

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

August 13, 2019

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

SFC CLERK RECORDED 8/13/2019

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August 13, 2019

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at 2:03 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
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 Gina Capener, the State Pledge by Kelsie Leavitt and the Moment of Reflection by Vidella Montoya of the Community Services Department.

Commissioner Garcia requested a moment of silence for John Velasquez, a former employee with the Public Works Department.

F. Approval of Agenda

CHAIR HAMILTON: Manager Miller, are there changes?

KATHERINE MILLER (County Manager): Yes, Madam Chair. The agenda was originally posted last Tuesday and on Friday there were two small amendments to the agenda. Under Matters from the County Attorney, item 2 was added

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and then under Public Hearings, 11. B. was withdrawn to be heard at a future meeting. That was a case that you had held over and both the applicant and the appellant requested that it be held over a little longer until they could study some data.

CHAIR HAMILTON: Excellent. Thank you very much. So with those changes what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair, I 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.

I. G. Approval of July 9, 2019 Special CDBG Minutes

COMMISSIONER HANSEN: Madam Chair, I move to approve.

COMMISSIONER GARCIA: Second.

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

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

H. Approval of July 9, 2019 Regular Meeting Minutes

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: I move to approve with changes.

CHAIR HAMILTON: Excellent.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. So there's a motion to approve the regular meeting with changes, and a second.

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

I. Introduction and Recognition of the Santa Fe County Fire Department Black Canyon Wildland Team, Including Youth Conservation Corps Grant Funded Members

DAVE SPERLING (Fire Chief): Thank you, Madam Chair, Commissioners, and with your approval I'd like to have the team come up and stand alongside me. Again, thank you, Madam Chair, Commissioners, for the opportunity to introduce to you our Wildland Division in 2019. I appreciate this opportunity very much and I asked them to join me today in recognition of how far we've come in Santa Fe County Fire Department in our Wildland Division. I have both our full-time career staff and our Youth Conservation Corps joining me, and I will introduce each of them individually, and will then stand for any questions.

But beginning on my right is Captain Mike Feulner. Captain Feulner has been with the program since its inception. He's not actually out on the fire line digging line or

fighting fire but is much more involved in program implementation for the Wildland program as a whole, including budgeting, grants, personnel management and so forth. On my left, Walter Dasheno. Walter has been with the County for ten years. He's a full-time wildland firefighter. Super well qualified and is our go-to for providing on the ground leadership and training for all of our staff.

Next to him is Jerome Tafoya. Jerome has been with the County for seven years and in Fire for 11 years in total. He's also our go-to as far as leadership, on the ground training, and actually being out there working hand in hand with the crew on fire deployments and fuel mitigation.

On my right is our Youth Conservation Corps team this year. This is our ninth season going back to 2010, participating in the Youth Conservation Corps program. The funding comes to us from the New Mexico Energy, Minerals and Natural Resources Department, and the intention of the program is to allow us to hire for six-month temp employment six to ten wildland firefighters, age 18 to 25, every year. We often bring folks in who don't have any experience whatsoever in the wildland realm, and we put them through an extensive training program and then send them out into the field, working hand in hand with our full-time crew and in particular both Walter and Jerome.

As I said, this is our ninth season. It's grant funded but we do do an in-kind where we provide the training and access to our County equipment for their participation. It's a great door-opener for individuals who want to have some experience for public safety careers, whether it be in other areas of public safety such as law enforcement or municipal firefighting. The intention of the Youth Conservation Corps is to give these individuals experience in forest management, fire ecology, and watershed health as well as natural resource management.

The team members this year: Brandon Chavarria. Brandon has been in the wildland arena for four years. Next to Brandon is Brianna Gonzales. Brianna for two years. Diego Perez. Diego has been with wildland for one year. Jesse Maxom, two years. Marco Grijeda, one year, and Jesse Barna, one year.

This is all their first year, I believe, as members of the Youth Conservation Corps. Many of our Youth Conservation Corps do repeat a second year or more as long as they meet the age requirements as specified by the grant program. So this is our Youth Conservation Corps group. They do an excellent job. We have had as many as ten individuals in the past. This year we were funded for six. We have our next grant application being processed as we speak by the state and we're hopeful that we'll be doing this again next year.

To my left is our full-time career staff, and if you will recall, in 2017 and 2018 we worked with you as Commissioners, our County Manager's staff and others in the County to obtain the full-time funding necessary to hire staff. For many years we had temporary and then term employees, and we were able to make the leap hiring full-time staff, providing these individuals a good salary, full-time employment and benefits, that is kind of unusual in the wildland realm. We are very fortunate here in Santa Fe County that we have been able to pull the trigger, so to speak, and hire excellent staff.

To the left of Mr. Tafoya is Bobby Garcia. He has been with the YCC program for a number of years. We're fortunate to be able to hire him full time and he provides lead services for our team. Casey Trujillo, four years, also a former YCC from Santa Fe

County. Ryan Kraut, six years, also former YCC. Noah Barna, five years. Anthony Armijo, 14 years. He's the only one of the group who's not a former YCC. And then Jonathon Moquino, eight years, also part of the YCC.

So out of this outstanding group of individuals we have some very talented firefighting staff, and going through their qualifications I recorded four crew bosses, two engine bosses, two EMTs, three who have attained their incident command level 4, and two who have attained incident command level 5. And their combined experience totals 65 years firefighting, wildland fire and hazardous fuel reduction.

Commissioners, these are the individuals that represent the County Wildland Fire Division and I personally – this is my final week here at Santa Fe County, but I wanted to make sure before I departed that I took a moment to thank each of you as Commissioners, the County Manager and her staff, for being so supportive of our Wildland program and our Wildland Division. We've really come a long ways and these gentlemen and ladies bring an incredible level of experience and dedication to Santa Fe County. Every time they go out on a deployment I get feedback from their bosses at the Forest Service, BLM, National Park Service – whatever the case may be.

