimer's support group and there were members from all over our county. I mean from the north, from Commissioner Roybal's district, from in town, from Eldorado and

they are requesting that we look at programming for special populations, and it might be Alzheimer' it might be dementia, but it might be something around activities of daily living to keep people cognizant and with it. So I'd like Senior Services to look at how that could be incorporated into the programming in the different centers.

MR. SMITH: Mr. Chair, Commissioner Stefanics, within our four-year plan we are looking at the possibility of additional services that we can provide and how we would go about doing it, so I'd be glad to look at how we could incorporate things like that in what we already have.

COMMISSIONER STEFANICS: Great. And I believe that some of the individuals, those that are family caregivers in the group, that they were going to actually start petitioning their Senior Center Advisory Committees around this as well. So you might just get a jump on it. But thank you very much, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Seeing no other discussion.

The motion passed by unanimous [5-0] voice vote. [Commissioner Holian's vote was recorded after the fact.]

III. C. 2. Resolution No. 2015-152, a Resolution Authorizing Holiday, Closing of County Offices and the 2016 Santa Fe County Employee Calendar

ANDRIA DURAN (Human Resources): Mr. Chair, Commissioners, I'm requesting approval for the resolution on the 2016 employee calendar. There are ten observed holidays in the calendar, which are the same as last year, and I stand for any questions.

CHAIR ANAYA: Thanks, Andria, for being here. I have a question of Ms. Miller and my colleagues, going forward and I would defer to the incoming chair and the Commissioners. Ms. Miller, we had had a conversation some time back relative to a time holder in the year when – I know there's other Commissions and we've talked about it that actually have a meeting month where they don't have meetings so that – and the point was was so that staff or maybe at least not one of the meetings and maybe just have one meeting, but I think it's Bernalillo County and there's a few others that actually don't have a meeting on a given month, and it's actually in an effort to assist and facilitate the staff in getting caught up, if you will, with either prior year or close of year issues.

And I know it was something that you had expressed some possible interest in. So I wanted to – now's the time for us to have this discussion. Do you have – in your mind is there a month or a time when it would really make sense for us not to have a meeting where it would be more beneficial to the County to give that time to staff to be able to deliberate and deal with closing documents or budget documents or whatever's necessary. I just want to give you the floor and give you that opportunity to have that discussion before we approve this calendar.

MS. MILLER: Mr. Chair, what we had talked about, because the

beginning of every year we have a lot of requirements relative to the budget – mid-year budget reviews and then we go right into preparing the next year's budget. We have a lot of statutory deadlines. So what we had discussed was the time of year, if you were to have a month without Board meetings would probably be better towards the latter half of a year – August, September timeframe or in the fall to winter, where we're not running up against those type of deadlines and the idea too was that it would go along with employees being able to maximize holidays like the Fourth of July – or not Fourth of July. I'm sorry. That was a bad one because of the final budget. But end of August or beginning of September for like Labor Day holiday and that type of thing.

So while we won't bring you the meeting schedule until January, the meetings resolution, it might be something to think about relative to the employee holidays that we do have in front of you and whether maybe next year something like September might be a good month. We weren't able to do it this year because of so much that we had going on with the code. We had a lot of deadlines that we had to meeting and so that was really the reason we didn't propose it this year but something to keep in mind that maybe next September or something might be a good month for that.

CHAIR ANAYA: So we don't need to do it with the employee calendar but I would put that to the Commission that it seemed to make logical sense to afford staff and even the Commission to regroup, if you will, and catch up giving those year-end items. So it does affect the employee calendar but it could affect the overall calendar and I would just offer that it seems to make sense and it might be something we'll hear about in the future then.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, on the colored calendar and then on the subsequent sheet, and I hope I'm wrong but it says Monday, January 1st, and I believe January 1, 2016 is a Friday according to this colored calendar.

MS. DURAN: Yes, you are correct, Commissioner Stefanics and we'll correct that. So it should be Friday, January 1st.

COMMISSIONER STEFANICS: And has everybody checked all the rest of the dates on there?

MS. DURAN: We'll double-check. We did go through a review but we'll double-check it again.

CHAIR ANAYA: Thank you, Commissioner Stefanics. What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I move for approval with the correction, and also I would like the record to reflect that I voted in favor of the previous resolution.

CHAIR ANAYA: Absolutely. That would be resolution providing authority for the chair to sign off on senior services.

COMMISSIONER HOLIAN: Correct.

COMMISSIONER ROYBAL: I'll second.

CHAIR ANAYA: Thank you. So there's a motion from Commissioner Holian, second from Commissioner Roybal. Any further discussion? Seeing none.

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

III. C. 3. Resolution No. 2015-153, a Resolution Governing Incentive Pay for Appraisers Employed in the County Assessor's Office

MS. DURAN: Commissioners, in 2015 the New Mexico Legislature made an amendment increasing the cumulative increments available to qualifying County Assessor employees holding appraiser certificates. So with the Assessor's Office the Human Resources staff has developed the following eligibility criteria for the appraisal staff. Employees in the County Assessor's Office who are qualifying appraisers and who complete 30 hours of continuing education credits every three years would be eligible for this type of incentive pay. I stand for any questions.

CHAIR ANAYA: Are there any questions or comments? What's the pleasure of the Board?

COMMISSIONER STEFANICS: I'll move for approval.

CHAIR ANAYA: Motion from Commissioner Stefanics.

COMMISSIONER ROYBAL: Second.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: Second from Commissioner Roybal and Vice Chair Commissioner Chavez. Seeing no further discussion.

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

III. C. 4. Resolution No. 2015-___, a Resolution Urging the U.S. Supreme Court to Uphold the Right of Unions to Charge Union Dues to All Bargaining Unit Employees as Established in *Abood v. Detroit Board of Education*, 431 U.S. 209 (1977)

COMMISSIONER STEFANICS: Mr. Chair, I believe that I'm going to move to table this. I don't believe it has enough understanding yet from the Commission.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion from Commissioner Stefanics to table, second from Commissioner Holian.

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

III. D. Miscellaneous

1. Request Approval of Amendment No. 3 to Agreement No. 2013-0115-CORR/PL with BI Incorporated for an Increased Contract Amount of \$630,000 and Extend the Contract Term One (1) Additional Year for Electronic Monitoring Services

**and Grant Signature Authority to the County Manager to Sign
the Purchase Order**

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners. Good afternoon. Mr. Chair and Commissioners, this electronic services provides a program that offers an alternative to incarceration and assists in alleviating overpopulation at the jail. We issued an RFP in 2012 and entered into a contract with BI Incorporated in November of 2012. This is the third and final amendment to extend the term for one additional year and increase the compensation for an additional \$630,000 for a complete contract amount of \$1,810,000. With that I'll stand for questions.

CHAIR ANAYA: Any questions or comments? Commissioner Chavez.

COMMISSIONER CHAVEZ: No question but just a comment I guess. I think, as Mr. Taylor mentioned, it's an alternative sentencing program. It's court ordered. We have the Office of the Courts involved. But again, the responsibility falls on us. We have to make what I would call this investment in our community. \$1.8 million is a substantial about of money but if it does help steer someone in a more positive direction then I'm thinking – I'm hoping it's money well spent. So having said that, Mr. Chair, I would move for approval.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Motion from Commissioner Chavez, second from Commissioner Holian. Any further discussion? Seeing none.

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

III. D. 2. Request Approval of Amendment No. 3 to Agreement No. 2014-0002-LG/MS with Daniels Insurance, Inc. for an Increased Contract Amount of \$60,000 and Extend the Contract Term One (1) Additional Year for Insurance Broker and Consulting Services and Grant Signature Authority to the County Manager to Sign the Purchase Order

MR. TAYLOR: Thank you, Mr. Chair. This amendment three, again, extends the term of the contract an additional year. It will be the second year extension and increases the compensation \$60,000 with a total contract amount of \$250,000 to provide insurance brokerage services for the County. And with that, Mr. Chair, I'll stand for questions.

CHAIR ANAYA: Are there questions or comments of the Board?

COMMISSIONER STEFANICS: Mr. Chair, I would move for approval. I understand that the contractor did negotiate a lower rate for us.

MR. TAYLOR: Mr. Chair and Commissioner, thank you for that. Yes, that's correct.

COMMISSIONER CHAVEZ: I'll second and only add that the contractor is also a local contractor.

MR. TAYLOR: Mr. Chair and Commissioner, that's correct.

CHAIR ANAYA: There's a motion from Commissioner Stefanics, a

second from Commissioner Chavez. Under discussion, how many hours of work are we talking about in this contract? If we could just give a snapshot. I know there's been discussion in the past and I frankly have raised some questions associated with this particular contract. Can you give me an idea as to the – Mr. Cook. He's here. He can address it. I'll let him address it.

Could you give me an idea, Mr. Cook, of the hours of time that you spend and your associates spend on this particular contract on an annual basis?

JAMES COOK: We spend about an average a month of about eight to nine days a month. We visit with Steve and if Steve was here he could verify that. We are in constant contact. All claims coming in, we report them to the Association. We deal with the Association. We go out and get figures, like last year's renewal, when we went out to get figures for last year's renewal when we bring that figure in we go show it to the Association first for them to determine what it is so we put in probably a month, probably four or five weeks a month we would probably put about a week a month on the County.

But we also monitor the claims and look at their claims. We meet with Bill – we meet with you about how many times?

MR. TAYLOR: At least twice a month on reports.

MR. COOK: And we go over the claims and verify them. Then we go to the Association and visit with the Association on the claims.

CHAIR ANAYA: So, Mr. Cook, you put 40 hours of work in this particular contract per month in additional hours of work in the contract?

MR. COOK: I was using that roughly. We can provide exactly how many hours we produce. We keep track of that, but we do about 40 hours a month on it.

CHAIR ANAYA: On a monthly basis.

MR. COOK: Yes, sir.

CHAIR ANAYA: And then in addition to that – or there's additional meetings or that's all inclusive?

MR. COOK: No, there additional. For example, we meet with the Association. If you had Steve Kopelman here he could verify. I personally meet with him at least every other month for a couple days to do so. Where we are now, for example, last year, to give you an idea of last year. The year before, as you know, when you move the coverage back to the Association, the Association is a little over \$100,000 high. Last year when we negotiated with the Association, last year the Association bid came in at \$1.5 million. We had worked with them to keep it in that range. We went out to look at the other markets at that time and were able to indicate to the Association that that's what their pricing should be.

We're in the process now of going out to get bids and we've talked to Steve Kopelman. We've got two companies. One Beacon and Travelers can give bids. When we get those bids in we will sit down with the Association and show them what our bids are, show them what it is and give them an opportunity to determine if they say they're not competitive, but if Steve was here he would verify that – and we make sure that we keep them having the last look. That's a commitment as you remember, Mr. Chair, a commitment we made to the Association.

CHAIR ANAYA: Thank you, Mr. Cook. Any other questions or comments? There's a motion on the floor. There's a second.

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

III. E. Ordinances

- 1. Request for Authorization to Publish Title and General Summary of Ordinance No. 2015-___, an Ordinance Establishing Development Permit and Review Fees for Projects in Santa Fe County, New Mexico; and Repealing Ordinance 2008-12 and Section 9.A (Fee Table) of Ordinance No. 2010-6 (Motion Picture and Television Productions) [Exhibit 2: Text of Permit and Review Fee Ordinance]**

VICKI LUCERO (Building Services & Development): Thank you, Mr. Chair. this is a request for authorization to publish title and general summary of Ordinance 2015-__ an ordinance establishing development permit and review fees for projects in Santa Fe County, New Mexico; and repealing Ordinance 2008-12 and Section 9.A, the fee table of Ordinance No. 2010-6, which is the motion picture and television productions.

On October 13, 2015 this item was presented to the BCC. The BCC stated that they wanted staff to conduct periodic reviews of the fee schedule, so we've added language to the ordinance that states the fee schedule will be periodically reviewed in conjunction with updates to the SLDC as needed, but at a minimum of every five years. And that's actually shown on the packet that Penny just handed out.

At that meeting the BCC also requested that we have submittal checklists with procedures, timelines and fees for all types of applications in the SLDC and we are working on establishing those checklists currently. At the October 13th meeting the Commission voted to change the fees for non-residential development from \$350 to \$175 for projects with a valuation of zero to \$999. Staff made the change in the proposed fee schedule. Since the BCC meeting staff has also added a fee for plats creating a TDR sending area in the amount of \$25. These types of plats will be reviewed and approved administratively.

Mr. Chair, Commissioners, as we were taking another look at the proposed fee schedule we discovered that we miscalculated the current fees in the film ordinance, specifically for small-scale and major productions. So if you take a look at the comparison spreadsheet that was just handed out you'll see the correction that was made. Regarding small-scale it's listed as \$400, or it was listed in the original comparison and is actually \$325, and that caps off at 30 days, and then our intention was basically to leave these fees the same as we currently have them in the fee ordinance, so we just adjusted that fee and made it \$325.

In regards to the major productions, we had that listed as \$550 and the actual is \$400. The BCC had given us prior direction to increase those fees. So our proposed increase would have taken the fee from the \$400 current fee to \$2,000, but in revisiting this we felt that the increase may have been too much, so what we did was we're proposing now to double the fee, so it will go from \$400 in the current film ordinance to

\$800 in the proposed ordinance.

Mr. Chair, with that, staff requests that the Board of County Commissioners grant approval of the request to publish title and general summary of the proposed development permit and review fee ordinance, and I stand for any questions.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Okay. So thank you all for you work, work, work on this but what we're looking at is not a red mark up of what you just told us. I am looking at a small-scale production in red. Nothing changed in major and I'm looking at the first – I'm not looking at the long page; I'm looking at the chart on the couple pages.

MS. LUCERO: So Mr. Chair, Commissioner Stefanics, you're looking at the actual fee schedule in the ordinance, not the comparison? Okay.

COMMISSIONER STEFANICS: So I understand we're just going to publish title and general summary, but I think we're not in sync here.

MS. LUCERO: So does your sheet look – does it have a couple of red markups on the film section of it?

COMMISSIONER STEFANICS: Yes.

MS. LUCERO: Okay. So the small-scale production, formerly, or what we were proposing at the last BCC meeting was that it would be \$100 base fee. So we changed that to \$25. So that, if you calculate that based on 30 days, it's \$25 plus \$10 per day, that's \$325. So it's the same as the current film ordinance.

COMMISSIONER STEFANICS: I'm just indicating that there's not a redline on here for your other productions. You said that there was a change? So that's all I'm saying. I'm fine with what you're talking about but I'm just saying that we're publishing title and general summary but this is not matching up. That's all I'm saying.

MS. LUCERO: Okay. I apologize. The strike-through – it may be in black and white but it's the strike-through that we're changing.

COMMISSIONER STEFANICS: Thanks.

COMMISSIONER CHAVEZ: Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: But then on the spreadsheet that you have, the numbers are the same, right? Because you still have small-scale production at \$25 instead of \$100. And then \$10 instead of \$50. And then it's going from \$400 to \$375 and from \$550 to \$400?

MS. LUCERO: Mr. Chair, the strike-throughs are the same as the ones I just mentioned on the proposed – on the comparison spreadsheet.

COMMISSIONER CHAVEZ: So the only difference then in the memo and the spreadsheet is that it explains that it's 30 days of filming for each of the categories.

MS. LUCERO: Right. That's what we chose, the 30 days to figure out the fees just to give an example.

COMMISSIONER CHAVEZ: And is that usually the term of a contract or does it vary?

MS. LUCERO: It varies based on the production.

COMMISSIONER CHAVEZ: So you can do it by day or by the month? Do you have a breakdown?

MS. LUCERO: Mr. Chair, Commissioner Chavez, for small-scale and major productions, we just have a per-day fee. So if it was a week it would be seven days that we would be charging them for.

COMMISSIONER CHAVEZ: So if they pull a permit for a week and they're there for a month, how do you know that?

MS. LUCERO: Mr. Chair, Commissioner Chavez, they have to let us know in their application when they're going to be filming and the locations where they will be filming.

COMMISSIONER CHAVEZ: And there could be multiple locations.

MS. LUCERO: Locations, yes. Under one permit.

COMMISSIONER CHAVEZ: So who's following them around.

MS. LUCERO: Well, if there's a change in the location then they have to notify us because we'll need to coordinate with the Fire Marshal and possibly Public Works if there's any road closures or any filming there that the Fire Marshal needs to be present for.

COMMISSIONER CHAVEZ: So most of the sets or locations are not something that they can just pick up and move across the street without anybody knowing.

MS. LUCERO: Mr. Chair, Commissioner Chavez, in most instances that's correct.

COMMISSIONER CHAVEZ: Okay. All right. That's all I have, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez. Are there any other questions? I have a few comments before we go to a motion. My motion is going to follow suit not only on this item but the subsequent items that we have posted. This publishing, from my perspective and I don't think from any Commissioners constitutes an approval of what's existing in the document. The motion, if it passes, constitutes where we are to this point as far as collective information and then we will publish the documents and then we will have additional feedback relative to the documents for final review, possible amendment, and then final consideration. So is that an accurate reflection of where we are on this as well as the next two subsequent items?

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

CHAIR ANAYA: So I say that because I specifically have, and I noted this in the last meeting, I have some questions and possible amendments relative to the fee structure, not unlike some of those amendments that are different but that my colleagues have brought up relative to trying to make it a functional and usable fee structure.

But one question that I have before I go to a motion, and I don't know if you, Ms.

Lucero, or if it's Ms. Jaramillo or Ms. Miller that might need to answer it, but I would like to know, what's the percentage, and I know we've had it in the budget documents, but what's the percentage of the money that the fees actually go back to pay for the operation of the Land Use Department? Do you know that, Ms. Lucero?

MS. LUCERO: Mr. Chair, off hand I don't know that number.

CHAIR ANAYA: That's okay. Ms. Jaramillo, if you could come forward and maybe help us out. I'm trying to correlate our fee structure to the functions that we actually provide and as I recall, it's not a large proportion but I'm just curious if we know what that is.

MS. JARAMILLO: Mr. Chair, Commissioners, I'm sorry. The question was if the land use fees offset a portion – what the portion is that they offset of the land use operation?

CHAIR ANAYA: Yes.

MS. JARAMILLO: It is a small portion. I don't have the numbers right off the top of my head exactly of what their budget is but the fees only bring in about \$500,000 to \$600,000 a year in total and their operation is probably \$5 million but I would have to look.

CHAIR ANAYA: As we progress to the next hearings I would appreciate if we could have that and I understand that I put you on the spot but I just want to clarify, it is a smaller portion of what we do and I know my colleagues and even I over the process of this long process have gone back and forth with raising fees in some areas and reducing fees in others and I think it's been a logical progression, but I still think there might be some room for us on smaller projects and smaller applications to even go deeper. And that will be up to the collective Board to make those determinations one way or the other. But I just want to put that out there. So if you could provide us some background as to the correlation between the two I think it will be helpful for us moving forward. Thank you so much. Commissioner Chavez.

COMMISSIONER CHAVEZ: Ms. Lucero, I appreciate the language that you included regarding the update and I think every five years at a minimum probably is good. There was another request that I had made that would help the homeowner, the individual that would be doing a small project under like maybe a homeowner's permit. A checklist – because we talked about the cost of the project, the cost of the permit application and all that. Then I was asking for a timeline, a checklist, so that people would know how much it's going to cost, what the permit application is, what the timeline is and what is expected of the applicant. Because I think sometimes the individual, especially if they don't know the system, if they're not your typical builder or developer they may know the system but people, the individuals who are just doing it from time to time are not as familiar with the permitting process. So a checklist, the cost, and a timeline. Have you put any thought into that?

MS. LUCERO: Mr. Chair, Commissioner Chavez, we are currently working on putting together the checklist with the submittal requirements, the procedures that the public will have to go through for a certain type of application, timelines, that sort of thing. So we'll have those complete before the SLDC takes effect.

COMMISSIONER CHAVEZ: So where will that fit in? Will that fit into

that section here? Or will that be just general information that you'll be giving to the public as they're coming into your office to apply for permits?

MS. LUCERO: Mr. Chair, Commissioner Chavez, it'll just be general information that we'll be handing out for specific types of applications as people come in.

COMMISSIONER CHAVEZ: Okay. Thank you.

CHAIR ANAYA: Thank you.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

CHAIR ANAYA: I would like to move for approval to publish title and general summary of an ordinance establishing development permit and review fees for projects in Santa Fe County, New Mexico.

COMMISSIONER CHAVEZ: I would second that motion and read on. This is also repealing Ordinance No. 2008-12 and Section 9.A, fee table, of Ordinance No. 2010-6, motion picture and television productions.

CHAIR ANAYA: There's a motion from Commissioner Holian, a second from Commissioner Chavez. Is there any further discussion? Seeing none.

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

III. E. 2. Request Authorization to Publish Title and General Summary of Ordinance No. 2015-___, an Ordinance Adopting the Zoning Map of Santa Fe County Applicable to Lands to Which the Santa Fe County Sustainable Land Development Code Applies
[Exhibit 3: Turquoise Trail Overlay Map; Exhibit 4: Amended Ordinance Language]

ROBERT GRIEGO (Planning Manager): Good afternoon, Mr. Chair, Commissioner. This item is to request authorization to publish title and general summary of an ordinance adopting the zoning map of Santa Fe County, applicable to lands to which Santa Fe County's Sustainable Land Use Code applies. If the Board approves this request staff will initiate the zoning map adoption process which will include submitting a letter to all property owners in the county regarding the zoning map adoption process and the schedule for the zoning map public hearings.

The zoning map adoption is required for implementation of the Sustainable Land Use Code. The process for approval of the zoning map was initiated in 2014 with the first draft of the zoning map for Santa Fe County which included a public review process and comment period. Staff held several public meetings, held open office hours and coordinated with communities throughout the county. We received over 831 comments and with these comments staff provided a review, an analysis of the public comments through six special board meetings in 2014 with proposed recommendations.

The process also included staff working with the community planning areas and community planning districts to review the zoning map to implement the adopted community plans as part of that process. This included 13 community plans so these

community plans are incorporated into the zoning map adoption draft that you see today.

The process that we would be initiating would require the public to be informed of the process, which we would be going through in addition to the letters to the public. We also have an interactive zoning map for the public to be able to review the comments. Staff would also be available to answer questions from the public in regard to the zoning map. This would all be included both on the County website and also within the letter that is sent out to property owners.

