

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
October 8, 2019

Anna T. Hamilton, Chair - District 4
Henry Roybal, Vice Chair - District 1
Anna Hansen - District 2
Rudy Garcia - District 3
Ed Moreno - District 5

SFC CLERK RECORDED 11/15/2019

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

October 8, 2019

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

B. Roll Call

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

Members Present:

Commissioner Anna Hamilton, Chair
Commissioner Henry Roybal, Vice Chair [2:20 arrival]
Commissioner Rudy Garcia
Commissioner Anna Hansen
Commissioner Ed Moreno

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance was led by Felicita Pinon from Fire, the State Pledge by Nicole Dixon from Corrections, and the Moment of Reflection by Shawnelle Chavez from RECC, all from the Public Safety Department.

Commissioner Hansen requested a moment of silence for Rebecca Parsons from Agua Fria Village.

F. Approval of Agenda

1. Amendments

2. Tabled or Withdrawn Items

CHAIR HAMILTON: Manager Miller, do we have any changes?
KATHERINE MILLER (County Manager): Madam Chair, yes. The agenda was amended on October 4, 2019 at 4:15. The item on page 2 under Miscellaneous, item 4.E. and 4. F. were added. Under 6. Presentations, item 6. B. the

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quarterly report, the caption was corrected. Also under Matters from the County Attorney, item 10. A. 2 and 3 were added, and item 10. B was also added.

And then under Public Hearings, item 11. B. the caption was corrected to add “first amendment to County utility line extension and service agreement.”

CHAIR HAMILTON: Thank you very much. With all those noted, what’s the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: I move to approve the agenda as amended.

CHAIR HAMILTON: Thank you. Do I have a second?

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Thanks. I have a motion and a second.

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

I. G. Approval of Minutes: September 10, 2019 Regular BCC Meeting

COMMISSIONER HANSEN: Madam Chair, I have changes that I will give to the stenographer, and I move to approve with changes.

CHAIR HAMILTON: Thank you. Do I have a second?

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Thanks. I have a motion and a second.

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

2. CONSENT AGENDA

- A. Resolution No. 2019-117, a Resolution Accepting the 2019-2020 Wildfire Risk Reduction Grant from the New Mexico Association of Counties, and Acknowledgment and Acceptance of the Grant Terms and Conditions (Fire Department/Assistant Chief Bobby Montoya)**
- B. Resolution No. 2019-118, a Resolution Requesting a Budget Increase to the Fire Protection Fund (209) in the Amount of \$143,515 (Finance Division/Gary L.J. Giron)**
- C. Resolution No. 2019-119, a Resolution Requesting a Budget Increase/Decrease to the EMS Fund (206) in the Amounts of +\$100/- \$3,619 (Finance Division/Gary L.J. Giron)**
- D. Final Order in the Matter of BCC Case #10-5365 South Saint Francis Plat Extension for all 4 Phases. Vegas Verdes, LLC, Applicant, JenkinsGavin, Inc., Agent, Requested a Time Extension of the Previous Preliminary Plat Approval for Phases 1-4, Which Consists of 22 Lots and Final Plat Approval of Phase 1, Consisting of Four Lots, and Phase 2, Consisting of Eight Lots, on 68.94 Acres, of the St. Francis South Mixed-Use Subdivision. The Property is Located at 199**

Rabbit Road, Via St. Francis Drive, Within Section 11, Township 16 North, Range 9 East (Commission District 4) (Approved 4-0) (Nathan Manzanares, Case Manager)

CHAIR HAMILTON: Are there any items anybody has questions on or wants pulled from the Consent Agenda? Then what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: I move to approve the Consent Agenda.

CHAIR HAMILTON: Thank you.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: I have a motion and a second.

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

[Clerk Salazar provided the resolution numbers throughout the meeting.]

3. APPOINTMENTS/REAPPOINTMENTS

There were no appointments or reappointments.

4. MISCELLANEOUS

- A. Request (1) Approval of Agreement No. 2020-0001-CMO/KE Between Santa Fe County and Sunny 505 Advertising in the Amount of \$325,000, Inclusive of NM Gross Receipts Tax, to Provide Advertising and Promotional Services Pursuant to the Lodgers Tax Act and County Ordinance No. 1999-10 and (2) Authorization for the County Manager to Sign the Purchase Order**

GARY GIRON (Finance Director): Madam Chair, members of the Commission, I will be covering this because Bill is on vacation and I will be dealing with this issue and I think we can answer any of the questions you have.

CHAIR HAMILTON: Excellent.

MR. GIRON: Background: The Purchasing Division issued a request for proposal, RFP 2020-0001 CMOKE for the lodgers tax advertising and promotional services pursuant to 13-1-112 NMSA 1978. Three proposals were received and evaluated from the following offerors. Sunny 505 out of Albuquerque, Gardner Advertising out of Santa Fe, and Zimmerman Advertising out of Tallahassee, Florida.

As a result of the ranking and scoring process the Evaluation Committee selected Sunny 505 Advertising as the most qualified offeror and recommends contract award. David Hayduk is the team lead chief strategist for Sunny 505. It is the plan and intent to expand on the New Mexico True brand that was originally adopted by the state of New Mexico Department of Tourism in 2014.

The amount of the contract requires approval by the Board of County

Commissioners pursuant to County Resolution 2014-143 establishing signature authority. The lodger tax sections 3-38-13 and 3-38-24 NMSA 1978 and Santa Fe County Ordinance No. 1990-10 provide funding for advertising, publicizing and promoting tourist attractions in Santa Fe County. As such, the County has acquired assistance and planning, development and implementation of advertising and promotional services from a professional advertising firm in promoting Santa Fe County.

The importance of this is that it helps with cultural tourism, outdoor recreation and ecotourism, agritourism, wedding tourism, and health and wellness tourism. So we ask for approval of this agreement, 2020-0001-CMOKE, with Sunny 505 Advertising to provide lodgers tax advertising and promotional services for a contract sum of \$325,000 inclusive of gross receipts tax, and also authorizing the County Manager to sign off on the purchase order. And if you have any questions I believe that we can answer those.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Mr. Giron, can you tell me what the budget is for the lodgers tax?

MR. GIRON: For this contract it's \$325,000.

COMMISSIONER GARCIA: Madam Chair, Mr. Giron, what is the overall budget for the entire lodgers tax that Santa Fe County does receive?

MS. MILLER: Madam Chair, Commissioner Garcia, it ranges between \$400,000 and \$500,000 a year for advertising purposes. And then there's a small percentage that is generated that can go to facilities like the fairgrounds or visitors centers. And we used a big chunk of that to do the fairgrounds last year.

COMMISSIONER GARCIA: Thank you. Madam Chair, also, Mr. Giron, is Sunny 505 the group that had the contract last year?

MR. GIRON: No, it is a different name but the principal remains the same, Mr. Hayduk.

COMMISSIONER GARCIA: Madam Chair, Mr. Giron, is there any way the County Commission or the county residents can determine that the advertising that we do through lodgers tax – the \$325,000, that we're actually recouping it back? Is there a way to do that?

LISA KATONAK (County Manager's Office): Madam Chair, Commissioner Garcia, based on lodgers tax collection, what we have noticed is a significant increase from fiscal year starting singing the New Mexico True campaign began, that we have seen significant increases in our lodgers tax. Our lodgers tax collection is to advertise, market and promote those lodging facilities in the county. That is where the tax is collected, so we promote the lodging facilities.

Aside from the lodging facilities we also promote the tourism destinations or attractions and events that are also held within the county. So we keep track of lodgers tax but we also have noted that because of the lodgers tax increase that there would be also an increase in GRT. But to do a bigger survey of the collection of GRT as it relates to tourism-related activities and restaurants would be a much more comprehensive study.

COMMISSIONER GARCIA: So Madam Chair, Ms. Katonak, where I went with this question is actually whenever the people in Madrid or a hotel in my district, whenever they pay a GRT tax or lodgers tax to the state of New Mexico, then we get a check from the Tax & Revenue Department, how do we actually determine whether

the business is collecting the tax obviously, and how do we determine that that tax is actually coming back to the County in that correct amount?

CHAIR HAMILTON: Manager Miller, do you want to field that? The question was how do we confirm that we're getting the full amount back from the State Tax & Rev? In other words that everything that's collected actually comes back to us? From Commissioner Garcia.

MS. MILLER: Madam Chair, Commissioner Garcia, so lodgers tax is collected locally; it's not distributed from the state. That's actually remitted to the County from the lodging facilities, and lodgers tax is put in place by ordinance by the County Commission. State statutes allows up to five percent per room, night, or whatever. Five percent. We currently have four percent in place. Three percent goes to advertising and one percent is split between advertising and facilities fund. And so that's collected by the lodging facility and the lodging facility, when people pay their bill then the lodging facility remits that to Santa Fe County.

[Commissioner Roybal joined the meeting.]

And we only receive lodgers tax on those lodging facilities outside of the incorporated area. So the City of Santa Fe has their lodgers tax. They call it occupancy tax. They have OTAB. We have lodgers tax; they have occupancy tax. All the hotels in the city limits of Santa Fe remit to the City their lodgers tax and those hotels in the county – we don't have that many lodging facilities as a matter of fact. We only have a few and one of them right now is closed. That's Bishop's Lodge. So our revenues have still gone up in spite of Bishop's Lodge being closed, and they're estimated to open sometime next year, in about a year. I hope that answered your questions. I know it's a little bit more than what you asked but I was trying to explain lodgers tax is very much a locally imposed and collected tax.

COMMISSIONER GARCIA: Madam Chair, thank you.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I know that Dave Hayduk has been the principal of this organization and was HDHK and then they joined with another company in Albuquerque and now they're a combined company. So one of the things that I want to request is that we make sure that each district is represented in the videos and in the advertising, like last time it was kind of heavy on District 4 or maybe District 3. But in District 2 and in District 5 we both have events. I have HIPICO, the equestrian, and now we have the Reunity Resource Community Farm, which is really an up and coming business that bizMIX was hosted there, so there's a lot of things that I would hope to see presented in our lodgers tax because I think ecotourism is a really important aspect that Santa Fe County has to offer.

And so places like the Reunity Resource Community Farm could be considered ecotourism. But on the other hand, HIPICO is a national equestrian event that happens in the summer and brings a tremendous amount of lodgers tax to the City but it would be nice that we try and get some of that lodgers tax into the County and making sure that possibly there RV park at HIPICO is up and running properly. Just really spreading things around because I think that it's really fair to everyone's district. We have Las Golondrinas which is really a beautiful place and I know that's been covered. But this is

my opportunity so I wanted to make sure that I got to say that.

MS. KATONAK: Madam Chair, Commissioner Hansen, what we work with is the advertising firm and their creative director and we go throughout the county working with prospective business or assets, what we call tourism assets in the communities, and we line up to make sure that we can ensure that things are photographed appropriately. So for example, we were looking at the Leonora Curtin Wetland Preserve, which is very beautiful but sometimes it's best to photograph things in the fall when things are either picturesque autumn colors and not when we're in winter and things are a little bit dry.

So we try to time it with our contractor and the creative director in regard to timing and location. Our last shoot was somewhat what I would consider District 4 oriented and that corridor, just based on the nature of the photography and the video, focused on our national historical part of Pecos and our assets of Lamy and some of those other key initiatives that were bring brought forward.

But as we continue to plan for the new fiscal year we do have agritourism listed as one of our focus features. We do believe in farm-to-table focus within restaurants in Santa Fe County and we believe that's one of our major assets. And so definitely something related to, as you mentioned, the Reunity Farm in Agua Fria. HIPICO has become quite an established nationally recognize event arena for equestrian and for horses, and so they are planning several other events in the new fiscal year that we would also like to highlight. So equestrian and horses and trails.

COMMISSIONER HANSEN: And polo.

MS.KATONAK: Yes, and polo.

COMMISSIONER HANSEN: Last night I was at the Piñon Awards for Reunity Resource Community Farm as they were awarded the Visionary Award for the community farm, and they have a beautiful video that was produced by the Santa Fe Community Foundation, which is available for us to use. So that might also be something that could be used on our behalf.

CHAIR HAMILTON: So is this something further on this approval? Because the technical details should be done offline.

COMMISSIONER HANSEN: I find that if I don't bring it up here on the dais I don't get a chance to say anything. So I am bringing it up here. So that was what I had to say and I appreciate that and thank you, Lisa, for listening to me.

CHAIR HAMILTON: Thank you very much. Are there other questions on this, and if not, what's the pleasure of the Board?

COMMISSIONER HANSEN: I'll move to approve.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

4. B. Resolution No. 2019-120, a Resolution Requesting a Budget Increase (Fund 318) for State Grant for Census Outreach in the Amount of \$137,924

MR. GIRON: Madam Chair, members of the Commission, the Finance Division requests approval of this resolution to budget an increase in the state special appropriation fund 318 in the amount of \$137,924. On September 9th of this year the Secretary of DFA and the County Manager entered into an intergovernmental agreement for a 2020 Census outreach grant. That's grant number 2019-34100-ZD-503701003 pursuant to Resolution 2018-68 and 2019-78, the Board of County Commissioners of Santa Fe County created a Census 2020 Complete Count Communities to advise the County in obtaining the most accurate and complete population count for the 2020 census.

These funds would be used to contract with non-profits, advertising media, and other outreach efforts to ensure that many Santa Fe County residents as possible are counted in the upcoming census. So we're asking for approval of this resolution to budget an increase to this fund in the amount of \$137,924. And if you have any questions I believe that Patricia can answer those for you.

CHAIR HAMILTON: Excellent. Thank you. Do the Commissioners have any questions? Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Mr. Giron, just really quick, at the last two or three County Commission meetings ago we actually hired a consultant to actually go out and do the census count. So is this additional money for that consultant or is this – how would this money be utilized?

PATRICIA BOIES (Community Services): Madam Chair, Commissioner Garcia, this money is not for the consultant. We already are paying the consultant through funds that we entered into with the Community Services Department. This money specifically has been allocated by the state for outreach with non-profits and for printing and advertising so DFA figured out how much each county should be allocated and there was a whole process that we had to follow to say that we'd like to accept that, so this is separate money that we will have to be accountable to DFA for how we spend it. We anticipate that about \$90,000 of it will be for entering into contracts with non-profit organizations, especially those that can do a lot of work with the hardest to count communities. And then about \$40,000-some will be spent for printing and for advertising and for media.

COMMISSIONER GARCIA: So Madam Chair, would this coincide with the existing contractor that we have on board?

MS. BOIES: Yes, it will. And I am the staff for this, and Krista Kelly and I are working together and our complete count committee, which is chaired by Commissioner Roybal, has met twice to begin to figure out how best to do outreach, and we will also be having some subcommittee meetings later on this month.

COMMISSIONER GARCIA: Because Madam Chair, what I would not want to happen is our consultant doing this, and this other \$90,000 doing this, because in my district there's a lot of individuals that need to be accounted for, especially for this next census. I just want to make sure that we're all collaborating, that we're all

communicating together for the pot of money that we have.

MS. BOIES: Yes, Madam Chair, Commissioner Garcia, this is going to be an intensely coordinated outreach process and Krista and I are working really closely along with the committee.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Commissioner Hansen, and then Commissioner Roybal.

COMMISSIONER HANSEN: Thank you, Madam Chair. I just want to make sure that in the Village of Agua Fria that we make sure that we get a complete count. I know that I have a high number of immigrant population there and I did see that Somos is part of this and so that makes me feel reassured that there will be some Spanish speakers that will be able to go into the village and other places throughout the county.

MS. BOIES: Madam Chair, Commissioner Hansen, yes. That is correct.

COMMISSIONER HANSEN: Okay. I appreciate that. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I want to first and foremost say thank you to my fellow peers here for their comments and concerns that they've brought forward. I do want to say that we have been working diligently to make sure that we are reaching out to our populations that we need to, as Commissioner Hansen indicated. We have been working closely with Ms. Boies and I think she's done a great job and so has our contractor. We do have this additional funding that I'm glad to see this additional funding come forward and Ms. Boies can probably reiterate. I think it's close to \$30,000 for each person over the ten-year period – is that correct? – that we undercount. I know New Mexico was in the top five or six in the United States that's undercounted. Is that correct?

MS. BOIES: Madam Chair, Commissioner Roybal, if we estimate that there will be a five percent undercount, which would not be unusual, especially this year with the way they've changed how they are conducting the census, that would translate, for Santa Fe County a loss of \$27.5 million each year. And bearing in mind that the census figures are then used for funding for ten years, a five percent undercount would translate to a loss to Santa Fe County of \$275 million.

COMMISSIONER ROYBAL: So the amount that we're putting forward now is going to be money well spent as we advocate with our communities and even in the hard to count areas of some of the pueblos where we have non-pueblo residents that reside within these pueblos in mobile home parks and apartments and things of that nature, I think that we put our best foot forward. We have Spanish speaking individuals that are working on the board. We have a tribal liaison that's also been added to the board. We have a lot of key personnel in place and I think that right now we're headed in a great direction. I'm glad to see this extra funding because it's something that we'll be able to make sure that we get as close as we can to the best count.

I think New Mexico has been identified as one of the states that have the most undercounted individuals in the states in our last census. Is that correct?

MS. BOIES: Madam Chair, Commissioner Roybal, yes, that is correct. In the 2010 census New Mexico was at the very bottom.

COMMISSIONER ROYBAL: So I'm really glad to see that we are

working diligently to address the issues that we had in the past and hopefully we can. We're going to work as a collaborative effort throughout the state with some of our surrounding counties as well as something that we're looking at and I think that right now we're off to a great start. Of course with collaboration with my fellow peers on the Board I think that we'll definitely make a great showing this year on the census count. So I appreciate all the questions and all the hard work that Ms. Boies put forward. Thank you.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Ms. Boies, under the president's administration, do you feel that the state of New Mexico has a good dialogue with the administration?

MS. BOIES: Madam Chair, Commissioner Garcia, yes. Part of the intergovernmental agreement that was entered into between Santa Fe County and the state, and the state has its own statewide commission to do a complete count, is that there will be a lot of coordination between those two and actually we're fortunate in that at least one of the members of our Santa Fe County Complete County Committee who is the executive director of Somos un Pueblo Unido is also on the statewide body and I am working closely with the coordinator that DFA hired specifically on this project to ensure that there will be a lot of collaboration.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, also, I'm just wondering, on each pueblo, do we have a representative or is it just one tribal liaison?

MS. BOIES: Madam Chair, Commissioner Hansen, on the Complete County Committee, whose members were appointed by the BCC a couple of months ago we do have Gabe Montoya as a tribal liaison. However, we're working closely with him so that each of the pueblos within Santa Fe County will have a representative on the subcommittees that we are forming and the subcommittees are going to be doing a lot of the work. So, yes, we anticipate that every pueblo will have a representative.

COMMISSIONER HANSEN: Thank you.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: I do want to say thank you for making that point and thank you for that question. I should have brought that up. We are working on trying to identify leadership within each pueblo so that we can make sure that we work with them collectively. And I know that right now we have set up meetings with each pueblo to sit down with the tribal leadership to establish how they want to proceed. Each tribal entity does have their own census committee in the pueblo, so they do that on an annual basis and we are working with them as well. So I want to thank Ms. Boies again for all her hard work with Krista Kelly on this program. I think that we're off to a great start and with that I'd like to move for approval.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

4. C. Request Approval of Affordable Housing Agreement for Colibri Subdivision Between Turquoise Land Investment, LLC, and Santa Fe County

ROBERT GRIEGO (Planning Manager): Good afternoon, Madam Chair, Commissioners. This item is an affordable housing agreement for Colibri Subdivision between Turquoise Trail, LLC, and Santa Fe County. Chapter 13 of the Sustainable Land Development Code, County Ordinance 2016-11 requires subdivisions over 24 lots to provide 15 percent of affordable units to be affordable housing units within the project or to comply with the program through alternative means pursuant to Section 13-7 of the SLDC. Santa Fe County has worked with the applicant for the Colibri Subdivision and has developed an affordable housing plan which provides the basis for the affordable housing agreement in accordance with the SLDC.

The Colibri Subdivision, formerly Turquoise Trail North, is a proposed residential development with a total of 232 single-family residential lots and one open space lot for a total of 233 lots. The subdivision affordable housing plan – the subdivision is considered to be in two phases: Phase 1 of the subdivision includes 117 total residential lots with 18 affordable lots, and Phase 2 consists of 115 total lots with 17 affordable units.

The agreement includes provisions for the applicant to provide the affordable units in each of the four income ranges in equal distribution with those so in the affordable housing plan attached as Exhibit A it shows each income range and the total number of units required for each income range to result in a total of 35 total affordable units.

The affordable housing agreement also identifies where the lots will be located within the subdivision so staff has worked with the applicant to ensure that there's a reasonable dispersment of the affordable units throughout the subdivision in both phases of the subdivision.

The affordable housing agreement has both a development schedule, does require that the applicant meets the affordable housing prices, which will be adjusted annually. They were adjusted in 2019. The affordable housing agreement also includes incentives for the developer including the relief from development fees. The County agrees to waive all development fees for each affordably priced unit to be provided by the applicant. Also it provides relief from certain initial County water utility expenses and that is reflected in the water service agreement that the Board will consider separately.

The item in your packet, the affordable housing plan and agreement will be – staff recommends approval of the affordable housing agreement contingent on the applicant completing the notarized signature of the document at which time the same document can be recorded with the final plat in accordance with the agreement. That concludes my presentation. The applicant is here and I stand for questions from the Board.

CHAIR HAMILTON: Thank you very much. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Mr. Griego, I believe that I heard you say this but the affordable units will be integrated into the entire subdivision, correct? We're not actually going to be putting all the affordable units in a certain area?

MR. GRIEGO: Yes. Staff worked carefully to make sure that there is a reasonable dispersment throughout the entire subdivision. That's correct.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Thank you, Commissioner. Commissioner Hansen.