And I just wanted to read you briefly a couple of the statements that have come our way and that indicate in my mind just how valuable of a resource this team is to Santa Fe County and the region. So this goes back to a fire in August of 2018 and the remarks were: "Black Canyon has a reputation of excellence. They lined up and exceeded their reputation. Their inter-crew communication is awesome and they are constantly training other crew members as well. Look forward to working with them in the future." And that came from the individual who was running the Carr Fire last year.

This year the crew was deployed earlier in the summer, in July, to a prevention assignment in the Jemez Mountains and the remarks read: "Black Canyon Crew did an outstanding job helping with the San Juan Fire, line construction and mop-up. They also helped with numerous abandoned campfires, 39 on the district, by extinguishing them and mopping them up. Their leadership was very professional and easy to work with."

Just yesterday they came back from a 14-day deployment on the Conejo Fire in the Jemez Mountains. This was a lightning strike that was managed over 786 acres and I'm told that this team played a leadership role in managing this fire.

So with that, Commissioners, I'd be happy to stand for any questions you may have, and once again I wanted to extent to you my sincere gratitude on behalf of the Fire Department for your support of our Wildland Division.

CHAIR HAMILTON: I will take comments, but no question, we are incredibly proud of you guys and really, that covers everybody. We're really grateful to have you doing what you do. So I'll just go down the line before we say more.
Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair – first of all, Chief, thank you for your service for Santa Fe County. Really appreciate the work you did and good luck with your new endeavors out there, as we talked at the last meeting. The YCC, the Youth Conservation Corps – what an excellent program. I actually deal with that with our public schools. I deal with that with some other non-profit organizations that I sit on. An excellent program. As the Chief mentioned earlier, a great door-opener, a very great door opener. These gentlemen here on the right, and a great door-opener for public safety,

whether it's fire, police, E911 services, what a great door-opener.

As the Chief mentioned earlier, management of the forest, I think a lot of individuals out there in the community don't realize the importance of management of the forest until you actually do the work do you realize the important work that you do out there and why you do the work and how come the work needs to be done. So thank you for what you do out there and the stuff you're going to be learning. Once again, a great door-opener. I worked for the County for 28 years of my life, back when my hair was black. You guys, all your hair is black still, which is good. So it's actually a great career opportunity to take advantage of it. Like the Chief, it's a very great opportunity.

Once again, YCC, what a great organization, obviously, and thank you all for what you're going to do for the community, not just the County but for the entire community and Chief, once again, thank you and congratulations to you all.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. Thank you, Commissioner Garcia, for your comments. How many of you plan on returning next year? Great. That's good. She's still thinking about it. Next year, the decade that we'll have. It will be ten years, having this program. I think it's a great program, like you said. It gives these youth the opportunity to see, is this the domain I want to go into in public safety, or do I want to pick something else and create a career and decide if it's not for them. So I think it's a great opportunity, a great effort that's put forward and that really helps our community. So on behalf of myself as a Commissioner for District 1 I want to say thank you for all your help and working in these areas and providing this service that you do to make these forests safe for our constituents. So thank you. I want to thank staff for their leadership and mentoring. You guys do a great job and we couldn't have this program without your leadership, so thank you all very much.

CHAIR HAMILTON: Thanks, Commissioner. Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. It's great to see young people coming to the party. When you're in your positions you're leading. You are the leaders in your field and I'm happy to see that there are so many this year and I think that if I can say that anybody watching your work, the effort that you put into training – it's really a good thing to have in this community.

CHAIR HAMILTON: Thanks so much, Commissioner. Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, thank you to all the other Commissioners for everything they have said and thank you for fighting these fires for us. I really recognize how dangerous it is and what hard work it is, so thank you. I really sincerely am grateful for your work up there in the mountains protecting us because our watershed and our mountains are sacred to all of us and keeping them safe is really important and that falls on you, so I'm grateful for your service, so thank you.

And to the youth, thank you for having this experience of being able to find out what it's like to work with a really good professional staff out in the field and learning from them. I think that's really a great opportunity. I think that kind of mentorship is really important for youth to have, the ability to work with professionals, so I'm happy we're able to provide that service and that you get to be part of it. So thank you all for your service to the County because it's really heartwarming to me to know that there are

good people out there protecting us. So thank you very much.

CHAIR HAMILTON: Thanks everybody. This is your last BCC meeting, isn't it?

CHIEF SPERLING: Oh, I didn't realize that.

CHAIR HAMILTON: I bet you did. And I just wanted to mention to Walter, you don't look 65, with so many years of experience. It's easy to say wonderful, glowing things, but really, you can see the difference over the years, the leaders who are here, the Chief and Captain Feulner, with enough foresight to understand how this could fit in and work with the Commissioners and everything to make it a reality. Everything takes time. I bet many other Commissioners have this experience, but certainly in my district, maybe the first week on the job, Chief Sperling said, yes, your district is one of our biggest worries because there's some much urban-wildland interface and what not.

People – it's something they're really, really concerned about, and the more that they have seen and come to know that you guys are out there responding, the more – not complacent, but gratified that they have that service. It takes a lot on you guys' part to make that a reality every day and year to year and plan for it and train for it. I certainly hope it was good for your guys. I'm glad some of you are coming back, and there's just ongoing feedback that I get of people – they're so happy you guys are around to do that. It is a great service to the community.

Are there other officials that would like to say anything? We certainly, if it's good with you, we'd love to take a picture with you and we are very proud to have you as part of the County.