In addition to the changes that were made based on last year's zoning map adoption process the Board also provided direction at the October 13th meeting to include an industrial-light district in addition to the industrial-general district, so within your packet, in Exhibit C, we have a list of revisions from the previous draft dated October 13th. There are six major changes that were identified there. Zoning map revision one would include 398 acres along New Mexico 14 from industrial to industrial-light.

Number two would include 320 acres south of the New Mexico National Guard from mixed use to industrial-light. This is to reflect the existing conditions in that area. There's a map three change would include 139 acres in the vicinity of Caja del Rio Road north of the Santa Fe Airport from industrial to industrial-light. This was based on comment and review from the property owners in that area. The zoning map revision four would include 10 acres in the – on either side of US 84/285 in the Cuyamungue grant area from industrial to industrial-light. This fits within that area. And then the remaining acres that are industrial would just be recognized as the zoning district category as identified in the Sustainable Land Use Code as industrial-general, which was previously industrial.

So we have created a new category, which is industrial-light.

CHAIR ANAYA: So, Mr. Griego, and I'm going to look to my colleagues to help me with this, specifically Commissioner Stefanics so I can make sure that I fully understand what we're doing or what's proposed. At the last Commission meeting we had a discussion relative to requesting – and as I recall, I don't have the minutes, I haven't reviewed the minutes to look at exactly the dictation of what occurred. But my understanding was that we were – Commissioner Stefanics requested that we create an industrial-light category. I think that was her motion. We create an industrial-light category. And then between the last meeting and now – this isn't the first I've heard it; I've received some feedback from citizens in the county – it went from being a category to now being isolated in specific areas.

I don't recall, and if we did please help me understand, but I don't recall that in the motion and the action that we were actually that day designating specific areas and today we're coming back and have specific areas on the map. So I just need help from you, Mr. Griego or anybody that can offer it, as to the evolution of how it went from a motion to actual specific areas? Did I miss something or did that happen outside of the discussions that took place in the Commission meeting itself?

MR. GRIEGO: Mr. Chair, in regard to designating the properties industrial-light we did create that category and we did create a purpose statement and uses within that category. As part of that process we re-reviewed the map. We looked at the industrial-general areas and identified areas that would fit that category as industrial-light so that was an exercise that staff did based on the direction to create that category.

CHAIR ANAYA: So I'm not picking on anybody but I never saw what industrial – the only comments that were made in the meeting was let's talk about an industrial-light, but as far as the definition of what that would entail we didn't get into a lot of detailed discussion. So I'm just trying to establish a sequence so that when people ask me I can be logical or rational about my response. The motion was let's create an industrial-light. I was one that said, awesome. Let's look at. But it's gone from that to an actual designation to actual placement on the map, which is a little bit different. So I'm going to go to Commissioner Stefanics now.

COMMISSIONER STEFANICS: Thank you, Mr. Chair, and I think it's related to your questions. Where exactly is the definition for industrial-light? Because I'm not seeing it in the definition section.

MR. GRIEGO: Mr. Chair, Commissioner Stefanics, if you go, on our next agenda item is the symbol Sustainable Land Use Code. In Chapter 8 of that document is the definition which includes a purpose statement and general density and dimension standards.

COMMISSIONER STEFANICS: Okay. Chapter 8?

PENNY ELLIS-GREEN (Growth Management Director): Mr. Chair, Commissioners, we probably should have done the SLDC presentation first because that's where we would see in Chapter 8 the whole light industrial section. I believe it's on page 8-13.

COMMISSIONER STEFANICS: Okay, so let me just get there. And then my second question – okay, so 8-13. I'm seeing it. So my second question is related to Commissioner Anaya's question about how it – important – how it got on the maps? Was that related to residents' requests?

MS. ELLIS-GREEN: Mr. Chair, Commissioner, at the last study session there was the discussion specifically about the State Road 14 area.

COMMISSIONER STEFANICS: Right. But other areas?

MS. ELLIS-GREEN: The other areas, then what we did is we looked at the State Road 14 area and we looked at all the other areas that had been identified previously on the zoning map as industrial. And we looked at whether it would be more relevant to be industrial-general or industrial-light, in the same kind of relation as the State Road 14 area. So –

COMMISSIONER STEFANICS: On that point, have we eliminated too many industrial areas? I don't have any problem with going industrial-light. What I just want to make sure is that we have allowed for the economic opportunities for industrial in the county.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, we did look at some existing single lots that we had put in industrial-general that had previous master plans and we did look at those being industrial-light due to the type of uses that were already approved in the master plans, and I'll let Robert address the other areas.

COMMISSIONER STEFANICS: Okay, so I got my question on the light industrial definition, but I was trying to follow up on Commissioner Anaya –

MR. GRIEGO: Can I add to that, just if you will, Commissioner. On a couple of the properties that had received the zoning as Penny indicated there was one property that was approximately 160 acres that had gotten an industrial zoning

subsequent to last year. That was an area adjacent to the National Guard area. They had gotten a proposal for a solar facility out there, and it was more appropriate as industrial-light than it was for mixed use. The area would not be mixed use, so that was one of the changes that we had provided. It was the other area that we identified on the map. It was previously not industrial, which was the area, which was also adjacent to the National Guard which was their shooting area for the National Guard.

We also identified that as industrial-light based on the existing use out there. So those were previously not identified as industrial. They were previously identified as mixed use.

COMMISSIONER STEFANICS: Thank you.

CHAIR ANAYA: Thank you, Mr. Griego. Commissioner Roybal, do you have anything?

COMMISSIONER ROYBAL: I did want to ask, could you give us a few more examples of industrial-light businesses?

MR. GRIEGO: Yes, Commissioner. There's an area along Cuyamungue grant area, along 285. There was some previously approved developments or existing developments in that area and those areas, the properties are existing but they fit better into the industrial-light category than the heavy industrial based on the existing use of those properties.

CHAIR ANAYA: But, Mr. Griego, if I could, Commissioner Roybal, could you just talk about what it is, actually, what types of business? People that are driving in their car or on the internet may not know or maybe they haven't gone up north. What specifically is industrial-light? What types of businesses would that fall into, that definition?

MR. GRIEGO: Mr. Chair, Commissioners, industrial-light, we did review the use matrix for industrial-general. What we did was separate out uses that were more heavily industrial in nature. I'm trying to get to your question in regard to a specific example, but if you look at the purpose statement on page 8-13 of the SLDC it does provide a description of wholesale and warehousing uses for non-hazardous materials as well as those industrial uses that include fabrication, manufacturing, assembling or processing materials that are in a refined form and that do not in their transformation create smoke, gas, dust, noise, soot or lighting to a degree that is offensive when measured at the property line of the property.

It also allows ancillary uses and uses for research and development for those. So in regard to the differences, what we wanted to do is identify – we did use the national standards that we were able to identify for the difference between light and heavy industrial, so more of a less intensive use I guess is what we came up with.

CHAIR ANAYA: So, Mr. Griego and Ms. Ellis-Green, I think one of the things that will be helpful as we go through the publishing phase is actually say this is light industrial, this is general industrial, and so on and so forth.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, it is actually in the use table that's in part of the SLDC. For example, light industrial would not have chemical processing plants where as an industrial-general would have that. The mill type structures, it would be a conditional use rather than a permitted use. Heavy construction uses wouldn't be allowed. So the whole use table is in there and in general what we did is

we looked at what the regular industrial was, we took the really heavy uses and said no, they're either not allowed or they're conditional, and we also looked at some of the commercial-general to allow those in there.

CHAIR ANAYA: Okay. If we could have like I said maybe some additional examples so, and keeping in mind that we're talking about we added this category from the last meeting to this particular meeting. Just keeping that in mind so that the public has as much information as they possibly can. Does anybody else have questions or comments? Because I have a couple.

So Mr. Griego, the other question I have has to do – and if it rolls into the other ordinance we can address it there as well. But it has to do with – and in particular we have buffer zones in Highway 14 in particular, and then we have some sending areas and we have some receiving areas. Have we done any more work as to where those might be, or drawn any assumption as to where the sending areas and receiving areas are as we utilize existing buffer zones or even expand buffer zones and maybe have other sending and receiving areas as a result of those buffer zones? Have we dipped or dived into that particular piece at all?

MR. GRIEGO: Mr. Chair, Commissioners, we did do some revisions to those sections, both the TDR and the density bonus sections, but I also would like to bring your attention to some changes to the map that we made as we did develop the buffer zones along State Road 14. The text identified a buffer zone of 1,000 feet for non-residential development and 500 feet for residential development. As we were going through that process we recognized that staff had made an error as we developed the map in accordance with the number of feet from the center line which reflected on the map is a 2,000-foot buffer from State Road 14, and what the text in the code identifies is a 1,000-foot buffer. So with that, we brought that to your attention and the map that is in front of you, and on the yellow area is the 1,000-foot buffer. That is what is reflected on the map. So as we bring forward the zoning map we would suggest making the adjustment to the map to only show the yellow area instead of showing that 2,000-foot buffer.

I think there was some discussions throughout the process but the outcome was that what is proposed in the SLDC is a 1,000-foot buffer. So we would like to bring that forward as an adjustment to the map.

We also reviewed –

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Okay, let's talk about the buffer a minute. This – Highway 14 is a scenic highway. So why would we not want to have 2,000 set back?

CHAIR ANAYA: We have it in the code, I guess is the answer. The code has it as 1,000 feet, right?

MR. GRIEGO: That's correct. 1,000 foot for non-residential and 500 for residential. Along that section of State Road 14 there are separate setbacks. Some are less in the Community College District and within the San Marcos District but there are recognitions of setbacks along State Road 14 in those other districts as well, but this 1,000-foot setback or buffer zone would be the largest buffer along State Road 14, along

the Turquoise Trail.

COMMISSIONER STEFANICS: So, Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics has the floor.

COMMISSIONER STEFANICS: On this map or on this sheet of paper, I'm trying to identify, our Quill plant – is it on this page?

MR. GRIEGO: It is on state land, which is the area just above the yellow line into the green area there. That is the state pen property.

COMMISSIONER STEFANICS: And all those little yellow houses or little yellow buildings are the state pen houses?

MR. GRIEGO: That's correct.

COMMISSIONER STEFANICS: And then our Quill plant is at the top of the page in the turquoise?

MR. GRIEGO: I'm not sure exactly where on the state land our Quill plant is but it is on state property.

COMMISSIONER STEFANICS: Okay. Thank you.

CHAIR ANAYA: Mr. Griego, the southernmost point of the buffer zone, where is that?

MR. GRIEGO: The southernmost point of the buffer zone is the blue area there, is Turquoise Trail Elementary. The community, it's part of the San Marcos Community District is the buffer that you see in that blue hatched area, is the San Marcos Community District.

CHAIR ANAYA: You're talking about the blue on the bottom right is the San Marcos District?

MR. GRIEGO: That's correct.

CHAIR ANAYA: And so within those buffer areas we have sending and receiving areas as well as that. Correct? Or we have to work through that?

MR. GRIEGO: Mr. Chair, the buffer areas are eligible for density bonuses. The proposed changes that we have through the SLDC would allow those areas for density bonuses within those areas. They are eligible as receiving areas for mixed use outside of the buffer zone. So mixed use is identified as a receiving area for TDRs.

CHAIR ANAYA: So just a thought, but not speaking to the 1,000-foot distance but to the distance and length of the buffer zone, is there any consideration or was there any discussion about expanding that further down 14 and also affording the same sending and receiving area concept? To take it further towards Lone Butte? Was that ever discussed?

MR. GRIEGO: Mr. Chair, that was not discussed as part of this process. As I mentioned earlier the San Marcos community does have a setback from State Road 14, but all of that district is not adjacent to State Road 14. Part of the district is and part of the area is not. So there was not a proposal to bring that down further at this time. There was discussions but staff did not bring that forward at this time.

CHAIR ANAYA: The other thing I would ask, can you quickly or in summary give us a point of reference as to where we're at with the sending and receiving areas? Where are we at with that piece of it?

MR. GRIEGO: The sending and receiving areas I think some of the proposed changes have sort of clarified the issue. There was one other change,

Commissioner, on this map that you see in front of you that I wanted to address. It sort of gets to your question a little bit. Part of the area, if you look on the map, which is the area south of the state pen area, the area that we've identified as industrial-light here. We have – the mixed-use area is identified as a sending area for TDRs. It also has a section for density bonuses. The industrial section does not have a potential for density bonus because there's no residential in those areas.

So one of the proposed suggestions identified would be to bring part of the area within the overlay as mixed use within that area. They'd still have the setbacks but they would be allowed to build within 500 feet residential within those areas or to use the density bonus mechanism if that were the case. So we are looking at that as an option, so we wanted to bring that to your attention as well.

CHAIR ANAYA: So along that same vein, we have – in this particular area we have a modification to a zoning from industrial to light industrial that's recent in nature. And then we have some additional considerations that you're bringing up right now that we might have other alternatives that might come forward for this and other areas pertinent to the map and the code itself. Is that an accurate statement?

MR. GRIEGO: That's an accurate statement.

CHAIR ANAYA: So I guess to go along with everything else we've done to this point we still have continued dialogue with community members, property owners impacted across the board in every part of the county and still have potential amendments for lack of a better word for all aspects.

MR. GRIEGO: Mr. Chair, Commissioners, yes. I think that's part of the process that we're going forward now as we complete this process. We were able to make a lot of the changes that were addressed last year. I think some of the stuff that we're bringing forward now I think would help to address the issues going forward.

CHAIR ANAYA: So here's another question that I want to ask relative to the map and the code itself. And I know in the previous Commission and even this Commission we've talked about existing uses and new uses in the code. And are we still operating off of the same parameters that existing uses within Santa Fe County, planned uses, or I'll say historical uses, are otherwise – they're preserved? From the old code to the new code? Are they still preserved?

One of the things that comes to mind is we have discussion about the fees associated with the film industry. We're going to increase the fees associated with the film industry but we have movie production that's gone on in the entire Santa Fe County. We have movie production in my district. We have movie production in Commissioner Stefanics' district. We have movie production in every district but we actually have functional places that do film and production – Galisteo, Eaves Ranch, Bonanza Creek – that have fixed facilities and fixed uses for lack of a better word. Are we doing anything to modify those uses as to what they've done? And I'm not talking about new ones; I'm talking about existing uses that are going on in the film industry in the county. Are we modifying any of those uses?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, I guess in a general sense what we did is we looked at existing uses and we looked at what zoning categories those uses could fit into. Specific to movie ranches like Bonanza Creek we actually added a line on the use table to allow those movie ranches throughout the county, I believe in

most districts as permitted or conditional uses, and we are recommending a few additional changes related to that which I'll get to during the SLDC. But in general what we did is we looked at what uses were taking place on a piece of property even if they're grandfathered in or they had a previous approval to make sure that they would fit in the existing zoning district that we were placing them in.

CHAIR ANAYA: Let me ask it a different way. Even if it's not a movie set but any use, do we have any significant areas that are conducting business that wouldn't otherwise be able to conduct business after the table's done and the code's done? Are there any commercial entities that as a result of the code changes, whenever they did it, but they had historical, grandfathered or platted uses will now be in a situation where they'll be told you can't do that anymore, anywhere in the county?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, no. If they're grandfathered in now they would continue to be grandfathered in, but we did is we did that extra step to look at what the uses were and maybe they wouldn't be allowed in the zoning district or in the area that they're in. Maybe in a traditional community today under current code. We looked at that to see what the zoning district should be to allow them to continue so they could further expand. We also still have our non-conforming section of the code, so even if they weren't allowed in that zoning district, if we missed one, they would still be non-conforming, and we are allowing an expansion of a non-conforming use, which currently wasn't allowed in the existing code. So I think we're trying to accommodate every existing commercial use that we have.

CHAIR ANAYA: So let me say this too. What we'll go through now is another notification of property owners, right, in the entire county?

MS. ELLIS-GREEN: Mr. Chair, that's correct. If we're given authorization to publish title and general summary we will be sending out this week over 35,000 first class mailings to every person listed as a property owner throughout the county. We will have an interactive zoning map up again on the webpage. We will have contact information for people to call in and we can tell them what their zoning is, tell them what that means. So we will start going through that process if you give us authorization.

CHAIR ANAYA: So as we go through that process we need to be as clear, concise and methodical as we possibly can to individual residents for a residential use all the way on up to any other use as to what they were doing, and I'll speak to the business aspect, that those uses are still going to be allowable, it's just that they may be reclassified uses.

So I just don't want people to come back later, or I don't want us to send the message that we're taking away a use from an existing use. And I think there might be some gray area as to what a specific parcel has been doing or utilizing a space for. There may be some differences as to perspective, frankly, but that's the public's opportunity to convey that information back to us as we go to final adoption. Correct?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, that is correct. We understand that people are going to have questions about what uses they can do. We will be having up on line a way to enter comments into a database. We'll get all those comments together. There will be a database of comments for the SLDC, for the fee ordinance, and for the zoning map and staff will review all of those. We will bring those

to you with any recommended changes from that.

CHAIR ANAYA: Thank you. Thank you, Ms. Ellis-Green. What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: First of all I would like to note that there has been a large number of public meetings in this process and a great effort has been made to get feedback from the residents of Santa Fe County in a lot of different ways as well. And I really want to compliment and thank staff for your hard work in this effort. In fact, my guess is that Santa Fe County has now set a new precedent for local governments in the state of New Mexico. So I would like to move –

MS. ELLIS-GREEN: Mr. Chair, sorry. Could I just let you know, Robert just handed out an amendment to the ordinance.

COMMISSIONER HOLIAN: Oh. Another amendment.

MS. ELLIS-GREEN: And this is really related again to a change we're going to recommend in the SLDC, for projects that have already been submitted but are on your agenda. We know that they're going to fall on your agenda in December or January. And what we're looking at is a project that maybe went through the CDRC under one code and by the time they get in front of the Board, who've already submitted, would be looking at a different code. And rather than change the rules midway, what we looked at is saying that the zoning map ordinance would become effective on January 15th, which is after your first January Board meeting. So those projects that are already slated to go in January would be able to continue to go in January under the old regulations. And so we are recommending that one additional change to the one-page ordinance that is the cover for the zoning map.

COMMISSIONER HOLIAN: Okay.

CHAIR ANAYA: So if I could ask a clarification on that, you're talking about projects that have been applied and in the pipeline? Is that the logic?

MS. ELLIS-GREEN: That is correct. In order to go out to a reviewing agency, go to CDRC, get the minutes and come to the Board we're already understanding which projects are on our January BCC meeting. And they've already been submitted. So this would just allow us to have that one meeting in January to finalize those last few cases before the ordinance comes into effect and people would have to then start again. So new people that are coming in, we can show them the new ordinance and they can be submitting in accordance with that.

COMMISSIONER HOLIAN: Okay. Thank you, Penny. So is there any other part of the presentation that you want to add?

MS. ELLIS-GREEN: That's it. Thank you, Commissioner.

COMMISSIONER HOLIAN: Okay. So I'm now allowed to make a motion?

CHAIR ANAYA: Commissioner Holian, Greg, just a procedural. Do we do the amendment first and then the motion or can she include the amendment in the motion? The one we just got handed and explained by Ms. Ellis-Green?

GREG SHAFFER (County Attorney): Mr. Chair, I think that she can include the proposed amendment in her motion to authorize publishing title and general summary.

CHAIR ANAYA: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Okay. I would like to make a motion to request authorization to publish title and general summary of an ordinance adopting the zoning map of Santa Fe County applicable to lands to which the Santa Fe County Sustainable Land Use Code applies, including the amendment that was just passed out to us.

COMMISSIONER STEFANICS: I'll second, but I have a question.

CHAIR ANAYA: There's a motion from Commissioner Holian and a second from Commissioner Stefanics. Commissioner Stefanics, you have the floor.

COMMISSIONER STEFANICS: Thank you. Penny, would you once again reiterate if a property is existing and is in use and would not comply with the new zoning maps, they are grandfathered in.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, yes. They would be considered a legal non-conforming use under Chapter 14 of the SLDC.

COMMISSIONER STEFANICS: Okay. I think that's really important for the public to understand. Thank you very much.

CHAIR ANAYA: Thank you, Commissioner Stefanics. Other questions or comments? There's a motion, there's a second.

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

CHAIR ANAYA: Ms. Ellis-Green, the code.

MS. ELLIS-GREEN: Mr. Chair, just to let the public know, the zoning map will have its first public hearing on November 24th at 5:00 in front of the Board, and the second public hearing for adoption on December 8th, again at 5:00

III. E. 3. Request to Publish Title and General Summary of Ordinance No. 2015-_____, an Ordinance Amending and Restating in its Entirety the Sustainable Land Development Code (SLDC), Ordinance 2013-6 [Exhibit 5: Transitional Provisions]

MS. ELLIS-GREEN: Mr. Chair, on the SLDC. Last meeting staff presented proposed changes to the SLDC and the Board had several additional items that they requested to be addressed. The first is the addition of the light industrial zoning district. That meant several changes to the code, a new chapter, Section 8 has been added to create light industrial, and again in your BCC packet that is included in Exhibit B. It would be in 8.7.4 as light industrial. It has a purpose statement. Permitted uses, you're directed to Appendix B. There's a dimensional table standard and review and approval procedures, and a base density requirement.

The other sections that that needed to change was in the TDR section we included industrial-light as a receiving area. The procedures table, Table 4.1 is amended to indicate that a conceptual plan is required for phased development in industrial-light, and the conceptual plan section in Chapter 14 is amended to include the requirement for a phased development in industrial-light to submit a conceptual plan. So by asking for the additional zoning district there were several areas in the code that we needed to amend.

The second item, the Board requested that the TDR section be clarified and I

think you were asking about that before. This is Section 12.14.3. It is in Exhibit B of your packet. What we've tried to do there is under 12.14.3.1 is state when development rights may be sent, and so we've clarified that by saying if a sending site is identified in a community overlay from sites designated as environmental and resource protection overlay, historic preservation overlay or ag overlay, from sensitive environmental lands like riparian habitats, endangered or threatened species habitat and archeological sites, from traditional agricultural land, and from lands providing open space and preserving scenic vistas, natural features and areas of special character.

So we added those in just for clarification. There was some text but it was not as clear as that. We've also added a section where you cannot send development rights from areas required of open space. So if you have a requirement of 30 percent open space in a mixed use or a PD area you don't get to send that area. If it's a required open space, you don't get to have that as a sending area. If you've got a required setback, that can't be a sending area. It's a design standard, not an area for sending. And mixed use and PD, because those are the areas that we want to attract development and have those as a receiving area.