COMMISSIONER HANSEN: My question is about the construction of these homes, so I am wondering if these are homes that are going to be offered solar, and not only the main homes but the homes that are affordable, because at this time, in this day and age, solar is really reasonable and for affordable units to be able to have solar on them would also help reduce their own costs. So I want to make sure that it is an option that they are offered. I didn't see it in the agreement.

MR. GRIEGO: Madam Chair, Commissioner Hansen, within the agreement we do have a section under the incentives which does – in order for the applicant to receive incentives all homes within the subdivision need to meet energy efficiency standards in accordance with Chapter 6 and 7.14 of the SLDC. That doesn't get to your question specifically regarding solar but they are required to meet energy efficiency standards. And that question goes specifically to the applicant.

JENNIFER JENKINS: Thank you, Madam Chair, Commissioners, Commissioner Hansen. Jennifer Jenkins with JenkinsGavin here on behalf of the applicant. So the applicant that is before us is going to be developing the infrastructure and the utilities in actually developing finished lots. They are currently in negotiations with a large-scale homebuilder but those negotiations are not complete. So we are not in a position to commit as far as that homebuilder's program. They do have expertise with respect to solar, but we are not in a position to make a commitment in that regard right now, because like I said, we have not completed our negotiations with the homebuilder.

COMMISSIONER HANSEN: That's unfortunate. Thank you.

CHAIR HAMILTON: Thank you. Are there other questions on this topic? So what's the pleasure of the Board?

COMMISSIONER GARCIA: Madam Chair, move for approval.

COMMISSIONER ROYBAL: I'll second.

RACHEL BROWN (Interim County Attorney): If I can ask for clarification. Is the motion for approval conditioned on receiving the notarized signature page?

CHAIR HAMILTON: That was what Mr. Griego suggested.

COMMISSIONER GARCIA: Yes. That's fine.

MS. BROWN: Thank you.

COMMISSIONER ROYBAL: My second also reflects that.

CHAIR HAMILTON: So I have a motion and a second that both reflect the clarification.

The motion passed by unanimous [4-0] voice vote with Commissioner Hansen abstaining.

4. D. Request Approval of the First Amendment to County Utility Line Extension and Service Agreement, No. 2019-0244-PW/BT Amendment 1, Between Santa Fe County and Turquoise Land Investment, LLC, for the Colibri Subdivision

JOHN DUPUIS (Utilities Director): Thank you. Good afternoon, Madam Chair, Commissioners. I'm requesting approval of the first amendment to the County utility line extension and service agreement No. 2019-0244-PW/BT. It's Amendment 1, between Santa Fe County and Turquoise Land Investment, LLC. Some of the background is December 13, 2016 the County entered into the first agreement for this development. It was for water and wastewater service to Turquoise Trail North Subdivision. Since then Turquoise Land Investment, LLC acquired the property. They seek to amend the agreement to be consistent with other amendments to the development and with that I stand for any questions.

CHAIR HAMILTON: Thank you, John. Are there any questions about the waterline agreement?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Will they be using any kind of gray water?

MR. DUPUIS: My understanding is that they are not using gray water but they do have, based on a prior development, very minimal water usage.

CHAIR HAMILTON: Compared to average?

MR. DUPUIS: Correct.

COMMISSIONER HANSEN: It's 0.18? What's their water usage?

MR. DUPUIS: Madam Chair, Commissioner Hansen, the water usage was shown on average to be approximately .15 acre-feet per acre.

COMMISSIONER HANSEN: Okay.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, welcome.

MR. DUPUIS: Thank you.

COMMISSIONER GARCIA: Also, in regards to -- I think this is actually great because actually the County Commission approved the SLDC one which is this entire area for development. One of the things -- with that I'd like to make a motion for approval.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. Is there further discussion?

COMMISSIONER GARCIA: And just really quick under discussion, I don't hear of a lot of developments that are moving forward in that Community College District and what I would like to see from yourself or Manager Miller under her direction is to -- what's the larger plan for the sewer line? How are we going to get all those sewer lines for all these developments that are moving forward in the SLDC area, which is the Community College District, and what's the larger plan for all this gravity-fed? How are we going to get all that stuff either to the Quill plant or -- hopefully to the Quill plant, not the City of Santa Fe because that's why we're spending \$7 million on the Quill plant. So

I would just like to see some sort of a plan that you have, how we move forward with all the development in that area. Thank you.

MR. DUPUIS: Yes, Commissioner.

CHAIR HAMILTON: Thank you. Is there further discussion? If not, I have a motion and a second.

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

4. E. Request Approval of Agreement Between the County of Santa Fe and the New Mexico Coalition of Public Safety Officers (Regional Emergency Communications Center-RECC), October 8, 2019, to October 31, 2021

CHAIR HAMILTON: Welcome, Sonya.

SONYA QUINTANA (HR Director): Madam Chair, members of the Board, I'm here today to request an agreement between the County and the New Mexico Coalition of Public Safety Officers Regional Emergency Communications Center, RECC, for the timeframe of October 8, 2019 through October 31, 2021. The previous contract expired on December 31, 2018.

Some of the significant features of the agreement are increased starting pay for emergency communications specialist trainees to \$17.35 per hour. And while these employees are probationary and not part of the bargaining unit, their starting pay feeds into the pay scales for emergency communications specialists and also assists to fill critical vacancies and short-staffing needs that we have.

For the positions of emergency communications specialists and team leaders immediate pay increases, if approved, would range from three percent to 12.39 percent. The pay scale provides consistent salary growth for emergency communications specialists and team leaders. Again, if approved, the agreement would expire October 31, 2021. We worked really hard to get there. I do have Vanessa and Joe. I'm not sure if either one of you want to add anything.

VANESSA MARQUEZ (RECC): Madam Chair Commissioners, I'd just like to say thank you to all the people that worked on this contract. There was a lot of time and effort put into this and I'm really glad that the Coalition voted this through, actually last night. I believe that this is going to be very helpful to our recruitment and retention for the RECC. So thank you.

CHAIR HAMILTON: Thank you very much.

JOE DOOLITTLE (RECC): My name is Joe Doolittle. I'm the union president and the ECS team leader at the dispatch center, and I really appreciate your guys' time in looking over this matter.

CHAIR HAMILTON: Excellent. Thank you. So are we off to the questions part?

MS. QUINTANA: Yes.

CHAIR HAMILTON: Excellent. Thanks, Sonya.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. I want to thank Sonya and both Joe and Vanessa. Thank you for being here. Thank you for working on this agreement. I want to also thank Greg Shaffer who also worked on this agreement with you. I think it's really important that we get strong people who really want to work in the RECC. It is a really important place to develop a career. And so I'm really happy that we could come to these agreements and that everybody is on board, and with that I would like to make a motion to approve.

CHAIR HAMILTON: Thank you. I have a motion.

COMMISSIONER ROYBAL: I'll second, and then under discussion I have some comments.

CHAIR HAMILTON: Great. Commissioner Garcia.

COMMISSIONER GARCIA: Just also as Commissioner Hansen, Madam Chair, mentioned, thank you to everybody that worked on this agreement. Obviously being in negotiations it takes a little while, but whenever you deal with public safety, this is one of the important parts of public safety. A lot of people think Fire, Animal Control, Police, but whenever you need to utilize that telephone you need to call 911, those individuals are the ones directing the public safety officers how to get there, where to get there and what to do. I'm just very thankful for those individuals that all public safety does an excellent job but this is a very important aspect to public safety because without our RECC, Regional Emergency Communications Department, we wouldn't have it. But thank you for working on this, like Commissioner Hansen said, and I'm glad that we're moving forward. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to ditto the comments and say thanks to all the negotiating team on both sides. I think it was a long road and you guys did great. We came out at the end and came to an agreement that we could all live with. I think like Commissioner Garcia indicated, the first call that comes in is to the dispatch center and I can't imagine how stressful it could be at times to not be able to be on site and try and give instruction over the phone. Just the high stress that the individuals at the dispatch center have to go through. So I just want to commend all the staff that worked on this and thank you for all your hard work and I'm really happy to see us get to this point. Thank you.

MS. QUINTANA: Thank you.

CHAIR HAMILTON: Thank you, and in that same light I'd like to not only thank everybody who was negotiating but to thank Vanessa and her team for carrying such a heavy load in the RECC. It's an incredible job that they've been standing up to. So I do have a motion and a second.

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

COMMISSIONER ROYBAL: Did you have any additional comments? I know you were going to say something.

CHAIR HAMILTON: You were? I'm sorry. Sonya.

MS. QUINTANA: I really just wanted to say that I'm really happy that we came to this agreement and I'm really honored to represent such a great workforce across

all of the County. So thank you guys so much.

CHAIR HAMILTON: Excellent. Thank you so much. Thanks to everyone.

4. F. Request Approval of Change in Status of Deputy Public Works Department Director Position from Unclassified At-Will to Classified as Part of Public Works Department Reorganization

CHAIR HAMILTON: Actually, I believe this is just a presentation at this point. Mr. Giron, do you want to clarify that?

MR. GIRON: Madam Chair, members of the Commission, I would like to withdraw the request for action on item F. and also offer an overview of the reorganization that's planned for the Public Works Department, if that's acceptable.

CHAIR HAMILTON: That's acceptable. Thank you very much, Mr. Giron.

MR. GIRON: Madam Chair, members of the Commission, I have given you a copy of our planned reorganization for the Public Works Department. It is three pages. If you were to go to page 3, if we could start on that page I think that would be useful. The objectives of the reorganization at the Public Works Department are to increase accountability. As I have been there for the short period of time that I have I believe that many of the issues that we seek to address with the reorg are structural issues, and I believe that this reorganization plan will go a long way to resolve those issues.

I would also say that I am impressed with the staff that work at Public Works. I think they do an amazing job. I think you have many talented folks, and that we need to find a way in the structural system so that they can be effective in all of their various jobs.

The second part that we seek to address in this reorganization is to enhance transparency so that there is a way for many eyes to take a look at any of the transactions we're doing to make sure that we are accounting for them correctly, that we're staying in budget, and that we're following all of the plans and objectives that have been set out by the Commission and the County Manager.

The next issue we seek to address in the reorg is to improve on the timely delivery of projects, and it goes with the next one which is effective management of capital and operational resources. I believe that there are opportunities at Public Works for us to better understand our projects before we embark on those, to give clear information to the Commission, to make sure that information is shared inside of the County and at Public Works so that when we go to work on those projects that we have a clear idea of where we're going to end up. And I believe that with the reorganization that should become easier.

The next area – and you're going to see in the reorganization, and I'll go through that in a second, the organizational chart. There is an opportunity to improve internal controls and in the reorganization you will see that administrative services is pulled into one area, which is finance/procurement/purchasing/human resources. And that is a way for us to make sure that policy, procedures, standards and laws are implemented in a

consistent way across Public Works, and that we have a clear idea of how that looks and that we're holding everyone to the same standards of accountability, and so that it's more transparent as we do our annual audit for the County.

The next part is that we seek to improve communication with staff and I think you will see in the reorganization that it is set up with a director and then three deputies, and the idea with that is to have distinct areas that are defined with teams under them that will be allowed to make decisions, to understand how those should be delivering all of the programs and services they are, to have a clearer set of expectations for those people delivering those services, and that we're listening from the top down of the organization and the bottom up, and then across each one of those divisions.

And I think that goes hand in hand with the idea that we want to improve the chain of command and decision making structure so that people do feel empowered to make decisions and recommendations. Obviously, those still need to be approved by whoever needs to approve those, but they need to be empowered to be able to carry their part of the decision as far as they can and feel empowered in that process.

And the last part is to improve administrative efficiency. I will tell you then, if you go to page 2 and look at the organizational chart, the way it is set up is that the Public Works Director, underneath that position there is no longer a deputy but there will be three division directors. One division director for administrative services, and that person will be responsible for financial management, human resources, procurement, purchasing, customer service and constituent services.

The next area is projects and facilities management. That division director will be responsible for facilities management which includes building services, property control, open space, parks and trails maintenance, project development and delivery for vertical, open space and utilities, real property, and then a section called planning with sustainability and GIS. And I will tell you that the top part of the organizational structure really makes a lot of sense to me right now. That bottom part is still a little gray so some of those pieces could change and this thing evolves, as the structure evolves with communication interaction with all the stakeholders inside of Public Works.

And then the last section is called Roads, Utilities and Fleet. That division director will be responsible for fleet services, roads, maintenance and project delivery, solid waste, traffic engineering, and then utilities, and under utilities you have water, wastewater and Aamodt.

I believe that this structure does a couple of things. In terms of top to bottom, bottom to top, it increases the amount of accountability we have in making our decisions and moving the mission of the Public Works Department forward. The other part is I think it creates an opportunity for there to be collaboration across Public Works Department in a matrix kind of model, so that administrative services is working with roads and fleet, and that conversation is moving back and forth. And you have several areas that are focusing on achieving the mission, vision, and goals of the Public Works Department.

And that is my overview and I would be glad to answer any questions for you.

CHAIR HAMILTON: Excellent. Very much appreciated. Do we have questions for Mr. Giron? Comments?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I just want to be clear. It's my understanding we are not voting on anything today.

CHAIR HAMILTON: That's correct. That's been removed.

MR. GIRON: Madam Chair, Commissioner Hansen, that is correct. The request to reclassify the position has been withdrawn with the idea I believe at this point that we will use non-classified employees in those division director positions and begin to look at the next part of implementing this reorganization with that model.

COMMISSIONER HANSEN: So all of those division directors will be unclassified.

MR. GIRON: Madam Chair, Commissioner Hansen, that is correct.

CHAIR HAMILTON: Clearly, it could be revisited.

COMMISSIONER HANSEN: It's at the moment. As we move forward.

MR. GIRON: Madam Chair, Commissioner, that is correct. If there are difficulties, and I would say difficulties, if there are difficulties in recruiting for those division directors, that may require a second conversation with the Manager and with the Commission to figure out a best way forward for that.

COMMISSIONER HANSEN: Okay. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Moreno.

COMMISSIONER MORENO: Gary, thank you for your work in this area. We were in a big pickle with a mess on our hands and you came to help from your other job in the bargain. This is a really good, for me, from my perspective, that it's a really good start and I support you and the Manager and all the staff that are working on this project. Thank you.

MR. GIRON: Madam Chair, Commissioner, I appreciate those comments. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Mr. Giron. I did have a question. It looks like – and correct me if I'm wrong – but these other division director positions, they're going to be, instead of having a deputy director we're going to actually create these three director positions. Is that correct? Or they currently exist?

MR. GIRON: Madam Chair, Commissioner Roybal, you are correct. The deputy position will not be in Public Works any longer. These are new positions and I failed to inform you that all these three positions will be competitively bid and we will seek to have the best candidates in those positions possible.

COMMISSIONER ROYBAL: Okay. Just that question. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Mr. Giron, awesome. Manager Miller, thank you for bringing this forward to the County Commission because in order to reorganize a department it has to come in front of the County Commission so I appreciate that. Also, thank you for stepping forward and actually trying to deal with the challenges that we have with our Public Works Department at this time as Commissioner Moreno mentioned. One of the things I kind of relate back to is many, many years ago I believe the City was having some challenges in their road department. I remember Jim Romero. He was the City Manager and one day I saw Mr. Romero in the back of a trash

truck. I'm like, what is that guy doing back there? He's the City Manager. It's interesting that he's in the back of the truck. Not that I want Manager Miller to be in the back of the truck.

However, it's actually – what your role is, you need to get deep down in there and talk to the guys that are actually out there with the shovels and the guys that are actually pushing that asphalt and anybody else, individuals that are actually at the transfer stations to figure out what exactly do you do? How do we work this out because Public Works is a very, very important part of County government. Every portion, every part of County government is very, very important. Roads. People care about their roads out there.

Whenever you work for a local government, city or county, local government is a lot different than working for the Health Department of the state or working for the Environment Department. Whenever you work for local government, you need to talk with Mr. Garcia, why his acequia is not working or why the grader, the blade went out there and plowed his trash can over.

So I really appreciate you and I hope that you're actually going deep down in there and talking to, like I said, the individuals that work at the transfer stations, the individuals that are holding the sign for traffic control or what not because we definitely need to get a handle on what's happening at our Public Works Department and anybody that actually – so you follow me, right?

MR. GIRON: Madam Chair, Commissioner Garcia, I wholeheartedly agree with you. I will give you a little bit additional information. This Monday, last Monday, the Manager and I met with all of the staff from Public Works and let them know what was going on and answered as many questions as we could and started the beginning of a very honest conversation about some of the changes that might be coming down the road, and then looking for feedback about how we can improve.

Also, before this issue came in front of the body, we took the opportunity to meet with all of the management team to make sure they have a clear understanding of what's coming down the road and that there aren't any secrets about that and we just – we're all able to give input into that. We took the opportunity also to meet with AFSCME, the union, to have the conversation with them as well and to tell them as much as we know at this point in time, knowing that this is a process that continues to evolve and as it does, we'll just share more information.

COMMISSIONER GARCIA: Madam Chair, also, Mr. Giron, so once again, you have met with the entire line staff of Public Works?

MR. GIRON: Madam Chair, Commissioner, yes. We did that last Monday. Not this one, the Monday before.

COMMISSIONER GARCIA: Good. Because I was out actually on one of my County roads probably about a week and a half ago and our blade operator was out there and they just want to know what's happening, what's going on. So as long as we've met with the entire Public Works Department, which is a very large department, I appreciate that and look forward to working with Manager Miller and yourself. Thank you.

MR. GIRON: Thank you, Commissioner.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Thank you. Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I just want to add to those comments and I'm glad Commissioner Garcia brought that up and also I'm grateful for the meeting you guys had with our Public Works Department. In a situation that we're at with our Public Works Department I think that, you know, as you indicated in your opening remarks is we have a great staff at the Public Works Department. We have great staff throughout Santa Fe County. I think that we need to work with that staff internally and see what we need to do to fix the organization as a whole. So I'm glad to see that we're taking those steps because that's really where we need to start and that's where we – so we can grow and make sure that we do the right thing for the staff in general. So that's all we really need to build this team back up. And I think that there has been some, I guess controversial things that have happened over the time but I know that we have the right people in place to make sure we fix those and we already have the existing staff in place to make sure that we can go beyond that. So I appreciate that. Thank you.

MR. GIRON: Madam Chair, Commissioner Roybal, I wholeheartedly agree with you. And I will tell you that people that I've talked to at Public Works are really just looking for basic information: Where are we going? How are we going to get there? How are we going to share information? How are we going to make sure that we're all working towards the same kinds of goals and objectives and I think this reorganization starts to address those issues.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I also want to thank you, Gary for stepping up and taking on this difficult situation. I just want to make sure that everyone at Public Works is heard and that everyone has access to you. I think that is one of the really important things that needs to happen to build trust and transparency is to make sure that people have access to who is the director now and I'm grateful that you had a Public Works meeting but I think you need to have them regularly so that the communication and the fear or the frustration or whatever might be rising to the future has an opportunity to be discussed and talked about ahead of time so that we can all be on the same page and be aware of what is needed in Public Works.

MR. GIRON: Madam Chair, Commissioner Hansen, I wholeheartedly agree with you.

COMMISSIONER HANSEN: Thank you.

CHAIR HAMILTON: Excellent. Is there any more discussion on this matter? I really appreciate the presentation keeping us up to date with what's going on. Very much appreciated. Thank you.

MR. GIRON: You're welcome.

8. C. Presentation Concerning Excellence Assessment Administration Award and Approval of a Proclamation Proclaiming October 8, 2019, as "Office of the Santa Fe County Assessor's Excellence in Assessment Administration Day"

CHAIR HAMILTON: I've been requested to move up the presentation. Is now a good time? Commissioner Hansen.

COMMISSIONER HANSEN: I think so. I think I got the thumbs up.

CHAIR HAMILTON: So if nobody else minds, if there's no objection, we're going to jump down to 8. C. a presentation concerning Excellence Assessment Administration Award. So Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I would like to bring up our Assessor, Gus Martinez, and Chris Sanchez and welcome them. The Office of the Santa Fe County Assessor, under the leadership and guidance of Santa Fe Assessor Gus Martinez, established a local, New Mexico chapter of the International Association of Assessing Officers in 2016. The IAAO is a professional organization of government officials with a network of more than 7,000 members in 90 chapters in the United States and around the world. A non-profit organization and research association, the IAAO's mission is to promote excellence in property appraisal, assessment administration and property tax policy through professional development, research and standards.

Assessor Martinez led a team of dedicated managers and employees who diligently over nine months to compile, organize and evaluate the office's policies and procedures and formed documents to satisfy more than 300 national best practices and standards and earn the IAAO's certificate of excellence in assessment administration. Their submission was a 200-page narrative which included 500 exhibits, policies and procedures that satisfied more than 300 standards and requirements over 13 different categories, setting legal frameworks, values, standards, resource management, computerization, mapping, data collection, land valuation, residential property valuation, commercial property valuation, sales data ratio studies and ratification of personal property assessment administration, defense of values and public relations.

Through this process in the County Assessor's Office and his staff have achieved the highest level of customer service, efficiency and performance and the County Assessor wishes to maintain this new standard, ensuring that his office continues this work for the next five-year certification.

Thank you, Gus, I am honored to bring this forward. I am honored that your whole staff worked so hard on this and I have a proclamation but I'm going to let you do the presentation first.

COMMISSIONER GARCIA: Madam Chair, before Assessor Martinez gets started, I think this is the way Assessor Martinez – if you can have your entire staff come and sit behind you because you guys are all here.

COMMISSIONER HANSEN: It seems I didn't have my mike on and no one told me while I was reading, but I'm not going to read it again, since I'm going to let you take the lead, but when I do read the proclamation I will put my mike on for sure. So thank you, Assessor Martinez, and thank you for your incredible hard work.

GUS MARTINEZ (County Assessor): Thank you. I'll kind of make it short and sweet, but I want to give you guys some history, kind of how we got there in the office. I have a great staff and they're behind me and they put hard work, day in and day out and you need an office like that to be able to accomplish goals like this within this office.