[Photographs were taken.]

2. **CONSENT AGENDA**

- A. **Approval of Jemez Mountains Electric Cooperative, Inc. Contract and Utility Right-of-Way Easement for the Pojoaque Valley Recreation Complex (Purchasing Division/Bill Taylor)**
- B. **Resolution No. 2019-98, a Resolution in Support of Grant 19-D3407 for Eldorado Road Improvements and Requesting the Chair of the Board of County Commissioners to Sign the Grant Agreement to Execute the Grant (Finance Division/Gary L.J. Giron)**
- C. **Resolution No. 2019-99, a Resolution Designating Official Representatives for Grant 19-D4086-STBR for the Agua Fria Utility Design and Requesting the Chair of the Board of County Commissioners to Sign the Grant Agreement to Execute the Grant (Finance Division/Gary L.J. Giron)**
- D. **Resolution No. 2019-100, a Resolution Designating Official Representatives for Grant 19-D2542-GF for the Agua Fria Wastewater Service Expansion and Requesting the Chair of the Board of County Commissioners to Sign the Grant Agreement to Execute the Grant (Finance Division/Gary L.J. Giron)**
- E. **Resolution No. 2019-101, a Resolution Designating Official Representatives for Grant 19-D2545-GF for the Agua Fria**

Wastewater and Utility System Expansion and Requesting the Chair of the Board of County Commissioners to Sign the Grant Agreement to Execute the Grant (Finance Division/Gary L.J. Giron)

CHAIR HAMILTON: Does anybody have anything on the Consent Agenda they'd like taken off? Commissioner Hansen.

COMMISSIONER HANSEN: I just want to make a statement and a motion if I may.

CHAIR HAMILTON: By all means.

COMMISSIONER HANSEN: First of all, I would like to approve the Consent Agenda but I'm also incredibly grateful to our delegation for three of the grants that are on the Consent Agenda for the Agua Fria wastewater and sewer service expansion. It is something very important to me for my constituents, so I am grateful to see this on the Consent Agenda. Thank you and with that I move to approve.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. On discussion, is there anybody who had any questions? If not, I have a motion and a second.

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

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

3. APPOINTMENTS/REAPPOINTMENTS

A. Appointment of One Member to the Santa Fe County Water Policy Advisory Committee

JOHN DUPUIS (Water Utilities Director): Good afternoon, Madam Chair and Commissioners. I'm requesting approval of Emily Wolf to the Water Policy Advisory Committee. The purpose of the committee is to provide factual information and recommendations to the Board on numerous topics related to water in the region. Currently there are six members that actively are appointed to the WPAC and there are six open seats remaining. We're recommending that Ms. Emily Wolf be appointed to the committee as a representative of the central planning area.

She has numerous qualifications including a masters degree in water resources management with a hydroscience concentration. She's a member of board of directors of the Rio Puerco Alliance. She has practical experience in managing landscape level river restoration project and extensive planning and implementing environmental education programs. She has experience in diverse communities on environmental issues and she lives in the central planning area.

We believe that the WPAC will benefit from Ms. Wolf's background and will bring much needed new membership to the committee. We recommend her appointment.

COMMISSIONER GARCIA: Madam Chair.

CHAIR HAMILTON: Excellent. Thank you. I just wanted to add that when she was considering it, Emily came to a couple of WPAC meetings to make sure she was familiar with the process. Commissioner Garcia.

COMMISSIONER GARCIA: I was just reading Ms. Emily's résumé. She has an extensive wealth of knowledge in the hydrologic area, so I'd recommend approval for Ms. Wolf.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. Any further discussion? I do have one question. We have another person submitted. Are they just still in process?

MR. DUPUIS: They are. Yes, ma'am.

CHAIR HAMILTON: Excellent. Thank you. So it would be good to get a few other people if any of the Commissioners have some suggestions. The committee's work is actually really picking up so it would be very beneficial at this point. So I have a motion and a second.

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

4. CAPITAL PLANNING AND IMPLEMENTATION

A. Resolution No. 2019-102, a Resolution Rescinding and Replacing Resolution No. 2009-118, and Adopting a Procedure for Private or Non-Governmental Organizations to Request the County to Act as Fiscal Agent For Legislative Appropriations

PAUL OLAFSON (Planning Division): Madam Chair, Commissioners, as you recall, we have discussed this at a couple of other planning meetings and the resolution before you is to rescind Resolution 2009-118 and to provide for a clearly stated process for private or non-governmental entities to request County support for capital outlay from the legislature. Santa Fe County annually submits its ICIP which is the project request for the New Mexico Department of Finance and Administration. ICIP requires all local governments for inclusion of potential projects in the capital outlay process.

In 2009 the Board adopted the resolution 2009-118 which directed staff to develop a procedure for private organizations to coordinate with the County in capital requests. However, that process was never implemented. The County regularly receives legislative appropriation requests to support activities of private and non-governmental organizations that provide services to the public. When these appropriations are accepted by the Board the County is required to function as the fiscal agent for these grants including disbursement and monitoring of expenses. And this is again staff time and resources.

Additionally, appropriation requests may also provide legal difficulties in relation to the Anti-Donation Clause, which is part of the New Mexico constitution, Article 9, Section 10, and this prohibits donations of public funds to private entities. So oftentimes a non-profit may come and request assistance not understanding or knowing what ramifications are or the hoops that need to be jumped through to get it.

On June 5th we did present this proposal to the Board at a capital discussion about working with non-profits and how that would work. I just want to briefly outline what it entails and some of the basic steps in this resolution. That proposed process will allow for timely submittal and consideration by the Board of private or non-governmental agencies

or organizations with capital requests prior to the start of the annual legislative session. Often we are informed of requests for legislative support during the session or after the session when appropriations are granted but we at the County are sometimes not aware that those requests are coming.