You also couldn't have mixed-use districts to be both a sending, mixed-use and PD districts to be both a sending and receiving site. An example of that is if in a mixed-use area you were allowed to have 100 dwelling units, we wouldn't want someone to say, well, I'm going to send my 100 dwelling units to get 300 dwelling units put back here. I'm buying them myself. And so you've suddenly bumped from a density or allowable 100 dwelling units to three-fold that on your same property.

So the next area the Board asked about was credit for retiring agricultural water rights. We are proposing a change in 7.13, 7.3.10 and that basically says if when you're retiring your agricultural water rights to use for subdivision purposes, if you've done a pump test for the Office of the State Engineer that you can utilize that pump test when you're proving up your water for your subdivision. That is actually a requirement under statute. The statute was changed in 2013 that basically says that if you are changing agricultural water rights to subdivision use that the State Engineer's Office has to look at their long-term water, or that their water availability and that they can actually provide that water for the subdivision use.

The Board did ask whether the SLDC could prevent one subdivision exemption by another. We are reviewing this with Legal, but unlike a succeeding subdivision where you could do a summary subdivision and then ask to redivide one of those lots, what the state statute says is then you classify it as a higher subdivision. Because these are exemptions you don't actually get kicked into any additional standards from one exemption to another. So the discussion would be whether or not you could say once you've done one subdivision exemption you could not do another subdivision exemption for x-number of years. The succeeding subdivision is seven years so we'd be looking at whether the Board would want to impose a five- or a seven-year prohibition on redividing from one exemption to another. But again, we are working with Legal to see whether or not that is something that we can do if the Board wants us to do that.

We had the question about whether temporary swimming pools included above-ground pools and we believe that they are included, and it was included in the original water conservation ordinance as they use large amounts of water. They can't simply be

drained onto planting areas because they do use chemicals. An example I've provided in my memo is for example a 12-foot round pool, four foot in height uses approximately 3,000 gallons of water every time you fill it. So the Board could add a capacity limit saying that it include temporary swimming pools of a certain capacity or more wouldn't be allowed, but allowing the smaller, above-ground ponds if you choose.

There was a question about prohibiting accessory structures from having –

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: On the issue of above-ground pools we probably, besides the quantity of water, we probably could add some language about use for irrigation or some such thing after draining.

MS. ELLIS-GREEN: Mr. Chair, Commissioner Stefanics, I think the problem is those above-ground pools do have chemicals added to them and so whereas you might put it onto the ground you wouldn't necessarily put it onto planting areas. It could affect plants negatively. So that may be difficult. It would also be difficult to enforce, so if we wanted to allow the smaller above-ground ponds then we could put either a size limit or a capacity limit on gallons.

COMMISSIONER STEFANICS: Well, I do, Mr. Chair, believe children should have an opportunity as they're growing up for this activity.

CHAIR ANAYA: I concur.

MS. ELLIS-GREEN: The next question was regarding accessory structures having kitchens. These requirements are already in the existing code, not allowing an accessory to have a full kitchen. We felt that we needed additional language to allow for enforcement when we find that an accessory structure is being utilized for dwelling purposes. We have been out to accessory structures before that clearly have a bathroom, a bedroom, a living room, a dining room, a kitchen and simply will pull out the stove and state it's no longer a kitchen. So this was to help us enforce.

The question had been if somebody has a studio and they wanted to put a coffee pot and a microwave out there. When we would go out to inspect that, we would know that that is not being used for dwelling purposes. It's not been set up for dwelling purposes, and so it wouldn't be a code violation. The other thing I'd like to point out is already in the code we are proposing that people would be allowed to have an accessory dwelling unit, so you could permit your studio, your accessory building as an accessory dwelling unit. That's never been allowed before, so that's an additional thing you would be allowed. So this would be for additional accessory structures on the property, and again, we would only use that enforcement if it's clearly being used for residential purposes.

We had a few questions raised about the affordable housing changes and I just wanted to clarify that the changes we're proposing right now are only to bring the SLDC into alignment with 2012-1, Ordinance 2012-1. It's an existing approved ordinance from the Board. Some of those changes were not pulled over into the old SLDC. We do realize that the Board would like to review that whole section; you've mentioned that several times, and what we would like to do is to move forward with focused discussions on affordable housing in early 2016 and if necessary bring forward any additional changes at the six-month review.

A few other changes that we did do is we modified language in the terrain management standards making clear in what we call the new – what used to be the Mountain Special Review District standards, to make it clear that it's applicable to development over 7,400 foot in elevation, but under 7,800 foot in elevation.

We added in a density bonus. I think Robert touched on this, for mixed-use and PD districts. At the moment the density bonus was only allowed for the residential districts. We added that in to mixed-use and PD districts only if you're covered by an environmental resource protection overlay, historic protection overlay or an ag overlay to allow you to get a density bonus in that in return for preserving that area.

Again, I would like to identify the whole SLDC is being restated and that's why you've got that extra binder, so we don't have hundreds of pages where we have to just reference another document. We will be restating the entire SLDC so we have one document to work with which will be much easier for staff, for the Commission and for the public.

And the ordinance adopting the SLDC will include the provision as you have previously requested to review the SLDC six months after implementation.

So a few additional changes have just been handed out by Robert. Transitional provisions. Again, related to the zoning map change that we recommended we have a change that we're recommending for transitional provisions for applications that have come in front of you and have your approval or have a final approval by the CDRC but have not yet had their final order approved. We don't want to have a situation where you approve a case in December and we bring the final order forward to you in February and we have a different code in effect. So what this will allow is applications that have their final approval from the Board or the CDRC, where there's no further administrative review, has their final orders approved in accordance with your voice vote.

So that is the first change that we're recommending. Another change in Chapter 5, we had a review from the League of Women Voter who had identified that there were a few more land divisions and subdivision exemptions. What was listed was the 13 subdivision exemptions, but in our existing code what was missed is some of the land divisions which are: boundary survey plat, a consolidation plat, an easement plat, a plat amendment and a sending area plat. The sending area plat is something that we're requiring in the TDR section. So we want to make sure that it's clear that it's a simple administrative process. So those would be added to our divisions and subdivisions exemptions that will clearly state these are administrative final plat reviews that we do.

The density bonus section, as we were looking at the mixed-use PD that we had already proposed being able to have density bonuses, we realized that we hadn't specified. The density bonus needs to be utilized on the same parcel of land. So it's not the same as a transfer of development rights. A transfer of development rights preserves one piece of land to develop higher on another piece of land. What the density bonus allows you to do is increase your density on that same parcel.

The other thing that we wanted to make sure that it needs to be utilized within the same zoning district on the parcel. We have some parcels that are split because they're in a different SDA area. Maybe there's a completely different topography in an area, to say that if you have one area that you're doing a density bonus on you do the density bonus in that zoning district and you don't move it to another zoning district. An example would

be is if you have a mixed-use zoning district, which is where we have stated that's where we want to see higher density development, that you don't get your density bonus there and move it on the same tract to an ag-ranch area and then suddenly be developing an ag-ranch area at two-acre lots.

So that was the density bonus change. One other thing that I alluded to earlier related to movie ranches is we wanted to have a movie ranch definition, and we did get it into your packet but we've worked with Legal to look at modifying that. So we have included in the movie ranch is primarily a facility or sets and scenery, for the production of motion pictures whose use and supporting structures may include movie sets, sound stages, recording studios, distribution facilities, set construction facilities, back lots, temporary special effects facilities, dining facilities, mobile living, dressing quarters. They are appropriate and large parcels of land but you do need to meet the standards of the underlying zoning district.

So those are the four additional changes that we are proposing. Again, we will have exactly the same process as the zoning map. We will have all of this up on the webpage. There will be an area on the webpage to comment on all three of these ordinances. Those comments will automatically go into a database and those databases will be brought forward. Staff will analyze them. We will see whether or not we think there needs to be a change – any changes proposed. We will bring those forward at the meetings and we will show the Board all of the public comments at that meeting.

And again, one other item is that the first public hearing for the SLDC changes is set for November 10th at 5:00 and the second public hearing, at 5:00 on December 8th. Mr. Chair, I stand for questions.

CHAIR ANAYA: Are there any questions for Ms. Ellis-Green? Seeing none, just to restate, this is to publish title and general summary, and I would say it this way. There's a lot of work, a lot of work that's been done by staff, community members, all members affected, community members, private landowners, everyone. We're in a 100-mile race and we're about 98 miles in and we want to do the last two miles right. That would be my assessment of where we're headed to finish, that we finish those two miles right and strong and that we take in the necessary input and evaluate whatever potential changes there might be to finish that race right. Is there a motion from the Board? Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, Mr. Chair. I'll make a motion to authorize to publish title and general summary of the ordinance amending and restating the Sustainable Land Use Code, Ordinance 2013-6, and I want to ask staff, there's also an ordinance, Exhibit A in our packet. Does that need to be referenced in the motion as well?

MS. ELLIS-GREEN: Mr. Chair, Commissioners, that is the ordinance that we're requesting to publish title and general summary.

COMMISSIONER CHAVEZ: Okay. I just wanted to be sure because that's Exhibit A. So it's an ordinance amending and restating in its entirety the Sustainable Land Use Code, SLDC Ordinance No. 2013-6. It also states that the Board shall begin a review of the Sustainable Land Use Code six months after its effective date, and I think you touched on that earlier. Right, Penny?

MS. ELLIS-GREEN: Yes, Commissioner.

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

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Second from Commissioner Stefanics. Just to back up, Greg. Do we do a roll call vote, do we need a roll call vote on this? We don't, do we?

MR. SHAFFER: Mr. Chair, no I don't believe that we do for purposes of authorizing title and general summary to be published.

CHAIR ANAYA: Motion from Commissioner Chavez, second from Commissioner Stefanics Any further discussion? Seeing none.

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

IV. MATTERS OF PUBLIC CONCERN

CHAIR ANAYA: Is there any items of public concern that anybody would like to bring forward at this time? Are there any items of public concern? Are there any items of public concern? Seeing none, I want to go to Commissioners first on reports from staff. Are there any staff reports that any of the Commissioners would like to pull that are in your packet? Commissioner Chavez.

COMMISSIONER CHAVEZ: I have one. I don't have it marked. Why don't you come back to me?

V. DISCUSSION/INFORMATION ITEMS/PRESENTATIONS

A. Matters from County Commissioners and Other Elected Officials

1. Elected Officials Items

2. Commissioner Issues and Comments

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. There's a couple things. I had the opportunity to go to the Food Policy Council dinner and the food was delicious that the chef had made. If you got to the Food Policy Council dinner on Food Day I think you had a wonderful meal and I'd like to thank all of the chefs that were available. But one of the things that I think that we could do here at Santa Fe County with the employees, and talked to Kristine and Kristine and Julia will try to coordinate this some time before the holidays is Feed Santa Fe has something called the Peanut Butter Caper. And once they collect 900 jars of peanut butter they then replace a can of vegetables with the peanut butter in the food bags that they give out every week. They give out 900 food bags a week to needy people here in Santa Fe and while the bags of course have many things in it, peanut butter is a valued commodity. So I'm going to ask Julia and Kristine to try to work on the Peanut Butter Caper for Santa Fe County employees.

The second thing I'd like to bring up is a concern. I'm not sure we could do too much about it. I have received email from constituents saying the County gives money to the hospital; what can you do? The hospital is now excluding 2,000 senior citizens who are on Presbyterian Medicare Advantage from services at the hospital. I contacted the superintendent of insurance, I contacted our state Medicaid office, but everybody has said

that since it's a Medicare issue they can't do anything about it.

I do think that this is a situation, since we only have one hospital in town, that we ask our hospital and Presbyterian to try to negotiate in good faith for those 2,000 senior citizens so that they are not denied care at our community hospital. So that's all I have today. Thank you.

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

COMMISSIONER CHAVEZ: I would support Commissioner Stefanics' concept in having our healthcare providers provide healthcare to people that need it the most and we shouldn't be splitting hairs over who the insurer is. I think we should be able to work through that and provide the healthcare that people need.

I did want to thank a few of the 4-H members, the students. They send us thank you cards from time to time for work that we do, so I wanted to mention them. There were four individual students that I think we all received cards from them – Claudia Russell, Shanain Willis, Christopher Turner and Casey Mallory send thank you cards and I'll just read one. This is Santa Fe County Fair, 2015, Dear Commissioner Chavez; Thank you so much for all you do for the kids in 4-H. We appreciate your help to make our County Fair great. And this was signed by Christopher Turner. So to these young individuals, I just wanted to acknowledge their effort for sending the thank you cards and for their interest in 4-H, because I think it gives them a positive environment and gives them a foundation that they can build on. So I wanted to thank them for all that they do.

And then this last Sunday, the 25th, we had the latest Santa Fe County Teen Court mural unveiling and Commissioner Roybal and I attended along with Councilor Carmichael Dominguez. So I want to give a special thanks to the youth artists and we don't have last names – Bernie, Andrew, Kimberly, Tremaine, Keighly, Jesus, Christian, Pedro, Alfredo, Devin, Brian, and Joaquin were the youth artists. The adult artist is Sebastian Velasquez. The funders were Santa Fe County, state of New Mexico Office of Courts, the City of Santa Fe, the Juvenile Adjudication Fund, and local DWI all funded.

What I wanted to highlight was the fact that the Teen Court and the mural program provides a positive environment for our youth to work under. It gives them some sense, I think, of accomplishment and contribution to their community, and I hope that it's giving them some life skills that they can also build on as they move into their future. So I think it's one way that the County can help those that are less fortunate or maybe need a helping hand up.

And then my final comment, Mr. Chair and members of the County Commission has to do with – it's part of the Corrections Department report in the day reporting program. Santa Fe Public Schools has posted for a teacher. We're looking for a teacher that can dedicate 20 hours to be hired for the day reporting program. No applicants have been received as of September 21, 2015. So I want to do a call-out to everyone that is interested in the day reporting program. I want to reach out to the Santa Fe Public Schools and to everyone here and make a plea for a teacher that's interested in working at our Youth Detention Facility to help this segment of our population.

So I do this sort of almost in desperation but I want to do it in a positive way because of the need. And so I would reach out to the County Manager to help reach out to the public schools and see if we can bring closure to this and have a teacher where we

need them on a regular basis. Thank you, Mr. Chair.

CHAIR ANAYA: Thank you, Commissioner Chavez, for noting all of those items. You as well, Commissioner Stefanics. Commissioner Roybal.

COMMISSIONER ROYBAL: I also would like to support Commissioner Stefanics' comments on the healthcare providers and also Miguel Chavez. He was correct that we did attend the unveiling of the mural at the Harley Davidson building in Santa Fe. I really have to give a lot of – just recognize Jennifer Romero, the project manager or the program manager and her staff for their hard work and a great turnout that day. Also it's nice to see where we can give redirection to these teenagers, where there may be a negative event that actually has a positive outcome, so it's really nice to see this program and how well it's doing.

And also out to the 4-H members, thank you for your letters. I really appreciate it. That's it. Thank you.

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

COMMISSIONER HOLIAN: I have nothing, Mr. Chair.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR ANAYA: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'd just like to add that I got a little picture as well of a young lady with her rabbit, and that really made the thank you note.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair, if I could, I want to just add to my comments regarding the Teen Court and the Teen Court mural unveiling on Sunday. Staff was there. Rachel O'Connor, Jennifer Romero and other staff were there so I really appreciated that. It's too bad that we didn't get a lot of media coverage on this but maybe this is part of what we're doing now so I hope that more people can be involved in the Teen Court program because of the positive impact that this has on young lives.

CHAIR ANAYA: Thank you, Commissioner Chavez. Just a few items. I want to extend an invitation to anyone that wants to join us on Friday. We're going to be doing a groundbreaking at the Stanley Cyclone Center. I absolutely would ask my colleagues if they're able to attend. It's fitting that we had a discussion relative to 4-H and youth. This particular facility is going to be able to help 4-H and youth and many other people, not only in the region but the entire Santa Fe County and multiple county regions. So that's 10:00 am this Friday in Stanley at the Cyclone Center. You can't miss it. It's on the right-hand side behind the church there in Stanley.

Two other items that I just want to bring up for thought, reflection, and then hopefully we ourselves can play a small part as individual citizens. In recent days we've had various tragic events but one in particular in Albuquerque where a young four-year-old was senselessly killed. I have not the words, but there's much sadness in my heart and I know the hearts of many other people in this state, this county and this country. All I could say is that as we drive in our cars and we're faced with difficult challenges or people that maybe cut us off or we cut others off or do something when we're not paying attention, that we all stop ourselves and just reflect on the fact that we're all common citizens in the country, and that we always all use common sense and maybe brush those

things off that maybe make us a little upset.

There's no explanation that anybody can have to rationalize what happened but I think individually, collectively, we can practice common friendship and a peace of mind for our neighbors and others around us. So I want to say that.

The other thing is that I had an opportunity that was a difficult opportunity to deal with, a difficult situation of an individual that was having a pretty intense seizure and me along with some others helped out this particular individual and he was coming out of his seizure, and he sat there and we sat there and looked at him and he looked at us and he said, please, please, please don't text and drive. He was an individual that was hit in this case by a teenage driver but I think it crosses every demographic and every age group that we get distracted in our daily lives by things that we do or things that we don't think all the way through. But he looked at me and he said, please, please don't text and drive.

So whatever we can do to ourselves and our own lives and work to not do those things, I think it's important for all of us. I'm not pointing fingers at anybody. I'm looking in the mirror and trying to figure out what it is, might we all, including myself, starting with me, try to figure out how to improve and not do those types of things or even have your phone in the car. Maybe put it in the trunk or in the backseat or something.

So, Commissioners, I just wanted to bring those up. Are there any other items from elected officials? Commissioners? Seeing none, we will go to any other updates.

VIII. INFORMATION ITEMS

- A. Growth Management Monthly Report**
- B. Public Safety Monthly Report**
- C. Public Works Monthly Report**
- D. Human Resources Monthly Report**
- E. Administrative Services Monthly Report**
- F. Community Services Monthly Report**
- G. Financial Report for the Quarter Ending September 30, 2015**

CHAIR ANAYA: I know, Commissioner Chavez, you pointed out the teacher and I appreciate that. Are there any other staff reports anybody wants to pull. Seeing none, those reports are reflected in our meeting so we will not have any additional reports.

V. D. Matters from the County Manager

1. Miscellaneous Updates

MS. MILLER: Mr. Chair, I just have a few things. One was the Stanley Cyclone Center. Thank you for bringing that up, this Friday at 10:00 am. Another one is our legislative dinner reception for the 2016 New Mexico Legislative Session. We set a reception date scheduled for Monday, December 7th at 5:30 pm at the Inn of Loretto. And then we'll be working on all of the events and everything that will occur then and also priorities, bringing to the Commission over the next two meetings your priorities that you

would like to have presented at the dinner to the legislators.

Then also a reminder that we've also been working on the Santa Fe County Day at the legislature. This will be our second annual Santa Fe County Day and it is scheduled for February 16th from 9:00 am to 1:00 pm, and it will be held at the state capitol during the session and we'll be setting up information tables highlighting all the different departments in the County and all of the different things that the County does and the services that we provide to the residents of Santa Fe. And we will also be submitting a proclamation to both chambers proclaiming February 16, 2016 as Santa Fe County Day at the legislature.

Also, it came up earlier in the meeting today that there was a board meeting last week. The Association of Counties had both pool board meetings, the multi-line law enforcement pool and the workers' comp pool. I did attend both of those meetings. They also had a retreat. I had to actually get back so I didn't stay for the whole retreat but I wanted to let the Commission know there were several proposed changes to the law enforcement pool in the way of deductibles, minimum deductibles and what I'd call maybe cost-sharing on settlements. It could have a significant impact on the County's rates going forward, so I actually let Mr. Kopelman know that I had some concerns that I don't think that the members of the pool board had really enough data to make some of the decisions that they did without knowing how it could affect all the members of the pool, having some more specific examples relative to claims by each county and how that would play out in future years.

So I let them know that I would like to meet with him and maybe revisit some of those changes because I think they can have a pretty negative impact not just on Santa Fe County but on all of the pool board members in a way that maybe wasn't really considered long enough before a vote was taken. And he said he would meet with me and he thought that that might be something they need to look at again as well.

And then also I would like to thank all the staff, particularly Tony Flores that took care of everything while I was out. I've never taken a two-week vacation. It was actually two weeks and a couple of days, and then I came back and went right down to the pool board meeting, so pretty much I wasn't here much the last three weeks and that was really refreshing on one hand but nerve-wracking on another and actually everyone did a great job and I really appreciate how professional and how thorough everyone is in their jobs and what they did while I was out. It really gave me confidence to enjoy my honeymoon. So I want to thank all of the staff and to thank the Board for your support in my time away. So I appreciate that.

And then the last thing I wanted to mention is that – I haven't 100 percent confirmed this but I believe that on Friday morning I will be on the Richard Eads radio who which is on KVSF, 101.5 talking about current issues at the County from 8:00 to 8:30. So if there's anything you'd like me to mention I'm sure I'd have to opportunity to do that. Just let me know. And that's all I have.

CHAIR ANAYA: Thank you, Ms. Miller. Any questions or comments of Ms. Miller. Seeing none, we're at that order of business, executive session.

VI. MATTERS FROM COUNTY ATTORNEY

A. Executive Session

1. **Deliberations in Connection with Administrative Adjudicatory Proceedings, as Allowed by Section 10-15-1(H)(3) NMSA 1978.**
 - a. **CDRC Case # ZMR. CHAIRT 13-5360 Buena Vista Estates, Inc. & Rockology, LLC**
2. **Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, including the following:**
 - a. **Election Code Litigation**
 - b. **Arbitrations Involving the City of Santa Fe**
 - c. **Potential Breach of Contract Action**
3. **Discussion of the Purchase, Acquisition, or Disposal of Real Property, as allowed by Section 10-15-1(H)(8) NMSA 1978**
 - a. **Acquisition of Real Property for Utilities**
 - b. **Disposal of Real Property in Socorro County, NM**

MR. SHAFFER: Mr. Chair, I would estimate approximately 60 minute for the items listed on the agenda and suggest that the motion to go into executive session incorporate those items and the statutory basis by reference.

COMMISSIONER CHAVEZ: So, Mr. Chair.

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: I'll make a motion to go into executive session to deliberate in conjunction with the administrative adjudicatory proceedings as allowed by Section 10-15-1(H)(3) NMSA 1978, a. CDRC Case #Z/MST 15-5360, Buena Vista Estates, Incorporated and Rockology, LLC. 2) Threatened or pending litigation where Santa Fe County is or may become a participant as allowed by Section 10-15(H)(7) NMSA 1978, including the following: election code litigation, arbitrations involving the City of Santa Fe, potential breach of contract action. 3) Discussion of the purchase, acquisition or disposal of real property as allowed by Section 10-15(H)(8) NMSA 1978. a. acquisition of real property for utilities; b. disposal of real property in Socorro County, New Mexico.