We're not a perfect office. Every office has its things that happen. Quirks every once in a while. But we get through that and we work together as a team to accomplish these goals here. So just to give you a history, looking back 4 ½ years, as I took over the

reins as County Assessor, my first priority was customer service. I wanted to create an office that worked for the constituents of Santa Fe County. I think at that point people were a little discouraged with the office, really wanted to get information, didn't know how to get the information. So the idea was to provide the best customer service possible.

Secondly was really – how we did that was I wanted to really do it by example, exercising the behavior that I wanted to see in my staff by helping the constituents up front, really working with them hand in hand as a partnership. The second thing was bringing integrated technology. We were able to bring in aerial photography that helped streamline our processes to really get better assessments, be more efficient. I am really ecstatic and happy that we are just finishing up our first five-year reappraisal plan. We're on the last part of the City of Santa Fe, and we have touched every parcel with the staff that I have there. And so I'm pretty ecstatic about that.

Also we've brought in – we've updated our website, brought more information out there, people could file their bills on line. They could get change of addresses. They can get flyers on line. We were the first office in the United States to have a LiveChat feature for an Assessor's Office. So that was just another way of communication through my staff that would handle people typing into the computer, getting information. We would give them that information there. We put online tools on there, work flows, so we just wanted to be more accessible to the taxpayer. They could do it at the fingertips at their home. So that was the idea of just making things more simplified for them.

The third thing was valuing our employees, making sure that we gave them staff development, making sure that we provided them education to just go to class, to be able to get designated and get their certification to the Property Tax Division through the appraisal classes, and acknowledging them through social media, really allowing them to celebrate with them for their accomplishments.

And the third one was just building trust within the community, just making sure that we gave them information out there. We were definitely putting stuff on social media. We were doing outreaches, going out to different parts of the county, making sure that they understood how to appeal their property value, understood basically how to apply for exemptions and benefits, letting them know they were out there through radio.

And then the last thing as a goal was to become a model office for the State of New Mexico. And so that was a real push for staff, to really just set the standard in New Mexico for 33 counties.

I talked a little bit about staff achievements, this is just kind of the stuff that we do with the Property Tax Division. They come in and they get their certification. We take a picture with them, we put it on social media, we celebrate with our staff their achievements.

With all that, in 2016, we won our first international award, which was the public information program award, and basically what that award is, it comes from the International Association of Assessing Officers, IAAO. Basically, they look at our office of how well we communicate with the public and get information out to the public regarding different social media outlets – our policies, our procedures, how our staff runs on a daily basis, how we communicate with them through radio, through the paper. And then in 2017 we received a national award. We got jurisdiction of the year award through Thompson and Reuters and it's basically the same thing, how we communicate with

the public, how we got information out there with our streamlined processes.

Now we come to the journey to the office of excellence. I will tell you it was a difficult road. We started this journey, probably about a year and a half ago. We kind of got stonewalled for a while. I brought in Chris Sanchez after Gary Perez had left, my deputy, and brought him in, and his expertise, and we started up the pursuit of the journey of the office of excellence, which was a goal coming in. We definitely – we started with a four-year strategic plan. We talked about our goals, our strategy, our core values, our mission, our vision. We got the staff involved to create our core values, our mission, our vision.

And the big last thing was the sustainability piece of the office. How could I keep this office sustained past my tenure? Which is important. You do a lot of work and you want to make sure that the next person that takes your place basically has the tool set and has all the information to be successful, because there's just a lot of work that goes into this, and staff that works day in and day out. And so we want whoever succeeds me to be successful in this process and really have a game plan with that.

The IAAO, it recognizes it's government individuals involved with assessment that integrates best practices in the work place. There is definitely over 300 standards that we have to go through, and going back, a lot of the process is we hired IAAO in the beginning of 2015 to really do an evaluation of our office, where we needed improvement, what areas in the office that needed to be fixed, and so we went through those and through that process, which helped us get ready to really pursue this office of excellence.

The journey was, we definitely went out to St. Lucie County in Florida. They are one of the top offices nationally. We sat down with them. We looked at their procedures, their policies. We looked how their staff was running. We got a lot of information from them. We definitely – teamwork and framework design. We created our team. So what we did is we got sections of our team, let's say commercial. We got a residential team. We got the GIS. We put all our team together, residential side and we met weekly in meetings and we started going over our processes and going over this process of the office of excellence.

We started with a rough draft document, going over it. We would change it, we would make sure that it would meet the standards. Then we would submit it to our mentor in El Paso. So we would send it there. They would go over it, make sure that it looked proper, that it would pass the test and then we'd go back and say, okay, you guys are ready. Go ahead and finish the process and then we finally did a final draft submission which we started probably like late October and we finally finished probably in March. And then we submitted and we got word back that probably in May, late May, that we had obtained the award of the CEAA.

It is a huge accomplishment. There is over 3,007 counties in the United States and we are the 47th jurisdiction in the United States to receive this designation. So it's not an easy designation to pursue, but it sets you up nationally, on a national stage, which brings attention to the County in how we're doing business. We get a lot of offices around the country that call us and talk with us and how did you change this office? How did you do it in a short period of time? What things did you do? And we kind of shared that information with them.

And to just kind of give you an idea of what states have the office of excellence: We have Alberta, Canada. We have one jurisdiction in Arizona. We have one jurisdiction in California, which is Los Angeles County. We have the District of Columbia, which is Washington, DC. We have – Florida has 12 jurisdictions that have the office of excellence. Georgia has one. Hawaii has one. Idaho has one. Kansas has one. New Mexico, we're the first office in New Mexico. North Carolina has three. Ohio has one. Oregon has one. South Dakota has one. Tennessee has one. Our neighboring Texas has 11. Virginia has five, and Washington State has two. And so those are jurisdictions around the United States that have that.

And this is just some pictures there of when we received the award. This is the team that we brought up there not only to receive the award but we presented on a national stage. This is the second time. We talked about – it was called the modern assessor. We talked about sustainability of the office. How do you keep an office sustainable when you're term limited and you have four to eight years to turn around an office and try to keep it sustainable. So we talked about that with my staff. We went in there. We talked on a national stage regarding that.

There were a lot of assessors in there. After, they asked a lot of questions and it's pretty interesting. You have office around the country that deal with the same thing, same questions. One of the questions was about working with a Commission, working with your County Manager. How does that work? And how do you become successful? And I tell them that I have great County Commission. I have a great County Manager that we work collectively together. They have given me the tools that I need to become successful and I tell them that it's in the best interest to work hard in what they're pursuing so that they can make a difference and so that the Commission and the Manager can see that, and the public, and then things will happen for them.

Lastly, I want to talk about my team. I will say from day one when I came in, you're only as good as your team and the team that you have and I have a great team behind me. They work hard, diligently, day in and day out for the vision that I've had for this office for four, 4 ½ years and continue to pursue excellence. They have expertise in everything that they do, from the quality assurance to commercial to residential, to the front staff with customer service, going out to outreaches, and my deputy and operation manager. They are great in what they do. And when you have a good team you are able to accomplish great things together and I stand by this.

I have this quote on my board in my office and I stand by this, day in and day out. It's a quote from Harry Truman, and I know you've heard me say this a lot of times, but he says, "It's amazing what you can accomplish if you don't care who gets the credit." And I will give the credit. I want my team to stand up right now, each and every one of them, and I want to congratulate them for the job they've done and what they do day in and day out. They are great.

One person is Casey Janes that works hard making sure the work flows, everything is working properly, and just collaborating and having ideas and bouncing off every day to come up with new ideas to better serve the public and to better serve the County. We have great employees, and I would just say not just with my office but working with different departments within the County. The County is what makes it run and when you have good relationships and they do a great job it just makes it easier for

everybody to accomplish a great goal like this within the office. My goal is we have this designation for five years and my goal is that we continue this designation and really work at a high level and bring – making sure that the standard continues to grow and it doesn't drop. And how we do that, I think later on I will look to have some discussions individually with you and the Manager on how we can accomplish this going forward. I have 3 ½ years left and I want to give it all I've got to the end and making sure this office is left at the highest level that it's ever been. And so for that I thank you and I want to thank Commissioner Hansen for bringing this proclamation forward and the governing body and each and every one of you, the relationship I have with you that you've helped me along the way to accomplish this dream and our staff to receive this office of excellence.

COMMISSIONER HANSEN: Thank you, Assessor Martinez. I want to if I may, read the proclamation. Santa Fe County proclaiming October 8, 2019 as Office of the Santa Fe County Assessor's Excellence in Assessment Day.

Whereas, the International Association of Assessing Officers, IAAO, is a professional organization, which has a network of 7,000 members in 90 chapters in the United States and around the world; and

Whereas, the Santa Fe County Assessor's Office, under the leadership and guidance of County Assessor Gus Martinez established a local New Mexico Chapter of IAAO in 2016; and

Whereas, the County Assessor's Office became the first jurisdiction in the state of New Mexico and the 47th jurisdiction out of 3,007 in the country to receive IAAO's Certificate of Excellence in Assessment Administration; and

Whereas, County Assessor Martinez led a team of seven dedicated employees, including Chris Sanchez, Ivan Barry, Daniel Fresquez, P.J. Griego, Amanda Lucero, and Brittany Montoya, who worked diligently over nine months to compile, organize and evaluate the office's policies, procedures, and forms/documents to satisfy more than 300 national best practices and standards; and

Whereas, the team leaders mentioned above relied heavily upon and received tremendous assistance and support from all staff in the County Assessor's Office and particularly from section managers: Casey Janes, Daniel King, Isaiah Romero, and Jessica Ulibarri; and

Whereas, the final submittal was a 200-page narrative, which included 500 exhibits and detailed policies and procedures that satisfied more than 300 standards/requirements over 13 different assessment categories: Setting Legal Framework, Value Standard, and Assessment Cycle; Resources and Management; Computerization; Mapping; Data Collection; Land Valuation; Residential Property Valuation; Commercial Property Valuation; Sales Data, Ratio Studies and Stratification; Personal Property; Assessment Administration; Defense of Values; and Public Relations; and

Whereas, the County Assessor's Office's submittal earned them a score of 96.6 percent and an invitation to present on multiple topics at the IAAO's annual conference in Niagara Falls on September 9, 2019; and

Whereas, through this process, the County Assessor's Office and its staff have achieved a higher level of customer service, efficiency, and performance, and the County

Assessor wishes to maintain this new standard by ensuring that his office continues to work for this five-year certification; and

Whereas, County Assessor Martinez can be proud of this accomplishment and for delivering on his promise to County constituents to offer customer-centered, efficient, and best-practice service to the public.

Now, therefore be it resolved that we, the Board of County Commissioners of Santa Fe County hereby proclaim the 8th day of October 2019 as Office of the Santa Fe County Assessor Excellence in Administration Day.

So I move to have this proclamation adopted.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. I have a motion and a second. I'm sure there's discussion. Is now a good time and then we'll take the vote?

COMMISSIONER HANSEN: Let's take a vote and –

CHAIR HAMILTON: Absolutely. Just procedurally. So I have a motion and a second.

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

CHAIR HAMILTON: Excellent. For discussion.

COMMISSIONER HANSEN: Yes, I am extremely honored to be able to bring this proclamation forward. I know how hard everyone at Santa Fe County works and I'm grateful to every single one of you for giving us the recognition that Santa Fe County is the best and it's like the Planning Office got recognition for the best and every time we get another award we raise the standard of our community and the people who are here that we serve. And so I want to just thank you all for your really hard work in doing this. This was a big undertaking. It wasn't a slight walk in the park. It was hard work. And so with that I am extraordinarily grateful. So thank you.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I just want to say that we have had, and I appreciate Commissioner Hansen bringing this forward. We've had all these departments that have had these great accomplishment as well so I think this is something we should continue in the future to bring these items forward. But I'm really honored to be here today because as many of you know, Assessor and Martinez and I were both running for office at the same time and we both came into office at the same time and just to see the accomplishment and how he's cultivated the spirit of leadership within the Assessor's Department, you have to have a great personalities and personnel to get to that point but at the same time, I think it starts with the leadership and then everybody in this department has ran with it. You guys have done a great job.

It's an honor for me to be here today and see how you guys have gotten to this point and accomplishments that you have done. I think that it takes a great amount of leadership within the organization as well. I think every single one of you is a leader in that department. I constantly see posts on LinkedIn through a professional network of accomplishments within the group and it just blows me away because every time I turn around you guys are just pushing forward to excellence and it just really is something that

I'm proud of to see out there and so I think that you guys have done a great job and I think each and every one of you should be proud of this accomplishment.

I don't think this is the entire Assessor's Department. I'm sure you left a few to run the office but I kind of counted in the picture and then I counted the audience and there's a few missing. But I just want to make sure to reiterate and thank everybody in your department for their leadership and just say once again, I'm honored to be here today to see our accomplishment and we had a coach in Pojoaque High School that used to coach volleyball and he won about four state championships and when he left, the school, even with the basketball coach coaching the volleyball team still won an additional three or four championships after that. So it just shows the vested interested in the department and the leadership that Assessor Martinez will leave behind in his department because he's, like he said, term limited but everybody here is actually building a career. So I appreciate every single one of you and thank you for your hard work.

CHAIR HAMILTON: Thank you. Commissioner Moreno.

COMMISSIONER MORENO: Thank you. The first time I walked into the capitol the session was going on and it was Santa Fe County Day and you brought out all your toys and it was amazing. I never appreciated the grunt work that goes into it with guys and women examining this building over here. And the technology I think really makes it alive and it's accessible. Not really, but for the professionals, that's as good as gold, and I was just really happy to see this is the future. Congratulations.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Commissioner Hansen, thank you for bringing this forward today. Actually a great proclamation. For an individual who actually worked in the Assessor's Office before you all worked there, myself and Commissioner Roybal, back in 1991 and 1992, and the Assessor's Office has come a long way for the last 32 years and it's – back when we worked there people used to smoke in their offices. There was amazing stuff that used to happen back in those days as Commissioner Roybal knows, back in 1991.

That's when the Assessor's Office was actually in the Treasurer's Office. Where Treasurer Varela's office is that used to be Mercy Quintana's office and where the deputy treasurer's office, that used to be Clyde Archibeque's office, who was the Deputy County Assessor back in the days.

One of the things that I think is great from your office, with your team, because you're a team; I know that. You've coached many basketball teams, I think football, maybe, basketball. And the late Speaker Ben Lujan actually taught me this back in like 1993. We all work for the taxpayer here. And you know, it's helping out the taxpayer because as ex-Speaker Lujan said, we all work for the taxpayer. And I would always be one of the first ones that would actually jump up there at the counter in the zoning department and help out the taxpayer. Help out the taxpayer because we work for the taxpayer. This is all public property here, right? All the taxpayers should be here because that is our job, no matter what department there is in the County we all work for that taxpayer.

One of the things that I think is very interesting is that some people may realize this or don't realize this but the Tax Assessor, your entire team there, is actually what

brings in the budget for ss. Yes, we have GRT tax but the majority of our budget is actually based off of all the assessments and all the valuation that you all pick up. So without your teamwork, we wouldn't have the great budget that we have, so thank you for what you do for the taxpayer, obviously, and for the Commission up here.

One of the things I think is going to be really great and awesome is your new offices that are going to be located at 100 Catron. I don't know if your entire staff has been there to look at the facility, the building, but really great. Awesome. It's going to be – I get chills talking about that because it's going to be beautiful and you'll have everybody in one centralized area, parking, good for the public as well. It's going to be great for all the elected official offices.

Conference. I actually went to a conference with Assessor Martinez and a few of his staff members, with Daniel Fresquez and I actually saw firsthand as to nationwide assessors' offices look at Santa Fe County Assessor's Office as to, wow. Those guys are moving forward. They're actually – and which is really great just to see how it worked and just to have everybody there looking to Santa Fe County, the Assessor's Office, Santa Fe County, and saying, wow, those guys are really moving forward over there.

One of the things that's going to be interesting is whenever your appraisers start flying drones around everything, right? So they're not out there driving and measuring like we used to back in the days and pull out that tape measure and measure the houses. This and that, but we will get there eventually soon. You have an excellent staff because the previous Assessors have actually built it up, built it up and built up and you're actually fine-tuning it and the next Assessor that comes forward will actually even fine-tune and balance that even hopefully a little bit more. But you have excellent teamwork and people that have helped you out and you have actually given some good guidance as to how to get there. Excellent job, Assessor Martinez.

One of the things I'm interested in is a sustainability talk that you actually gave to other elected offices throughout the country because we're not here forever. We're actually – you're here for eight years. We're here possibly for four years, another additional four-year term but I think that's very interesting as to how we actually leave the County. If we're elected, how do we leave the County to get better and better and better? Which you are. We have great leadership and Santa Fe County is great. Santa Fe County I would say is probably the best county in the entire state. I would put my vote on that because we are good. We're an excellent team. We have good leadership, so I'm totally for that.

One last thing I would just like to say, thank you, Assessor Martinez. Your team, excellent team. The individuals that have been with you out there for a while. Those guys keep you guys going, but thank you for your presentation and congratulations.

ASSESSOR MARTINEZ: Thank you. Appreciate it, Commissioner.

CHAIR HAMILTON: Thank you. So I only need to add my voice to everybody else's. They all said wonderful and well deserved things and it's really impressive what you guys have achieved and that you give the credit to the whole group and that makes it a team that all is working together. It's really fabulous. Thank you so much.

And I suspect we would, despite the obvious practical challenges take a photo with you, with everybody. Is that good? Thank you. We'd be honored.

[Photographs were taken.]

6. PRESENTATIONS

A. Presentation on Santa Fe County Connect

CHAIR HAMILTON: So that takes us back to Presentations. I want to thank you guys for your patience in having the agenda moved around a little. Thank you, Rachel.

RACHEL O'CONNOR (Community Services Director): Good afternoon, Madam Chair, members of the Commission. I just want to give a little bit of history about the next presentation that you're going to see. If you can recall, in 2016 the Board of County Commissioners approved a presentation and proposal put forth by the Community Services Department using about \$3.3 million of funding that we had to develop something called an accountable health community.

And in the last 3 ½ years our major project at the Community Services Department has been building something we now refer to as Santa Fe County Connect. I want to give you a little definition of that because when I talk to many people they say, but what does that really mean? And what do you really do? So I'm going to give a formal definition of what we call our accountable health community, and then the presentation will show you what it is that we do and what the outcome is for the work that we've been doing for the past three years.

So an accountable health community: Santa Fe County Connect is the County's accountable health community. Santa Fe County Connect addresses the unmet, non-medical, social needs of county residents by forging a stronger link between clinical care and community services. We aim to improve community health, increase quality of care for individuals, and reduce healthcare costs to the system overall. Health is more than just healthcare. Good health depends not only on an access to quality healthcare providers but also on the social determinants of health.

According to the World Health Organization, the social determinants of healthcare are the conditions in which people are born, grow, live, and age, and the wider set of forces and systems shaping the conditions of daily life. Non-medical social needs such as secure housing, utilities, reliable transportation, nutritious food and safe physical and social environments are key to health and well being. Santa Fe County Connect builds up the health and human services system to address these needs. The Santa Fe County Connect does this by supporting the relationship between health and social service providers, as well as those between individual clients and the navigators who help them through the system. These relationships are the heart of the Santa Fe County Connect program.

This presentation is meant to talk about how we're starting to market this program and to show you really what it does that Santa Fe County Connect on a daily basis for us. So I want to thank you very much for the trust you gave to the Community Services Department in developing this program. It is the heart of what we do. It is the connection for us between the divisions of the department and it is the guide to achieving those goals that we set out in Santa Fe County's Health Action Plan. I too want to say that the

SFC CLERK RECORDED 11/15/2019

performance of my staff in doing this project has been extraordinary, that it really has been a cross-team effort led by some very talented individuals: Patricia Boies, who's the Health Services Director, Kyra Ochoa who was here with the County when we started this project who is now as a partner for us with the City of Santa Fe, Elizabeth Peterson, who has been on contract with us since the beginning of this project, and our new Healthcare Assistance Program Manager, Jennifer Romero, who is doing an extraordinary job in taking us forward.

So thank you for this moment and I hope you enjoy the presentation.

CHAIR HAMILTON: Thank you, Rachel and welcome, Jennifer.

[Three videos were shown during the course of the presentation.]

JENNIFER ROMERO (Community Services): Thank you. Madam Chair, Commissioners, thank you for your time today. About a year ago you received your first presentation on the Accountable Health Community and for the past year we've been working with our stakeholders, our Santa Fe County residents, and navigators to really define who we are and what we do.

We contracted with Jackie Monroe and the Storytelling Project to capture the perspective of the project from the viewpoint of our Santa Fe County residents. Today you'll hear from three individuals that were brave enough to share their stories with us. We work together to define terminology and really clarify our identity. With that work, our name was given Santa Fe County Connect. In this next slide you will learn about Sayra and her experience with Santa Fe County Connect.

[A video was shown.]

ELIZABETH PETERSON: Madam Chair and Commissioners, my name is Elizabeth Peterson and I'm a consultant working for Santa Fe County as the project manager for Santa Fe County Connect. Sayra's story really illustrates when we look at unmet social determinants of health and we address them and we look at creating a system of support to resources and services for and with that individual, it can make a difference.

And those differences can influence health and well being for individuals. When we're talking about social determinants of health, it's things like where we live. Zip code matters, unfortunately. It's whether or not we have reliable transportation to get to work or school. It's the idea that people have access to healthy food so that they can grow and that they can survive and hopefully thrive. It's having utilities so that you know that you're going to have heat and you're going to have utilities and you're going to feel safe and secure wherever you live and wherever you go and whatever environment you are in.

So the idea of this is really to create a system of support and care with and for that individual to influence health and well being by addressing those social determinants of health. It's an accountable health community model which is something that Centers for Medicare and Medicaid Services has created models and experiments throughout the country to look at how to do this.