The process includes the following steps that any organization that plans to request an appropriation from the legislature where the County will be identified as a fiscal agent must submit a completed application to the County at least six weeks prior to the commencement of the legislative session. The County will review the application and coordinate with the organization to determine if there are any legal issues or other obstacles that would prohibit or prevent the County from serving as fiscal agent or the organization must obtain advanced approval from the County from the Board of County Commissioners each year that the organization plans to request an appropriation from the state legislation. The organization's capital outlay project must be included in the County's ICIP Infrastructure Capital Improvement Plan and be submitted to the County by August 1st during our regular ICIP process, or six weeks prior to the legislature we could amend the ICIP to include any additional projects.

But the idea there is you're building in time to really work with the organizations and get a clear idea of what is being requested and how it might fit in with the County.

Some requirements for prior approval for a request for an appropriation includes submission of the completed application, identification of a possible sponsor of the request at the legislature, if that's appropriate, and inclusion of the organization's proposed capital project in the ICIP. Santa Fe County will not serve as fiscal agent if the organization does not follow these procedures as outline in the resolution.

And with that, I would stand for questions. The staff recommendation is that the Board approve this resolution.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: So my one concern about this and I think it's a good idea to have them give us six weeks' notice, but how are we going to get that word out to them? And once we pass this resolution are we then going to be sending it to all the legislators so that they actually know? Because a lot of the time the non-profits go directly to the legislators and completely bypass us. And the legislators still move forward with something. So I feel like that has been a gap in the process. And we really need to work on that to make sure that the non-profits understand that the County has developed a process for them to be involved, but at the same time, I feel that our legislators need to also understand that we have developed a process so that when they have these non-profits that they want to support, that they can actually follow that process and not be the 11th or 12th hour that we're getting the request and then trying to figure out how we're going to manage it, because that is really a problem.

MR. OLAFSON: Madam Chair, Commissioner, yes. At the June meeting we did discuss that there would need to be an outreach process, if this process were adopted, and that would be working with our non-profits as well as our legislative delegation to ensure that everyone knows. It's going to be a learning process I'm sure as well, and iterative, and so this year it might not be perfect. Next year, hopefully, it's better, and then continuing forward, this process then will become known and a standard,

recognized process throughout the community so that it can be followed more efficiently.

COMMISSIONER HANSEN: Right. And part of the reason, Madam Chair, the reason I brought this up again is because I feel like the more that we bring it up in public, and the more that people are able to hear that we have developed a process, a lot of people might not have heard our June 5th meeting and don't know that we are working to develop a process for them to interact with us and get funds through the legislature. So I just wanted that on the record and for people to know that that was something we're working on, because I feel like it's really important for them to hear this. Sometimes we at the County are not the best at reaching out and marketing our own material so I hope we can work on really marketing this and helping non-profits understand there is a process.

COMMISSIONER GARCIA: Madam Chair, just on that note.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: We've been working on this marketing process for the last seven, ten years, ever since I've been doing legislative items through the state legislature. So our state legislators actually are aware of this stuff. Those are just things that we're going to need to figure out how we handle it and how we work with that, because it's always going to happen. But our legislators are totally aware of it, especially last two or three or four years are aware of the challenges that Santa Fe County has to deal with, project management for non-profit organizations and the challenges that our Legal Department has with those. So our legislators are aware. So maybe, Commissioner, you could actually just speak with your legislators in your district and just remind them that we do have a resolution for non-profits and how we come forward with them. It might be some information from yourself to your local delegation. Communication might help out. We have been working on this for many years. Thank you.

CHAIR HAMILTON: I would agree but there's the idea that having this a little bit more formalized and having it as the basis, because every year we work with the legislators and the non-profits and we do a lot of communication, but now it's a little bit more formalized, but I'm sure you're absolutely right that there'll be a learning curve and there's a certain amount of repetition that's necessary. And there's always the temptation and probably will never go away to have things added at the last minute, because someone found more money or someone got to town late. It doesn't really matter how they come up but I suspect we'll always have a little bit of that pressure but that gives us a little more grounds for doing what we sometimes have to do in turning things down.

I do have one question before I call on Manager Miller because I bet she can answer both of them. This would make – would end up coordinating time-wise with our consideration of capital projects so part of our – the criteria we put into our consideration is, our bandwidth for what we have on our priority list compared to having to manage other people's priorities. That was meant as a question, the timing. Manager Miller.

MS. MILLER: Madam Chair, yes, that's the intent is to try to analyze projects that are coming from outside the County, along with those that are coming up through the County staff and to the Board, or from the Board, and prioritize those and be able to say to legislators, this is the list of projects that if you appropriate funds for these we believe we can work on those projects. I think the challenge with this policy is going

to be if you adopt it and direct us to follow us, and once we get people trained and used to doing it, if legislators appropriate outside of our list, that we would reject those appropriations.

Otherwise it's just an exercise for us in doing something that really doesn't produce a result of us actually having projects that are ones that we know we can do and that we have capacity to do, and that we know the scope of them is something we can do, something that we can legally do. You run into anti-donation issues with a lot of these. And this process would hopefully vet those type of projects ahead of time, so that if they make it onto our ICIP and the organization goes to the legislature and gets a legislator to appropriate to it, that we know we can, if it's fully funded, execute that project.

If we don't pay any attention to that, if we go through this whole process and we hand them a list and there's 20 appropriations like this year that weren't on the list, if we accept those, then we have accomplished nothing.