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

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: A second from Commissioner Holian.

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

| | |
|-------------------------------|------------|
| Commissioner Anaya | Aye |
| Commissioner Chavez | Aye |
| Commissioner Holian | Aye |
| Commissioner Roybal | Aye |
| Commissioner Stefanics | Aye |

CHAIR ANAYA: We are in executive session. Our target is at 6:30. We're going in at 5:30. Thank you.

[The Commission met in closed session from 5:30 to 7:50.]

CHAIR ANAYA: Commissioners, if I could entertain a motion to come out of executive session.

COMMISSIONER STEFANICS: Mr. Chair, I move that we come out of executive session. Present were the five County Commissioners, the County Manager, the County Attorney, the Deputy County Attorney. For one portion we had our Elections Bureau Chief and our County Clerk on the phone, only for a small portion. And during the meeting we discussed the mentioned items on the agenda but made no decisions or actions.

CHAIR ANAYA: There's a motion from Commissioner Stefanics to come out of executive session.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: Second from Commissioner Holian. Any further discussion?

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

III. F. Election Precincts and Polling Places

- 1. Resolution No. 2015-153, a Resolution Designating the Polling Place of Each Precinct in Santa Fe County, New Mexico, Creating a New and Separate Precinct 90 and Changing the Boundaries of Existing Precinct 82, and Creating a New Precinct 91 and Changing the Boundaries of Existing Precincts 23, 59, 60, and 61 [Exhibit 6: Revised Resolution]**

CHAIR ANAYA: Commissioner Chavez.

COMMISSIONER CHAVEZ: Thank you, Mr. Chair. I'm going to ask for some direction from our County Attorney and I want to address the concept of creating a new precinct. It would be precinct 90, but I believe that we have a resolution that would be distributed for this item. So, Mr. Shaffer, could you – I think I have a draft. I do have a draft of the resolution here. I'm sorry. So it's a resolution designating the polling place of each precinct in Santa Fe County, New Mexico and creating a new and separate precinct 90, and changing the boundaries of existing precinct 82. So, Mr. Chair, that would be the resolution and I would make a motion to approve that resolution.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion from Commissioner Chavez to approve a new precinct, precinct 90. Second from Commissioner Holian. Is there any further discussion?

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

CHAIR ANAYA: I'm going to read this into the record. State law constrains our ability to create new precincts that are not required by election code, specifically section 4-38-21 New Mexico Statutes Annotated, 1978, requires that receive a petition signed by at least 10 percent of the registered voters residing in that proposed new district. We have had a request from the Pueblo of Pojoaque to create a precinct 91. I'm going to go ahead and schedule a special meeting for Monday, this coming Monday. What's the date on that, Commissioners?

COMMISSIONER HOLIAN: November 2nd.

CHAIR ANAYA: Monday, November 2nd at 1:00 pm to convene a special meeting to consider any petitions that may come in to the County at that time for a new additional precinct, specifically a new precinct requested by Pojoaque Pueblo. Our County Clerk and her staff, Ms. Salazar, Geraldine Salazar and Mr. Fresquez will be available to anyone interested in moving toward that process to bring any recommended changes and a recommended precinct at that time on Monday, November 2nd at 1:00 pm.

COMMISSIONER CHAVEZ: So, Mr. Chair, what you stated is a process and the precinct 90 has followed that process. Precinct 91 has not, so we're just asking that they follow the same process and protocol and then we would consider their request.

CHAIR ANAYA: That's correct. There has been discussions with our staff from the Clerk's Office, Mr. Fresquez and the County Clerk's Office and the County Clerk and so they will be afforded that opportunity with assistance by that Clerk staff to bring forward a recommendation at that time, at that Monday meeting, November 2nd. Mr. Shaffer, do you have any additional thoughts?

MR. SHAFFER: I would just clarify for the record, Mr. Chair, Commissioner Chavez, is that the new precinct that the Board just created through adoption of the resolution was required by law due to the number of people that voted in person at the last election. It wasn't actually something that was petitioned by voters but rather it was a mandatory requirement of the election code, and that's why they are being viewed differently.

CHAIR ANAYA: So the requirements have been fulfilled by the adoption of the precinct 90. Any additional considerations would fall under the petition requests, specifically Section 4-38-21 NMSA 1978. Is that correct, Mr. Shaffer?

MR. SHAFFER: That's correct, Mr. Chair.

CHAIR ANAYA: Thank you very much for that clarification. Thank you, Commissioners. To those waiting, we had a target. We obviously didn't meet that but we deal with complex issues that require additional attention and we had to garner and provide for that additional attention. So with that we move forward.

III. B. Possible Decision on or Other Action(s) with Respect to CDRC Case # ZMXT 13-5360 Buena Vista Estates, Inc. & Rockology LLC

COMMISSIONER HOLIAN: In CDRC Case ZMXT 13-5360, having duly considered applicant's written arguments, I move to deny the application since the

article under which they applied is no longer applicable, and the new Article 17 of the land development code is a valid legislative enactment of countywide applicability. This denial is without prejudice to the applicant's ability to apply for a DCI overlay zoning district, and a DCI conditional use permit under Article 17 of the land development code or applicable provisions of the SLDC once it is in effect.

COMMISSIONER CHAVEZ: Second.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: There is a motion from Commissioner Holian, second from Commissioner Stefanics and Commissioner Chavez. Is there any further discussion? Seeing none.

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

III. F. 2. Approval of Map of New and Changed Precincts, Nos. 23, 59, 60, 61, 82, 90, and 91 [Exhibit 7: Map]

MR. SHAFFER: Mr. Chair, if I could, I'm sorry to interrupt, as part of the new precinct creation there was also a companion item, F. 2, which is the actual map showing the boundaries of the modified precinct 82 and the new precinct 90 and I believe that Mr. Fresquez from the County Clerk's Office is prepared to hand out that map with those changes.

CHAIR ANAYA: So let's go and entertain the map and then we would need a motion for approval, Mr. Shaffer?

MR. SHAFFER: That's correct, Mr. Chair.

CHAIR ANAYA: Thank you, Mr. Shaffer. Thank you, Mr. Fresquez.

COMMISSIONER CHAVEZ: So Mr. Chair, do we need a separate motion then to adopt the modified Santa Fe County precincts map, dated October 2015?

CHAIR ANAYA: We do, Commissioner Chavez, but I'd like to give Mr. Fresquez the opportunity to just briefly describe the work that you went through. I know it took work to prepare the map and Mr. Shaffer referred to the statutory language and the requirement, if you could just touch on that for the public's edification, especially those that live in these particular areas. I think that's helpful to the public. So Mr. Fresquez.

STEVE FRESQUEZ (Elections Bureau): Mr. Chair, members of the Commission, this resolution was part of the requirement by the state statutes, Section 1-3-1, precincts for general or primary election purposes shall not have had more than 800 votes cast in person in that precinct at the last preceding general election. Precinct 82, which is in the La Tierra area, had 822 voters for the last general election so we had a statutory requirement to revise the precincts so that we could try to equally proportionate so we would not fall under the 800+ votes for the next election cycle.

CHAIR ANAYA: Mr. Fresquez, we appreciate that. I am looking at the map and it looks like this one does show precinct 91. Do you have one that does not reflect precinct 91?

MR. FRESQUEZ: Actually, I'm sorry. That was an oversight. I must have mislabeled it because this map was not supposed to show 91. The precincts that are highlighted are the precincts that we are referencing, which is 82 and 90 –

CHAIR ANAYA: So if we could, Mr. Shaffer, if we have the record reflect that precinct 91 should not be reflected on this map and that we're only analyzing the two highlighted areas? Would that suffice?

MR. SHAFFER: Mr. Chair, I think if I could paraphrase back to you, if the motion was to approve the map but with the reference to precinct 91 removed from the final version of the map, I think that would suffice.

CHAIR ANAYA: Fantastic. Thank you, Mr. Fresquez. Appreciate the work and your efforts. Commissioners, what's the pleasure of the Board?

COMMISSIONER CHAVEZ: Mr. Chair, I'll attempt a motion to approve the modified Santa Fe County precinct map dated October 25th with the exclusion or elimination of precinct 91.

CHAIR ANAYA: Mr. Shaffer, does that suffice?

MR. SHAFFER: Yes, Mr. Chair.

COMMISSIONER HOLIAN: Second.

CHAIR ANAYA: There's a motion from Commissioner Chavez, a second from Commissioner Holian. Any further discussion? Seeing none.

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

VII. PUBLIC HEARINGS

A. 2015 Sustainable Growth Management Plan

1. Resolution No. 2015-155, a Resolution Adopting the 2015 Sustainable Growth Management Plan and Repealing the 2010 Sustainable Growth Management Plan, Resolution Nos. 2010-210 And 2010-225 [Exhibit 8: Proposed Revisions]

MR. GRIEGO: Mr. Chair, Commissioners, this item before you is a resolution to adopt the 2015 Sustainable Growth Management Plan and repeal the 2010 Sustainable Growth Management Plan which was adopted by resolutions 2010-10 and 201-225. The Board of County Commissioners approved the SGMP in 2010. There have been subsequent changes that have been proposed to the SGMP. The resolution identifies that in accordance with state law the County's required to have a comprehensive plan and that the County's zoning and regulations and restrictions, in accordance with this comprehensive plan, several changes that have been identified through the SGMP were outlined at the Board of County Commissioners meeting on October 13th.

These changes include some significant changes to the population projections. The population projections were presented to the Board in 2014. There are also some changes related to the Sustainable Land Use Code as we've been going through that process. The changes that have been identified to be consistent with the changes for the Sustainable Land Use Code which are outlined in your packet.

Additionally, on October 13th the Board provided direction to staff to make some additional changes. These changes included a section regarding regional planning and those changes are in the SGMP and included in your packet in Chapter 1 of the SLDC. Other changes included the addition of the future land use categories for industrial-general and industrial-light. Those have also been included in the SGMP.

In summary, the changes that have been proposed to the SGMP are identified in your packet material. Each of the chapters are outlined with the changes that have been proposed by chapter. The Chapter 2 amendments again include the land use element of the SGMP. The updated growth projections also resulted in some proposed changes to the sustainable development areas. The timing for the SDAs were initially ten years for SDA-1, we anticipated growth to occur within 10 years. Based on the updated projections we now have proposed to change that SDA-1 area to 20 years, and that is based on the decrease in the population anticipate within that time period.

We've also amended the growth management areas to be consistent with the SDAs and it made changes to the existing land use maps, the land suitability analysis map, and the future land use map.

Additional changes were made through the TDR section, transfer of development rights section, the mixed use and bonus density sections to be consistent and set the framework for the Sustainable Land Use Code.

Other changes are identified in Chapter 2. I do have an additional change to the policies and strategies to reflect the updates to the land use elements that should have been included in the SGMP and were not and we'll be handing those documents out. Erin will be handing that out. There's a policy, 2.2. The document that was presented to the Board on October 13th identified the SDA-1 area as priority growth areas to accommodate new compact development is likely and reasonable to occur within the next ten years. The policy for that was not changed to reflect the text and the same thing is true of policy 2.3, that the SDA-2 area to accommodate future development likely and reasonable to occur in the next 20+ years.

So those are some additional changes that were made that are being proposed to amend the SGMP that you have in front of you today. Additionally, there's some minor changes to the conservation easement section to make that conservation easement section clearer and also to indicate that conservation easements allow landowners to receive tax benefits or to designate it as a TDR sending area. These changes are being proposed for consideration by the Board.

Other changes are outlined in your memo. In the agriculture section, some amendment are being made that were discussed at the last Board meeting. The open space elements, some changes were made based on additional open space properties that the County owned, additional trails that the County owned and the adjustments to the levels of service based on the existing properties that the County owned in accordance with that policy framework.

The official map was also amended for open space to include these additional properties and proposed trail corridors. Minor amendments were also made to the transportation element to reflect the existing work that's going on that the County has proposed for the future road network map and the future roadwork recommendations and the updated functional classification of existing and future roadways.

We also included all of the 2015 community plan updates that were approved by the Board throughout this recent community plan update process. The other proposed changes that are being proposed would be minor typographical changes to the document. This concludes my presentation. I stand for questions from the Board.

CHAIR ANAYA: Any questions of staff before we go to public hearing?

We'll go straight to public hearing. Those individuals wishing to come forward – if everyone who wishes to speak would please stand and be sworn. Do we need sworn testimony, Mr. Shaffer?

MR. SHAFFER: Mr. Chair, I think that would be advisable. It is styled as a public hearing so I don't see any downside to doing that.

CHAIR ANAYA: Okay, anybody wishing to speak if you'd just stand and be sworn at one time. The floor is yours, Mr. Wait.

[Duly sworn, Walter Wait testified as follows:]

WALTER WAIT: Mr. Chair, members of the Commission, I don't really know where to begin. There are so many additions, substitutions, new sections, major deletions that we're confronted with that appear – it almost appears that we have a new document written or revised by staff without any public review. On October 23rd Christine Romero informed us that the changes to the SGMP would be available to the public on the County website on Monday, October 26th and that a resolution adopting the 2015 SGMP would be put before you on the 27th. The redline copy that was brought before the Commission at a study session was only made available if you really knew where to look for it, which was within the study session packets and not easily available to the general public.

After years of community input the plan was adopted and why no public input at this major rewrite in my opinion is a disservice by the planners to the many citizens who spent hundreds of hours developing the original plan. Where was the proper notification to the public at large? I don't know.

This is rushed work and it shows it. For example – I'll give you three examples in a very quick run-through. The conceptual plan that is mentioned in the plan is basically a map. It's in Appendix A-12, and there is no visualization of who does what with it, where it goes, who gets to see it, and whether it has any benefit whatsoever in trying to determine whether a project should go forward. On Table 4-1, the required reports for the required visualization says see Table 6-1. Well, it's not there; there isn't anything there for conceptual plans. That's an example of the rushed kind of work.

What will a conceptual plan do? And if it doesn't clearly define what the rest of the property is going to be done with, well, then it's a useless piece of paper.

Industrial – the new plan revises the population estimated downward to 66,000 people in unincorporated areas. However, the next paragraph states that there will be a population of 99,000, and then uses that 99,000 as necessitating 240 acres of additional industrial development and recommends that we find it. Well, there's no need for that in the plan to advocate since we no longer have that kind of population density, and that directly relates to the area in the new zoning code for increased industrial acreage. It doesn't fit with the plan.

Okay, on the new code and the plan it advocates the development of mixed-use zones for the express purpose of – and I quote – ensuring a market for development rights. That's in the plan. Ensuring a market for development rights. So that means that Highway 14 is to be the sacrificial lamb for expanded development by Rancho Viejo, which owns all of that property. And that makes me want to look at what's going on with mixed use, which the plan clearly states is now subject, or one of the few subjects available for the transfer of development rights.

Has anybody really looked at what the proposed mixed-use zones does when joined with the proposed TDR receiving areas? If I am right, here's what could happen. First a proposed development is currently proposed in the plan and in the code. Within a mixed-use zone one dwelling is permitted for each developed acre. For each purchased TDR certificate you get a density bonus of three additional dwellings. A mixed-use zone permits a maximum 15 dwellings per acre and a development in a mixed-use zone required 30 percent open space. Development in a mixed-use zone requires the development of a conceptual plan, which we don't really know much about but I assume, would look at all the surrounding property. And mixed-use zones are considered TDR receiving areas.

All right. Sending areas, in the planned code states from designated sending sites, agriculture preservation areas, sensitive environmental lands, for example, riparian habitats, endangered or threatened species habitats, and through a TDR is part of a development order granting BUD. Now this is different from the definition that we have in the new plan, which states the purpose of TDRs is for the protection and conservation of natural, scenic and agricultural qualities of open land, areas of special character, or specific historic, cultural or aesthetic interest or value, or environment protection such as watersheds, steep slopes, floodplains and the preservation of traditional agricultural lands. That seems like a much better argument.

But now let's look at the proposed 640-acre mixed-use area, and I use the south of the County jail and running south down State Road 14 as an example only. If we assume that the 640, 30 percent would be required to be open space and 448 acres would be eligible for development. With mixed-use zoning in place that would permit 448 dwellings – one dwelling per acre. Now look at what would happen when we allow the TDR program. Each TDR allows an additional three dwellings. For discussion let's say that the developer proposes a density of 13 dwellings per acre. This would require the purchase of four TDR certificates per acre, 5,824 units would be allowable under the zoning regulations for the 448 acres. Additional density could be allowed for clustering and other density bonus programs, and this is more than the revised plan predicts for the entire county up until 2030.

The number of TDR certificates necessary to develop to procure would be 1,792, 448 times four. This translates into 1,792 times 3/4 of an acre where 1,344 acres withdraw forever from development. That's about two sections. For a developer that owns as much as 13,000 acres of ranchland, finding sending sites within the confines of the ranch would be relatively easy and without additional cost. Along the Highway 14 right-of-way which demands a 1,000-foot protection zone overlay the developer could easily make the case for BUD relief that is no longer developed.

We have argued in the past that the proposed highway corridor mixed-use development is both unwise and unwarranted and you find it in the new plan as developable areas. Zoning the areas along Route 14 as anything other than the surrounding zones of one dwelling per 20 acres makes no sense at all and as the properties are currently comprised of working ranches should be zoned accordingly. Strip zoning along 14 would also cause serious disruption to the use of the Rancho Viejo ranchlands and the Bonanza Creek Ranch rangeland ranching operations. It is currently being operated as a single ranching entity. By cutting off access, separating the two major

holdings, increasing the population density by 100-fold the proposed zoning would sound a death knell to ranching on almost 30,000 acres of land, and this would destroy one of the last natural gateways to Santa Fe.

Now, I'm not asking that you delay the process. I'm here to express my disappointment in the quality of the work form and trying to rewrite the plan while still trying to essentially write the code, both of which, I might add, have been passed by you, the County Commission, in the past. I am disappointed. Thank you.

CHAIR ANAYA: Thank you, Mr. Wait. Are there any other members of the public that would like to make comments? Are there any other members that would like to make comments? Seeing none, the public hearing is closed. Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, I would like to have either Mr. Griego or Ms. Penny Ellis-Green clarify a couple of issues that Mr. Wait brought up. I don't quite agree that it's a poorly written product. I think that we've spent a few years on this and nothing will ever be perfect, and we will do some renovations or some amendments as time goes on. But I would like the issue addressed about the example that he gave of how the transfers could in fact create higher and mass density along Highway 14. Take the example he utilized, but also go back to the fact that much of that property – where does the property for Rancho Viejo end on Highway 14? Does it end at the school or further down?

MR. GRIEGO: Mr. Chair, Commissioner, the property for Rancho Viejo ends at the San Marcos District and that is on the east side of State Road 14. That area is part of Rancho Viejo holdings.

COMMISSIONER STEFANICS: How far down on the east side?

MR. GRIEGO: Down to the school

COMMISSIONER STEFANICS: Down to the school.

MR. GRIEGO: Yes.

COMMISSIONER STEFANICS: Okay. So right now, that – Rancho Viejo is in the Community College District.

MR. GRIEGO: Rancho Viejo owns property in the Community College District. The property in question is not in the Community College District.

COMMISSIONER STEFANICS: So the property in question can be mixed use now, or would have to be zoned for mixed use? Or would be included as mixed use in our new code?

MR. GRIEGO: The property is included for mixed use in our code. It was also included for mixed use in our Sustainable Land Use Code approved by the Board in 2010. So that area has been mixed use in a previous iteration of the zoning map as well.

COMMISSIONER STEFANICS: Okay. So, Mr. Chair, on the code, we still plan to have – the staff still plans to have a number of public meetings. Is that correct?

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

COMMISSIONER STEFANICS: And one of the issues I brought up specifically for Highway 14 is the 1,000-foot setback versus a 2,000-foot setback. So it is my hope – and you don't have to respond to this – it is my hope that when people come to a public hearing they will in fact respond to that. One of the requests I made at the last

meeting that we actually discussed this afternoon was that we create an industrial-light or light industrial definition for the code, and we have done that. Correct?

MR. GRIEGO: That is correct.

COMMISSIONER STEFANICS: So the proposal right now is that heavy industrial or industrial would be taken away from certain parts of the county, not just Highway 14.

MR. GRIEGO: That is correct.

COMMISSIONER STEFANICS: Okay. So now let's talk about the density, the issue that he brought up. Could you in fact share with me personally, and maybe it's Penny, maybe it's you, but share with me personally how horrible it could get.

MS. ELLIS-GREEN: Mr. Chair, Commissioners, I think that's all going to depend on how many TDRs are purchased. We do have a maximum of 15 dwelling units per acre, but in order to get to that you would have to purchase TDRs at fair market value, so that could be extremely expensive. We wouldn't imagine that people would do that for the entire area, to develop it at that high a density. But even if they do the first thing they would need to do is to come in and do a conceptual plan and have the Board of County Commissioners approve a conceptual plan for their entire tract of land, and that was changed in Chapter 14 of the Sustainable Land Use Code that the whole conceptual plan process was included, including the review criteria. So that would come forward to you. It would come forward to a public hearing to be approved, and in that you would have to set your density. So you would have to say this is the number of TDRs I'm entitled to buy, and this is the density.

We are looking at this – this has been shown, as Robert said in the SGMP since 2010 as an area of mixed use, as a future land use as mixed use and so it has been shown on each of the iterations as a mixed-use area. It is in our SDA-1 area. So –

COMMISSIONER STEFANICS: Which means – SDA-1 means? High growth?

MS. ELLIS-GREEN: SDA-1 means our higher growth area. The mixed-use area is the higher growth area to develop in a higher growth area is the planned development districts like the Community College District and our mixed-use areas so we don't just get sprawl throughout the county. And so that was the intent. So that is shown in our SDA-1 area as being a higher growth area. Yes.

COMMISSIONER STEFANICS: Okay. Thank you very much for right now.