Santa Fe County looked at that model and wanted to take the best of that model but also to create something and tailor it for our community, and that's what's happening. Residents are screened at any door within the navigation network for items like transportation, housing, nutritious food, utilities and interpersonal safety. We know that if these things are addressed, people not only survive but they have the opportunity, like

Sayra showed, to thrive, and that's what we want for our community.

In early 2017 we got together around a table and we looked at we wanted the vision of this project to be, and we wanted to reach big and beyond what we thought could happen at that table. We want by 2020 all county residents, regardless of income to have access to high quality healthcare and are linked to the resources that they need for health and well being. We're closer to that goal than we were certainly a year or two years ago, and I think throughout this presentation today you'll see that the network is growing and partnerships are making this stronger and better. Thank you.

CHAIR HAMILTON: Thanks so much.

MS. ROMERO: The project has grown significantly over the past year. This next slide is a visual representation of that. We started with eight programs and about 13 navigators. Over the past year we have grown and now have 90 navigators within 37 programs. Our most recent partnership was the City of Santa Fe, and I would like to introduce Kyra Ochoa to tell us more about that partnership.

KYRA OCHOA (City of Santa Fe): Madam Chair, Commissioners, thank you for having me and thank you for the support that you've shown for this project. I am very happy that at the City of Santa Fe, since I came on last year – actually, this is my one-year anniversary on the job – we've been able to add, as Jennifer mentioned, and grow the Connect network. We've added our funding from the Human Services Committee. It now funds 13 agencies, seven of which are new to the network. These include an array from Food Depot, to Coming Home Connections, again, agencies that serve a wide age range in the community.

At the City what we've done is say we recognize that some agencies may not be ready to navigate but we want them part of the network where they will close a referral loop for us so that if a navigator sends somebody to, for example, New Mexico Immigrant Law Center, they can know that the person got there and is getting served. We've added 16 new navigators to the network including one for veterans via our Veterans Commission. We're very excited about that, and this year also we'll add one navigator to the Senior Services as Santa Fe County has done, and also to the Municipal Court of Santa Fe, as the County has done with Magistrate Court and our Homeless Court.

We're devoting, in this first round of contracts, \$1.7 million to this project. We've basically retooled all of our funding to support the network and in the spring when we release our Children and Youth Commission funding, which is \$2.2 million annually, all of that will essentially ask our non-profits in the network to participate, our non-profits in the community who serve children in an array of programs, to participate. So you can anticipate that we won't be able to show all the partners that are going to be on this slide.

Really, I think one of the other things the City is adding to the partnership is that we've been engaged in an evaluation project using results-based accountability for a few years now. And that – we can now, in the software that Jennifer is going to be talking about, be measuring whether, for example, people served on the network are showing an improved diet, whether they are connected to treatment or detox, whether we've reduced senior falls, and whether homeless people have been placed in permanent housing, as some examples of the things we'll be able to measure.

When I worked in the Health Division here we'd get calls all the time and people

in the community don't know whether they're calling the County or the City. They don't know whether they're calling the state; they just need help. And I think it's on us as partners and funders to really provide a seamless experience for people throughout the county, throughout the city, so that when they need help they have a clear way and a clear pathway to get it. Thank you.

CHAIR HAMILTON: Thank you very much.

MS. ROMERO: Our goals for the project have not changed and we continue to work to meet them. Those are that residents and providers collectively identify problems and co-create solutions, navigators link residents to resources with any cohesive provider network, social, economic, and physical environmental resources are available to all residents, and information systems are coordinated. Data are collected, monitored and evaluated to improve services and population health while reducing healthcare costs.

In this next slide you will hear Tony's story which perfectly exemplifies navigation at its finest.

[A video was shown.]

MS. ROMERO: On April 3rd of this year we launched our cloud-based platform, Unite Us. The platform goes beyond simply searching for resources and referring an individual. We now know if an individual has received every step of that process and the outcome. These are a few comments that were made regarding the platform from our navigators: "Provides a framework to make referrals in a seamless manner that isn't time-intensive or complicated." "The connection to other navigators and providers with the County have been most impactful to our organization."

These are just a few snapshots of the platform itself. We're now able to pull data any time we want. We're able to pull specific categories, such as benefits navigation, and then the sub-category that would go along with that. We know the exact need and the exact outcome. The standard outcome data for every specific need provides us with actionable insights to improve quality of care and address service gaps, helping our network to grow and use the data to keep improving.

Moving forward, we have an evaluation plan which we will be implementing – we'll be beginning that implementation this year. That will look at how we're doing individually as organizations and how we're doing as a whole. How are we affecting the population health of our community? As far as sustainability, we continue to fund and support – we will be continuing to fund and support to grow the network. Currently we are at capacity and are seeking partners to bring in new organizations into the project.

Part of our project identity starts with the storytelling project – the videos that you saw today. We continue to build on that and the Unite Us platform should be available for self-referrals for anyone with access to a computer. That's a future goal. We want to make sure that the project currently works without any barriers so that person sitting at home, or maybe walks into a library, can self-refer into the project.

Our last video is Debora's story, which emphasizes the any door approach.

[A video was shown.]

MS. ROMERO: Thank you, and I'll stand for any questions.

CHAIR HAMILTON: Thank you so much. Thank you for the presentation. It's really wonderful to be kept up to date on progress of such important

things. So are there comments or questions? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. Impressive. I am really proud to be part of this. Elizabeth I have known for a good 20 years. We worked at the disabilities together a long time ago and so it's really nice to see you. Thank you for your work with Santa Fe County. Thank you for having the City and the County be working together. That's one of my goals and I am very happy to hear that. It sounds positive and it's – the more people we can serve the better. This is a wonderful example of being able to serve the community, and so thank you so much for joining forces so that we can be a much more united front, because as somebody said earlier, people when they call, they don't know – I think you said it Kyra, they don't know if they're calling the County, the City, the state. They just need help. And so the more that we can do that and work together I think that's much more important. Thank you. It's impressive. It makes me feel better. Thank you, Patricia. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, another excellent presentation. Great job. I get chills whenever you see videos like that. From my personal opinion, when you work for local government, local government, us under Manager Miller, we actually take care of a lot of stuff here that the taxpayer doesn't realize that we take care of. We do a lot of stuff here in local government.

Santa Fe Connect – I really like the name. Awesome. Totally great name for your entire staff there, Rachel. One of the things that the taxpayer out there may not know what we've done in Santa Fe County over the many, many years that I've been here, as Manager Miller knows, we actually participate in building these shelters. We actually partnered up with the State Land Office in Santa Fe County, we actually built that. We actually built the Youth Shelters Administration component back in the days, as Manager Miller realizes that.

We actually were involved in building La Familiar Medical Center, the one by the Romero Park. You've built Esperanza Shelter. We actually built Esperanza's administrative component, as Manager Miller knows. So as local government now, it seems like it's all coming together that helps out the betterment of the community. For being here for so long now, I realize when I see like, why are we doing that? Why are we building that? But now, so many years later, it's like, it's coming together, which is great. It's awesome.

Adjoining counties and cities – I saw there on the video where you're dealing with La Familia Medical Center in Pecos, that's actually great because we're all – we don't have boundary lines, right? We're all one community and how we can help out and communicate with other people and how we can assist people.

Tony's story – one of the things I would to see if we can actually help out with Tony's story is the one-step work solutions, where we actually try to help out individuals find jobs and it's almost like a one-stop shop where you go to this area and they actually help you out with a résumé, they help you find what jobs are needed, how we get there, so if we can just communicate with the Workforce Solutions Board.

Another thing that we actually participated in was the St. Elizabeth's Shelter as Ed Archuleta – many of you may not know, he's actually an ex-former Commissioner that sat up here as County Commissioner so he knows how the policy making works and

he actually was a Commissioner up here, but that's good to still see him involved because when he was a Commissioner that was one of his – he actually really had a passion for that. That's obvious. It's just a great presentation.

Santa Fe County Connect, once again, I really appreciate the name, I like the name. One of the things I would like to see is I think of my grandma. And my grandma doesn't have a cell phone. My grandma doesn't have social media. So how can we actually let my grandmother know that there's help out there that she can utilize. So maybe we can put a wrap around a bus or maybe we can put our new logo on the vans and everything that you all drive and say Santa Fe County Connect and put the number there so that way if my grandmother sees a car going by she can at least hopefully dial that phone and call and say what can we do? So that's just an idea that I have.

But other than that, a great presentation and thank you for what you all do. Great job. Especially working, as Commissioner Hansen said, as working in partnership with the City of Santa Fe. That's what we need to do. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. Could any county do this? And wouldn't it be great it could be. How did you – all the things that you have done that we just saw on the screen here – I would put it in the form of a challenge. There are a lot of people who need help and there are a lot of people willing to help. I'm really happy about the evolution of this project. Thank you for doing it.

MS. ROMERO: I want to say that we do – one of our goals is to become a model for the state and hopefully expand. Right now we are breaking down those funding silos and just organizational silos that we have here in the community. Once we perfect that we do want to reach out to the rest of the state and I do see that happening. We have a lot of communities that are just right at the outskirts of Santa Fe County and they would love to be part of the program. But again, we want to make sure it works really well and make sure that we don't have those barriers.

And just to speak to some of your comments, Commissioner Garcia. Edward at St. Elizabeth's Shelter started as a navigator as well and now he's the executive director at St. Elizabeth's Shelter, so he definitely has that experience and that passion for working with people. As far as your grandmother, we do hope to have navigators going out into the community and at Walmart, or at the senior centers to meet people where they are, because we understand that technology is a barrier. Sometimes we don't have it or we're at an age that we don't use it as much. So that is also a goal of ours.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. First I want to say thank you for all your hard work that you guys have put forward on this. I do want to ask, how long has it been since this program has gone live?

MS. ROMERO: So we are in our third year of the project.

COMMISSIONER ROYBAL: I knew it was somewhat new and it's great to see how it's evolved and how much we've been able to help people. Have things evolved over time where we look at other services and change a lot of different things so it's sort of living services that we're providing as we come up with areas of need, it sounds like. So I think it's a great program. I really glad to be a part of it as well as it evolves and it moves forward. So first and foremost, I want to thank you all for your hard

work and just say if there's anything that the Commission can do to help this program be even more successful, please don't hesitate to bring your request forward. Thank you.

CHAIR HAMILTON: Thank you. I just want to add my voice to thanking you guys. You're a real light in the community.

MS. ROMERO: Thank you.

COMMISSIONER HANSEN: Good job.

5. MATTERS OF PUBLIC CONCERN

No matters of public concern were heard.

6. B. Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 2019, Chapter 194 (HB 364)

PABLO SEDILLO (Public Safety Director): Good afternoon. That was a hard act to follow there. Madam Chair, members of the Commission, in your packet you received a caption in regard to House Bill 364. What I'd like to do is summarize that bill to you and the report that was provided to you as well. In House Bill 364, the Restricted Housing Act, that was introduced and passed at the last legislative session. In complying with Section 5 of that act, the adult and juvenile facilities must prepare and submit a written report to the Board of County Commissioners on a quarterly basis. This report would encompass inmates and residents placed in restrictive housing, quarterly beginning July 1, 2019. So your first report was submitted October 1, 2019 for the quarter.

There are some criteria for that report and the report must identify those individuals being placed in restrictive housing through age, gender, ethnicity, the reason for the placement, dates that they were placed in restrictive housing and the release dates as well. In addition to that report, the report must be submitted on the County website on the first of that quarter as well as to the Board of County Commissioners.

The report also will be submitted to the legislative council at the service library. It also is going to be submitted to the County website for public viewing as well.

Before you have that report that designates all those individuals who have been in restrictive housing, the dates they were placed, the ages. All the criteria have been met and at this point I'll stand for any questions. And one more thing. The act was designed for transparency and to report those individuals in restrictive housing. I'll stand for any questions.

CHAIR HAMILTON: Thank you. So do any Commissioners have questions or comments? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Director Sedillo. It's interesting to see how many people have been in restricted housing in that time and for how long a period. So I think it's great to have these reports. It gives an overview of what's happening at the corrections facility that I think is important for people to understand the responsibilities that we have and how we have to take care of the people who are causing harm and could cause more harm even to themselves if they didn't put them in restricted housing. So I think it's an important process that we all can go through, so thank you.

MR. SEDILLO: Madam Chair, Commissioner Hansen, thank you very much for that comment.

CHAIR HAMILTON: Thank you. Anybody else?

COMMISSIONER MORENO: Yes, Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Moreno.

COMMISSIONER MORENO: Thank you. This is a state law?

MR. SEDILLO: Yes.

COMMISSIONER MORENO: Who's compiling it? All the data?

MR. SEDILLO: Madam Chair, Commissioner Moreno, our staff is compiling all that information. I have a few of the staff here accompanied by the warden as well.

COMMISSIONER MORENO: And does it go anywhere? Is there a requirement to publish date when you have some?

MR. SEDILLO: Madam Chair, Commissioner Moreno, yes. As the act indicates, we have to put it on the public website as well as the state legislative council service library as well. And to our Board of County Commissioners.

COMMISSIONER MORENO: And every county is doing this, right?

MR. SEDILLO: Every county and every state prison and private prison in the state of New Mexico has to abide by this House Bill 364.

COMMISSIONER MORENO: Okay. I missed that one. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick. Director Sedillo, thank you and your staff for putting this together. I know it's kind of a – for lack of a better term, a burden that the state legislature actually put on all the county jails but it's something that we have to do. As Commissioner Moreno, said, it's state law. But I know it takes a little bit of time for your staff to figure this out, but thank you for your help and for what you do for Santa Fe County. Thank you.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I just want to ditto the same comments. We really appreciate what our staff at the detention center, Mr. Sedillo, your hard work. You guys do a great job and we appreciate it. I know it's definitely an area that takes a lot of time and concerns and consideration. You guys do a great job and I just want to thank you again for being here.

MR. SEDILLO: Madam Chair, Commissioner Roybal and Commissioner Garcia, thank you. I think it was not as difficult many think it may be because our staff has already been collecting that data. I think the hardest part was putting it all together for this report.

CHAIR HAMILTON: Thank you. And I really thank you all for doing this. I know it's difficult. The reason for doing it, obviously, as you stated and it's been noted up here is for transparency. Doing it I'm assuming must have some benefits as well, the process of summarizing information. Did you or any of your staff recognize anything that came to your notice that you had concerns about or thought were good, in either direction, but that you found to be useful information that's worth mentioning.

MR. SEDILLO: Well, Madam Chair, I'm going to defer that question to the warden, but there is a process and I think he'll talk about our process dealing with the

interdisciplinary team that gathers around and talks about all these individuals who are in that special housing and I'll turn that response to the warden.

DEREK WILLIAMS (Warden): Madam Chair, Commissioners, most of the information that we reported was information that we've been aware of for a long time. It's part of the classification process. It's a very complicated system, just because we have a population that averages about 500 and within that population, determining who has safety/security concerns within a population then determining appropriate housing for them, and making sure they're getting all the same qualities that those in the population gets. No, I think some of the difficulty we get is just the physical plant that we have that we can't change, and then the population when it changes, sometimes we have to be creative as far as housing and where we're putting these people, making sure they're with others like-minded that don't risk a security threat for them.

Other than that, like the director said, we have a really good staff with a lot of experience so they do a good job in what they do. Things are pretty good.

CHAIR HAMILTON: So, so far within those constraints that you mentioned you're happy with the criteria that you guys are using and the process surrounding that?

WARDEN WILLIAMS: I am. Yes.

CHAIR HAMILTON: Thank you. So are there any other questions? Thank you, Director. Thanks so much for giving us the update. Really appreciate it.

MR. SEDILLO: Madam Chair, if we may, the warden would like to introduce his staff who worked very diligently on these reports.

CHAIR HAMILTON: I was literally just going to ask that.

WARDEN WILLIAMS: My apologies. Vanessa Rios. She's our new captain. She actually comes from the Department of Corrections. She's worked at the penitentiary of New Mexico for what? Eighteen years?

VANESSA RIOS (Corrections): Hi. I'm Captain Vanessa Rios. I've been with the department for approximately three months. I come from the Department of Corrections. I was there 18 years.

CHAIR HAMILTON: Thank you. Welcome.

CARLOS MARKMAN-LOPEZ (Corrections): I'm Carlos Markman-Lopez. I'm the chief of security. Good evening. I've been with Santa Fe County since 2005. I've been working at the County jail since 2001, almost 18 years. So I'm part of the furniture there. I've been the chief of security for almost 3 ½ years. Prior to that of course I started as a detention officer, corporal, sergeant, lieutenant, working manager. So I've been around for a while.

CHAIR HAMILTON: Thank you. Thank you for being here.

COMMISSIONER GARCIA: Madam Chair, Chief and Captain, thank you once again for taking care of our facility. It's a whole different ballgame out there but thank you for what you do. Thank you, Warden.

7. MATTERS FROM THE COUNTY MANAGER

MS. MILLER: First of all, I wanted to acknowledge and update the Board on the County Administrative Complex at Catron. We received substantial completion at

the garage and the exterior. The last time I reported to you we had the interior of the building, we had received substantial completion but now the garage and the exterior have received that, and we have received our certificate of occupancy for the 100 Catron.

Also, the data center equipment was moved from 102 Grant to 100 Catron. I think I mentioned that previously, if not to the Board, I know I mentioned it at the directors meeting and I really want to congratulate Daniel Sanchez and his staff and the team that did that. That was no easy feat and they essentially did it without interrupting any of our IT services.

And also the IT staff moved over the weekend. Whether they're completely up and functioning might be a matter of opinion but they have moved their offices out of the Bokum building and they are now located over at 100 Catron so they're the first residents of the new facility and are working through all of the kinks that you get with a new building.

I want to continue to thank the project management team led by co-leads Paul Olafson, Daniel Sanchez and P.J. Montano, and then all of the other individuals that have been working on that project as part of their regular job duties, and just continue to request that County staff and supervisors and managers and elected officials help us with the move, with a good attitude and encouragement. It's not easy moving this many offices, this many staff, and this many functions to a new facility as well as across to Bokum. It was difficult. We're running into issues of just moving and getting the furniture out of this building and obviously, the new offices are different than new office people currently have. We just ask that they continue to keep a positive attitude and be helpful rather than obstructionary in the move. And I'd like to say that pretty much everybody has been good and we'd just like to encourage them to continue that attitude and effort.

Also I wanted to let the Board know that the congressional delegation, and Senator Udall in particular requested that the parties to the Aamodt 611(g) agreement hold a joint public meeting to update the Pojoaque Basin residents on the 611(g) agreement and what it means for the Aamodt project. They are requesting to do that next Tuesday, October 15th, at 6:00 pm at the Cities of Gold Casino. And we will have staff present to answer technical questions about the agreement, but a request has been made that a member of the BCC or the County Commission be present and say a few words about the 611(g) agreement and the County's support for the project. I guess I'm putting it out to the Board to see who would be available and willing to do that next Tuesday evening, and if any other Commissioners would like to attend.

CHAIR HAMILTON: Thank you. I assume you want feedback on that now.

MS. MILLER: That would be great.

CHAIR HAMILTON: That would be great. Since it's Commissioner Roybal's district, does he have first refusal on this? Is he available? He stepped out, so I can't say, obviously.

MS. MILLER: Madam Chair, I think it's completely up to you, how you want to do that. I don't know if – it is in Commissioner Roybal's district but I don't know if he's available. I don't know if somebody else would like to do that but I just wanted to make sure that that had been requested. Additionally, I had a request to make a call from

– the pueblos have requested that we make a call to the federal delegation, to some of the members of the delegation relative to – and I think particularly Congressman Lujan, about the bill for the appropriation and encouragement to move that bill forward so that we do receive the additional appropriation from the federal side. So I also would request if one of the Commissioners, either Commissioner Roybal or Chair, or any other Commissioner would like to make that call, or would like me to make it.

CHAIR HAMILTON: Maybe we can talk about it offline. I obviously did the singing on the 611(g). I'm available. I'd be happy to do it. Commissioner Hansen, was already there, I think also there at the 611(g) signing and so I think if we just took the time to maybe chat with Commissioner Roybal, just briefly, sometime this evening and we can get back with you. Is that adequate?

MS. MILLER: Yes, that's fine. I just wanted to make sure you were all aware of the meeting and also if there are three of you that are interested in attending the meeting I wanted to make sure we noticed it.

CHAIR HAMILTON: Fabulous. Thank you.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I have on October 15th, I have a homeowners association meeting so I will not be able to attend. But I'm happy to support Manager Miller making a call to the congressional office for Ben Ray Lujan, or writing a letter or whatever necessary.

COMMISSIONER GARCIA: Madam Chair, I will not be able to attend.

CHAIR HAMILTON: Thank you. Okay. So we have a little bit of feedback and we'll make some closure. I'm available.

MS. MILLER: And Commissioner Moreno, I saw you raise your hand. Did you want to attend that on the 15th?

COMMISSIONER MORENO: I don't know if I can.

MS. MILLER: Okay. If you want to just let me know if you can or if you're going to then I will just be sure that we do notice it if I'm going to have more than two Commissioners present.

CHAIR HAMILTON: Great. Thank you so much. And that was the end of Matters from the County Manager?

MS. MILLER: Oh. I had one more. Thanks. Santa Fe County collected 664 pounds of food for the Food Drive, which is ten pounds more than last year, and also we were in the competitors category and we won. We out-donated anybody and out-donated the City of Santa Fe by approximately 400 pounds.

CHAIR HAMILTON: Well, thank goodness about that because we made that challenge. It was on the line.

MS. MILLER: We have very generous employees and thank you to anybody in the County that did donate food or money to the cause. Greatly appreciated.

CHAIR HAMILTON: Definitely appreciated. No matter which of us won, the persons who are in need definitely win and that's the biggest deal. So thanks for mentioning that.

8. MATTERS FROM COUNTY COMMISSIONERS

B. Approval of a Proclamation Proclaiming October, 2019, "National Breast Cancer Awareness Month"

CHAIR HAMILTON: Do we want to do the proclamation first, Commissioner Garcia?