CHAIR HAMILTON: Right. And the opportunity to have the dialogue back and forth doesn't necessarily prevent that. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, I totally understand and I get it. One of the challenging items that the County has is whenever there's an abundance of gas and oil revenue out there for capital outlay dollars and we have these non-profits out there that actually can utilize that money, and they're very great non-profit organizations that actually help out this entire community – city and county. It's just a change that we have as County staff: How do we help out this really great non-profit organization, whether it's for addictions or whether it's for non-profits or what not. How can we – we kind of just need to communicate with our legislators and say, how do we make this all work? Maybe – I know when Manager Miller was at DFA there was some talk with ex-Commissioner Jack Sullivan as to possibly maybe the state could put aside some money for project management of these grants. How that works or whether it can work, I don't know. But it's good money for non-profits that are actually great non-profits and this is a challenge that we've been dealing with for many, many year. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Moreno.

COMMISSIONER MORENO: Thank you, Madam Chair. This is a good start. Everybody knows that when the legislature is in town, hide your children and dogs. I'm being facetious. This is a good start. We need to master our own destiny. If we do this, it's going to be a dogfight, I think, in some places that we will be rejecting projects that we never want to do. But there's going to be some wiggle waggle. And I think that the devil is in the details. Good luck.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, I'd like to make a motion. I'd like to move approve rescinding and replacing Resolution No. 2009-118, and adopting a procedure for private or non-governmental organizations to request the County to act as fiscal agent for legislative appropriations.

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. 2019-103, a Resolution Adopting a Capital Planning Process [Exhibit 1: Flow Chart]

MR. OLAFSON: Thank you, Madam Chair. This kind of ties into the discussion we've just been having. What we are proposing through this resolution is to provide a more standardized and systematic, transparent, evidence-based, adaptive and realistic planning process for planning our capital planning throughout the county. Currently we have a five-year internal capital improvement planning process that we update every year through the budget process. We also have the annual ICIP process which is the next item on the agenda, and as we've discussed at our previous study meetings, we are proposing to implement a 20-year planning process and to standardize and more formalize it so it's transparent, it's even, and it works across the board.

So the proposed process – well, actually a couple other points. Our current process does have some shortcomings and it's really a short window of time. Five years is really not that long and there's a lot of items we can do. Also, sometimes we're only looking one year ahead and lengthening our window of vision I think will help us better be able to plan for what's possibly coming to us.

And there's really not a standardized, systematic means for evaluating projects at this time. And we also do not scope our projects very well. So we don't exactly know what we're funding to and we don't know what the impacts of that might be, either on staff or on operation costs, etc. So this resolution will help, and the process it adopts would help the County to initiate the new planning process and incorporate new tools to address current County needs as well as future growth needs of the County and of the community.

It's long-range capital planning to identify, prioritize and program capital projects, consolidate capital planning and budgeting functions into a single integrated system and create a regularly scheduled capital planning process so that projects are reviewed, scoped and evaluated, and that staff capacity is considered before recommending funding for a project. So what we have to look it is is the project do-able and do we have the people to do it, both on the upfront planning and implementation of the project and then the long-range operation and management of the project.

Again, as I said, it's more long range, it's pro-active, it's focused on integrated systems and priorities, it's based on adequate information and it would be within the County's ability to implement. And as outlined in Exhibit A to the memo and the resolution, the process would include the following. This is a summary of the steps. The capital request would be submitted through a request form; staff requests would be considered as part of the annual budgeting process in late fall that would start and then roll into the budgeting process; public requests and outreach would come in the late spring as part of the annual ICIP public outreach process; capital plan would review requests and work with requester to refine their proposals – so we'll work with the folks to really clarify what is it you're asking for? What is the need and how can it be addressed? Also the process will establish a capital Scoping Committee and this will review requests in the early winter and early spring. The scoping committee will have staff from various offices that would be required to implement and maintain the capital facility and include all necessary staff to be sure that the review is thorough. The Scoping

Committee will look at user needs, relevant data, project costs and fiscal impacts of the proposed projects.

Once a project has been scoped through this joint staff committee, the Capital Planning Committee would be established and they would do an evaluation of the proposed projects based on the finalized scope. This would happen in winter and early summer to coincide with our budgeting and our capital planning. The Capital Planning Committee would then sort and rank the CIP projects using the capital planning tool that we presented to the Board at the previous sessions, and that was the spreadsheet that uses the different criteria from the strategic plan as well as the four County pillars and trying to get a standardized evaluation process that we can look at a project with equal footing. So this road, compared to this road, compared to this road, and have similar evaluation criteria and methodology.

Also part of that review process is not only looking at the ranking of the project but the staff capacity to implement the project. Not only implement but also to maintain it over time. Those are two big issues that we don't consider well enough sometimes in our capital planning.

And capital planning would sort this, present a list, come to the Board of County Commissioners, ask the BCC to review it and then update the list. And this would be happening in an ongoing process. So it's not one time and you wait five years until you start it over. So this would be an annual process and it would be continually occurring. And that would happen twice a year that the capital list would come before the Board for just a review and an update as needed.

And then the BCC and the Capital Planning Committee would use that adopted list to then propose for the ICIP. So all the projects, this is going to take some time and a cultural change here but over time, the projects would be scoped adequately. They would be evaluated on a standardized basis, and then you can use that longer list to create your annual ICIP list.

And then finally, the Capital Planning Committee and BCC would update and adopt an annual capital budget based on the five-year implementation window. So we'd ask the Board once a year to look at the budget and implementing the list as it is. And there might be grants that come in and other things that happen so you can take a project off, or a project is addressed in another means. And the intent here is to keep it dynamic and fluid, but also standard and transparent so that it can be replicated and easily understood. Just like the last process we were talking about, it will take some time to start up. It will take a learning curve on all parts and all sides, but if we can take that first step to start standardizing and creating a really level process, we feel over time it will benefit the County in its long-range capital planning.