CHAIR ANAYA: Other questions from the Commission? Commissioner Chavez? Commissioner Holian? Commissioner Roybal? Just a few comments. Whether it's 500 people that come to speak at a meeting or one person that comes to speak I greatly respect and appreciate that people come and provide their input. Relative to the Sustainable Land Use Code and the SGMP when I got elected to the Commission the growth management plan, prior to taking office in January of 2011 was adopted by that Commission. One of the immediate questions and concerns that were raised to me was what individually do areas around the entire county have – what opportunities will they have to provide feedback and input to actually create the code that implements the plan itself? And in 2012 and 2011 we began that process. In 2012 we've continued that process with Sustainable Land Use Code issues and amendments, and we've also gone

out extensively as a County from 2011, to 2012 to 2013 to 2014 and now we're sitting in 2015 and what I've been fortunate to be in my second term in a process by which I was concerned when I took office that we were going to have an ample opportunity to solicit and take in input from the public.

So for five years, almost. Not ten months, not two weeks, not three days. For five years almost. Two months shy. We've gone through a methodical process with every community including Highway 14. Galisteo, La Cienega, La Puebla, Chimayo, Agua Fria – all of them. San Pedro, Madrid, Cerrillos, We went back. Edgewood. Stanley. Again and again and again. And then, we also asked, do you want to be self-determined in your areas and either modify your community plan? San Marcos? Or create a new plan or create a plan in its first inception. And we had both. We had communities that decided that they wanted to create a plan, and then we sent staff out through a process by which they solicited feedback and input and one by one each community came to the Commission and requested for us to adopt their community plans that were new.

Then we had communities that we went back to in the most recent two years and said what modifications, based on the plan and based on the code, would you like us to undertake, and we went through another methodical process. One by one, community by community. I appreciate you, Walter, but at some point through a process that's evolved over five years now, almost five, we need to get to a point of adoption and work through relevant challenges we might have in year to come. We don't know what all of them might be. I don't think anybody anywhere has illusions that it's perfect. But I think that we've come to the time and the place that we have to progress to adoption. So, that being said, we came back after the code modifications and it's this document, the SGMP that connects and takes not something out of thin air but takes those prior modifications in the code that went through a long and arduous public hearing process, community by community, to get to a connection and correlation to make sure that they both gibe and work together. That's what we've worked on and attempted to do and I think we've done.

And we still have yet, as Commissioner Stefanics just pointed out, yet another opportunity with the maps and the code and the fees to go through yet another process by which we elicit more feedback, to then again maybe even make additional modifications. Not based on our whim as individual Commissioners but based on the feedback and input we collectively receive from the various communities we represent. The only other thing I would add, through that five-year process is again and again, we as Commissioners, individually and collectively, I believe have said there's still a process by which communities can continue to work towards their own self-governance and initiate additional modifications within their respective planning districts. And all I've ever said is as long as we respect from one area to the next that there might be differences between those planning districts and between those communities because there are huge differences in some cases.

But I greatly respect the input and the feedback, Walter, your presence and others' presence, some that maybe have similar sentiments and maybe many that don't, because I think the things that I hear in the communities at large when I'm out talking to constituents or when they're calling me is that we've given them the opportunity to provide that feedback and they're appreciative of that fact. But I respect your disappointment individually and any others that have that same disappointment, but along

with that disappointment that you might have there's many that are appreciative of the collective process by which many were a part of. So I'll leave it at that. What's the pleasure of the Board?

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: I just want to make a few comments. First of all, I do believe that this is in fact a well written plan. It's based on a plan that as has been said was written five years ago and there's been a lot of thought put into how it can be modified. I also think that there has been a great deal of community input that maybe is not recognized right off the bat. Obviously, with regard to the community plans, that's obvious how there's been meeting after meeting in these communities to modify their plans and really work out all of their issues, and that has involved a great deal of community involvement.

Also there's been a lot added to the new SGMP regarding food security and that – all those modifications were based on the Santa Fe City-County food plan which was developed recently under the auspices of the Food Policy Council, and that plan had a tremendous amount of community input from a number of different entities across the county regarding food policy.

Also, I believe that the TDRs that were put into place, they put in place well thought out procedures for having a TDR program in our county and I think that really is going to help us protect land that needs protection, and I think it's worth noting that before any development is done there will have to be a conceptual plan that is approved by the Board, just as now a master plan is approved by the Board. So I think that inappropriate development using TDRs to get a much higher density than is warranted would really not happen because the Board would not let that happen, and the people in the community would not let that happen.

Another really good thing about the new code and the new plan that supports this is that there are many, many more public meetings before a development ever is proposed before the conceptual plan is even brought forward to the Land Use Department. There are requirements for community meetings right up front and community involvement. And I think that this is going to help people give input about developments in a way that they haven't been really allowed to do up until now.

So I really feel that it's important to move forward at this point and so I would like to make a motion to approve Resolution No. 2015-155, a resolution adopting the 2015 SGMP and repealing the 2010 SGMP resolutions number 2010-210 and 2010-225.

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

COMMISSIONER CHAVEZ: Second.

COMMISSIONER STEFANICS: Second.

CHAIR ANAYA: Second from Commissioner Chavez and a second from Commissioner Stefanics as well. Commissioner Chavez.

COMMISSIONER CHAVEZ: Yes, only I'd just like to build on your comments just a bit, Mr. Chair, and to say that both of these documents, or all of these documents, the SGMP, the Sustainable Land Use Code and zoning map will all have to be revised and updated on a regular basis. These have to be living documents. They cannot be something that's rigid or etched in stone and not be changed or revisited. So I

think we need to hold that thought. Commissioner Holian read one of the whereases. The last time this was done was in 2010. Commissioner Anaya pointed out that we're now in 2015, so I would imagine in another five or six years some of us will be at this same point, revisiting these documents and revising them because things in the field will change. Settlement patterns will change. There's nothing constant. It's all in flux. And so we have to be willing and able to adjust to the market trends, to population trends, to the economy, to all of the factors that we're trying to deal with.

And we have no real control over a lot of those things, but we do have to look forward and try to have some conceptual plan of where we would like to go and as Commissioner Anaya pointed out, a lot of this work was done bottom up. I don't think you can have a better plan than that. None of this from what I can tell was done from top down. It's all been bottom up. And if we keep doing that and involve the public then I think we're going to be moving in the right direction. So I'm willing to support to make a second. I know that there are others that have worked on this much longer than I have and so I appreciate all of the work that staff has put into this. I appreciate all of the work that the community has put into this. I don't know how many hours, Robert, if you totaled all the hours at all the community meetings it might be a lifetime. And so congratulations to staff and to the community for pulling this off.

CHAIR ANAYA: Thank you, Commissioner Chavez. Any further discussion? Commissioner Roybal.

COMMISSIONER ROYBAL: Yes, I'd also like to thank Mr. Wait for being here today and giving us the feedback. As Commissioner Anaya said, this will be a living document and feedback from the community and the public will drive the changes that we'll make to this document. I too would like to say thank you to the staff for their hard work and to the community. Thanks.

COMMISSIONER HOLIAN: Mr. Chair.

CHAIR ANAYA: Commissioner Holian.

COMMISSIONER HOLIAN: My motion includes the proposed revisions that were in fact handed out to us prior to presentation of this item.

CHAIR ANAYA: Thank you, Commissioner Holian. Mr. Shaffer, does the motion advance the document?

MR. SHAFFER: If I understand the question correctly is whether or not the motion included changes that were handed out prior, and so long as I think the maker and the seconder recognize that understanding I think we're okay, Mr. Chair.

COMMISSIONER HOLIAN: Thank you.

CHAIR ANAYA: Maker of the motion clarified, the seconder concurred. Commissioner Chavez, Commissioner Stefanics. Okay. Seeing no further discussion.

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

VII. B. Land Use Cases

1. **BCC CASE # MIS 15-5180 Ojo Caliente Holdings, Inc. Beer & Wine Liquor License. Ojo Caliente Holdings, Inc., Applicant, Linda Aikin, Agent, Request Approval for a Restaurant Beer and Wine Liquor License. The Property is Located at 242 Los Pinos Road, Within Section 28, Township 16 North, Range 8 East (Commission District 3) John M. Salazar, Case Manager**

JOHN MICHAEL SALAZAR (Case Manager): Thank you, Mr. Chair and Commissioners, Ojo Caliente Holdings, Incorporated, applicant, Linda Aiken, agent, are requesting approval for a restaurant beer and wine liquor license. The property is located at 242 Los Pinos Road within Section 28, Township 16 North, Range 8 East, Commission District 3.

The applicant's request is for a restaurant beer and wine liquor license to be located within the restaurant area at Sunrise Springs Integrated Wellness Resort. A master plan amendment was approved by Santa Fe County for Sunrise Springs in 1999. The master plan amendment was recorded in the Office of the Santa Fe County Clerk in April of 1999 under Book 422, pages 1 through 4. This recorded amendment has uses which included a residential resort, overnight lodging and related recreational activities. Additionally, approval included a restaurant which allowed for liquor to be served on the site within the restaurant area.

Staff recommends approval of a restaurant beer and wine liquor license to be located at 242 Los Pinos Road. And I'll stand for questions, Mr. Chair.

CHAIR ANAYA: I'll go to questions, but I'm going to move for approval.

COMMISSIONER CHAVEZ: Second.

CHAIR ANAYA: There's a motion and a second. Are there any questions? Is there anybody here that would like to speak in favor or against this item? Seeing none, are there any questions of the applicant or staff? Seeing none, there's a motion and a second from Commissioner Chavez. Motion by Commissioner Anaya.

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

VIII. INFORMATION ITEMS

None was presented.

IX. CONCLUDING BUSINESS

A. Announcements

CHAIR ANAYA: Other items, announcements? Ms. Miller, are there orders of business that we need to tend to?

MS. MILLER: Mr. Chair, I don't have anything else, and Tony doesn't, so I think we're good.

CHAIR ANAYA: Commissioners?

B. Adjournment

Having completed the agenda and with no further business to come before this body, and following motion by Commissioner Chavez and second by Commissioner Roybal, Chair Anaya declared this meeting adjourned at 8:45 p.m.

Approved by:

Board of County Commissioners
Robert A. Anaya, Chair

ATTEST TO:

GERALDINE SALAZAR
SANTA FE COUNTY CLERK



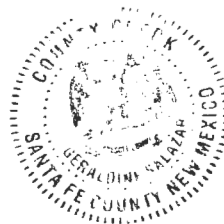
Respectfully submitted:

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

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 119

I Hereby Certify That This Instrument Was Filed for
Record On The 4TH Day Of December, 2015 at 04:04:58 PM
and Was Duly Recorded as Instrument # **1781040**
Of The Records Of Santa Fe County



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

SFC CLERK RECORDED 12/04/2015



The New Mexico Association of Counties' (NMAC) mission is to strengthen New Mexico counties' ability to govern their own affairs and to improve the well-being and quality of life of their constituents.



Santa Fe County Commission
 Santa Fe County Administration Offices
 102 Grant Avenue
 Santa Fe, NM
 Tuesday, October 27, 2015
 2:00 p.m.

Sharon Stover, NMAC President
 Los Alamos County Clerk
 (505) 690-4520

sharon.stover@lacnm.us

Steve Kopelman
 NMAC Executive Director
 (505) 983-2101

skopelman@nmcounties.org

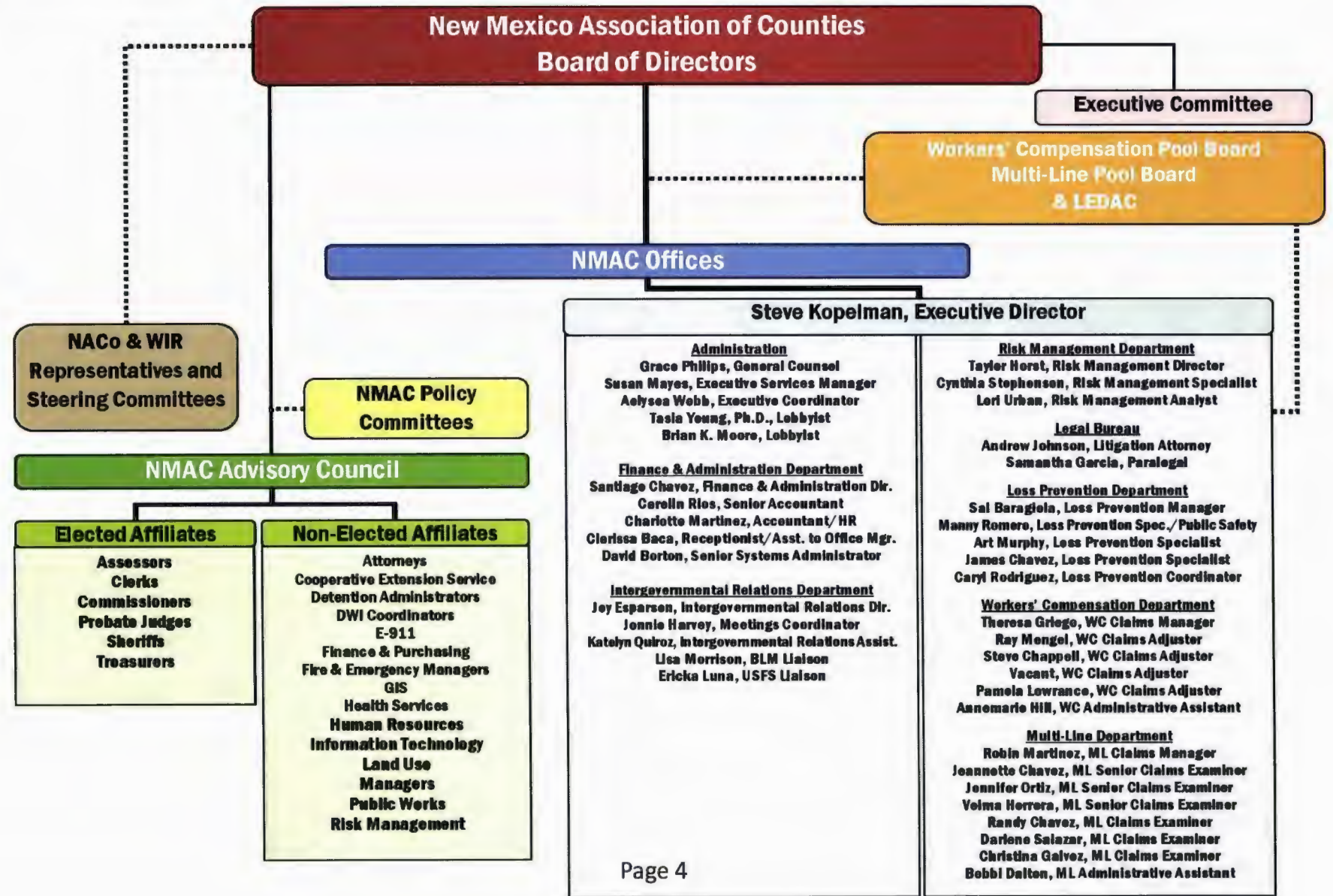
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Did You Know...

- New Mexico counties employ approximately 10,500 people
- New Mexico counties vary in population from 707 (Harding County) to 673,460 (Bernalillo County)
- New Mexico county elected officials are term limited and approximately 44 states do not have statewide imposed term limits
- Santa Fe County, is the oldest capitol in the nation and the highest capitol city in the U.S. at 7,000 feet
- New Mexico counties maintain over 29,000 county road miles
- New Mexico counties manage 28 adult detention centers
- New Mexico counties house an average daily total adult inmate population of 7,305 and New Mexico is only one of two states in the country that has significantly more people in jails than in prisons
- New Mexico counties are required to spend over \$250 million each year for jail operations alone

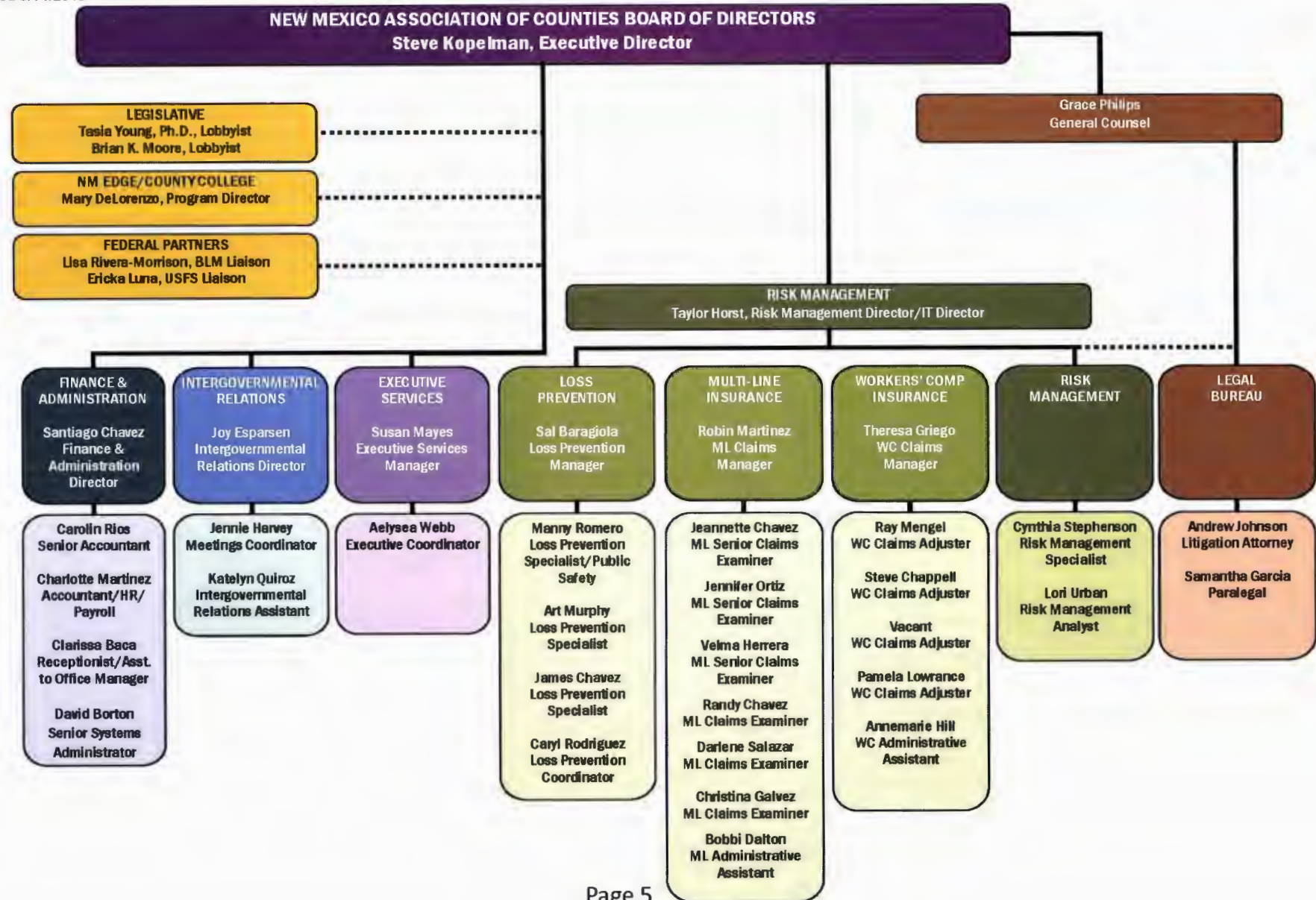
Organizational Chart - External

Updated 8/14/2015



Organizational Chart - Internal

Updated 8/14/2015



NMAC Policy Statement

The New Mexico Association of Counties' (NMAC) mission is to strengthen New Mexico counties' ability to govern their own affairs and to improve the well-being and quality of life of their constituents.

County Government

- NMAC supports a policy making process in which all elected county officials and citizens have a voice and recognizes that each county government can best determine how to manage its own affairs and meet the needs of its constituents.
- NMAC opposes preemption of local authority.
- NMAC opposes unfunded mandates imposed on county government.

Economic Development

- NMAC supports programs that create and aid both public and private enterprises to plan, finance, and develop job-related industries, businesses, and facilities that are compatible with local needs and desires.

Elections and Accountable Government

- NMAC supports transparency in governmental decision-making, open elections, and increased voter participation.

Energy, Environment, and Natural Resources

- NMAC supports significant involvement of county policy makers in federal, state, and local environmental, energy, and natural resources initiatives.
- NMAC supports adoption of sustainable water management policies.

Healthcare and Human Services

- NMAC supports significant involvement of county policy makers in federal, state, and local healthcare and human services funding and programs.
- NMAC supports a federal, state, and local partnership structure for financing and delivering healthcare and human services to meet the needs of all New Mexicans and opposes any measure that would further shift federal and state costs to counties.

Infrastructure

- NMAC supports adequate and recurring federal and state funding sources for public road, bridges, and transportation programs.
- NMAC opposes any restriction on the ability of counties to assess fees against users of public rights-of-way or the right of local government to control rights-of-way, zoning authority, or the right to receive usage and rental compensation from telecommunication and other utility providers.

Justice and Public Safety

- NMAC supports adequate community behavioral health services and effective diversion of individuals with serious mental illness and substance abuse problems from county detention facilities.
- NMAC supports effective and efficient delivery of public safety and emergency response services in all counties.
- NMAC supports effective and efficient criminal adjudication processes.
- NMAC opposes unnecessary incarceration of youth and adults in county detention facilities.

Taxation and Revenue

- NMAC supports tax reform efforts that improve economic efficiency, economic development, ease of administration, and overall fairness of the state and local tax system. It is essential that NMAC fully participates in legislative and executive efforts to restructure and reform the state and local tax system.
- NMAC supports the following tax policy principles: simplicity, transparency, economic neutrality, and equity.
- NMAC supports full federal funding of Payment in Lieu of Taxes and Secure Rural Schools.
- NMAC opposes legislation that has a significant negative impact on county revenue.

NMAC Policy Committees & Task Forces

Criminal Justice Reform Policy Committee

Identify and prioritize county detention reform initiatives for adults and juveniles; major issues include dealing with people with behavioral health and substance abuse problems; inmate competency and time limits; the high cost of operating detention facilities; wrap around services for individuals released from detention facilities; probation and parole violators in jails; continued connection with the Courts, Corrections, and Justice Interim Legislative Committee; and increase in County Detention Facilities Reimbursement Act funding.

Chair: Sharon Stover, Los Alamos County Clerk, NMAC President

Staff Liaison: Grace Philips, NMAC General Counsel

Economic Development & Infrastructure Policy Committee

To assist counties and county staff with identifying resources available to assist in developing and understanding economic development strategies. This includes areas such as planning, job creation, ties to infrastructure, financing, a skilled workforce, and other related areas. Additionally, the committee is tasked with reviewing policies relating to economic development and infrastructure and their impact on counties.