COMMISSIONER GARCIA: Sure. Madam Chair, as you know, the month of October actually, you see pink all over the place. Actually for the last 4 ½, actually it's going to be five years I've actually attended the Breast Cancer Walk out at the Santa Fe Place Mall and you see it all over football. You see it all over the sports. Everybody's wearing pink – pink shoes, pink hats, and it's actually for Breast Cancer Awareness.

Unless you actually know an individual or unless it actually affects you, everybody hears the word cancer out there. Cancer, cancer. And like I said, until you actually have it affect your life or until you have a friend that has cancer – my situation, actually my mom had cancer and she didn't have breast cancer. She actually had multiple myeloma cancer which is a blood disease cancer and so we just really need to be aware of the importance of cancer because one affects you, one way or another, you just hear the word cancer out there, but I can't say this on the record, but cancer, there's a five-letter word but I'm not going to say it, however. So I would just like to read this proclamation, which is declaring October National Breast Cancer/in my opinion, Cancer Awareness Month. If you all let me read this, I would like to read it really quick.

Whereas, breast cancer is the second leading cause of cancer-related deaths among American women and one out of every eight women in America will be diagnosed with breast cancer in their lifetime; and

Whereas, during National Breast Cancer Awareness Month we renew our commitment to fighting this disease, raising awareness, and supporting those affecting by breast cancer; and

Whereas, research has shown that many factors can increase the risk of developing breast cancer, including family history, age, genetics and obesity. By taking the time to make healthy lifestyle choices, exercising regularly, knowing the risk factors and getting screened, individuals can help reduce the risk of developing breast cancer; and

Whereas, during National Breast Cancer Awareness Month we remember those living with breast cancer and their family and friends who provide them with love and support. Their courage and determination are inspirational to all of us. We also recognize the innovative, lifesaving work of doctors, researches and other medical professionals. Through their efforts to prevent, detect and treat breast cancer they are helping make a difference in people's lives. Until we find a cure we will continue our fight against this disease.

Now, therefore, the Santa Fe County Board of County Commissioners hereby recognizes October 2018 as National Breast Cancer Awareness Month.

And also just to all the survivors that are out there for breast cancer, great job, keep it up, and especially to their family and friends who actually participate and help

them with cancer, great job and hopefully some day we can figure out what we need to do but let's not stop thinking about tomorrow. There's a song that says that. Thank you.

CHAIR HAMILTON: Thank you. Thank you very much, Commissioner Garcia, for bring that forward. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Commissioner Garcia for bringing this forward. It's definitely a very important proclamation and there are still many people suffering with cancer, all kinds of cancer and I kind of want to take a moment of silence and share that Governor Martinez' wife from San Ildefonso wife passed away this last week. She passed away from cancer and so I just want to take a moment of silence.

COMMISSIONER ROYBAL: Madam Chair, I'd like to add, I was going to actually ask for a moment of silence for Governor Martinez' wife that did succumb to cancer on Saturday, but also I wanted to ask for a moment of silence for Jerry Martinez as well, which is another one of my constituents in the Arroyo Seco area. His father in law actually sits on our land use board. So I did want to ask for a moment of silence for him and just ask for a spirit of understanding and hope for these families so that they can get through this time.

COMMISSIONER HANSEN: And I have one more person to add. A long time constituent of mine, John Otter, passed away a couple weeks ago and there was a very beautiful memorial for him on the 29th of September at the Commons.

CHAIR HAMILTON: Thank you. And we definitely offer our condolences to Governor Martinez and to everybody. So thank you for that. Is there any further discussion on the proclamation?

8. A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations

CHAIR HAMILTON: Anybody with matters? Commissioner Hansen.

COMMISSIONER HANSEN: So last night, I wanted to just share that I attended the Piñon Awards as a guest of Reunity Resources who received the visionary award from the Santa Fe Community Foundation, and also the Tewa Women United also received an award for their work in the community. And it was very moving. They make very beautiful videos.

I had the great honor of going out to see Thornton Ranch a couple of Fridays ago and that was fantastic. Eight of us from the County staff went out to see and visit Thornton Ranch. It is an incredibly beautiful piece of open space that the County has protected and preserved and that was a really wonderful experience.

And then I also had the opportunity to attend the board of directors meeting of the Esperanza Shelter, and thank you, Commissioner Garcia for mentioning that earlier because it is another partnership that the City and the County have worked together. It's the City land and the County building. It is a very beautiful building. It was built a number of years ago for the Esperanza Shelter and that was really great to see that place.

Then we had our first meeting of the leadership team of the Environment, Energy and Land Use of NACo and it was really uplifting to hear the talk on the leadership team

of the EELU about climate change and more progressive issues that were being brought forward under the new leadership of Mary Ann Borgeson, the new president of NACo. So that was really great to hear. That's all I have.

CHAIR HAMILTON: Excellent. Thank you so much. So are there other Commissioners who have anything to announce.

COMMISSIONER GARCIA: Just really quick, Madam Chair. We're actually going to be planning a ribbon cutting for October 23rd for the Edgewood Senior Center. We did a kind of little remodel job there so we're actually going to have a ribbon cutting for the senior center. It will be at 1:00. Thank you.

CHAIR HAMILTON: Thank you, Commissioner Garcia. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I did want to make an announcement on the HEC Workforce Board. There's going to be a collaborative hiring event, so if we have constituents out there who are looking for work, we're going to have a huge collaborative hiring event. It's going to be October 15, 2019, 9:00 am to 3:00 pm, and it's at the Santa Fe Higher Education Center. It's 1950 Siringo Road, Santa Fe, New Mexico. The participants in this hiring event are going to be COMPA, Edgewater Technical, Gem-Excel, Los Alamos National Laboratory, Longeneckers, N3B, Odyssey Systems, and Viome.

They're actually looking for over 300 positions that are currently open for technicians, computer engineering, radiological, clinical, laboratory technologists, engineers, electrical/mechanical, project quality assurance, waste. Under projects we have engineers, controls, analysts, control specialist managers. Under waste, engineers, management and nuclear operators. Other: administrators, estimators, security escorts. There's a bunch of different positions that are open. As far as the event, Los Alamos National Laboratory labs and local area employers are all coming together to bring this event to the public to look for these positions to fill. There are quite a few positions that are open and I really want to promote and recommend anybody that's looking for a job to go to this event.

I'd also like to ask that we post this on our website, because I know right now it's difficult to actually collect this information so if we could post it on our website I'd appreciate it.

And once again, we're just sending out our condolences to loved ones that have been lost. And that's it. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you very much. Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. This past Tuesday we finally got a meeting with the leadership of the Highway Department related to safety concerns in the Eldorado community area. Senator Wirth and Matthew McQueen hosted and I and my colleague here attended and I was surprised that they had brought the whole team, the director of the Highway Department and a number of other people who made presentations and I think the community came out in the grade school and it was really nice. It was a good feeling from my perspective only, that we had been heard. And I'm grateful for that and I think we will have a lot of input with what process goes forward.

CHAIR HAMILTON: Excellent. Thank you very much. Commissioner

Hansen.

COMMISSIONER HANSEN: I apologize. I forgot to mention that the annual National Heritage Area meeting for all of the United States will be here in Santa Fe from the week of October 15th through the 18th and 33 other designations throughout the United States who have heritage areas will be here and will be visiting our city and we are having a reception at the Heritage Center in Alcalde on the 16th and you're all invited to attend. It would be really great to see some of you at the Heritage Center. We've done a beautiful job of decorating it and curating the place. It really looks very nice. It's at 6:00 on October 16th at the Heritage Center in Alcalde.

COMMISSIONER ROYBAL: Do you want to announce that in case we have a quorum?

COMMISSIONER HANSEN: Oh, and one other thing I wanted to mention that I thought was really great news and I just want to share it with everybody. I heard that the state pricing agreement now is going to have electric cars as one of their main parts, so that would allow us to be able to buy electric cars on the state pricing agreement, which I think is progress, since we use that.

CHAIR HAMILTON: Excellent. That is progress. Thank you. And I just wanted to thank people. We had a very successful third Coffee with the Commish last Saturday. It was a very good meeting and I wanted to thank David Madrid who came to talk about some projects, and that was his own initiative. That was really much, much appreciated. Everybody in District 4 and anyplace else who wants to come, the first Saturday of every month at Hondo Station 2.

9. MATTERS FROM OTHER ELECTED OFFICIALS

GERALDINE SALAZAR (County Clerk): Thank you so much. It has arrived, the Santa Fe County 2019 regular local election, which is a historic election because all of the non-partisan entities will be on one ballot. What will be on the ballot is the City of Santa Fe's election. There will be a portion of the City of Santa Fe's election that will be rank choice voting for councilor position District 4. In addition, Santa Fe Public Schools, Espanola Public Schools, Moriarty/Edgewood Schools, and Pojoaque Valley Public Schools will be on the ballot also. Community College districts, Santa Fe Community College, voting for board members only, and Northern New Mexico College Branch Community College voting for a ballot question only. Soil and Water Conservation Districts, such as the Santa Fe Pojoaque Soil and Water Conservation District, Ciudad Soil and Water Conservation District, Edgewood Soil and Water Conservation District, and Eldorado Area Water and Sanitation District.

We have now begun with early voting so today was the first day of absentee in person and that will continue until Monday, the 14th, and also Saturday, November 2nd. There will also be alternate sites early voting beginning Saturday, October 19th through November 2nd. Hours of voting are from 12 noon until 8:00 pm Tuesday through Friday and from 10:00 until 6:00 pm on Saturdays. I also wanted to mention that the alternate sites will be at the Abedon Lopez Community Center, the Christian Life Church, Edgewood Elementary School, the Max Coll Corridor Community Center, the Pojoaque Satellite Office, the Santa Fe County Fair building.

But here at the Santa Fe County Clerk's, within this building is early voting, but also another historic portion is that there is now, for early voting only in the Clerk's Office, is in-person, same day voter registration. And that will begin tomorrow, October 9th till Tuesday, November 2nd. Photo ID is required. In the past we had one day like that where you can register to vote and then vote consecutively. Photo ID is required when that begins tomorrow.

Voter registration by mail or on line will end today. Absentee voting, the last day to apply to vote by mail is November 1st, and the regular local election day is November 5th from 7:00 in the morning to 7:00 pm. There's a lot of new changes. There's a lot of new details, and so I want to make sure that voters hear this evening about some of the changes. And so please vote and participate in this election. I think it's going to be very interesting what the outcome. My staff has worked extremely hard to get to this point. And I want to thank you and the Manager and County staff who have helped us with this election. It's been tremendous. Thank you.

CHAIR HAMILTON: Fabulous. Thank you. That was really important.

COMMISSIONER HANSEN: I just wanted to thank the Clerk for advertising in the paper and letting people know about voting, because we don't have the same budget that Bernalillo County has and so I was really happy to see the ads in the paper to remind people that they need to vote.

CHAIR HAMILTON: Excellent. Thank you.

CLERK SALAZAR: Those advertisements will continue. We have budget. We set aside budget for this so thank you very much for acknowledging that.

CHAIR HAMILTON: Thank you.

COMMISSIONER ROYBAL: Just real quick. I'm sorry. I just want to recognize your honor, Lynn Pickard is here in the audience. The judge.

CHAIR HAMILTON: Welcome.

10. MATTERS FROM THE COUNTY ATTORNEY

- A. **Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Public Hearing(s) on the Agenda, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1 (H)(8) NMSA 1978, including:**

1. CASE # 18-5131 MacAllister Appeal
2. Executive Management Personnel Issues
3. *City of Albuquerque et al. v. New Mexico Taxation and Revenue*

Department et al., Case No. D-202-CV-2018-08036

MS. BROWN: Madam Chair, we could go into executive session pursuant to the Open Meetings Act, NMSA 1978, 10-15-1(H), Sections 2, 3, and 7, to discuss pending or threatened litigation, personnel matters and land use adjudications.

CHAIR HAMILTON: Thank you. So I would entertain a motion.

COMMISSIONER HANSEN: I move to go into executive session.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Can I have a roll call please?

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2, 3 and 7) to discuss the matters delineated above passed by unanimous roll call vote as follows:

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Aye

CHAIR HAMILTON: Thank you. So we'll be going into executive session. I suspect it will take a half hour or maybe a little bit more, but we will do it as expeditiously as possible and then we will come out to continue our business and hold the public meeting. So thank you all for your patience.

[The Commission met in executive session from 5:05 to 6:05.]

CHAIR HAMILTON: I would entertain a motion to come out of executive session.

COMMISSIONER GARCIA: Madam Chair, I would like to make a motion to take the County Commission out of executive session where we discussed personnel matters – all the stuff that's mentioned on the agenda and for the record that no action was taken.

CHAIR HAMILTON: Thank you.

COMMISSIONER ROYBAL: I'll second, Madam Chair.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

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

SFC CLERK RECORDED 11/15/2019

10. B. Request (1) Approval of Cooperative Agreement No. 2020-0072-ATT/MM for an Indefinite Quantity and Amount with Gallagher & Kennedy PA to Provide Professional Legal Services for Santa Fe County and (2) Authorization for the County Manager to Sign the Purchase Orders

CHAIR HAMILTON: Attorney Brown, can you speak to that?

MS. BROWN: Madam Chair, I can. Before you is a contingency fee agreement with a law firm that has agreed to represent Santa Fe County in the matter against Tax & Revenue. The procurement of this matter was approved by Purchasing Manager Bill Taylor. It was a cooperative purchasing agreement run by another county and made available to Santa Fe County through the terms of that procurement. And I would ask that the Commission approve the contract with the Gallagher law firm.

CHAIR HAMILTON: Very good. Thank you. Actually Commissioner Garcia asked first.

COMMISSIONER GARCIA: Madam Chair, the recommendation is from the attorney so I move for approval.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

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

11. PUBLIC HEARINGS

- A. CASE # 18-5131 MacAllister Appeal. Bruce and Debbie MacAllister, Appellants, Joseph Karnes, Agent, are Appealing the Santa Fe County Planning Commission's Decision to Approve an Accessory Structure (Permit #18-110). The Property Is 1.78 Acres and Is Located at 1467 Bishops Lodge Road within Section 31, Township 18 North, Range 10 East, SDA-2 (Commission District 1) [Exhibit 1: Photograph Provided by Appellant; Exhibit 2: Aerial View; Exhibit 3: Letter Supporting Appeal from John and Judi Goolsby]**

MS. BROWN: Madam Chair, before you commence this, I just wanted to make sure you were aware that the purpose of the public hearing is fairly limited to address the issue raised by the Commission at the prior public hearing, and that is the question of whether the horse shed is located within an area of periodic flooding.

CHAIR HAMILTON: Thank you very much for that reminder. So it is limited to that topic, the topic of periodic flooding. We will keep that in mind. Thank you. Mr. Lovato.

JOHN LOVATO (Case Manager): Madam Chair, would you like a brief summary or the full summary as we move forward?

CHAIR HAMILTON: I don't think we need to read it but if you could summarize it at a moderate level to make sure we know all the key points.

MR. LOVATO: So Madam Chair, Commissioners, July 7, 2019, staff walked the entire subject drainage channel in which we found the drainage contained areas of heavy vegetation. We did not find any flow mark, flow lines or high water marks along the arroyo. During the site visit staff witnessed some removal of some trees that were being done by Mr. Hopkins. And then staff also discovered an acequia that runs along the actual property which runs perpendicular to the actual drainage that we're talking about, which could have contributed to this actual flooding event of 2015 that's been brought before you.

County staff has also met with the County's maintenance foreman, James Salazar from Public Works, and Mr. Salazar had no records of flooding since 2015. He did note that he did go out again at a later date in 2017 to evaluate this drainage and had no issues. We also spoke with Mark Rodriguez, production controller from Santa Fe County Public Works. Mr. Rodriguez had no particular work orders regarding this drainage. And then based off that, Commissioners, we found that – based off staff's research and the site visits conducted it is staff's opinion that this is not an area subject to periodic flooding within the meaning of the SLDC.

The flooding in 2015 was caused by a blocked culvert and debris in the arroyo and possibly debris from the acequia that traverses the drainage and properties. Staff interprets area periodic flooding as used in the SLDC every year, areas which includes the active channel of the arroyos in this case are appropriate to include within the no-drainage easement and conditions of the development approval. However, because the shed is outside the active arroyo channel in this case, it is not considered to be within an area of periodic flooding under the SLDC.

CHAIR HAMILTON: Okay. So just to be clear, from your research and what's presented here, there is evidence of a single flooding event in 2015.

MR. LOVATO: Madam Chair, Commissioners, that is correct.

CHAIR HAMILTON: Okay. Do we want to take questions? Do you have questions for this specifically, because we also want to hear from the applicant briefly.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Go ahead, Commissioner Hansen.

COMMISSIONER HANSEN: Do you have a record of flooding before 2015? Did you do any research to show flooding before 2015?

MR. LOVATO: Madam Chair, Commissioner Hansen, we did ask – again, we spoke with Mr. Rodriguez on what events he had and he had no – he did not have the cardiographs that they run at Public Works. He had no evidence of any flooding in this particular drainage.

COMMISSIONER HANSEN: You said you discovered the acequia. Where is the acequia?

MR. LOVATO: Madam Chair, that is above the properties. As you go into the drainage basin it runs along the actual foothills of that drainage basin.

COMMISSIONER HANSEN: Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. So that's the summary. We'll have time for more questions. Is the applicant or the appellant here, want to make a statement? If you could come forward.

JOSEPH KARNES: Good evening, Chair Hamilton, members of the Commission. Joseph Karnes with Sommer Karnes and Associates. I just have one photo I'd like to hand out.

CHAIR HAMILTON: Thank you.

MR. KARNES: We appreciate you providing the opportunity to come back and speak to the issue of periodic flooding which I'm going to focus on for just a couple of minutes. Our hydrologist, Paul McGinnis is here tonight. He's going to speak to that issue. He submitted materials that are in your packet. And then my client, Mr. McAllister, is going to speak briefly again to that issue.

Flooding is a very serious issue that involves protection of health, safety and public welfare. Your code has detailed sections addressing those issues. They're done in order to protect people and when you're doing that, it's important to keep in mind that when you're regulating in that area it's a conservative approach by nature. You're trying to protect people. You're not trying to push the envelope and write a code section that says something and then figures out ways to interpret how that can be bent or altered in order to reach a particular outcome, so I ask that you keep that in mind in looking at this issue.

Initially, we just heard Mr. Lovato speak – state staff's opinion that the 2015 flood was caused by a blocked culvert downstream at Bishop's Lodge and debris in the arroyo. That is just not the case. If you look at Bishop's Lodge Road, here it is. Here's Bishop's Lodge Road. From here to where the flooding occurred – here's where the horse barn is located today, that's over 100 feet. If water is coming down the arroyo and a blocked culvert here at Bishop's Lodge Road is blocked – water can't flow through it, it would need to – it would create a dam and the water would pool up. It would create a reservoir. The water can't go. That's what your staff is telling you, that this blocked culvert caused water to back up all the way into this area and the flooding to occur.

If you look at the photograph that's in front of you, to the right of the post that's in the middle of the photograph, that is a standing wave, just above the vehicle with a cover on it. I'm not showing you the video again. You watched the video the last time we were together here, that's a standing wave from water coming downstream at this location.

This blocking of the culvert had nothing to do with the flooding that was coming from up the watershed. Nothing at all to do with it.

CHAIR HAMILTON: You're telling me that, but this doesn't show me evidence of that.

MR. KARNES: Mr. McGinnis is going to speak to it in its common sense. You can use common sense here. This is water. You saw the video. It is rushing downstream in the watershed. It didn't go down to Bishop's Lodge Road and create a reservoir that backed up all the way and caused the flooding of the arroyo. That's the point I'm making and when Mr. Lovato says that culvert was cleaned out and there haven't been problems since, again, there's no connection between the culvert more than 100 feet downstream and the flooding that's occurring at the location of the horse shed near the MacAllister's house. I'll leave that for now. Mr. McGinnis is going to address that.

But you saw the water. We know why the arroyo flooded, because of the massive quantities of water that were coming down the watershed in the arroyo in 2015 when that video was taken.

We're here to talk about periodicity. Again, you can use your common sense here. Was this a one in a million event? No. We know it occurred in 2015 and that flood caused substantial property damage. Fortunately, not loss of life or injuries but it caused substantial property damage in the immediate area, and you have people who I expect will speak tonight to that damage that was caused.

In 2018, just a year ago, we had what the newspaper reported as the 1000-year flood. It was a very serious flooding event. The first thing I did the next day – this appeal was ongoing at that time – I called the MacAllisters the next morning, I said, well, what happened? How bad was the damage? They were very relieved that that intense monsoon rain event did not cause flooding of the property. They're thankful for that. Why was that? Because we know how rains happen here. There are intense storm cells. They're monsoon rain events. There was a storm cell that was centered about a mile to two miles south of this property. It caused substantial damage in Tesuque Canyon. Had that storm cell been over this 40-acre watershed it certainly would have flooded.

What I'm telling you is the periodicity of flooding didn't relate to the nature of the watershed; it relates to where the storm cell is. If it rains intensely over here, it's going to flood over here. If it's a mile way, you can see it. We all see it from our homes. You look over and you say, oh, it's raining right over there. If that storm cell was over your property you would be affected by it. And I want to point out that those two very intense monsoon events, the one in 2015 that did flood the property, and the one in 2018 that almost did but did not, those occurred only three years apart. Three years apart.

CHAIR HAMILTON: That doesn't make it a three-year flood event, because it didn't flood. So I'd like to stick to facts.