Again, you did review this at the June 5th meeting and previously we had discussions at the special planning session. Staff is recommending approval of this resolution and adopting this process and with that I would stand for any questions.

CHAIR HAMILTON: Thank you. I actually have a question.
Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So this is kind of about the process, and we're all trying to get used to these tablets and working on them, but I found it really difficult, and I know I found it. Now I can't find it, to find

Exhibit A. It was like we're rescinding it and we're not rescinding it, but it wasn't in the place where I expected it to be. I found it the first time. I found it after going through –

CHAIR HAMILTON: It's in the resolution.

COMMISSIONER HANSEN: Oh, that's – so you have to go down to the – Okay. So I was looking for Exhibit A because you mention it in the first one, the resolution that we passed. You mention it in the second one. And so in the future it might be helpful, if you're referring to an exhibit, that it be an exhibit. Because that's what I was looking for. So I'm sorry to take the time to say that but it's just something that I find part of the process. I'm really grateful for the list but I'd also like to know is the list – or we're not on the list yet? Okay. So I will go back. Thank you for this and I will yield my time at the moment.

CHAIR HAMILTON: Okay. Other questions? Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, one of the things I would like to see the Capital Planning Committee look at, work on, incorporate is whether to see at what point we need some additional staff for these projects. Because the committee can scope work all day long and create budgets but how do we get from the committee to talk to the Manager's Office as in to we need additional staff for projects. So how do you incorporate that? I'll leave it up to you guys, but it needs to be done.

MR. OLAFSON: Madam Chair, Commissioner, understood.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: So one of the things I found very useful before was the flow chart that linked the different aspects of the capital process, because they're clearly linked. And one of the things that is a little harder to get from the words, but I think it's something that as we develop the process we have to achieve is that there are several timeframes going. One of them is that you're not just reviewing the process once a year. Like you're going to bring it to us twice a year, but that's because at any time a project comes up that needs to go through the process, I imagine you guys think that those initial submittals, some could be pretty quick and only take a few months and some could actually be for much longer to evaluate. And then eventually it migrates to a long-term list and then moves to a shorter-term list. So at some point there's some probably an overarching evaluation to go, well, let's look at the list again and see which things need to be moved up. Maybe that will happen every time you bring it to us. But the flow chart really helped capture that sort of thing.

MR. OLAFSON: Madam Chair, I do have copies of the flow chart.

CHAIR HAMILTON: Yes, and we have them from before but if you could hand them out that would be great.

MR. OLAFSON: And just to your point, that's the reason we have these multiple, repetitive iterations within an annual 12-month cycle is so that we are doing exactly that, that we're not looking at one thing one time, putting it on a list, and then waiting years to re-evaluate it. And you're right; conditions change. Things happen and something might come up that's an emergency or some other thing that would make it boost up in the process.

So the idea here is to make this kind of a nimble and pro-active but able to react as things change.

CHAIR HAMILTON: That's great. I mostly did want a little bit of that

discussion. I also wanted to thank you and your staff, the County Manager and all the other senior managers who contributed to this because I consider this a really responsive product in a fairly short time period, from a year and a half ago when we sort of started trying to look at this. It might have been new for us. I know it wasn't new for some of you guys and maybe it was getting back to straightening it out, doing it more formally, but I think you guys did an incredibly responsive job developing this process and bringing it forward. I really appreciate that.

COMMISSIONER HANSEN: I would agree with you on that and I am grateful for the process.

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: I would ditto those exact comments and I'd like to move for approval.

COMMISSIONER GARCIA: Second.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. Is there further discussion? We have a motion and a couple of seconds.

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

4. C. First of Two Public Hearings on the Santa Fe County Infrastructure and Capital Improvement Plan (ICIP)

JACOB STOCK (Planning Division): Madam Chair, Commissioners, this item is a request to conduct the first of two public hearings for the Infrastructure and Capital Improvement Plan, or ICIP submittal process. The County annually submits an ICIP to the New Mexico Department of Finance and Administration. The ICIP is a five-year capital projects list, required for inclusion in the state's capital outlay process. The County's 2011-2025 ICIP is due by September 6, 2019 and a draft project list is included in this packet.

On June 5th the BCC reviewed the ICIP public outreach and approved the process. In June and July staff held five public outreach meetings throughout the county. Members of the public suggested potential capital projects at these meetings and through request forms throughout the year. Staff reviewed these constituent requests along with other capital needs in order to compile the draft ICIP which you have. Staff made every effort to follow the capital planning methodology which you just adopted by resolution at this meeting in an expedited timeframe to get this done for the September 6th deadline.

Projects were included on this list based on the following criteria: the project is ready to implement or phases of a project are already complete; the project enhances existing County facilities; the project leverages existing funding or funding sources; the project addresses immediate needs related to public health, safe and welfare; and there is sufficient staff capacity to initiate and complete the project in a timely manner.

So this item, like I said, is the first of two public hearings for the 2021 to 2025 ICIP. The second hearing, top five project selection and final action is scheduled for the next Commission meeting on August 27th. So with that I'll stand for questions and

request that the Board conduct the public hearing.

CHAIR HAMILTON: Thank you. Before I open it up for public comment did the Commissioners have any questions? Commissioner Hansen.

COMMISSIONER HANSEN: So how did you advertise this public hearing today?

MR. STOCK: Madam Chair, Commissioner, we advertise the public meetings in the Santa Fe *New Mexican*. We ran ads for about a month –

COMMISSIONER HANSEN: For today?

MR. STOCK: For today's public hearing, we just did our normal BCC noticing.