Chair: Glenn Walters, Sandoval County Commissioner

Staff Liaison: Brian Moore, NMAC Lobbyist

Healthcare Policy Committee

Address major healthcare issues facing county government with emphasis on possible legislative initiatives; major issues include indigent healthcare; Medicaid; healthcare for inmates; hospital reporting; and other issues of importance to the Health Services Affiliate.

Chair: Liz Stefanics, Santa Fe County Commissioner

Staff Liaison: Susan Mayes, NMAC Executive Services Manager

Native American Policy Committee

Address interdependent relationships between counties and Native American communities; major issues include education on Indian law and culture; examining major issues between county government and tribal/pueblo government; improving the dialogue between counties, tribes, pueblos, and nations; providing a sounding board for tribal interests.

Chair: Lloyd Felipe, Sr., Cibola County Commissioner

Staff Liaison: Joy Esparsen, NMAC Intergovernmental Relations Director

Public Lands & Natural Resources Policy Committee

Address major public lands and natural resources issues facing county government with particular emphasis placed on possible legislative initiatives; major issues include federal funding sources for public lands; water rights and delivery systems; Endangered Species Act; and other federal land management practices and regulations.

Chair: Danny Monette, Socorro County Commissioner

Staff Liaison: Joy Esparsen, NMAC Intergovernmental Relations Director

Tax Policy Committee

Address major tax issues facing county government with particular emphasis placed on possible legislative initiatives; major issues include GRT reform efforts and ensuring that county revenues are adequate to meet their needs

Chair: Debbie O'Malley, Bernalillo County Commissioner

Staff Liaison: Santiago Chaves, NMAC Finance & Administration Director

EMS Task Force

Develop policy recommendations regarding appropriate funding levels and mechanisms for recurring EMS services funding. (reconvened for proposed 2016 legislation)

Chair: Paula Garcia, Mora County Commissioner

Staff Liaison: Joy Esparsen, NMAC Intergovernmental Relations Director

SJM 4 Task Force

NMAC to study housing and clinical service options for individuals with serious mental illness who are in custody awaiting trial and report its findings to the appropriate interim legislative committees by December 1, 2015.

Chair: Grace Philips, General Counsel

Staff Liaison: Grace Philips, General Counsel

2015 Legislative Session Accomplishments

- **Legislature Passed Four NMAC Legislative Priorities:**
SB 319 – County IRB Projects & Complaint Process Changes;
HB 67 – Property Tax Schedule Change Requests;
SB 104 – Delinquent Property Tax Installment Payments; and
SJM4 – Services for Mentally Ill & Awaiting Trial.

- **Other Legislation Passed That Possibly Affects Counties:**
SB 41 – Medicaid for Certain Incarcerated Persons;
SB 643 – Voter Registration Requirements;
SB 112 – Define Agricultural Use for Property Tax; and
SB 125 – Change County Road Speed Limits.

- **Significant Legislation Successfully Opposed by NMAC:**
HB 366 – Pre-emption of Oil & Gas Operations;
SB 424 – Limited authority of counties and cities over agricultural operations, mining, and oil & gas activities
HB 421/SB 101 – Reduced county authority to impose hold harmless gross receipts taxes;
and
HB 376 – Restricted isolated confinement for inmates with serious mental illness.

2016 NMAC Legislative Priorities

- **Restore Detention Center Funding**
Support an increase in the 2016 General Appropriations Act that would fund the County Detention Facilities Reimbursement Act at a level sufficient to reimburse counties for the actual cost of holding the three categories of prisoners specified under the Act. (Detention Administrators)
- **Support Funding for a Statewide EMS Assessment**
Support an appropriation to conduct a statewide EMS assessment, in coordination with the State Fire Marshal, using monies currently reverted from the Fire Protection Fund, to the State General Fund and reconvene the NMAC EMS Task Force to develop additional policy recommendations regarding appropriate funding levels and mechanisms for recurring EMS services funding. (Fire & Emergency Managers)
- **Gross Receipts Tax Reform**
Request full participation by NMAC in any legislative efforts at gross receipts tax restructure and/or reform and that the Legislature consider formation of a tax policy committee to study and reform New Mexico gross receipts taxes. (Managers)
- **State Level Contribution to the New Mexico 3D Elevation Program (3DEP)**
Support legislation that would allocate funding over a five year period to be used in collaboration with other federal, local, and tribal funds to match federal funding from the National 3D Elevation Program (3DEP). (GIS)

Federal Legislative Initiatives

- Support the Payment In Lieu of Taxes (PILT) and Secure Rural Schools (SRS) Programs extending full mandatory funding
- Support long-term transportation funding and county priorities in MAP-21 Reauthorization
- Protect county interests in federal “Waters of the U.S. (WOTUS)” rulemaking
- Support NACo Stepping Up Initiative to reduce the number of people with mental illnesses in jails

Self-Insurance Pools

Advantages of Pooling

- Counties are not severely penalized for one bad loss
- Member counties control the NMAC pools
- Return of equity to county members
- Pools focus exclusively on county government

Workers' Comp, Multi-Line, & Law Enforcement Pools

- WC Pool provides medical and lost-time coverage for 31 member counties
- WC Pool provides statutory coverage with no limits
- ML Pool provides coverage for property, general liability, crime, public officials' errors and omissions, employment practices, and automobile liability
- ML Pool provides for state claims per the Tort Claims Act limits
- LE Pool provides coverage for law enforcement activities, including sheriff departments and adult and juvenile detention centers
- NMAC Loss Prevention does extensive training and outreach to county detention centers
- Pools operate under a Joint Powers Agreement with county members

***NEW!* County Employee Voluntary Benefits Program**

A WIN for Counties!

- County employees can buy these benefits at a lower cost than anywhere else
- No cost to the county to provide these benefits for its employees
- Employees cannot be denied any of these coverages
- Employees can take these benefits with them if they leave county employment
- Enrollment can occur during your normal enrollment period, or any other time you want it

Professional Development & Additional Resources

NMAC Conferences

- NMAC Legislative Conference held during the week Legislative Session opens to present county perspectives to our legislators and meet with affiliate members.
- NMAC Annual Conference held in June to develop and prepare NMAC legislative priorities for the next legislative session and provide educational programs to affiliates.
- Better Informed Public Officials (BIPO) Conference held to train newly elected county officials

County College/NM EDGE

- Created in 2004 in partnership with New Mexico State University's Cooperative Extension Service and NMAC.
- Works through the guidelines of the National Certified Public Manager Consortium to develop certification programs and affiliate-specific curricula for county elected officials and employees www.nmedge.nmsu.edu

National Association of Counties (NACo)

- Known as the Voice of America's 3,069 Counties
- Encourages its members to participate in NACo conferences, steering committees, and webinars
- Develops national legislative policies and advances issues with a unified voice before the federal government
- Responsible for representing counties in Congress and with federal executive agencies

NACo Boards/Caucuses/Issues

Western Interstate Region (WIR)
Large Urban County Caucus (LUCC)
Rural Action Caucus (RAC)
Funding for Payment in Lieu of Taxes (PILT),
Reauthorization of the Secure Rural Schools
& Community Self Determination Act, and
Endangered Species
Waters of the U.S.

NACo Steering Committees

Agriculture & Rural Affairs
Community, Economic & Workforce Development
Environment, Energy & Land Use
Finance and Intergovernmental Affairs
Health
Human Services & Education
Justice & Public Safety
Public Lands
Telecommunications and Technology
Transportation

NMAC Wants To Hear From You!

- What are the important issues facing your county?
- How can NMAC help?
- Questions?

Contact Us

Administration

Steve Kopelman, Executive Director
Susan Mayes, Executive Services Manager

Finance & Administration Department
Santiago Chavez, Finance & Administration Director

Intergovernmental
Joy Esparsen, Intergov. Relations Director

Legislative Services
Tasia Young, Lobbyist
Brian Moore, Lobbyist

Risk Management Services

Taylor Horst, Risk Management Director

Workers' Compensation Insurance

Theresa Griego, Workers' Comp. Manager

Multi-Line Insurance

Robin Martinez, Multi-Line Manager

Loss Prevention

Sal Baragiola, Loss Prevention Manager

www.nmcounties.org
NMAC (505) 983-2101

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
Permit and Review Fee Ordinance
Ordinance No. 2015-_____

AN ORDINANCE ESTABLISHING DEVELOPMENT PERMIT AND REVIEW FEES FOR PROJECTS IN SANTA FE COUNTY, NEW MEXICO; AND REPEALING ORDINANCE NO. 2008-12 AND SECTION 9.A (FEE TABLE) OF ORDINANCE NO. 2010-6 (MOTION PICTURE AND TELEVISION PRODUCTIONS)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY:

ARTICLE I. GENERAL PROVISIONS

SECTION 1. SHORT TITLE.

Articles I to III herein may be cited as “The Fee Ordinance of Santa Fe County”

SECTION 2. APPLICABILITY AND EFFECTIVE DATE

This Ordinance applies to any application for a Development Permit under the Santa Fe County Sustainable Land Development Code (“SLDC”), as amended. This Ordinance shall become effective concurrent with the effective date of the SLDC.

ARTICLE II. APPLICATION, RECORDS AND REQUIREMENTS

SECTION 1. APPLICATIONS.

All development within Santa Fe County requires a Development Permit and the payment of a non-refundable application fee except where otherwise indicated. All Development Permits require the completion and approval of a Development Permit Application (“Application”). An Application shall be completed according to the requirements in the SLDC and submitted to the Building and Development Services Division for review and processing. The Building and Development Services Division shall submit these Applications to the appropriate County Departments for additional review as required.

SECTION 2. RECORDS.

A record of all permits shall be maintained by the Building and Development Services Division.

SECTION 3. ISSUING PERMITS.

Permits will not be considered issued until picked up from the Building and Development Services Division of Santa Fe County. Permits not issued within thirty (30) days of approval shall be deemed void; permits thus voided will require re-submittal of the application and repayment of fees.

SFC CLERK RECORDED 12/04/2015

ARTICLE III. APPLICATION FEES

SECTION 1. FEE SCHEDULE

The fee schedule is hereby attached as Exhibit "A".

SECTION 2. PERIODIC REVIEW OF FEE SCHEDULE.

The fee schedule shall be periodically reviewed in conjunction with updates to the SLDC as needed, but every five years at a minimum.

SECTION 3. PAYMENT AND REFUNDS.

Unless otherwise stated in the fee schedule, fees are due at the time of application and are not refundable. Any application received without payment of fees due will not be reviewed. If a particular Development requires more than one approval, the applicant shall pay the cumulative review fees for each review and approval sought.

SECTION 4. ADDITIONAL FEES FOR PROFESSIONAL SERVICES:

The Building and Development Services Division may require information beyond that contained in the Application. In such instances, the Applicant may (i) provide the information requested at the Applicant's sole expense, (ii) pay an additional fee to cover the cost of the Department staff obtaining and reviewing the information, or (iii) withdraw the Application provided that no such withdrawal shall be entitled to a refund of fees. In addition, some Applications may require specialized reviews by outside sources, the cost of which shall be paid by the Applicant in advance.

PASSED, APPROVED AND ADOPTED, on this _____ day of _____, 2015.

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

By: _____
ROBERT A. ANAYA, Chairperson

ATTEST:

GERALDINE SALAZAR, County Clerk

APPROVED AS TO FORM:

GREGORY S. SHAFFER, County Attorney

**SANTA FE COUNTY
GROWTH MANAGEMENT DEPARTMENT
DEVELOPMENT REVIEW FEES**

| APPLICATION TYPE | BASE FEE | ADDITIONAL FEES |
|---|----------|--------------------------------|
| Permits | | |
| Development Permit Residential & Agricultural Uses & Community Service Facilities | \$200 | Valuation Fee |
| Development Permit Residential & Agricultural Non-Habitable Accessory Structures of 400 Sq. Ft. Or Less | \$25 | |
| Project Valuation | | |
| \$0 - \$25,000 | | \$75 |
| \$25,001 - \$50,000 | | \$150 |
| \$50,001 - \$100,000 | | \$350 |
| \$100,001 - \$200,000 | | \$550 |
| \$200,001 - \$250,000 | | \$950 |
| \$250,001 - \$300,000 | | \$1,150 |
| *Each Additional \$100,000 in construction value or part thereof: | | \$500 |
| Development Permit Non-Residential, Mixed Use & Multi Family | \$700 | Valuation Fee |
| Project Valuation | | |
| \$0 - \$999 | | \$175 |
| \$1,000-\$4,999 | | \$600 |
| \$5,000-\$49,999 | | \$1,100 |
| \$50,000-\$149,999 | | \$1,500 |
| \$150,000-\$499,999 | | \$2,500 |
| \$500,00-\$749,999 | | \$3,500 |
| \$750,000-\$999,999 | | \$5,000 |
| \$1,000,000-\$1,999,999 | | \$7,000 |
| \$2,000,000 and above | | \$10,000 for first \$2 Million |
| *Each Additional \$1,000,000 in construction value or part thereof: | | \$1,000 (\$20,000 max) |
| Conditional Use Permit | \$1,000 | |
| Medium Impact Home Occupation | \$500 | |
| Site Development Plan for Permitted Uses | \$200 | |
| Sign Permit | \$245 | |
| Burial Permit (For Human Burial) | \$150 | |

| APPLICATION TYPE | BASE FEE | ADDITIONAL FEES |
|--|------------------------|------------------------------|
| Film Permit | | |
| Small Scale Production | \$100 \$25 | \$10 per day |
| Major Production | \$500 | \$50 \$10 per day |
| Episodic Television Production | \$100 | \$70 per week |
| Demolition Permit | \$100 | |
| Demolition Permit Due to Natural Disaster | \$15 | |
| Blasting Permit | \$1,000 | |
| Grading & Clearing Permit-Single Family Residential or Community Service Facility (Not Required if part of a Development Permit) | \$100 | |
| Grading & Clearing Permit-Subdivision/ Non-Residential/Mixed Use/Multi Family | \$750 | |
| Road or Driveway Cut Permit | \$200 | |
| PV Solar-Private Residential | \$100 | |
| Temporary Use Permit | \$125 | |
| Itinerate Vendor Permit | \$150 | |
| After the Fact Permit | 2X the base permit fee | |

| Subdivisions and Other Plat Reviews | | |
|--|------------------------------|-------------------------------|
| Minor Subdivision | \$350 | \$25 per lot |
| Major Subdivision | \$1000 Prelim \$500 Final | \$100 per lot \$50 per lot |
| Exempt Land Divisions & Other Plat Reviews | \$200 | |
| Plat for creation of a TDR sending area | \$25 | |
| Non-Residential/Mixed Use Subdivision | \$1,000 Prelim/\$1,500 Final | \$100 per lot |
| Vacation of Plat or Easement | \$300 | |
| Plat Amendment/Replat | \$300 | |
| Boundary Survey | \$250 | |
| Time Extension | \$300 | |
| Zoning/Re-Zoning/Text Amendments | | |
| Planned Development District | \$3,000 | \$10 per acre |
| Zoning Map Amendment | \$3,000 | |
| Overlay Zone | \$200 | |
| SLDC Text Amendment | \$3,000 | |
| Zoning Statement or Residential Condominium Confirmation Statement (No charge for confirmation of zoning district) | \$150 | |
| Conceptual Site Development Plan | \$3,000 | |

| APPLICATION TYPE | BASE FEE | ADDITIONAL FEES |
|---|-------------------------------------|-----------------|
| Supplemental Uses/Other | | |
| Home Occupation/Registration: | | |
| No Impact | \$50 | |
| Low Impact | \$100 | |
| Wind Energy Facilities | | |
| Large Scale | \$1,500 | |
| Single Parcel Use | \$100 | |
| Wireless Communication Facilities | | |
| Substantial Modification/ New Facilities | \$3,000 | |
| Non-Substantial Modification, Roof/Surface Mounted, or Stealth Amateur Radio Antennae | \$1,000 \$100 | |
| Sexually Oriented Businesses | Initial - \$5,000/Renewal - \$1,500 | |
| Beneficial Use | | |
| Determination | \$500 | |
| Development of County Wide Impact | | |
| Overlay District | \$7,500 | |
| Conditional Use Permit | \$3,000 | |
| Inspection | \$250 | |
| Business Registration (When Site DP not req'd) | \$225 | |
| Swimming Pool | \$545 | |
| Utility Authorization | | |
| Residential/Agricultural/ Community Service Facility (Not req'd if part of a Developemnt Permit) | \$200 | |
| Non-Residential/Mixed Use Multi Family (Not req'd if part of a Development Permit) | \$300 | |
| Well Only | \$100 | |
| Franchise Review /Expansion/ Renewal | \$600 | |
| Inspections during construction (incl. SWPP and grading)/Final Inspections for release of Financial Guarantee | \$250 | Per Inspection |
| Courtesy Inspection (Will be credited at time of Development Permit) | \$100 | |
| Floodplain Determination Letter (No Application Fee Required) | \$50 | |
| Variance | \$300 | |
| Appeal | \$200 | |
| Review of Special Reports (ie. Traffic Impact Analysis, Geohydrologic Report) | \$500 | |
| Liquor License Transfer | \$220 | |

| APPLICATION TYPE | BASE FEE | ADDITIONAL FEES |
|--|--|-----------------|
| 3rd Party Reviews | | |
| County Reviewed SRAs (TIA, APFSA, WSAR, FIA, EIR) | Full Cost of Review by Outside Consultant In An Amount Not To Exceed \$10,000 | |
| Specialized Review if Needed | Full Cost of Review by Outside Consultant In An Amount Not To Exceed \$10,000 | |

* See Section 6.2 of the SLDC

| PROPOSED SANTA FE COUNTY GROWTH MANAGEMENT DEPARTMENT DEVELOPMENT REVIEW FEES | | | Breakdown Notes | Current Fees | City of Santa Fe | Bernalillo County | City of Albuquerque | Dona Ana County | Sandoval County |
|--|--|--------------------------------|--|---|----------------------------|-------------------|---------------------|-----------------|-----------------|
| APPLICATION TYPE | BASE FEE | ADDITIONAL FEES | | | | | | | |
| Permits | | | | | | | | | |
| Development Permit Residential & Agricultural Uses & Community Service Facilities | \$200 | Valuation Fee | Based on \$200K valuation 1,500 sq. ft. (Includes Utility Authorization) | \$1,175.00 | \$2,440.13 | \$1,260.00 | \$2,247.55 | \$300.00 | \$75.00 |
| Development Permit Residential & Agricultural Non-Habitable Accessory Structures of 400 Sq. Ft. Or Less | \$25 | | | | | | | | |
| Project Valuation | | | | | | | | | |
| \$0 - \$25,000 | | \$75 | | | | | | | |
| \$25,001 - \$50,000 | | \$150 | | | | | | | |
| \$50,001 - \$100,000 | | \$350 | | | | | | | |
| \$100,001 - \$200,000 | | \$550 | | | | | | | |
| \$200,001 - \$250,000 | | \$950 | | | | | | | |
| \$250,001 - \$300,000 | | \$1,150 | | | | | | | |
| *Each Additional \$100,000 in construction value or part thereof: | | \$500 | | | | | | | |
| Development Permit Non-Residential, Mixed Use & Mult Family | \$700 | Valuation Fee | Based on \$500K valuation (Includes Utility Authorization) | \$2,485.00 | \$6,447.23 | | | \$2,790.00 | \$0.25/sq. ft. |
| Project Valuation | | | | | | | | | |
| \$0 - \$999 | | \$175 | | | | | | | |
| \$1,000-\$4,999 | | \$600 | | | | | | | |
| \$5,000-\$49,999 | | \$1,100 | | | | | | | |
| \$50,000-\$149,999 | | \$1,500 | | | | | | | |
| \$150,000-\$499,999 | | \$2,500 | | | | | | | |
| \$500,00-\$749,999 | | \$3,500 | | | | | | | |
| \$750,000-\$999,999 | | \$5,000 | | | | | | | |
| \$1,000,000-\$1,999,999 | | \$7,000 | | | | | | | |
| \$2,000,000 and above | | \$10,000 for first \$2 Million | | | | | | | |
| *Each Additional \$1,000,000 in construction value or part thereof: | | \$1,000 (\$20,000 max) | | | | | | | |
| Conditional Use Permit | \$1,000 | | DP to CDRC (Neighborhood Commercial) | \$1,075.00 | | | | | |
| Medium Impact Home Occupation | \$500 | | | | | \$75.00 | | | |
| Site Development Plan for Permitted Uses | \$200 | | Final DP Admin (Neighborhood Commercial) | \$1,050.00 | | | \$100.00 | | |
| Sign Permit | \$245 | | | \$ 245.00 | | \$15, \$30, \$45 | | | |
| Burial Permit | \$150 | | | \$ 150.00 | | | | | |
| Film Permit | | | | | | | | | |
| Small Scale Production | \$100 | \$25 | \$10 per day | 30 days of filming \$400.00 \$325.00 | | | | | |
| Major Production | \$500 | | \$50 \$10 per day | 30 days of filming \$550.00 \$400.00 | | | | | |
| Episodic Television Production | \$100 | | \$70 per week | One month of filming \$325.00 | | | | | |
| Demolition Permit | \$100 | | | \$ 420.00 | | \$47.00 | | | |
| Demolition Permit Due to Natural Disaster | \$15 | | | 420.00 | | | | | |
| Blasting Permit | \$1,000 | | | \$ 750.00 | | | | | |
| Grading & Clearing Permit-Single Family Residential or Community Service Facility (Not Required if Part of a Development Permit) | \$100 | | | \$ 435.00 | \$64.25 | | | | |
| Grading & Clearing Permit-Subdivision/ Non-Residential/Mixed Use/Multi Family | \$750 | | | \$ 495.00 | \$1,050.50 | | | | |
| Road or Driveway Cut Permit | \$200 | | | \$ 270.00 | | | | | |
| PV Solar-Private Residential | \$100 | | | \$ 295.00 | | | | | |
| Temporary Use Permit | \$125 | | | \$150.00 | | | | | |
| Itinerate Vendor Permit | \$50 | | | \$ 300.00 | | | | | |
| After the Fact Permit | 2X the Base Permit Fee | | | | | | | | |
| Subdivisions and Other Plat Reviews | | | | | | | | | |
| Minor Subdivision | \$350 | \$25 per lot | Based on 5 lots | \$2,675 | \$400.00 | | \$595.00 | | \$100.00 |
| Major Subdivision | \$1000 Prelim \$500 Final | \$100 per lot \$50 per lot | Based on 24 lots | \$5,550 | \$3750 Prelim/\$5000 Final | | \$1,240.00 | | \$1,875.00 |
| Exempt Land Divisions & Other Plat Reviews | \$200 | | | \$440.00 | \$160.00 | | | | |
| Plat for creation of a TRD sending site | \$25 | | | | | | | | |
| Non-Residential/Mixed Use Subdivision | \$1,000 Prelim/\$1,500 Final | \$100 per lot | Based on 10 lots | \$5,025.00 | \$7,000.00 | | | | |
| Vacation of Plat or Easement | \$300 | | | \$375.00 | | \$300.00 | | \$50.00 | |
| Plat Amendment/Replat | \$300 | | | \$350.00 | \$300.00 | | | | |
| Boundary Survey | \$250 | | | \$350.00 | \$250.00 | | | | |
| Time Extension | \$300 | | | \$375.00 | | | \$50.00 | | |
| Zoning/Re-Zoning/Text Amendments | | | | | | | | | |
| Planned Development District | \$3,000 | \$10 per acre | | No Comparison | | | | | |
| Zoning Map Amendment | \$3,000 | | | No Comparison | \$1,000.00 | | \$240.00 | | |
| Overlay Zone | \$200 | | | No Comparison | | | | | |
| SLDC Text Amendment | \$3,000 | | | No Comparison | \$500.00 | | \$565.00 | | |
| Zoning Statement or Residential Condominium Confirmation Statement (No charge for confirmation of zoning district) | \$150 | | | \$ 250.00 | | | \$35.00 | | |
| Conceptual Site Development Plan | \$3,000 | | Based on 24 lot Mixed Use Subdivision | \$3,450.00 | | | | | |
| Supplemental Uses/Other | | | | | | | | | |
| Home Occupation/Registration: No Impact | \$50 | | Includes certificate | \$ 435.00 | \$35.00 | \$50.00 | \$35.00 | \$35.00 | \$35.00 |
| Low Impact | \$100 | | Includes certificate | \$ 435.00 | \$35.00 | \$50.00 | \$35.00 | \$35.00 | \$35.00 |
| Wind Energy Facilities Large Scale | \$1,500 | | Master Plan required | \$2,025.00 | | | | | |
| Single Parcel Use | \$100 | | | \$200.00 | | | | | |
| Wireless Communication Facilities Substantial Modification/ New Facilities | \$3,000 | | | \$3,675.00 | | \$3,000.00 | | | \$5,060.00 |
| Non-Substantial Modification, Roof/Surface Mounted, or Stealth Amateur Radio Antennae | \$1,000 \$100 | | | | | | | | |
| Sexually Oriented Businesses | Initial - \$5,000/Renewal - \$1,500 | | | No Comparison | | | | | |
| Beneficial Use Determination | \$500 | | | No Comparison | | | | | |
| Development of County Wide Impact Overlay | \$7,500 | | | | | | | | |
| Conditional Use Permit | \$3,000 | | | | | | | | |
| Inspection | \$250 | | | No Comparison | | | | | |
| Business Registration (When Site DP not req'd) | \$225 | | Includes certificate | \$450.00 | | | | | |
| Swimming Pool | \$545 | | | \$ 545.00 | | | | | |
| Utility Authorization Residential/Agricultural/ Community Service Facility (Not req'd if part of a Development Permit) | \$200 | | | \$255.00 | | | | | |
| Non-Residential/Mixed Use Multi Family (Not req'd if part of a Development Permit) | \$300 | | | \$255.00 | | | | | |
| Well Only | \$100 | | | \$ 255.00 | | | | | |
| Franchise Review /Expansion/ Renewal | \$600 | | | \$600.00 | | | | | |
| Inspections during construction/ Final Inspections for release of Financial Guaranty | \$250 Per Inspection | | Based on 24 lots subdivision | \$690.00 | | | | | |
| Courtesy Inspection (Will be credited at time of Development Permit) | \$100 | | For Single Family Residence | \$ 100.00 | | | | | |
| Floodplain Determination Letter (No Application Fee Required) | \$50 | | | \$0 | | | | | |
| Variance | \$300 | | | \$ 275.00 | | | | | |
| Appeal | \$200 | | Appeal of CDRC | \$ 275.00 | | | | | |
| Review of Special Reports (ie. Traffic Impact Analysis, Geohydrologic Report, etc) | \$500 | | | \$500 | | | | | |
| Liquor License Transfer | \$220 | | | \$ 220.00 | | | | | |
| 3rd Party Reviews | | | | | | | | | |
| County Reviewed SRAs (TIA, APFSA, WSAR, FIA, EIR) | Full Cost of Review by Outside Consultant in amount not to exceed \$10,000 per review | | | No Comparison | | | | | |
| Specialized Review if Needed | Full Cost of Review by Outside Consultant in amount not to exceed \$10,000 per review | | | No Comparison | | | | | |