MR. KARNES: Thank you. You're helping me make my record here. I appreciate that, Chair Hamilton. It does indicate that if you apply common sense, this water shed flood periodically. It only flooded a couple of years ago in 2015, and I'm troubled that in the discussions you asked questions of Mr. Lovato about historic records and contacts with County individuals about periodic flooding here. What was not mentioned in his statements or in your staff report, in any of the staff reports, they said nothing about the four affidavits, sworn affidavits submitted by neighboring downstream property owners who are concerned about their own health, safety and welfare. And I'm not going to put words in Judge Pickard's mouth, she's here to speak, but I'm just going to read a bit from her letter where she said – this letter's in your packets, dated July 19, 2018, right before the 1000-year storm – she used to live in the MacAllisters' house, the one we're talking about here. She said, "I remember that arroyo flooding many times and I saw County personnel increase the depth of the channel and the banks several years ago. The horse shed is certain to cause flooding problems in the future for the next door neighbors, those across the road, and the road itself."

There are three more affidavits in your packet from Deborah and William Parker, and Judi Goolsby, and the MacAllisters themselves that state they personally saw this arroyo flood multiple times while they have lived in this area. That is evidence that for it not to be in your staff report, I'm troubled by that.

Staff further says, in the staff report, if you are going to actually regularly build in areas subject to periodic flooding outside the active arroyo channel, then you would need hydrologic analysis and dedication of a no-build easement “which would impose a substantial additional burden on all permit applicants.” To start with, it’s not all permit applicants. It’s permit applicants with arroyos in their property that flow more than 25 cfs. And if you’re interested in protecting the public health, safety and welfare, then you do exactly what your code says. And the code says areas of periodic flooding must be put in a no-build easement.

Staff is speaking to that like that’s a bad thing. That is what needs to happen. You shouldn’t be building things next to arroyos that flood. That’s what your code says. Your general plan – I read to you last time and I’m going to wrap up here, your general plan and your website contain good information, and ominous warnings about the dangers of flooding. I just downloaded this from your website today. In the flooding section it says New Mexico is most often faced with flash floods which can develop quickly, sometimes in just a few minutes and without any visible signs of rain. Flash floods often have a dangerous wall of roaring water that carries rocks, mud and other debris and can sweep away most things in its path.

That’s what we’re talking about here. Look at the photo. Remember the video that you saw last time. And it goes on to say – this is from your own website. This is your own folks warning people about the dangers of flooding. It says, a foot of water will float many vehicles. Two feet of rushing water can carry away most vehicles including SUVs and trucks. Check out the standing wave right next to the arroyo, near my clients’ vehicle on their property. That’s more than two feet tall. What’s going to happen to this horse shed that is set on concrete piers and is a light structure? That is going to become basically – it’s going to go downstream during the next flood. That’s what will happen.

Your own website, your own professionals are telling us about the dangers of floodwaters, and when you’re regulating in this area, both in terms of the setback, which we talked about last time, and the periodicity of flooding, there’s ample evidence in the record to support the conclusion that this arroyo floods on a periodic basis. And in this case when Planning Commissioner Anaya asked whether the horse shed could be easily relocated to be 25 feet from the arroyo, Ms. Vernold agreed that it could be easily done. That’s what we ask you to do tonight. Require, as Frank Katz thought the Planning Commission required that the applicants relocate the horse shed so it’s not a danger to my clients and their downstream neighbors. We appreciate your consideration.

CHAIR HAMILTON: Thank you.

[Duly sworn, Paul McGinnis testified as follows:]

PAUL MCGINNIS: My name is Paul McGinnis with P.E. McGinnis and Associates, consulting engineers, and my address is 8805 Democracy Road NE, Albuquerque, 87109.

CHAIR HAMILTON: You can start. Thank you.

MR. MCGINNIS: Thank you, Madam Chair. I’d like to actually address three interlocking issues that related to some of the discussions going on, some of the things that were recorded in the staff response. And first of all, I’d like to address one thing that’s been reported. I’ve made reports and then the staff responded to some of the things I put in my report with regard to the capacity of that arroyo. And without getting

into heavy technical terms everything, there are formulas and there are processes that a person like myself would go through to calculate what the capacity of that arroyo is but at the very basic level, there's a lot of assumptions that are made in the formulas.

The one I would like to address is the assumption that you have water that's not turbulent flowing through a channel and basically, all the water molecules are going in the same direction. But in this particular location, and I document this in my report about the different turns that the arroyo makes upstream of that, that necessarily mandates that this water will not be nice and smooth coming through as it makes the last turn. It's going to be very turbulent, which means that even though – if the water was calm, this arroyo at this location where I did my measurements would have a certain capacity but when you have turbulent water going through what's it's going through before it gets to that channel, then the actual capacity is much less than that. It would be very difficult to calculate what that is because I don't know how much rain and how much turbulence unless I was out there for a specific event, and then it would only apply to that event.

But I can tell you in general terms, the capacity that I put in my report of that arroyo is much less under the conditions that are happening upstream before it gets there. So that's the general statement I'd like to make.

But with regard to the staff report that in their opinion, what caused the flooding on this property was because the culvert was plugged, I have a topographic map that I got from Santa Fe County and the contours on here are one-foot intervals and the one-footers are hard to see. They are there and you can't see them but they're more difficult but you can see the ten-foot intervals real clear. I only have two copies but you're welcome to both of them.

CHAIR HAMILTON: That's fine. You can give one to them and we can pass the other one around. You can give one to the stenographer and we can pass one along.

MR. MCGINNIS: The properties in question, this is the neighbors' property and this is Mr. MacAllister's property here. The arroyo comes down and makes these turns that I've documented in my report and goes down to the culvert that's in question. And elevations change; they decrease in elevation going this way. The arroyo is on that line and then the culvert that we've been talking about being plugged is right there. Now I you look closely and count the one-foot intervals in the elevation going uphill to the MacAllisters' property where the video shows the flooding is in this area, it's basically about nine feet higher than the top of the Bishop's Lodge Road where the flooding in the video is shown.

And so I'm not sure why the staff would make such a statement that the flooding on the MacAllisters' property occurred because the culvert was plugged, because the top of the road over that same culvert is nine feet lower than the MacAllisters' property where the video shows the flooding. But if you look at the topo, any water that gets to the top of Bishop's Lodge Road is going to go towards Tesuque. It's not going to come up to the MacAllisters'. It physically can't. It would have to be a nine-foot wall, which means the people on the downhill side of Bishop's Lodge is going to see a nine-foot wall of water coming across Bishop's Lodge. That's the only way it could possibly flood the MacAllisters' property if it was linked to the plugged culvert.

So again, I don't know why staff would make such an unfounded statement in their report when they said they went out to the property. Did they not look at a topo map. I don't expect any of them to be surveyors but they can download a topo map from that County. The only other comment I would make relative to that is that in the video it's obvious that water is flowing at a very high rate across the MacAllister's property – which it's not – but if it was, water could not flow that fast because it would be bottled up. It would be more like a pond and water would not flow that rapidly if it was a dam situation at Bishop's Lodge. But as you can see from the topo, Bishop's Lodge slopes pretty dramatically towards Tesuque and any waters that even got to the top of Bishop's Lodge is going to flow towards Tesuque, not uphill to the MacAllisters'. And that's all I have to say.

CHAIR HAMILTON: Thank you.

[Duly sworn, Bruce MacAllister testified as follows:]

BRUCE MACALLISTER: I understand we're here on a narrower scope and I'll respect that but I do want to comment that I've been practicing law as a licensed attorney here in New Mexico for 40 years and I haven't quite seen a due process review work quite like this where there is such commingling of staff influence and input into the decision making process. So I urge you to look very independently and perhaps even re-examine your position on the earlier two issues around the clear language of the law that says, that you yourselves passed with non-discretionary language around a 25-foot setback for arroyos that flow at over 25 cubic feet per second. That is a non-discretionary provision that you yourselves passed. The language is clear and the facts are clear and clearly support that all three hydrological engineers hired by different people all converge that that arroyo flows at greater than that level, and you have a very clear code provision that provides for that.

I won't go into detail on the fire code but you have the same thing. You have a detailed process and while the Fire Marshal does have the prerogative to approve exceptions to the fire code he can only do so if those exceptions are equivalent to and provide the same protection as the materials that are specified in the code. There's a very detailed process for testing materials for fire proof and so I would urge you to look again at that.

I'm going to leave you with some materials, just as to details when I wrap up, that have more information about those two issues. But I would urge you to re-examine that independently and look at your own code language, both in the urban-wildland interface code and in the SLDC, around those issues.

Let me briefly – I'm not going to double up on anything that's been said about periodicity, but I do want to address some issues on the periodic flooding issue. First of all, we gave you 41 pages of evidence demonstrating the costs that have been incurred by people sitting in this room in the most recent flood, and demonstrating that many of us who have lived there as long-time residents, for more than 30 years, have witnessed this arroyo repeatedly flood over its banks, at least three times in the last ten years.

Now if we are to accept the County staff's recommendation that an arroyo has to flood – and their definition of flood is a little strange, because they talk about a flood being confined to the channel. Well, if water is confined to the channel, by definition it's not a flood. In your own definition section, flooding is a temporary condition with

complete inundation of normally dry land. That's in the SLDC. So to talk about confining easements to the natural drainage channel is absurd. What we're talking about is defining drainage easements for those areas that are subject to periodic inundation.

Now, the staff seems compelled to generate facts to support a foregone conclusion. The talk to you about the acequia. Let me – I'm under oath – let me tell you about the acequia. In 2015, and there are witnesses in this room that can support me – I was the ditch commissioner, one of three ditch commissioners, for the Acequia Madre and I can look you in the eyes and I can tell you that at the time of the 2015 flood the Acequia Madre could not have possibly contributed to the flooding conditions by adding additional water because the Acequia Madre was dry in August of 2015. We have a very short irrigation for that blessed old acequia and it rarely if ever runs beyond mid-July, now under the Aamodt agreement.

So the only way the acequia could affect the flow of that arroyo is in fact to ameliorate flooding conditions by catching some of it and sending it up and down the ditch, which we have seen repeatedly as someone who's maintained that ditch for over 30 years. We've seen repeatedly where the sand will wash under those areas. So this issue around the ditch contributing is a specious, groundless, not supported by any facts, argument.

Finally, as far as what it takes for periodicity, your own definitions talk about periodicity. They define a floodplain and they say the land in a floodplain within a community is subject to a one percent or greater change of flooding in any given year. Then it just be designated under the FEMA rules as a floodplain. One percent.

CHAIR HAMILTON: Makes it the 100-year floodplain. That's FEMA's definition.

MR. MACALLISTER: That's right. So one percent. So to recommend to you all that every arroyo that's going to have a floodplain setback of any sort, drainage easement, must flood annually is entirely inconsistent with the rest of the SLDC language which talks about, which casts flooding in 100-year events and talks about probabilities.

Now, in our supplemental report we talked about the probability of a flood, the supplemental information we gave you. And our hydrological engineer, Mr. McGinnis, is here. He indicated that given the capacity of the arroyo in question it's likely to flood anywhere between the 25-year and 50-year event, which renders about a 26 percent change in a 30-year window for flooding.

So we've given you 41 pages of evidence about periodic flooding. We've shown you that in the last flood the reported damages were over \$50,000 to downstream neighbors. That's in the record and in your evidence. I'm curious about what more we can do to demonstrate to you that this arroyo is subject to periodic flooding, using a reasonable definition, not something that even FEMA floodplain records like the Tesuque River, which is FEMA flood indicated. It doesn't flood annually. Santa Fe River doesn't flood annually. All the major arroyos in town don't flood annually. And yet we have setbacks for those arroyos and many of those arroyos in the 100-year event flow at much larger figures.

So to use this proposed standard would be absurd. We have – the County did recommend that if you're going to do this, then you must provide hydrological studies. You must provide science to support it, and other evidence that shows that it floods.

That's exactly what we have done for you. In their alternative recommendation they have recommended bringing a hydrological engineer forward, bringing evidence forward, and demonstrate the periodicity. That's what we've done. So I'd request that you give that the proper weight. Thank you. Questions?

CHAIR HAMILTON: Thank you. Are there questions at this point for the public meeting? Just for clarity, Mr. McGinnis didn't speak to flooding frequency. You reported that attributing that to him and am I correct that the only evidence that's presented to us is affidavits?

MR. MACALLISTER: No. That's not correct. Mr. McGinnis provided two hydrological reports that we submitted. The second report is in the supplemental information which we provided to the County and to you all after the last hearing. And he went into significant detail about the provisions that he felt applied and how the science supported the application of the SLDC code to them, and I have those in my notes if you want more information on that.

CHAIR HAMILTON: Okay.

MR. MACALLISTER: But it is in the record and it is from our engineer. It's not just me attributing it to him.

CHAIR HAMILTON: I understand. I'm asking not about interpretations of the code. I'm asking about specifically the technical evidence for flood frequency estimate.

MR. MACALLISTER: Yes.

CHAIR HAMILTON: That's all I'm asking about.

Mcc: And my answer is, yes, that is in the record. It was provided to you in the supplemental report that we filed as part of the appeal for this next phase of the hearing. So you will have that in your record. I know I saw it in the staff report. It is included in the staff report and Mr. McGinnis' analysis is in that material as well. And he's here to speak to that first hand if you'd like.

MR. MCGINNIS: Madam Chair, if I could –

CHAIR HAMILTON: Yes, please.

MR. MCGINNIS: In my report, which as he said is in your documentation, on the second page of my second report, I basically tabulate the numbers that were – according to my analysis and again, it assumes a smooth flow going through that channel, which I know is not in a big flood event, but even with that assumption, it would take a 3.1-inch rainfall in 24 hours to equal the capacity of that arroyo that we're talking about. In my report on page 2, that 3.1 inches would be more than what would fall in a 25-year rain event but it would be less than what would occur in a 50-year and much less than what would occur in 100 years.

So what Mr. MacAllister was saying is that – he was basically quoting this is that we can expect that arroyo to flood in rainstorms that would occur somewhere between the 25-year flood and the 50-year flood.

CHAIR HAMILTON: That's what I wanted to hear.

MR. MCGINNIS: So any water, like a 60-year flood or a 75-year flood, all of those events are going to produce more water than that arroyo can handle by the MacAllisters. So with the analysis and the documentations in my report.

CHAIR HAMILTON: Thank you.

MR. MCGINNIS: Do you have any other questions, Madam Chair?

CHAIR HAMILTON: That was my question. I appreciate the response. So at this point, I'm going to – if that's all the preliminary presentation. Did you have something else you want to present or should I open it for public comment?

MS. BROWN: Madam Chair.

CHAIR HAMILTON: yes.

MS. BROWN: If I can interrupt for a second. The applicant should be entitled to present prior to public comment.

CHAIR HAMILTON: Thank you. The original. Please come forward. I appreciate it.

[Duly sworn, Cynthia Vernold testified as follows:]

CYNTHIA VERNOLD: Cynthia Vernold, 29 Rancho Alegre Road, Santa Fe, New Mexico, 87508. Thank you for letting me speak. It's not obvious to me about whether or not the Commission has seen my report that I submitted. Have you had a chance to review that. I don't want to repeat stuff that you already know.

CHAIR HAMILTON: If you make a statement without taking too much time, but please do a summary of what you think are the key points. You don't need to read it but I think it's good to get it in the record verbally.

MS. VERNOLD: I would like to say that the appellants are trying to great a smokescreen by focusing their current appeal – this is their second appeal – on potential damage due to potential flooding effects from the subject arroyo and attempting to force this area to be designated as an area of periodic flooding. They've done this to try and hide their true intent. They've state numerous times to myself and my husband and to County personnel and to other neighbors that they just simply don't want anything located in the area where we've placed our shed.

As the appeal process has continued their reasons have continued to change. Their most recent is they want it designated as an area of periodic flooding because it's dangerous to themselves and our other neighbors. The appellants have owned their property for about I think 32 to 35 years and have enjoyed the false perception that this part of our property belonged to them and was protected open green space. And I just want to give that background in terms of that's where this is all coming from.

For almost two years they've continued to contest and in our opinion for the second time that this permit has been granted, but the problem is the appellants' appeal is based on a lot of false statements, some erroneous interpretation of the SLDC, incorrect scientific calculations from their experts, along with flawed analysis pertaining to the water flow and the watershed.

One thing I'd like to address right now is the comments about the acequia because there hasn't been much discussion up until this point about that. The acequia that runs through this arroyo is to the west of both our properties. Prior to 2015 the acequia crossed the arroyo by means of a 1 ½-foot metal diameter culvert. According to the mayordomo this acequia, in personal discussions with us, during the 2015 event the acequia's culvert was completely blocked with silt and debris. That resulted in the acequia breaching its channel and all the water that was in the acequia flowing into the arroyo.

Now the statement is true; the acequia didn't have water in it for irrigation purposes. However, the acequia has its own watershed. Part of that watershed is shared

by the arroyo but a large part of it is not. So for all intents and purposes, the acequia acted as another arroyo when the acequia breached its banks, all of the water in the acequia flew into the arroyo.

After the 2015 event the mayordomo replaced the 1 ½-foot culvert in the acequia with a two-foot culvert. The old culvert was completely filled with silt and debris. It was extremely difficult to move so they just left it there and it's still there today. So the new two-foot culvert sits next to it. So I think that's important information that wasn't shared before.

The standing waves that are pointed out in the video of the appellants, there were some large tree trunks – or they called them standing waves – there were large tree trunks and rocks – there was a lot of debris in that arroyo prior to the 2015 event. So the arroyo that exists today is a completely different arroyo than what existed back in 2015. It's been dredged to at least twice its original depth. It's been widened. The edges of the arroyo were built up so to talk about prior events, prior to 2015 and claim that those are going to be the exact same events after the modifications have been done to that arroyo, I don't think that's an accurate approach.

Furthermore, the appellants store quite a bit of their personal items right along the southern border of their property line, right where it butts up against our property. They have two cars, one of them a vintage car from one of their parents. One that they use. They have cinder blocks. They have a wood shed. They have wood. They have garbage cans, birdbath, etc., etc. They're all right next to the property line, within the five-foot setback, illegally placed there. If the appellants were truthfully concerned about potential flood damage to their property and their belongings, why would they be storing these items right there where they're so concerned about there being all this flooding.

And I've provided in my report pictures of all the stuff that's stored there currently, along the property line. At this point in time, all analysis that's been performed on the watershed does confirm the potential water flow in the arroyo is less than 100 cubic feet per second in a 100-year 24-hour flood or storm event. Because of this the current code doesn't require a setback for the shed from the arroyo. Setbacks are only required if the water flow is known to exceed or is projected to exceed 100 cubic feet per second in a 100-year 24-hour storm event.

But on top of that, when Mr. McGinnis did all of his analysis, some of the assumptions that he used were just incorrect. For example, Santa Fe County code states there are only two acceptable methods for calculating runoff from a watershed and the resulting flow rate for an arroyo. One is called the modified rational method and the other is the curve number method, or TR-55. Traditionally, the requirements are that for watersheds above I think 35 acres you have to use the TR-55 method but for a watershed like we have that's around 35, 38 acres, you can use either one of them.

So Oralynn Guerrerortiz, she's a licensed and certified engineer from Design Ingenuity, we had her calculate what the watershed was. She used the TR-55 method. She estimated the watershed runoff to be around 40 cubic feet per second for a 100-year 24-hour storm event. Paul McGinnis used the rational method. He estimated the watershed runoff to be between 8- and 93 cubic feet per second, depending on what he assumed was the rainfall. However, McGinnis used an incorrect runoff coefficient. He used a runoff coefficient of 0.61 in his calculations. That resulted in his calculations

being erroneously high. The correct runoff coefficient that he should have used was .02. If he used that, then the watershed runoff that he would estimate using the rational method would be between 26 and 31 cubic feet per second for a 100-year 24-hour storm event.

CHAIR HAMILTON: Where does the definition of the correct coefficient come from?

MS. VERNOLD: It comes from government entities. It's not my opinion.

CHAIR HAMILTON: But that's the way it's written in the method. Thank you.

MS. VERNOLD: Yes. All the background is there. Any detailed data that we used – we made no assumptions whatsoever. All of the data, all of the numbers were taken from government entities that are considered the experts in this area.

CHAIR HAMILTON: Okay.

MS. VERNOLD: And that's detailed in this report. Another thing that McGinnis did that is incorrect, he was estimating the arroyo's capacity near the shed. He said the estimated capacity of the arroyo is only 74 cubic feet per second. However, again, his result is erroneous because for some reason that we don't understand, he used a meaningless roughness coefficient of 0.08. According to Chow, which is the bible in this area, this arroyo falls under what's called excavated or dredged type of channel, smooth straight earth channel that's clean after weathering. The roughness coefficient that you're supposed to be using is .022, not .08. When you use the correct value the arroyo's capacity is much higher.

The Santa Fe County Flood Ordinance actually uses a value of .03, so it's a little bit higher, but it's still a lot, lot lower than the .08 and McGinnis doesn't give any justification as to why he chose the .08 as well.

It's a long report; I'm just going to try to pull out some of the more important details. So the Department of Transportation uses very specific code to determine what size of a culvert they need to place in an arroyo, especially when it's going underneath a road. They use something called an HY-8 culvert analysis program. This is the US Department of Transportation, not just the New Mexico. The Federal Highway Administration also uses that. According to the results from this [inaudible] program that anybody can access, a 42-inch culvert will spill over the top – they call that overtop – when the discharge of a culvert reaches approximately 39 cubic feet per second. The US Department of Transportation and the Federal Highway Administration, they also offer a quick graphical method to determine water flow in culverts. They say a lot of people use it in the field because they don't have access to the software.

If you use that graphical method a 42-inch culvert will overtop at approximately 50 cubic feet per second. So the 42-inch culvert that New Mexico DOT installed under Bishop's Lodge Road was installed with the understanding that the arroyo that feeds it won't overflow more than 39 to 50 cubic feet in a 100-year 24-hour storm event. If they calculated that it would flow more than that then the culvert needs to be quite significantly larger. So there's another government expert, the US Department of Transportation and the New Mexico Department of Transportation has determined this arroyo does not flood to the level that the appellants are claiming.