COMMISSIONER HANSEN: So you didn't do any outreach to let people know we're having a public hearing today. You just did it at the other meetings.

MR. STOCK: Yes, Commissioner. That's correct.

COMMISSIONER HANSEN: I don't know. I just think it's important for the community to know that they're having a public hearing and I would like to see this somehow advertised and let people know. I think the meetings that we do out in the villages are also really important, but I do think it's also important to let people know that it's happening now so that they could have an opportunity also.

MR. STOCK: Thank you, Commissioner.

CHAIR HAMILTON: Are there other questions on the ICIP?

COMMISSIONER HANSEN: Are we also talking about the 2021-2025 plan at the moment? Or are we just talking about the public hearing?

MR. STOCK: Madam Chair, Commissioner, we can talk about both. The hearing is regarding the 2021-2025 draft ICIP list.

COMMISSIONER HANSEN: So are they in random order, or are they in order of importance on the list, or how are they listed in the draft ICIP?

MR. STOCK: Madam Chair, Commissioner, the top projects reflect projects that have been – that were on the list and high on the list last year, but the order is not set in stone and at the next meeting the Commission will have the opportunity to choose the top five ranked projects.

COMMISSIONER HANSEN: I just wonder because we've been working on the Agua Fria sewer system for quite some time and it's now number 23 and we have a project manager and we have funding, and we have been working on it so to have it moved down to almost the bottom seems a little strange to me.

CHAIR HAMILTON: Anything that's already being worked on shouldn't be on this list. The next phase perhaps? Is that what's on the list?

MR. OLAFSON: Madam Chair, Commissioners, the list does reflect, as Jacob read in his report that we worked at projects that were already under way or had phasing. And remember with the ICIP, the only ranking is from one to five. Everything on the list has equal validity and equal opportunity, but DFA does require us to select one through five. So that's what we were proposing to bring to you at the next meeting, but the point of it being number one or number 23, there's no reflection of its importance on the list. It is – and if the Board decides to move it to number one, the number one priority for the County, that would be the Board's discretion.

But I wouldn't want to say that number 23 and number 10 and number 7 on this

draft list reflects any of that ranking or importance. And we did take the list and try – as we talked about in June, we did take a smaller swing at a smaller list than in previous years because we've seen that it's easier to work with our legislative delegation when we have a clear and finite – and I think that was part of the discussion in June as well – a clear and finite list of projects to work from. So that was part of our process in developing this list.

CHAIR HAMILTON: Anybody else have any questions? Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, staff, if you can look at number 4 and make sure that's in addition to the money that we already have there, if that \$300,000 is in addition to for the next meeting, or just email me please. Number 11, the Calle Debra Bridge –

CHAIR HAMILTON: What was it about number 4?

COMMISSIONER GARCIA: Oh, just regarding number 4, the Madrid fire suppression system, if the \$300,000 that's on the ICIP plan, is that in addition to the existing money that we have, the money that we did receive from the state legislature. And also can you look at numbers 11, 12, 18 – 18, we have existing money there, and 24 and 25. Just if you can send me an email as to if those are additional monies or if we have existing monies and if so how much of the existing monies is that in addition to. Thank you.

MR. STOCK: Thank you, Commissioner.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I know that a number of my constituents sent in requests and one of them was a high water crossing at San Ysidro Crossing and I don't see that anywhere on here. I know it hasn't been on the list before but there was also some issues about sidewalks on Henry Lynch and I don't have that list in front of me of everything that was requested from the village, from Agua Fria Village, but I will make sure that I have it for next meeting.

CHAIR HAMILTON: Thank you.

MR. STOCK: Thank you, Commissioner.

MS. MILLER: Madam Chair.

CHAIR HAMILTON: Yes.

MS. MILLER: So I want to ask Jacob and Paul, you go to the meetings and you have people bring up projects. What do you do with them? Do you add it to the list for just the estimated dollar amount or do you leave that list somewhere that the Board doesn't know that people are requesting that in their district? I think this goes to the core problem we have. If you just throw it on the list it becomes a project, yet it hasn't been vetted. If you don't put it on the list then the Board is like, well, hey, I have community members that said they requested something.

There needs to be some reconciliation in this process of what comes up at a meeting, what comes to the Commissioners, and how it gets on this list. Because Rudy just asked about several of them, Commissioner Garcia, and same with Commissioner Hansen and they know that people have said – gone to public meetings and said we'd like this to be on there. Last year we got kind of caught with stuff that we didn't want on there

because somebody just raised their hand and said I want you to purchase a zoo, and it was on there.

So where in developing this list is from the public hearings or the community meetings to these public hearings, does that process of vetting the actual project or request from the community or from the constituent, where does that happen and how does this list get made?

MR. STOCK: Manager Miller, I can speak to our process that we did in creating this list and to our process that we're going to use in creating future lists once we've established and work through the capital planning process that was just adopted today. So in establishing this list what we did is we have a master list which we keep of all of the capital planning project ideas for the next five years. So that includes requests from staff, Commissioners, and constituents. And so we keep this big list of all these projects and the process for creating this list, because we were on a quick timeline, we went through and asked ourselves the five questions that I laid out in my introduction: Is there existing funding? Is this project ready to implement once it receives capital outlay funding? Is it addressing public health, safety welfare?

So what we did is we went through this master list and we asked that question of the projects on this list. In this case many of the projects that were requested this year – we wouldn't be able to say yes to are we ready to implement this right now because it hadn't been adequately scoped or priced. In the future, as we go through this new process that we've adopted today, there will be a scoping process where these projects will be scoped and we'll be able to better say what the costs are, what's required of these projects, and then we can evaluate them based on our County growth management criteria.