SFC CLERK RECORDED 12/04/2015

Legend

Structure Type

- TYPE
- RESIDENTIAL
- MOBILE/MANUFACTURED HOME
- OFFICE
- COMMERCIAL
- BUSINESS
- INDUSTRIAL
- UTILITIES
- RELIGIOUS
- GOVERNMENT
- CELL TOWER
- OTHER
- ACCESSORY STRUCTURE
- NO DATA

theme34

Parcels

Santa Fe County

Not Under Santa Fe County Zoning Jurisdiction

- Municipality
- Municipal Annexation Area
- Tribal Lands
- Federal and State Lands

Proposed 10/27/15 SLDC Zoning Map

- Ag / Ranch, A/R (1 dwelling per 160 acres base density)
- Rural, RUR (1 dwelling per 40 acres base density)
- Rural Fringe, RUR-F (1 dwelling per 20 acres base density)
- Rural Residential, RUR-R (1 dwelling per 10 acres base density)
- Residential Fringe, RES-F (1 dwelling per 5 acres base density)
- Residential Estate, RES-E (1 dwelling per 2.5 acres base density)
- Residential Community, RES-C (1 dwelling per acre base density)
- Traditional Community, TC (1 dwelling per 0.75 acres base density)
- Commercial Neighborhood, CN
- Commercial General, CG
- Industrial Light, IL
- Industrial General, I
- Public / Institutional, PI
- Mixed Use, MU
- Planned Development District, PD

Community Overlay Zoning Districts (O-CD)

Rural Commercial Overlay Zone (O-RC)

Turquoise Trail Environmental and Resource Protection Overlay Zone (TT O-ERP)

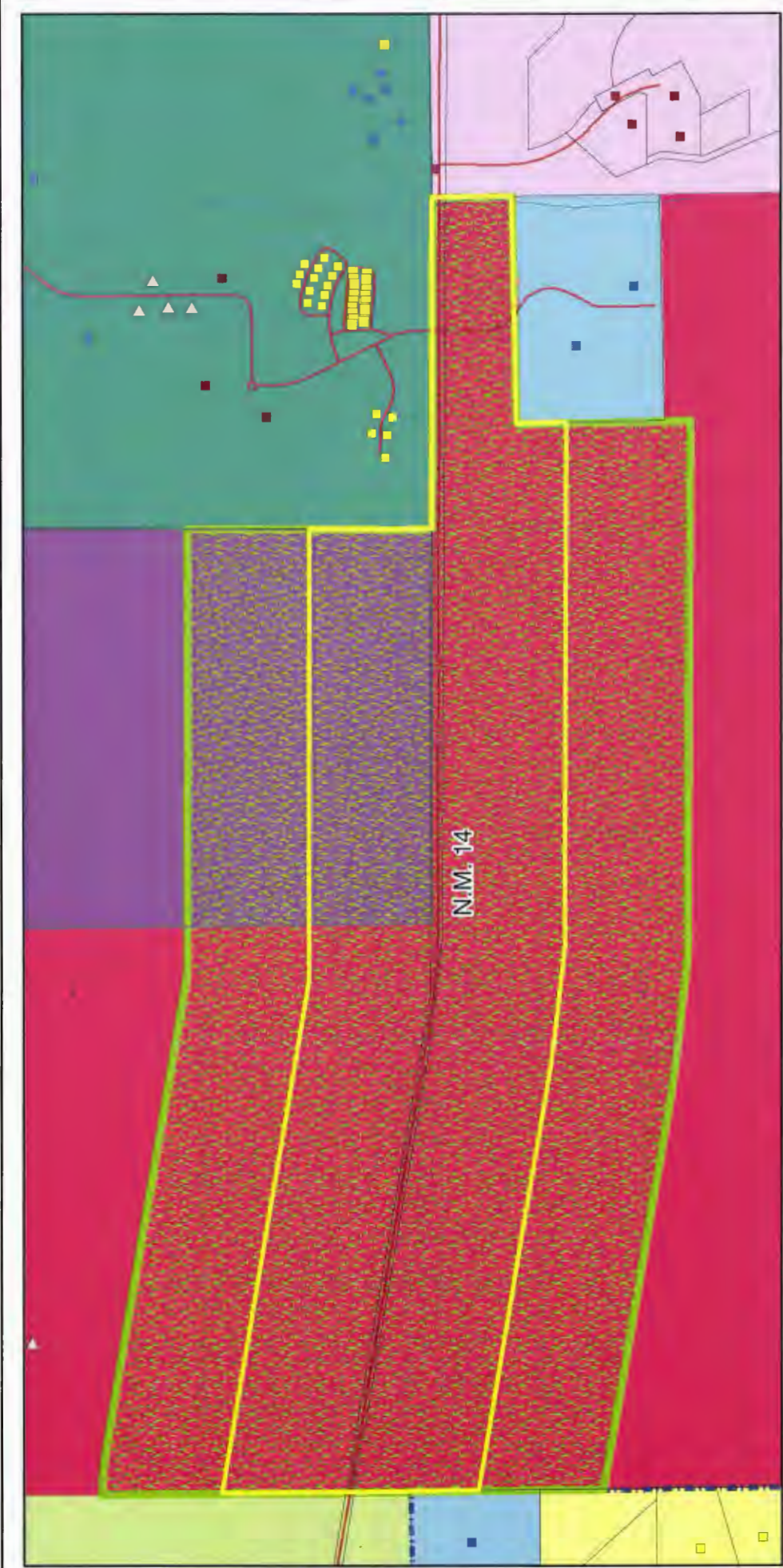
Airport Noise Overlay Zone (O-AN)

- 55 DNL
- 60 DNL
- 65 DNL



Santa Fe County
Growth Management
Department
Planning Division

Oct. 27, 2015
sldc_zoning_map_adoption_draft
q_10_27_15_letter.mxd





THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

ORDINANCE NO. 2015- _____

AN ORDINANCE ADOPTING THE ZONING MAP OF SANTA FE COUNTY
APPLICABLE TO LANDS TO WHICH THE SANTA FE COUNTY SUSTAINABLE
LAND DEVELOPMENT CODE APPLIES

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY:

1. The Zoning Map attached hereto as Exhibit A is hereby enacted and adopted as the Zoning Map of Santa Fe County.
2. All property to which the Santa Fe County Sustainable Land Development Code (SLDC) applies is hereby zoned as shown on the Zoning Map and as otherwise set forth in the SLDC.
3. The Zoning Map hereby enacted and adopted is the zoning map referenced in the SLDC.
4. This Ordinance shall become effective on January 15, 2016 or 30 days after it is recorded with the County Clerk, whichever occurs later.

PASSED, APPROVED, AND ENACTED this _____ day of _____, 2015,
by the Board of County Commissioners of Santa Fe County.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

By: _____
ROBERT A. ANAYA, Chair

ATTEST:

GERALDINE SALAZAR, County Clerk

APPROVED AS TO FORM:

GREGORY S. SHAFFER, County Attorney

SFC CLERK RECORDED 12/04/2015

1.11. TRANSITIONAL PROVISIONS.

1.11.1 Effect of Zoning Map on Prior Zoning Approvals. The Zoning Map adopted in conjunction with the SLDC shall incorporate zoning or rezoning of property actions completed prior to the effective date of the SLDC.

1.11.2. Prior Development Permits and Approvals. Except as otherwise provided in subsection 1.11.1, development permits and approvals previously granted by the Board, County Development Review Committee or the Administrator before the effective date of the SLDC for which rights have not vested (approved master plans, special exceptions, recognition of nonconforming uses, development plans, subdivisions, exception plats, and lot line adjustments) shall be henceforth governed by the SLDC.

1.11.3. Permits and Approvals With Vested Rights. Permits and approvals granted by the Board, County Development Review Committee or the Administrator prior to enactment of the SLDC for which rights have vested shall be recognized by the County.

1.11.4. Approved Master Plans. Properties that have received final approval of a master plan within five years of the effective date of the SLDC shall file an application for approval of a development plan, preliminary development plan or subdivision plat pursuant to this SLDC no later than one year after the effective date of the SLDC, or the approval of the master plan shall nevertheless expire. Any zoning established by an expired master plan shall be included in the Zoning Map as described in subsection 1.11.1 of the SLDC.

1.11.5. Approved Preliminary Development Plans or Plats. Properties that have received preliminary development plan, subdivision approval or plat approval but have not received final development plan or plat approval, shall, within 24 months of said approval (or such other period as may be specified in Section 5.8.7. of the SLDC) file an application for approval of a final development plan or subdivision plat in accordance with that preliminary plan or plat or the approval of the preliminary development plan or plat shall expire and any application for development will be governed and processed according to the SLDC.

1.11.6. Approved but Unrecorded Final Development Plans and Plats.

1.11.6.1. Properties that have received final development plan or plat approval but have not recorded the plan or plat may complete the recordation process under the terms of the final approval.

1.11.6.2. Properties that have received final development plan or plat approval and have recorded the plan or plat shall apply for construction permits consistent with that plan or plat within 24 months or the approval will expire and standards established by the SLDC for approval of development shall apply to any application for development of the property.

1.11.6.3. Any subdivision for which a Preliminary Plat was approved prior to the effective date of the SLDC may be granted Final Plat approval if the Planning Commission and Board find that the final plat is in substantial compliance with the previously approved preliminary plat. Provided that, if the final plat approval is not received within 24 months of approval of the Preliminary Plat (or such other period as may be specified in Section 5.8.7.), shall file an application for approval of a final plat in

accordance with the Preliminary Plat or the approval of the Preliminary Plat shall expire and any application for development will be governed and processed according to the SLDC.

1.11.7. Previously Approved Subdivisions and Land Divisions. Previously approved and platted land divisions and subdivisions, and the lots created thereby, shall be recognized as legally existing lots.

1.11.8. Final Orders for Approved Applications. Applications that have received final approval from either the Board or the CDRC and for which there is no further administrative review, shall have their final orders approved in accordance with the voice vote of either the Board or the CDRC.

5.4.3. ~~Qualifying Exempt Land Divisions and Subdivision Exemptions.~~ The following land divisions shall not be deemed subdivisions and are exempt from the imposition of subdivision requirements of this Chapter.

5.4.3.1. Lot Line Adjustment. A lot line adjustment is and means the division of land resulting only in the alteration of parcel boundaries where parcels are altered for the purpose of increasing or reducing the size of contiguous parcels and where the number of parcels is not increased. A lot line adjustment shall be administratively reviewed and approved by the Administrator.

5.4.3.2. Family Transfer. A division of land to create a parcel that is sold or donated as a gift to an immediate family member. A donor may sell or give no more than one parcel per tract of land per immediate family member without having to comply with the subdivision regulations set forth in this Chapter and the New Mexico Subdivision Act, § 47-6-1 *et seq.* NMSA 1978.

5.4.3.3. Large Agricultural Tracts. A sale, lease or other conveyance of any parcel that is thirty-five (35) acres or larger in size within any twelve-month period, provided that the land has been used primarily and continuously for agricultural purposes, in accordance with § 7-36-20 NMSA 1978, for the preceding three years.

5.4.3.4. Apartments or Offices. A sale or lease of apartments, offices, stores or similar spaces within a building.

5.4.3.5. Land Divisions within Municipalities. A division of land within the boundaries of a municipality.

5.4.3.6. Severance of Mineral Interests. A division of land in which only gas, oil, mineral or water rights are severed from the surface ownership of the land; however, oil and gas exploration and production is otherwise regulated by Ordinance No. 2008-19.

5.4.3.7. Court Ordered Divisions. A division of land created by court order where the order creates no more than one parcel per party.

5.4.3.8. Grazing or Farming. A division of land for grazing or farming activities; provided the land continues to be used for grazing or farming activities.

5.4.3.9. Burials. A division of land to create burial plots in a cemetery.

5.4.3.10. Security Interests. A division of land created to provide security for mortgages, liens or deeds of trust; provided that the division of land is not the result of a seller-financed transaction.

5.4.3.11. Large Parcels. A sale, lease or other conveyance of land that creates no parcel smaller than one hundred forty (140) acres.

5.4.3.12. Certain Donations. A division of land to create a parcel that is donated to any trust or nonprofit corporation granted an exemption from federal income tax, as described in § 501(c)(3) of the United States Internal Revenue Code of 1986, as amended; school, college or other institution with a defined curriculum and a student body and faculty that

conducts classes on a regular basis; or church or group organized for the purpose of divine worship, religious teaching or other specifically religious activity.

5.4.3.13. Single Parcels in Less than Five Year Increments. A sale, lease or other conveyance of a single parcel from a tract of land, except from a tract within a previously approved subdivision, within any five-year period; provided that a second or subsequent sale, lease or other conveyance from the same tract of land within five years of the first sale, lease or other conveyance shall be subject to the provisions of the New Mexico Subdivision Act and the SLDC; provided further that a survey shall be filed with the county clerk indicating the five-year holding period for both the original tract and the newly created tract.

5.4.3.14. Boundary Plat. The graphic representation and legal description of a parcel, lot or tract of land.

5.4.3.15. Consolidation Plat. The graphic representation and legal description of a merger, incorporation or consolidation of two or more parcels, lots or tracts of land.

5.4.3.16. Easement Plat. The graphic representation and legal description of an easement on a parcel, lot or tract of land.

5.4.3.17. Plat Amendment. A minor change or correction on a plat.

5.4.3.18. Sending Area Plat. A plat that designates a sending area conservation area for TDR purposes.

8.12. DENSITY BONUS.

8.12.1. Purpose. The purpose of the Density Bonus section is to support continued farming and/or ranching activities, conserve open space, and protect scenic features and environmentally sensitive areas, that are not already protected, by clustering development to allow the remaining land to be protected. The density bonus provisions will be scaled based on the size of the tracts and the underlying zoning. Cluster development may be tied to community water and sewer services with minimum lot sizes in higher density area and zoning district.

8.12.2. A Density Bonus project may be approved on land zoned AR, RUR, RUR-F, RUR-R, RES-F, RES-E, and TC and containing the minimum lot size within each residential zone in accordance with the SLDC. If a property is governed by an adopted Community Overlay District, the respective provisions and regulations apply.

8.12.3. The Area required for a Density Bonus project within the RES-F and RES-E zones shall be 10 acres.

8.12.4. Density calculations by zone are outlined in Table -22.

Table 8-22: Density Bonus Calculations, Requirements and Criteria by Zoning District

| Zoning District | Base Density | Density with Bonus | Bonus Calculation | Open Space Easement Required | Criteria |
|-----------------|----------------|--------------------|---|---|--|
| A/R | 1 du/160 acres | 1 du/80 acres | Base Density x 2 = Total Bonus Density | Three Quarters (.75) of the Total Site Area | Plat, Easement/Deed Restriction |
| RUR | 1 du/40 acres | 1 du/20 acres | Base Density x 2 = Total Bonus Density | Three Quarters (.75) of the Total Site Area | Plat, Easement/Deed Restriction |
| RUR-F | 1 du/20 acres | 1 du/10 acres | Base Density x 2 = Total Bonus Density | Three Quarters (.75) of the Total Site Area | Plat, Easement/Deed Restriction |
| RUR-R | 1 du/10 acres | 1 du/5 acres | Base Density x 2 = Total Bonus Density | One half (.5) of the Total Site Area | Plat, Easement/Deed Restriction/Community Water |
| RES-F | 1 du/5 acres | 1 du/3.75 acres | Base Density x 1.33 = Total Bonus Density | One half (.5) of the Total Area | Minimum area of 10 acres, Plat, Easement/Deed Restriction, Community Water and Sewer |
| RES-E | 1 du/2.5 acres | 1 du/1.875 acres | Base Density x 1.33 = Total Bonus Density | One half (.5) of the Total Site Area | Minimum area of 10 acres, Plat, Easement/Deed Restriction, Community Water and Sewer |
| RES-C | 1 du/1 acre | 1 du/1 acre | Not Applicable | Not Applicable | Density bonus not available in this |

| | | | | | zone |
|----|---------------|-----------|---|----------------|---|
| TC | 1 du/ .75 ac. | 3 du/acre | Base Density x 2.25 = Total Bonus Density | Not Applicable | Community Water and Sewer |
| MU | 1 du/Acre | 2 du/acre | Base Density x 2 = Total Bonus Density | Not Applicable | Only for areas identified as Environmental Resource Protection Overlay; Historic Preservation Overlay or Agricultural Overlay Districts; cannot be used for required open space |
| PD | 1 du/Acre | 2 du/acre | Base Density x 2 = Total Bonus Density | Not Applicable | Only for areas identified as Environmental Resource Protection Overlay; Historic Preservation Overlay or Agricultural Overlay Districts; cannot be used for required open space |

8.12.5. All plats with approved density bonus shall comply with the provisions of Chapter 5 (Subdivision and Land Division) and Chapter 4 (Procedures) for total number of lots created.

8.12.6. The open space easement shall be used exclusively for agriculture, landscaping, recreation, open space or any combination thereof and any accessory structures needed to support these uses.

8.12.7. The area of land covered by the open space easement shall be a contiguous area unless otherwise approved. Considerations for approval on non-contiguous open space areas include:

8.12.7.1. Irrigated lands that are separate.

8.12.7.2. Special features to be protected such as rock outcroppings, arroyos, archaeological sites, scenic features and environmental sensitive areas that are separate.

8.12.8. For the purposes of preserving areas to include open space, scenic features and environmentally sensitive areas the open space easement areas shall be visible from a public right-of-way, except where impractical.

8.12.9. Land used for streets, driveways, parking, sidewalks and private yards may not be counted as part of an open space easement. No buildings or structures are permitted in an open space easement except those necessary to support the operation and maintenance of the easement. An open space easement may include underground utility easements.