I included pictures in my report of the arroyo in May of 2014 that are date stamped because they're on Google maps and it shows the arroyo before and after dredging, so you can get an idea of how much the arroyo has changed since it was modified by the County.

And the County already touched on this, but FEMA, the Federal Emergency Management Agency has thoroughly investigated the subject area, that specific area. They did it in 2008 and they did it again in more detail in 2012, and they specifically chose not to designate this area as a special flood hazard area or any area of any kind of flooding.

As a matter of fact the shed, according to the FEMA floodplain map, the shed is located approximately 290 feet from the nearest FEMA floodplain.

There's another issues with what McGinnis has reported as his analysis. He referenced the soils as represented by Santa Fe Engineering Consultants. He claimed that our property has a soil type of rocky, rough broken land complex, and he further stated that due to the steep slopes found on the property he chose his own C factor for the soil, and that's where he chose the 0.6 as a weighted runoff factor, but he doesn't say why.

The USDA, they have an online web soil survey. That is the recognized expert source by everybody for soil data. In this online source they incorporate soil type, slope, vegetative coverage. They incorporate that into their runoff factor C. According to this website, according to the USDA the runoff factor C for this property is 0.2, not 0.61. The history of that soil type is in – the first time we saw a soil type in Pojoaque series mentioned was in 1975. In 1899 the USDA created the first soil survey for New Mexico. They covered the Pecos Valley at that time. In 1975 they created the first soil survey for the Santa Fe County area. At that time they did include a Pojoaque series of soils and the specific soil type Pojoaque rough broken land complex that McGinnis refers to. However, in 2008 the USDA updated their soil survey for the Santa Fe County area. They removed the soil type from the Santa Fe County area. Pojoaque is still maintained in the state of New Mexico but only in a very small area in Cibola County.

In 2019 official hard copy soil maps were replaced. They were replaced with this online tool. They call it the web soil survey. Detailed soil maps and data now exist for more than 95 percent of the nation's counties and they're available online for anybody to use. So as per the USDA the description names delineation of the soils in the current web soil survey do not necessary agree with soil surveys previously because at this point in time they've done [Audio difficulties were experienced at this point.]

So if you go to the USDA's website right now and you map out the watershed in question, you'll see that the only soil types that exist in the watershed right now are named – I'll see what the names are – Encantado very cobbly sandy loam, Junebee gravelly sandy loam, urban land-Buckhorse and Nazario gravelly loam. However, 96.6 percent of the 38 acres is Encantado and Junebee. There is no Pojoaque anymore. It was an incorrect soil type. And that makes a huge difference in the permeability of the soil that's used in this analysis.

And I do show in my report a map showing where the Pojoaque complex still exists in the state of New Mexico, only one place, versus what the current soil types are in the area in question.

I think that's the highlights.

CHAIR HAMILTON: Excellent. I really appreciate it.

MS. VERNOLD: Do you have any questions for me?

CHAIR HAMILTON: We might want to hold questions unless anybody has questions at this point until we have the public hearing.

MS. VERNOLD: I did have one more comment that I did want to make. I appreciate that there are a lot of neighbors here that do live along the arroyo, but what happens on the arroyo, on the side of Bishop's Lodge Road that's west of Bishop's Lodge Road, any flooding or anything that happens on that side of the property, is irrelevant to what's going on in the side of the arroyo. [Audio problems]

CHAIR HAMILTON: Okay. Thank you. Thank you very much. So at this point-

MS. BROWN: Madam Chair, I would wait until our mike issue is resolved.

CHAIR HAMILTON: That's a great point and I was actually going to say that. If we could just take a moment and try to solve our mike issue, then we can have the hearing without any technical difficulties, hopefully. And I do apologize for the technical problems.

So we're going to have time for questions back and forth but first I think I'd like to open it up for public comment, get all the input and then ask questions. No, I would really like to have public comment first then we'll be able to ask you questions and the applicant questions

MR. MCGINNIS: Because I was misquoted. I would like to respond to what she just said.

CHAIR HAMILTON: Okay.

MR. MCGINNIS: Again, my name is Paul McGinnis. When Mr. McAllister was up here and he was quoting some of the things I put in my report you challenged him and said why are you quoting the engineer? So the engineer is here and I came up and presented the data. Now, I don't know this woman, what her credentials are, but she went through a lot of stuff. Now, if she was quoting Ms. Guerrerortiz, then Ms. Guerrerortiz should have been here to present those. If she's quoting herself, her own research, then I'd like to ask what her credentials are to come across like she's some authority.

Now I can say that she made a lot of misstatements. She made some false assumption and she left out – she made some errors in some of her assumptions, not the least of which was however she came up with the capacity of that culvert. She left out the very critical thing about the slope on the culvert in terms of capacity, but that's just one of many things that she said, and I'd like to say for the record that I resent her challenging my credentials when she has none in this area.

CHAIR HAMILTON: Okay. That's fine. I would like to go ahead and open it for public comment. Is there anybody here that would like to speak to this? Anybody who wants to speak to this issue could please stand up and come forward and sit up front and you can all get sworn in.

COMMISSIONER GARCIA: And Madam Chair, also, just for the audience. Please keep in mind, we're actually talking about the actual flows of this, what we're on.

CHAIR HAMILTON: Commissioner, yes, thank you. That was all in the instructions. And I'm going to give everybody three minutes. So if you could keep your comments –

[Duly sworn, Lynn Pickard testified as follows:]

LYNN PICKARD: My name is Lynn Pickard.

CHAIR HAMILTON: Thank you. Hang on a second. I was in the middle of the instructions for everybody. Three minutes and the topic of interest is as stated previously has to do with how we classify this, whether it's periodic flooding, so I would like everybody to confine their comments to that. Thank you very much. If you could feel free to go ahead.

MS. PICKARD: My name is Lynn Pickard. I'm the co-chair of the Tesuque Valley Community Association. I'm here with Jean Boyles who is another of the directors of the association, and I just want to make clear that the association does not get involved in disputes between neighbors, but there are some overarching issues that we do get involved in, and two of them are fire and flood. So we're very concerned about any flooding in the Tesuque area of which we have had too much and with that I would just ask you to be sensitive to the rights of the property owners and to flooding, and not to be parsimonious and allow people to do what they want, when they want. I have no expertise in what I've heard here today, so I'll leave that all up to you and wish you the best of luck, but please consider that what we want is safety and protection of our property. Thank you very much.

CHAIR HAMILTON: Thank you. Anybody else?

[Duly sworn, Judi Goolsby testified as follows:]

JUDI GOOLSBY: My name is Judi Goolsby, 1474 Bishop's Lodge Road, 87506. I think that the Clerk probably gave you all this, just a couple of sheets here and it has a drawn – it was supposed to be before this. On the back. Anyway. I'm sort of appalled by the statement, the last statement that the person made here about people downstream and flooding and whether this arroyo floods is not really an issue for her. It shows very selfish and self-centered thinking that she's only dealing with one person next door, because the arroyo runs through my property. It starts way behind theirs. I don't know if you have – if you got those papers on the back, there's a drawing on there.

Yes. That's it. And if you look it, I'm going to say what I say. It's very short. And I don't know anything about coefficients, or Pojoaque land or sandy loam or any of the rest of that, but I can tell you \$25,000 later what happens on my property because of the arroyo that could be damaged and the water flow coming through there would be flood. I am concerned about. And other people. So here's what I've got to say.

We've attended and spoken at all the previous Commission meetings concerning this structure illegally located less than 25 feet away from an arroyo that runs, eventually, under the road and through our property. We've incurred major expense when the arroyo in question has flooded our property due to debris in the arroyo as well as the culvert. \$25,000 in 2015 as a matter of fact, and if nobody from staff came out and talked to me. No one came to our house. Nobody looked at what had happened there. Plus we've repaired things. So if there was a flood where you could see it, we've had to repair stucco and all of that. It won't be there four years later.

I think the major issue now is that there is no way to use this structure for horses and hay storage without significant damage to the already fragile walls of the arroyo. Yes, the County dug that out and dredged it out fine. It comes like this and it goes like that and you can see it on the drawing. Any damage to those walls will result in flooding without question to our property and others on the river. I'm attaching the drawing, the barn, the road, and if you look at the actual map of the area, the arroyo runs way up the hillside past the owners' home and property and there's no place to locate the barn on the north side of the arroyo and allow for using it. It has to be placed somewhere else on their property.

The bottom line is these owners plan to bring, as I understand it, three draft horses to this property. Draft horses weigh between 1,500 and 2,000 pounds. They eat a bale of hay a day, I think, each weighing about 200 to 500 pounds or more. That's 1,000 pounds a week of hay.

CHAIR HAMILTON: Could we stick to the flooding please?

MS. GOOSLBY: This is going to be a flood, if you wait and let me finish just one paragraph. You'll see why it's flood-related.

CHAIR HAMILTON: Okay.

MS. GOOSLBY: Imagine if they're allowed to keep the structure there. With the weight of horses, trucks and trailers taking hay across the arroyo, like this. There's no bridge across the arroyo. They have to go like that, go down and come back. Due to the fragile banks of that arroyo I imagine less than two weeks of all of that weight and the arroyo will be destroyed and that section can positively affect drainage and flooding toward our property. The property at 1467 Bishop's Lodge Road is large with acres where the structure could be located and not cause harm and loss of property. I'm just asking that you please do your job. Prevent any further damage to our property by allowing the structure to remain. Because the structure can stay there. What if it stayed there? Fine. They can't use it. If you have all this going back and forth, how is that not going to damage these three-foot walls at the arroyo?

CHAIR HAMILTON: Okay. Thank you.

MS. GOOSLBY: The other thing is, if this ATF not been issued in the first place, we wouldn't have been here for 18 months. Just saying.

CHAIR HAMILTON: Is there anybody else here who would like to speak to this issue? Anybody else here from the public?

MR. MACALLISTER: I'd just like to make just one sentence in response. I'd just like to note that there are two hydrological reports that were submitted by us. One from Mike Gomez and one from Mr. McGinnis. Both of those fall within a few cubic feet per second in their calculations, both between 89 and 96 cubic feet per second as I recall. So there's two independently generated documents that are very [inaudible]

CHAIR HAMILTON: We understand that. Thank you very much. So seeing nobody else from the public who is coming forward I'm going to close the public comment period. That would bring us to a period of questions. Do the Commissioners have particular questions they want to ask?

COMMISSIONER GARCIA: Madam Chair, I'd like – does staff have any comments?

CHAIR HAMILTON: Do you have some specific questions for them?

COMMISSIONER GARCIA: Has staff actually looked at these calculations from these different engineers?

PAUL KAVANAUGH (Building & Development Supervisor): Commissioner Garcia, I have looked at them. Paul Kavanaugh.

COMMISSIONER GARCIA: Thank you. I just wanted to make sure you had received them and had looked at them.

MR. KAVANAUGH: I looked at them, Commissioner. Again, the issue was the 100 cfs. All the engineers were under 100 cfs. They seemed to be getting tied up with the 25 cfs which is for fill material and fill material only. The setback is for 100 cfs. All four engineers were under 100 cfs. I ran my calcs; they were under 100 cfs.

CHAIR HAMILTON: And that's the differentiating factor? Do you want to remind everybody up here about the difference between the two criteria for 25 cfs and 100 cfs having to do with the fill that you just mentioned?

MR. KAVANAUGH: Fill material, yes ma'am.

CHAIR HAMILTON: Can you please explain that a little further for everybody?

MR. KAVANAUGH: It's my opinion that the fill material is for like a construction site. If you're going to bring, scrape the top soil or whatever and if you're going to have a stockpile, that should not be stockpiled within 25 feet of a flow line that flows 25 cfs. That's the difference. That's how I saw it.

CHAIR HAMILTON: Is that how the code is written?

MR. KAVANAUGH: That's how we discussed it and that's how we thought it was written. That is for fill material.

COMMISSIONER GARCIA: Thank you. So really quick, I just have notes. When it comes to downstream flooding, I know exactly what everybody out there means and what everybody is talking about. My district actually – everything from Santa Fe, my backyard in La Cienega, 6:00, 5:00 in the morning, I certainly understand what it was like to look at a war zone out there when everything in downtown Santa Fe landed up in La Cienega. So I understand what the whole downstream flooding is about and what could occur and what could happen. I get it.

One of the things that – just a little – I definitely worked in the zoning department for many years and I understand what the floodplain is and I understand what the 100 cfs is, and one of the things I'm having trouble grasping is how do we do these calculations if there's no rainfall and we haven't even sat out there and put some sort of a meter or something out there to determine whether or not there is this much cfs or not. And I understand the calculations as Mr. Kavanaugh said here is both engineers are under 100 cfs and the 20 or 25 which you mentioned about – so whenever you go over the 100 cfs, that means you have to have a setback because that's a flood zone, a floodplain.

So this, according to FEMA and according to the two engineers is not considered a 100-year floodplain.

MR. KAVANAUGH: It's not a 100-year floodplain but it does not flow at 100 cfs. That would require the setback.

COMMISSIONER GARCIA: Right. So the cfs – right. The 100 cfs and above would require that setback. So right now we're not talking about the setback because the calculations have not said we're over 100 cfs.

MR. KAVANAUGH: Right.

COMMISSIONER GARCIA: So can somebody explain to me what excessive rainfall is? Because I was looking on my phone I was looking up the definitions of periodic flooding. I was looking at the Google maps to see where the lady lives at, where the driveway is, where the culvert is. And so one of the things it says, excessive rainfall. What is excessive rainfall? Does anybody know what that is? Because it's a definition. That's actually based off an opinion? Somebody's opinion?

MR. KAVANAUGH: I'll take a stab at that, but I'm assuming that when you look at your rain charts, they give you the rainfall for different events, whether it's a 60-minute event, a 24-hour event, a one-year event, 25-year event – there's a number that's associated to that. I'm assuming that would mean it's bigger than that storm event.

COMMISSIONER GARCIA: And then also, I see where the possibility of the setback is requested from possibly the neighbors but I also was looking at the Google maps and I did see the cars that the lady was talking about that are actually parked within two or three feet of the property line. And so if we did have a major flood and when all this – those cars are going to go down, that barn's going to go down and a lot of things along that arroyo are actually going to go down that arroyo; not just the barn but the cars as well.

And so I understand what the lady is saying out there. Right now, Madam Chair, I don't have any additional questions and if nobody has any questions I'd like to make a motion.

CHAIR HAMILTON: I'm sorry. I couldn't understand the last thing. Are you finished or did you say you have one more question?

COMMISSIONER GARCIA: I'm done.

CHAIR HAMILTON: You're done. Thank you. Are there other people who have questions? Commissioner Hansen.

COMMISSIONER HANSEN: So I have a question. The last woman who spoke about taking the horses back and forth across this arroyo, is there a road to this barn?

CHAIR HAMILTON: We're not having public come back up to address now. Ma'am, she's not asking you. I would really like everybody to pay attention to procedure here.

COMMISSIONER HANSEN: So she mentioned in her comments that the owner was going to have three draft horses. Is there a road to this shed?

MR. LOVATO: Madam Chair, Commissioner Hansen, there is no road to this location.

COMMISSIONER HANSEN: Okay. So they have to drive through the arroyo?

MR. LOVATO: Madam Chair, Commissioner Hansen, they would have to walk through that location. Otherwise, they would have to design an all-weather crossing to that location. Or not an all-weather but a driveway through that location.

COMMISSIONER HANSEN: So there's no plan. You can't drive – well, if they can't drive, how did they get this shed moved there?

MR. LOVATO: Madam Chair, Commissioner, they constructed that there.

COMMISSIONER HANSEN: They had it constructed on the site?

CHAIR HAMILTON: Excuse me. So the issue on the table has to do with periodic flooding.

COMMISSIONER HANSEN: I'm trying to understand the damage that can be done to the arroyo if periodic flooding is the issue. And if the issue is periodic flooding in the arroyo and there's traffic on that arroyo then what is that going to do to the flooding that could happen? That is where I'm going.

MR. LOVATO: So Madam Chair, if I may, Commissioner Hansen, the way they access this is by foot.

COMMISSIONER HANSEN: Okay. Only.

MR. LOVATO: Correct.

COMMISSIONER HANSEN: So no pickup trucks to take hay there?

MR. LOVATO: Madam Chair, Commissioner Hansen, that is correct. No trucks.

COMMISSIONER HANSEN: I just want to have some clarity there. Okay.

CHAIR HAMILTON: Thank you. Do I have other people that have questions.

MR. KAVANAUGH: Madam Chair, I'd like to point out, that shed – there's no horses. At this point they're not taking hay. There's no horses. We're just dealing with a shed.

CHAIR HAMILTON: So to staff – Vicki, maybe or whoever did it. For clarification or a follow-up on Commissioner Garcia's question. You calculate flooding based on rainfall frequency tables. Is that what the staff did?

MR. KAVANAUGH: Madam Chair, yes. That's what we did.

CHAIR HAMILTON: Thank you for the clarification. Are there any other questions from – okay.

MR. MACALLISTER: With permission, I would like to leave you with a summary of –

CHAIR HAMILTON: I think we have all of that. Is that not true?

MR. MACALLISTER: Well, one thing that you don't have in front of you is the clear language that talks about the interpretation of the staff regarding fill versus –

CHAIR HAMILTON: So we're not revisiting this issue.

MR. MACALLISTER: Except that your staff did revisit the issue and did make a claim that the statute, that the code only applies to fill. If you look at the fourth bullet down, you'll see that's not what it says. You'll see that it says a minimum setback of 25 feet shall be maintained from the natural edge of all streams, rivers and arroyos with flows exceeding 25 cubic feet per second during a 100-year storm. So we have clear language, and what I'm asking you, to avoid an error in law – this is non-discretionary. It shall be. To avoid an error in this case please consider this language on its clear face. That's what Judge Pickard was asking you to do and I'm asking you to do that too.

CHAIR HAMILTON: Thank you very much.

COMMISSIONER HANSEN: Madam Chair, I will make a motion to –

CHAIR HAMILTON: Hang on.

COMMISSIONER HANSEN: I'm going to make a motion to go into executive discussion and have a discussion on this.

CHAIR HAMILTON: That's fine. Before I have a second, I was in the process of closing public comment. Did I actually complete that?

COMMISSIONER ROYBAL: No.

CHAIR HAMILTON: Thank you.

MS. VERNOLD: May I add something?

CHAIR HAMILTON: Please. Everybody else did.

MS. VERNOLD: Just two clarifications. One question by Commissioner Garcia asked about how do we determine the water, what type of rainfall. The National Weather Service precipitation has done those analyses and the table does exist, and that's what everybody's using. The second thing is we have no intention of putting horses in that shed and this keeps coming up over and over again. And we keep saying horses are not going to be in that shed.

CHAIR HAMILTON: Thank you.

MS. VERNOLD: So the concern about us going back and forth is not a concern.

CHAIR HAMILTON: Thank you. So at this point I'm actually going to close the public hearing. I appreciate everybody coming for this. Commissioner Hansen, you made a motion.

COMMISSIONER HANSEN: I will restate my motion to go into executive session.

CHAIR HAMILTON: Thank you. I have a motion.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: I have a motion and a second. Is this a continuation or do I actually have to have a roll call? I assume I have to have a roll call.

MS. BROWN: Let's have a roll call.

CHAIR HAMILTON: So can I have a roll call please.

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

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Moreno	Aye
Commissioner Roybal	Aye

CHAIR HAMILTON: So we will be as expeditious as possible. We're going to retire to executive session to deliberate and we will be back out.

[The Commission met in executive session from 7:30 to 8:05.]

CHAIR HAMILTON: So thank you for being so patient. We really appreciate it. I would entertain a motion to come out of executive session.

COMMISSIONER HANSEN: So moved, Madam Chair.

COMMISSIONER GARCIA: Second. Just for the record that no action was taken.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

CHAIR HAMILTON: Commissioner Roybal, did you want to make a motion?

COMMISSIONER ROYBAL: Yes, thank you, Madam Chair. It's rare that we have to go into executive session over an issue like this but it's something that we took careful consideration on comments from both sides. We did consult with staff in looking at the different opinions and facts that were brought forward. I'd like to move to approve the application and deny the appeal, based off of the fact, as staff indicated earlier as well that the engineering studies that shown from the engineers that presented tonight, all are under the 100 cfs.

In our SLDC code, basically the amount of flow, the 25 cfs applies during times that we have fill that go in the area. There's no fill involved. This would be based off of the structure and if you go under the SLDC code under a structure, it has to have 100 cfs of flow before that is a setback that's mandatory in our SLDC code. So I am going to make that motion and hope that I get a second.

COMMISSIONER GARCIA: Second. Also, Commissioner Roybal, actually based on the 100 or less cfs flows. And so therefore I feel that it doesn't fall under the definition of proceeding flooding. So we could add that to your motion as well.

COMMISSIONER ROYBAL: And I think also it's important to note that FEMA doesn't recognize or consider this area a periodic flooding area.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

The motion passed by unanimous [4-1] voice vote with Commissioner Hansen casting the nay vote.

CHAIR HAMILTON: There's the decision. Thank you for coming.

11. B. **CASE #19-5160 Colibri Subdivision (Formerly Known As Turquoise Trail North) Phase 1 and Phase 2 Preliminary Plat Approval and Phase 1 Final Plat Approval. Turquoise Land Investment, LLC, Applicant, JenkinsGavin, Inc., Agent, Request Preliminary Plat Approval for Phase 1 and Phase 2 and Final Plat Approval for Phase 1 of the Colibri Subdivision (Formerly Known as Turquoise Trail North Subdivision). Phase 1 Will Consist of 117 Lots and Phase 2 Will Consist of 115 Lots on 101.49 Acres, More or Less. The Property is Located within the Santa Fe Community College District Planned Development District, at 4530 NM 14, within Sections 24 and 25, Township 16 North, Range 8 East (Commission District 5)**

NATHAN MANZANARES (Case Manager): Hello, Madam Chair.

Madam Chair, would you like me to do a brief history of the project, and a small summary of the project.