8.12.10. Refer to Section 7.15.3.5 for covenants governing the restriction of the open space easement.

8.12.11. A density bonus shall be utilized within the same parcel of land.

8.12.12. A density bonus shall be utilized within the same zoning district on the parcel.

Movie Ranch: ~~Movie Ranch Includes facilities related to motion picture, film and support structures to include movie sets, sound stages, recording studios, distribution facilities, set construction facilities, backlots, temporary special effects facilities, dining facilities, mobile living and dressing quarters. is primarily a facility for sets and scenery for the production of motion pictures whose use and supporting structures may include movie sets, sound stages, recording studios, distribution facilities, set construction facilities, backlots, temporary special effects facilities, dining facilities, mobile living and dressing quarters. Movie ranches are most appropriate for large parcels where the activities and uses of the movie ranch will not impact neighboring residential areas. All standards of the underlying zoning district where the movie ranch is located shall apply.~~



THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION NO. 2015 –

A RESOLUTION
DESIGNATING THE POLLING PLACE OF EACH PRECINCT IN SANTA FE
COUNTY, NEW MEXICO, **AND CREATING A NEW AND SEPARATE
PRECINCT 90 AND CHANGING THE BOUNDARIES OF EXISTING
PRECINCT 82, AND CREATING A NEW PRECINCT 91 AND CHANGING THE
BOUNDARIES OF EXISTING PRECINCTS 23, 59, 60 AND 61**

WHEREAS, Section 1-3-2 NMSA 1978 requires that, by no later than the first Monday in November of each odd-numbered year, the Board of County Commissioners (Board) of Santa Fe County (County) must (i) designate the polling place of each precinct in the County and (ii) create additional precincts to meet the requirements of Section 1-3-1 NMSA 1978 or upon petition pursuant to Section 4-38-21 NMSA 1978; and

WHEREAS, the attached Exhibit A designates the precincts and polling places of each precinct in the County, including the ~~two~~ new precincts created herein; and

WHEREAS, each polling place included in the attached Exhibit A is accessible to individuals with physical mobility limitations; and

WHEREAS, Section 1-3-1(B) NMSA 1978 requires that “[a] precinct for general or primary election purposes shall not have had more than eight hundred votes cast in person in that precinct at the last preceding general election”; and

WHEREAS, during the 2014 general election, 832 in person votes were cast in Precinct 82; and

WHEREAS, creating a new precinct to reduce the number of voters in Precinct 82 is both required by law and in the interest of the convenience of County voters; and

WHEREAS, the attached Exhibit B designates and describes the boundaries of the two precincts created from existing Precinct 82 – a smaller Precinct 82 and a new Precinct 90; and

WHEREAS, the smaller Precinct 82 and new Precinct 90 are composed of contiguous and compact areas having clearly definable boundaries that comply with the provisions of the Precinct Boundary Adjustment Act, as required by Section 1-3-1(A) NMSA 1978; and

~~WHEREAS, the Pueblo of Pojoaque, through its Tribal Governor and Council, requested that a new Precinct 91 be created out of existing Precincts 23, 59, 60, and 61; and~~

~~WHEREAS, attached as Exhibit C are the formal request letter from the Governor of the Pueblo of Pojoaque and Pueblo of Pojoaque Tribal Council Resolution 2015-165; and~~

~~WHEREAS, the attached Exhibit D designates and describes the modified boundaries of Precincts 23, 59, 60, and 61 and the boundaries of the new Precinct 91; and~~

~~WHEREAS, the Board finds that the new Precinct 91 is composed of contiguous and compact areas having clearly definable boundaries that comply with the provisions of the Precinct Boundary Adjustment Act, as required by Section 1-3-1(A) NMSA 1978; and~~

~~WHEREAS, the Board further finds that the new Precinct 91 covers as small an area as practicable and serves the greatest convenience of the voters therein in that, among other reasons, most voters in new Precinct 91 will have a shorter distance to travel to their designated polling place.~~

NOW, THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The polling place for each precinct in the County is hereby designated as set forth in attached Exhibit A.
- ~~2. A new Precinct 90 is hereby created out of existing Precinct 82. The new boundaries of Precinct 82 and boundaries of new Precinct 90 are hereby established as set forth in Exhibit B.~~
- ~~3.2. A new Precinct 91 is hereby created out of existing Precincts 23, 59, 60, and 61. The new boundaries of Precincts 23, 59, 60, and 61 and boundaries of new Precinct 91 are hereby established as set forth in Exhibit D.~~

PASSED, APPROVED, AND ADOPTED THIS 27TH DAY OF OCTOBER, 2015.

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

By: _____
Robert A. Anaya, Chair

ATTEST:

Geraldine Salazar, Santa Fe County Clerk

Approved As To Form:

Gregory S. Shaffer, Santa Fe County Attorney

**Santa Fe County
Polling Places**

EXHIBIT "A"

- 1 ----- SOMBRILLO ELEMENTARY**
- 2 ----- SOMBRILLO ELEMENTARY**
20 A State Rd 106
- 3 ----- BENNY J. CHAVEZ CENTER**
354 A Juan Medina Rd.
- 4 ----- CUNDIYO COMMUNITY CENTER**
5 Jose Simon Drive
- 5 ----- EL RANCHO COMMUNITY CENTER**
394 County Road 84
- 6 ----- TESUQUE PUEBLO INTERGENERATIONAL CENTER**
39 TP 804
- 7 ----- RIO EN MEDIO COMMUNITY CENTER**
1 El Alto
- 8 ----- TESUQUE ELEMENTARY**
1555 Bishop's Lodge Road
- 9 ----- ACEQUIA MADRE ELEMENTARY**
700 Acequia Madre
- 10 ----- FORT MARCY COMPLEX**
490 Bishops Lodge Rd
- 11 ----- GONZALES COMMUNITY SCHOOL**
851 W. Alameda St
- 12 ----- LA CIENEGA COMMUNITY CENTER**
136 Camino San Jose
- 13 ----- HONDO FIRE STATION #2**
645 Old Las Vegas Hwy.
- 14 ----- TURQUOISE TRAIL ELEMENTARY**
13 A San Marcos Loop
- 15 ----- SOUTH MOUNTAIN ELEMENTARY**
- 16 ----- SOUTH MOUNTAIN ELEMENTARY**
577 State Road 344

SFC CLERK RECORDED 12/04/2015

**Santa Fe County
Polling Places**

EXHIBIT "A"

- 49 ----- KEARNY ELEMENTARY**
901 Avenida De Las Campanas
- 50 ----- NAVA ELEMENTARY**
2655 Siringo Rd.
- 51 ----- DE VARGAS MIDDLE SCHOOL**
1720 Llano St.
- 52 ----- E.J. MARTINEZ ELEMENTARY**
401 W. San Mateo Rd.
- 53 ----- PASA TIEMPO SENIOR CENTER**
664 Alta Vista St.
- 54 ----- CAPSHAW MIDDLE SCHOOL**
351 W. Zia Rd.
- 55 ----- ST. JOHN'S METHODIST CHURCH**
1200 Old Pecos Trail
- 56 ----- SANTA FE COUNTY FAIR BUILDING**
3229 Rodeo Rd.
- 57 ----- GLORIETA FIRE STATION**
43 Fire Station Rd.
- 58 ----- ABEDON LOPEZ COMMUNITY CENTER**
155 A Camino De Quintana
- 59 ----- POJOAQUE MIDDLE SCHOOL**
- 60 ----- POJOAQUE MIDDLE SCHOOL**
1797 State Road 502
- 61 ----- NAMBE COMMUNITY/SENIOR CENTER**
180 A State Road 503
- 62 ----- LA CIENEGA COMMUNITY CENTER**
136 Camino San Jose
- 63 ----- ELDORADO COMMUNITY SCHOOL**
2 Avenida Torreon

SFC CLERK RECORDED 12/04/2015

**Santa Fe County
Polling Places**

EXHIBIT "A"

SFC CLERK RECORDED 12/04/2015

- 64 ----- SWEENEY ELEMENTARY**
4100 South Meadows Rd.
- 65 ----- ELDORADO COMMUNITY SCHOOL**
2 Avenida Torreon
- 66 ----- EL CAMINO REAL ACADEMY**
2500 South Meadows Rd.
- 67 ----- RAMIREZ THOMAS ELEMENTARY**
3200 Calle Po Ae Pi
- 68 ----- HONDO FIRE STATION #2**
645 Old Las Vegas Hwy.
- 69 ----- ELDORADO COMMUNITY SCHOOL**
2 Avenida Torreon
- 70 ----- AMY BIEHL COMMUNITY SCHOOL**
301 Avenida del Sur
- 71 ----- ELDORADO COMMUNITY SCHOOL**
2 Avenida Torreon
- 72 ----- ST. JOSEPH'S PARISH HALL**
2 E. Waldo St.
- 73 ----- EDGEWOOD ELEMENTARY**
171 State Road 344
- 74 ----- KEARNY ELEMENTARY**
901 Avenida De Las Campanas
- 75 ----- SWEENEY ELEMENTARY**
4100 S. Meadows Rd.
- 76 ----- CHAPARRAL ELEMENTARY**
- 77 ----- CHAPARRAL ELEMENTARY**
2451 Avenida Chaparral
- 78 ----- SANTA FE COUNTY FAIR BUILDING**
3229 Rodeo Rd.

**Santa Fe County
Polling Places**

EXHIBIT "A"

- 79 ----- **ABEDON LOPEZ COMMUNITY CENTER**
155 A Camino De Quintana
- 80 ----- **EL CAMINO REAL ACADEMY**
2500 South Meadows Rd.
- 81 ----- **CAPSHAW MIDDLE SCHOOL**
351 W. Zia Rd.
- 82 ----- **LAS TIERRAS FIRE STATION**
6 Arroyo Calabasas Rd.
- 83 ----- **UNITY CHURCH OF SANTA FE**
1212 Unity Way
- 84 ----- **EDGEWOOD ELEMENTARY**
- 85 ----- **EDGEWOOD ELEMENTARY**
171 State Road 344
- 86 ----- **ORTIZ MIDDLE SCHOOL**
4164 S. Meadows Rd.
- 87 ----- **NAMBE PUEBLO TRIBAL ADMINISTRATIVE BUILDING**
15 Bayay Poe
- 88 ----- **TURQUOISE TRAIL ELEMENTARY**
13 A San Marcos Loop
- 89 ----- **NINA OTERO COMMUNITY SCHOOL**
5901 Herrera Rd.
- 90 ----- **LAS TIERRAS FIRE STATION**
6 Arroyo Calabasas Rd.

S F C C L E R K R E C O R D E D 1 2 / 0 4 / 2 0 1 5

Exhibit B

New Precinct (Split from Precinct 82) Beginning at Camino La Tierra and Fin del Sendero; thence north to Lluvia de Oro and then to Paseo de Aquila; thence north to Camino Ladera; thence west on Alamo Creek; thence north on Paseo La Tierra until it becomes Calle Adelina; thence to Vuelta Maria; thence to first unnamed stream; thence northeast on second unnamed stream; thence to Tesuque Pueblo boundary line; thence north to northwest corner of Tesuque Pueblo boundary; thence east to Arroyo Ancho; thence north to first dirt track; thence south to second dirt track; thence west to third unnamed stream; thence west to Buckman Road; thence northwest on Buckman Road; thence to power line; thence west on power line; thence south on Rio Grande to fourth unnamed stream and west to Santa Fe County boundary line; thence south on Santa Fe County boundary line to power lines; thence southeast on power lines to Forest Service Road 24; thence southeast on Forest Service Road 24 to County Road 62/Caja de Oro Grant Road West; thence north on Caja Del Rio Road to Las Campanas Road; thence east on Camino La Tierra and back to the beginning.

Precinct 82 (Adjusted Boundary) Beginning at NM 599 and Camino La Tierra; thence northwest on Camino La Tierra to Las Campanas Dr; thence southwest to Caja Del Rio Road; thence south to N. Caja Del Rio Grant Road; thence southeast to NM 599; thence northeast and back to the beginning.

Modified Santa Fe County Precincts October 2015

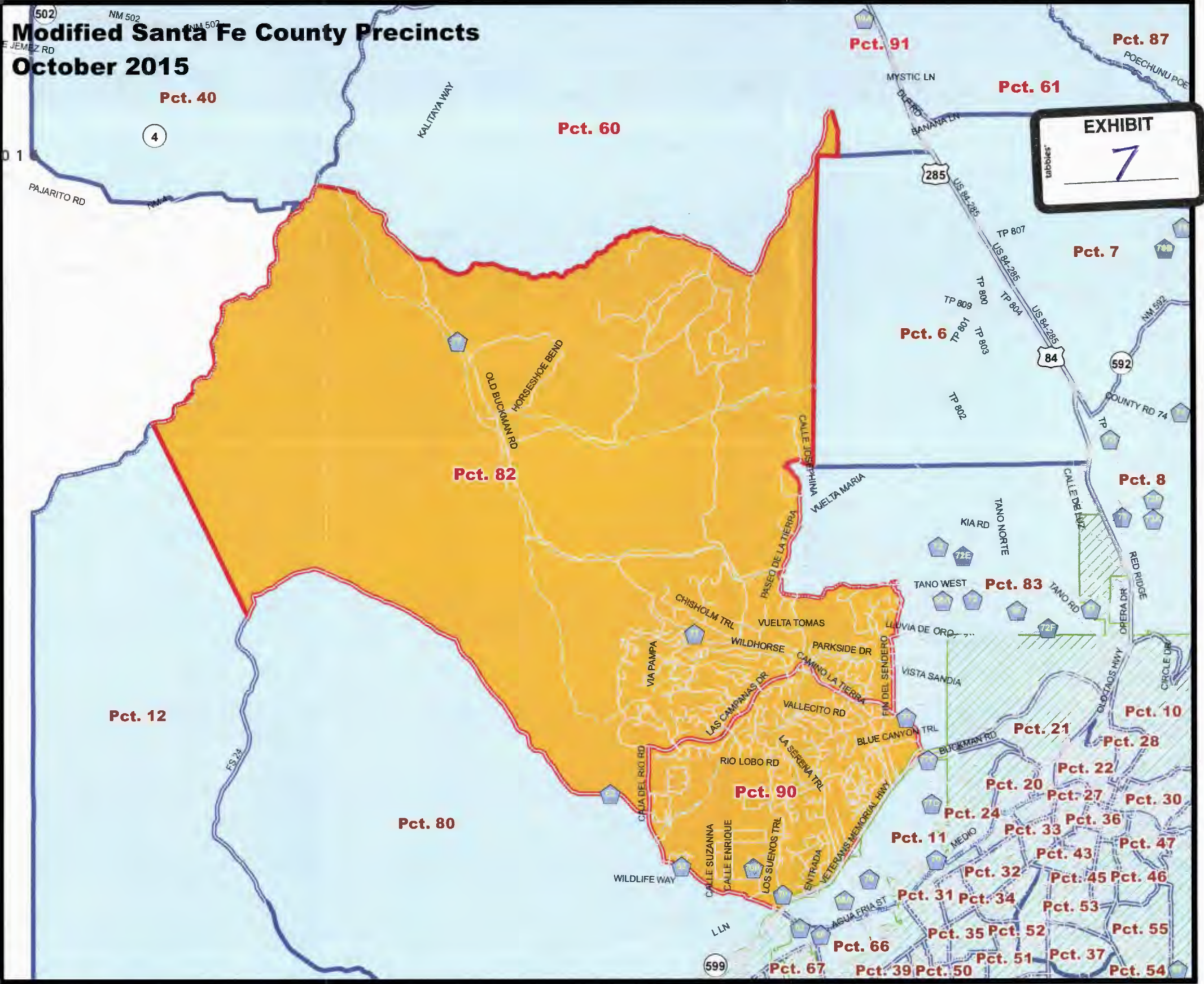
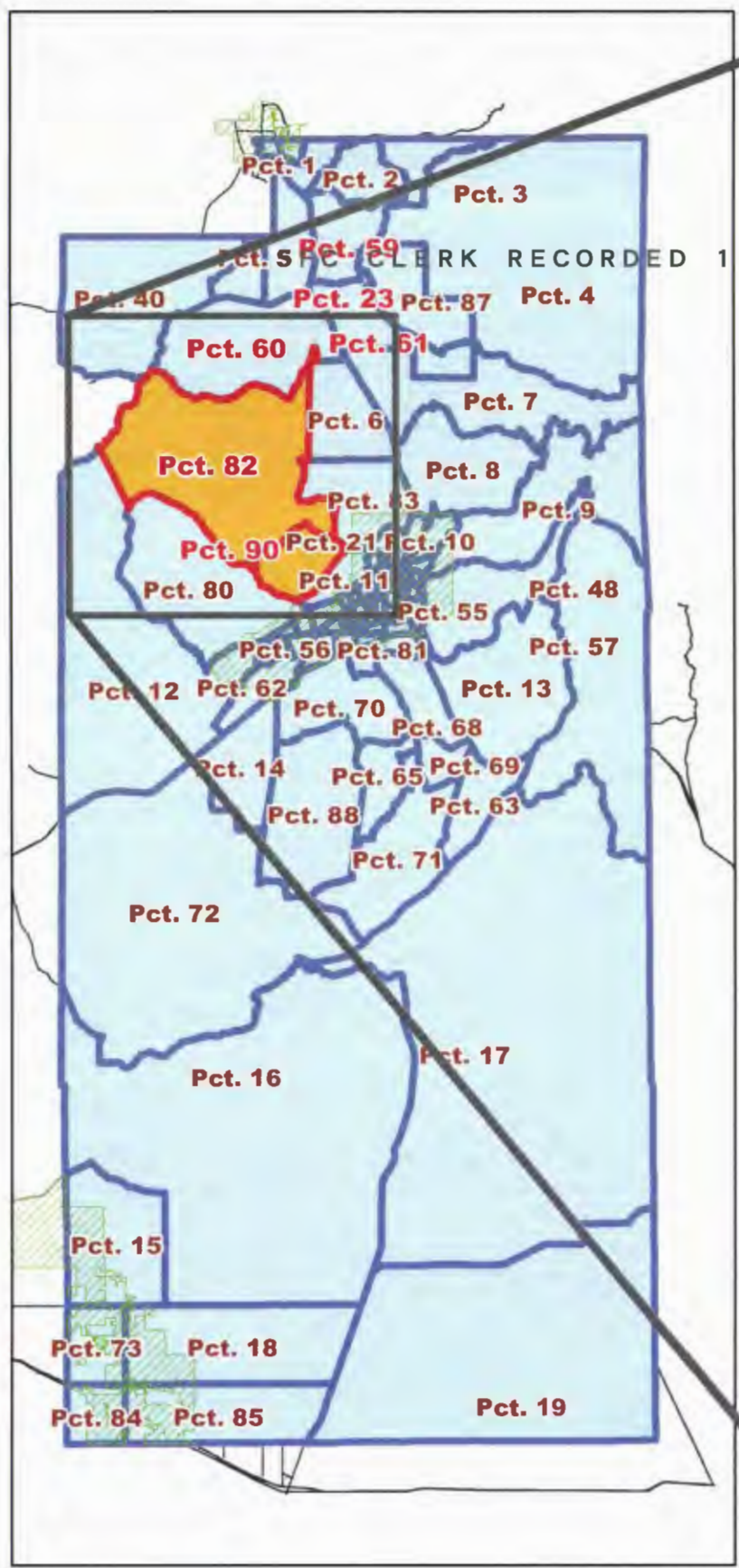


EXHIBIT
7

Legend

- Modified Precincts
- 2013 Precinct Boundaries
- Incorporated Areas
- Roads
- Major Streams



Chair Robert A. Anaya
Commissioner, District 3

Geraldine Salazar
Santa Fe County Clerk

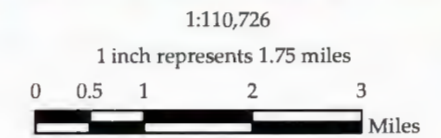
Henry P. Roybal
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Kathy Holian
Commissioner, District 4

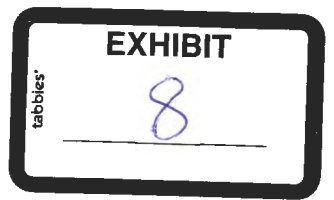
Liz Stefanics
Commissioner, District 5

New Mexico Secretary of State



This information is for reference only.
Santa Fe County assumes no liability
for errors associated with the use of these data.

October 14, 2015



2015 SGMP Proposed Revisions:

Chapter 2: 2.2.4.8 CONSERVATION EASEMENT

A Conservation easement is designed to:

1. Retain or protect natural, scenic, or open space values of real property or assure its availability for agricultural, forest, recreational, or open space use.
2. Protect natural resources.
3. Maintain and/or enhance air and water quality.
4. Preserve the historical, archeological, or cultural aspects of the landscape.

A conservation easement is a legal agreement that restricts development on a piece of property. A conservation easement is created by County approval of a Conceptual Plan. It shall be a contiguous area unless otherwise approved by the administrator.

A conservation easement is a legal agreement that restricts development on a piece of property. It can be a useful tool in protecting land because it provides permanent protection for various conservation values, such as wildlife habitat, scenic viewsheds, historic or cultural sites and agriculture. The easement runs with the land and is protected in perpetuity. The easement terms can be crafted to fit the needs of the landowner, as long as the conservation values are protected. A conservation easement allows landowners to receive tax benefits or to designate a TDR sending area.

Goals, Policies

Policy 2.2: Establish SDA-1 as priority growth areas to accommodate new compact development that is likely and reasonable to occur within the next 10-20 years.

Policy 2.3: Establish SDA-2 to accommodate future development that is likely and reasonable to occur in the next 10 to 20 plus years and in some cases, as infill within existing communities within the next 10 years.

Chapter 4: 4.2.4.3 CONSERVATION EASEMENTS

A conservation easement is a legal agreement that restricts development on a piece of property. It can be a useful tool in protecting agricultural land because it provides permanent protection for various conservation values, such as wildlife habitat, scenic viewsheds, and historic or cultural sites, including agricultural values. The agreement is held by a land trust, easement runs with the land, and is protected in perpetuity. The easement terms can be crafted to fit the needs of the landowner, as long as the conservation values are protected. Landowners can may receive significant tax benefits by encumbering

their land with a conservation easement, ~~including a federal tax deduction and a transferable state tax credit.~~ A conservation easement also allows landowners to designate a TDR sending area.

~~An agricultural A~~ conservation easement ~~(ACE) is a legal agreement~~ can also restricting restrict development on farmland. ~~Land subjected to an ACE is generally restricted to farming and open space use (American Farmland Trust).~~ The conservation easement permanently protects land ~~An ACE provides permanent land protection~~ but does not guarantee that a farm will remain a farm because it cannot require that land be actively farmed; the land may revert to open space.