CHAIR HAMILTON: Yes. Just the brief history and summary. Not word for word. We've probably read it but I'd really like to hear it on the record.

MR. MANZANARES All right. Would you like me to begin from the plat extension that took place on February 12, 2019 in front of this Board? Or would you like me to go into the early 2000s when the Thornburg master plan approval took place.

CHAIR HAMILTON: No, you can just summarize that those things exist. Hit the high points. We've got this.

MR. MANZANARES So on December 13, 2016, the Sustainable Land Development Code Ordinance 2015-11, Section 14.9.9, Conceptual Plan, the BCC approved the conceptual plan to amend the Turquoise Trail North Subdivision, which was part of the Thornburg master plan. The applicant on February 12, 2019 went before the Board of County Commissioners for a 36-month plat extension for the Turquoise Trail North Subdivision for preliminary and final plat.

On July 2, 2019, the applicant submitted for an administrative conceptual plan amendment changing the subdivision name to Colibri from Turquoise Trail North. The applicant also changed the original phasing schedule from eight phases into two phases and lowered the total number of residential units to 232.

On September 13th the conceptual plan amendment was approved administratively by the Land Use Administrator. On July 2nd the applicant also the applicant also submitted for preliminary plat approval of Phases I & II and final plat approval for Phase I of the Colibri Subdivision.

Colibri will consist of 232 residential lots within the Community College Planned Development District. Colibri will be constructed in two phases. The subdivision will dedicate three open space tracts totaling 55.15 acres. The project will be accessed directly from NM14, north of Mountaingem Loop via two access points consistent with the proposed Traffic Impact Analysis provided by the applicant which was reviewed by the NMDOT.

The Santa Fe County Planning Department has worked with the applicant in creating an affordable housing agreement plan. They meet the applicable standards set forth in the SLDC for affordable housing. The affordable housing agreement in the plan was approved by the Board prior in this meeting being heard tonight. That was heard earlier this afternoon. Colibri will be served by the Santa Fe County Utilities per an approved ready, willing and able agreement, and a first amendment to County line service extension agreement which was also heard and approved earlier today during today's meeting.

Building and Development Services staff has reviewed this project for compliance with the applicable SLDC standards and found that the facts presented support the request for Preliminary Plat approval for Phases I & II and Final Plat approval for Phase I of the Colibri residential subdivision in conjunction with the applicant having received approval for the first amendment to the County Utility service line extension and service agreement, and the affordable housing agreement and plan from the Board earlier today prior to this case being heard. Staff recommends approval to the project subject to conditions as stated in the report, with an amended condition to allow for on-street

parking within the development to be designed in accordance with figure 8-4, neighborhood cross sections referred in Chapter 8 of the SLDC which governs the Community College District. Madam Chair, may I enter the conditions as stated in the report into the record with staff's recommended amended condition?

CHAIR HAMILTON: Yes, please.

[The conditions are as follows:]

1. Applicant shall comply with all previously imposed conditions of the Thornburg Master Plan, and Turquoise Trail North Conceptual Plan.
2. Applicant shall comply with all review agency conditions (as stated in the record under Exhibit 3), which all review agencies approval conditions shall be noted on the recorded Final Plats and Development Plan.
3. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site, this agreement shall be signed by the Administrator, recorded and referenced on the plat.
4. Applicant shall record the Final Plats and Development Plan with the County Clerk. Applicant shall submit an engineered cost estimate to be approved by Staff and a financial guarantee in an amount sufficient to ensure completion of all required improvements prior to recording the Final Plat.
5. Applicant must fence all slopes in excess of 30% prior and during the start of construction to ensure no additional disturbance of existing slopes greater than 30%.
6. Applicant shall record Water-Restriction Covenants, restricting annual water consumption to 0.184 acre-feet per year, per lot for all lots within Colibri.
7. Prior to installing infrastructure Applicant must address all redline comments from Staff for Colibri, No Development permits will be issued until Applicant's infrastructure plans are approved by the Colibri by Staff and the Santa Fe County Utilities and Public Works Depts.
8. Applicant shall design, bond and construct the required pedestrian trail crossing during Phase I.
9. Applicant shall design, bond and construct required traffic signal, road improvements and bicycle lanes as required by NMDOT and Staff.
10. Applicant shall redesign and submit a sign detail that meets the requirements set for in the SLDC under Chapter 7, Section 7.9.10.4.
11. Applicant shall fence centralized ponding area for safety purposes.
12. Applicant must comply with all conditions associated with the Water Delivery Agreement and Wastewater Collection Agreement prior to Final Plat recordation of Phase 1.
13. Applicant must transfer applicable Water Rights to the New Mexico Office of the State Engineers as per Water Delivery Agreement prior to Final Plat recordation of Phase 1.
14. Applicant must note on plat "Addresses are subject to change based upon modifications to either ingress/egress or driveway access" per Santa Fe County Rural Addressing approval condition.
15. The trail and trailhead easement must be platted with Phase I.

MR. MANZANARES Thank you, Madam Chair. Madam Chair, I now stand for any questions.

CHAIR HAMILTON: Thank you. So do we have questions?

COMMISSIONER GARCIA: Really quick. What does Colibri mean?

MR. MANZANARES Commissioner, Madam Chair, Colibri means hummingbird in Spanish.

COMMISSIONER GARCIA: Thank you. Also really quick, I just have a challenge as to the on-street parking. And the reason why I just question that is because when you go to the subdivision that's actually south of that across the arroyo there, it's kind of hard to get in and out of there. Is there any reason, Ms. Jenkins why we would want to do that? Are the widths of the roadway going to be a little bit wider?

[Duly sworn, Jennifer Jenkins testified as follows:]

JENNIFER JENKINS: Good evening, Madam Chair, Commissioners, Commissioner Garcia. I'm Jennifer Jenkins, JenkinsGavin, here on behalf of the applicants. So the question regarding the on-street parking came up because the Fire Marshal just wanted to ensure we were always maintaining 20 feet clear for emergency vehicles. So parking is only going to be permitted on one side of the street. So there'll be proper signage. So the roadway section that is proposed is more than adequate and is consistent with the roadway section of the Community College District that does permit on-street parking on one side.

COMMISSIONER GARCIA: Very good. Thank you.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: So when I looked at the design I was a little disappointed that there's only one park.

MS. JENKINS: If I may, I have some exhibits.

CHAIR HAMILTON: I assumed you were going to make a presentation. So I don't know if that might –

MS. JENKINS: Sure. Give me just one second.

COMMISSIONER HANSEN: Maybe once you do your presentation.

MS. JENKINS: So first I would like to say that we are in agreement with all of staff conditions, and I can go through the presentation briefly but I'm also just happy to stand for questions. So I'm just going to go ahead and approach and just point out a couple of elements.

So as mentioned in the staff report, the overall density of the neighborhood is being reduced from 290 dwelling units to 232 dwelling units. These are all detached single-family homes and so this is – that is the intent. So the two access points on Highway 14 are not changing. We have full access here which will be signalized and this is a limited access, right-in, right-out here on the west.

And so what we have in addition to – this is really our primary park area but we also have a small little pocket park here, so basically they're decentralized, which is consistent with the original plan. So we didn't want to concentrate everything in one spot. So this is kind of the heart of the project here, the primary park area, and then we have another park area here. We have open space areas here. We have another one here, and we have another open space tract here. And of course we have the arroyo and we have a

wonderful, huge area of passive open space as well.

COMMISSIONER HANSEN: So are you going to develop that park?

MS. JENKINS: Yes, we're going to develop the park.

COMMISSIONER HANSEN: And what about the open space?

MS. JENKINS: The open space is being left more passive –

COMMISSIONER HANSEN: The pocket park and the other area that you pointed to, are they going to be developed also?

MS. JENKINS: More limited development, in terms of pathways and seating, but the primary park development is here and then the other open spaces again are more passive in nature.

COMMISSIONER HANSEN: And so in the park will it have grass and a playground –

MS. JENKINS: Absolutely. Yes.

COMMISSIONER HANSEN: And benches and shade structures.

MS. JENKINS: All those elements. All those amenities. Yes.

COMMISSIONER HANSEN: And how big is that park?

MS. JENKINS: Let's see. Tract A is .8 acres. So it's just under an acre.

COMMISSIONER HANSEN: For 230 homes.

MS. JENKINS: For 232 homes. Correct.

COMMISSIONER HANSEN: And then you have a couple other smaller – are you developing any of the trails?

MS. JENKINS: Yes. Yes. We absolutely are developing trails. You can see all the dashed lines here are trails that we are building as part of the project, and we are also building a pedestrian crossing across the arroyo to connect into the trails that serve Turquoise Trail South.

COMMISSIONER HANSEN: Okay. And then as I mentioned earlier this afternoon, I am very concerned about solar on these homes, and even if you could not put solar on the homes, you could possibly have a community solar garden in the open space. Is that something you have considered? Or will you consider?

MS. JENKINS: What I can share with you following up on our hearing this afternoon is all of the homes will be constructed to accommodate solar, so structurally, in terms of the roof, the homes will be designed to accommodate that. And so that is a new piece of information I was able to acquire new this afternoon to respond to that.

COMMISSIONER HANSEN: So they'll all have conduits to the roof and all the electrical boxes will be able to be switched out and created so that they could be grid-tied?

MS. JENKINS: Madam Chair, Commissioner Hansen, I'm not in a position to go into that level of detail but what I can tell you is the homes are designed structurally and other measures that will be necessary to accommodate solar. So they wouldn't require significant retrofit or anything of that nature in order to accommodate it.

COMMISSIONER HANSEN: Will you encourage it? Will the developer, the builder, will they have packages that include that in their package and saying, okay –

MS. JENKINS: We can definitely make sure that the sales office has information from our local solar providers. So that information will be available to the homebuyers. Absolutely.

COMMISSIONER GARCIA: Madam Chair, just really quick. Ms. Jenkins, will the subdivision have retention ponds? I guess where I'm going at, I don't want all the stuff to land up in La Cienega.

MS. JENKINS: Oh, absolutely. We are retaining all of our developed flows on site and so those planning areas will be maintained by the homeowners association and they are landscaped. The terrain management plan has been reviewed and approved and we are retaining all those flows.

COMMISSIONER GARCIA: And then just real quick, so will each individual homeowner have the responsibility for their own retention pond?

MS. JENKINS: No.

COMMISSIONER GARCIA: Good. Because nobody maintains that. Good. Thank you.

CHAIR HAMILTON: So did you have additional items you wanted to mention as part of your –

MS. JENKINS: Not necessarily. I think it's fairly straightforward and we really appreciate that staff has worked really hard and worked really well with that and moving the project forward and we're just really excited about bringing new housing to Santa Fe County and bringing affordable housing to Santa Fe County.

CHAIR HAMILTON: Thank you.

COMMISSIONER GARCIA: Madam Chair, with that I'd like to make a motion for approval.

CHAIR HAMILTON: We have to have a public hearing. So is there anybody here from the public who would like to speak to this issue? Is there anybody at all here that wants to speak to this project? Is there anybody here that would like to speak to this issue? Seeing none, I'll close the public hearing and I'll take any further discussion or motion.

COMMISSIONER GARCIA: Madam Chair, I'd like to make a motion for approval with staff's recommendations and conditions.

CHAIR HAMILTON: Thank you.

COMMISSIONER MORENO: Second.

CHAIR HAMILTON: Thank you. So is there any further discussion? I have a motion and a second.

The motion passed by unanimous [4-1] voice vote. [Commissioner Roybal was not present for this action.]

CONCLUDING BUSINESS

- A. Announcements**
- B. Adjournment**

Commissioner Hansen moved to adjourn and Commissioner Moreno seconded, and with no further business to come before this body, Chair Hamilton declared this meeting adjourned at 8:25 p.m.



Approved by:

Anna Hamilton
Board of County Commissioners
Anna Hamilton, Chair

ATTEST TO:

Geraldine Salazar
GERALDINE SALAZAR
SANTA FE COUNTY CLERK

Respectfully submitted:

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

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 77

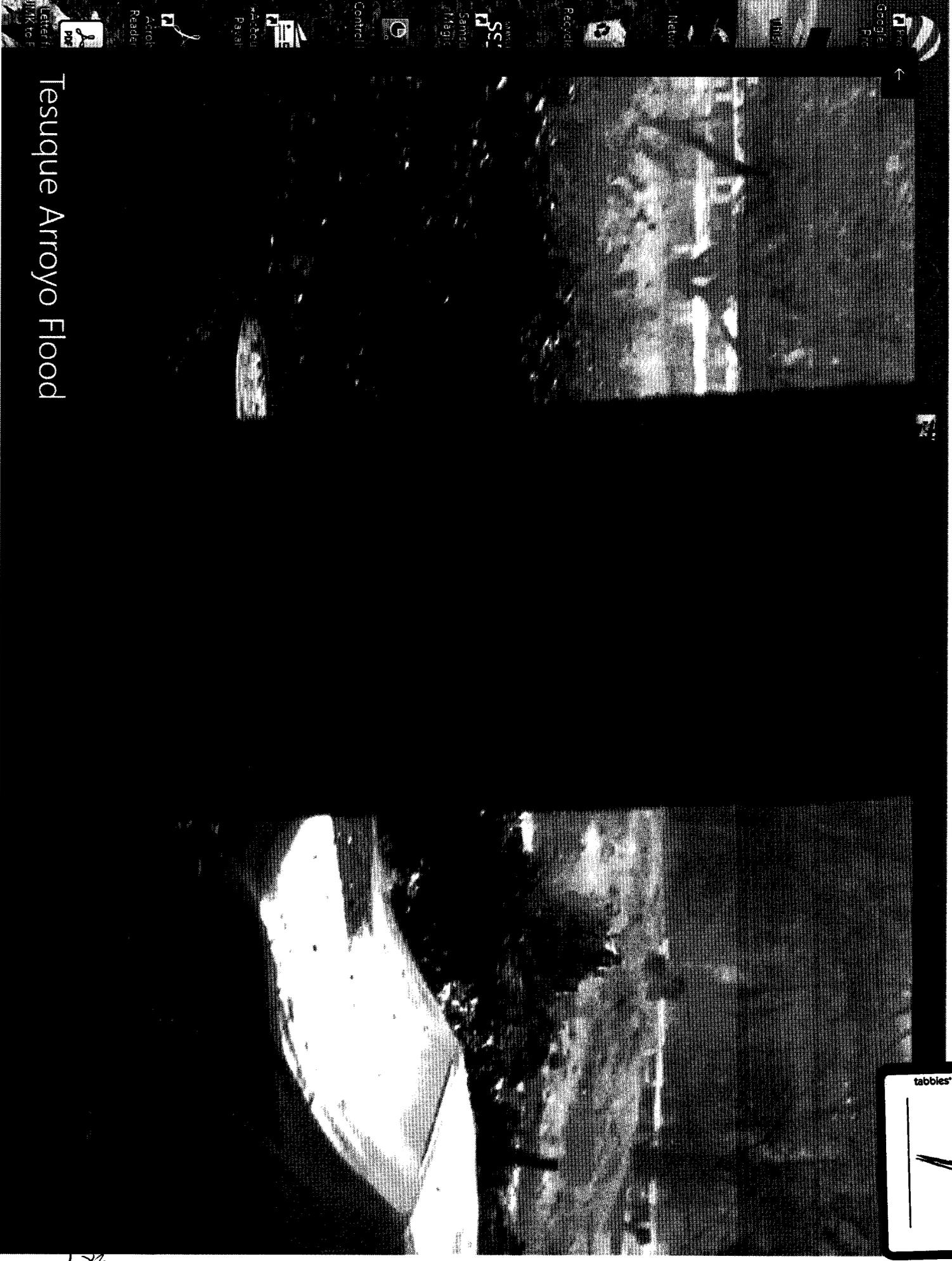
I Hereby Certify That This Instrument Was Filed for
Record On The 15TH Day Of November, 2019 at 11:06:21 AM
And Was Duly Recorded as Instrument # 1901996
Of The Records Of Santa Fe County



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

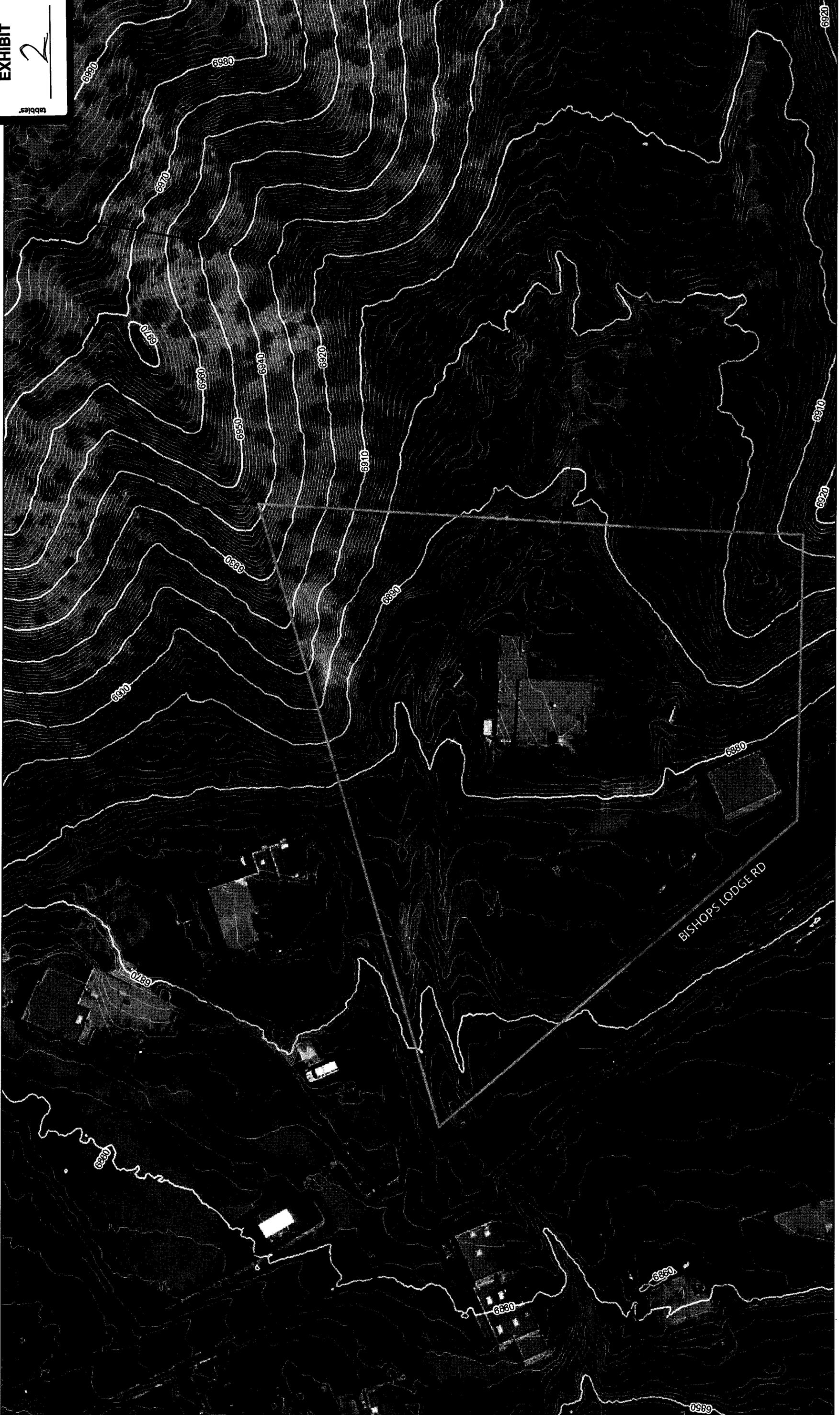
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CLERK
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11/15/2019

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EXHIBIT



Tesuque Arroyo Flood

9x1



⚡ Roads
□ Parcels

1 inch represents 50 feet



This information is for reference only. Santa Fe County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy. Aerial imagery from 2014. Foot contours from 2014.

Jim and Judi Goolsby
1474 Bishops Lodge Road
Santa Fe, New Mexico 87506
505 795 0005

re:Meeting on October 8, 2019
Concerning property at 1467 Bishops Lodge Road
Appeal ruling for ATF permit for structure/potential damage to arroyo

Commissioner,

We have attended and spoken at all the previous Commission Meetings concerning the structure/temporary barn at 1467 Bishops Lodge Road illegally located less than 25 feet away from an arroyo that also runs through our property.

We have incurred major expense when the arroyo in question has flooded our property due to debris in the arroyo and culvert.

I think the major issue now is that there is NO way to use the structure for horses and hay storage without significant damage to the already fragile walls of the arroyo. Any damage to the walls will result in flooding without question to our property and others on the river side of Bishops Lodge Road.

I am attaching a drawing of the arroyo, the barn, the road etc. If you look at the actual map of the area, the arroyo runs way up the hillside past the owners home and property and there is NO place to locate the barn on the North side of the arroyo and allow for use. It has to be placed somewhere else on the property.

Bottom line:

The owners plan to bring 3 Draft Horses to the property
Each Draft Horse weighs between **1500** and **2000** pounds
They eat a bale of hay a day each weighing from 200 to 500 pounds or more
(about 1000 pounds per week)

Imagine IF they are allowed to keep the structure there, what the weight of the horses, trucks and trailers taking hay across the arroyo daily would do to the fragile banks of the arroyo?

I imagine less than two weeks of all that weight and the arroyo will be destroyed at that section and positively affect drainage toward our property, flooding for sure!

SFC CLERK RECORDED 11/15/2019

The property at 1467 Bishops Lodge Road is large with acres where the structure can be located and not cause harm and loss of property or life.

We ask that you PLEASE do your job and prevent any further damage to our property by allowing the structure to remain in its current location.

Tesuque residents

Jim and Julie Hoodley

SFC CLERK RECORDED 11/15/2019

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We ask that you PLEASE do your job and prevent any further damage to our property by allowing the structure to remain in its current location.



SFC CLERK RECORDED 11/15/2019