MS. MILLER: So Madam Chair, Jacob, what I think is difficult for the Board, they need to see everything that's been requested and then see why you've not carried something forward to this list, so that when their constituents say, I went to the meeting. I raised my hand. I said please do roads A, B, and C, and you heard them, but you couldn't put them here because "Do roads A, B, and C is not a project." That's not defined well enough. It's not cost estimated. It's not what you need in order to actually say, hey, yes, this is a priority in the next year or two years or three years.

But they don't know that, so their constituents say, I want to the meeting; I asked, but it never made it on the list. And so I think this meeting alone is a perfect opportunity to have that information for the Board to say, here's what we collected from our four meetings and from emails from you guys and emails from constituents, and here's our evaluation of those and therefore here's our recommendation. And then they can pull off of that list and say, well, why not this?

So that you can go back to the constituents and say this didn't make the list because it doesn't have these things yet. And as we go through our process, maybe by December they would have all that information. Maybe not. But then they'd at least be informed why it doesn't make it on to the list. Because right now what they see is I went to a meeting. I spoke up about this, but I see nothing. And I don't understand why I see nothing. And that's an immediate problem for the Commissioners in addressing the questions of their constituents.

CHAIR HAMILTON: I would add to that there are projects that come that

are recommended from both ends of the spectrum. There's some that come – like there are some water projects and probably some sewer projects that already have engineers and have been pretty well designed and they're full-blown proposals. And there are some that are ideas. And like a status matrix of what stage the project is in and what else will be done. I can imagine that some might be rejected for various reasons or maybe nothing's ever rejected but it's put back out for more discussion in the community. But stages of design, costing, whatever, community meetings. And that's separate from the ICIP list but it's a pending list, status list, might be good. I have Commissioner Moreno and then Commissioner Garcia.

COMMISSIONER MORENO: Madam Chair, you took the words right out of my mouth. When you go to put a list together, the projects should have some momentum behind them. If a project isn't considered and it's chronically off the list, they just go on. That might be a tricky matrix to manage but I think when we look at this 100 requests on the ICIP, where do you start? So I think we need to really wrangle this tiger or it will get us.

CHAIR HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick. I understand what staff's trying to do. Back in the day, individuals up here may not have realized we had over 250 projects in our ICIP plan and nobody knows this probably better than Director Flores back there. And so what we tried to do, back in the day, was to narrow it to a CIP plan, where we still have those 200, 300 projects, that's now our ICIP projects that actually go to the state to maybe 30, 25 or even 20.

An excellent job the staff is doing. Here's a good example. The people in Rancho Alegre actually wanted to put their County roads on the ICIP plan and they went in and they talked to one of the staff members and one of the staff members said to me, Mr. Flores, Mr. McQueen actually sent me an email saying we went to the ICIP meeting and we asked for our County road to be placed on the ICIP plan, so he was just wondering where it's at. So I talked to Manager Miller about that, but I'll forward it to Director Ellis-Green so that way we can – like Manager Miller said, just what are people asking for? What are we putting on the list? That way we can go back and talk to Mr. McQueen and say this is why your project didn't make it on the list or why we didn't vote for it. Just a little better communication. But great job.

CHAIR HAMILTON: So if there isn't further discussion we could move to actually seeing if there's any public input and open the public meeting. So I'm going to officially open the public meeting on this. It's 3:20. Is there anybody here from the public or anybody at all who wants to speak to the ICIP list? Again, is there anybody who wants to make any comments to the Board about the ICIP list? Seeing none, I'm going to go ahead and close this public hearing, but I do want to say that we will have a second one. It will be at the very next BCC meeting on August 27th. I'm sure we will work to get that information out to people.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you very much, but I also would like to request that you put out an email or send all the people who made requests for items to be put on the ICIP to be contacted and let them know that there's a public

hearing at the BCC and do a little bit of advertising or at least – I know you may not have money in your budget to do an advertising, but somehow, send it out on your email list, somehow get the word out because I think it is important for the public to be here and have an opportunity to comment. Thank you.

CHAIR HAMILTON: Thank you. So with respect to the resolution and the list itself. That's on the table for consideration and approval. So what's the pleasure of the Board?

MR. STOCK: Sorry, Madam Chair, no. The approval would be at the next public hearing.

CHAIR HAMILTON: So even the resolution? There's nothing –

MR. STOCK: I just also wanted to say really quickly, just in response to everything, because I think there were some really good comments. I just wanted to say we have hundreds of projects on just our five-year window for capital requests. I think over 300 projects at this point and many of those projects aren't ready for prime time yet, as we say.

We're working really hard to get this process – to improve this process and to get up to where we want to be which we just discussed in the last item. And so as this process evolves, this list is going to look different. In the future we'll have – the Commissioners at the June 5th hearing with our consultants you saw the project evaluation and ranking tool that we will be using. So in the future you'll really be able to see where all these projects lie in relation to each other and just at the moment we're in a process of transitioning towards that more transparent and efficient method.

CHAIR HAMILTON: We really appreciate that. That's very responsive. And just having the additional information. You're not going to present on all 300, 500, 700 projects that are in different stages every single time, but having a summary, some sort of status summary that people can see where their projects are, especially when we're doing the choices will be great. So thank you very much.

COMMISSIONER HANSEN: Madam Chair, I just wanted to make one other point. Having equity across the districts and across the county I think is also really important.

CHAIR HAMILTON: Okay. We actually have consideration of criteria for project development.

5. MATTERS OF PUBLIC CONCERN

CHAIR HAMILTON: Is there anybody here from the public who wishes to speak to the Board about anything at all? I usually announce that twice but it seems pretty redundant. Seeing none, I'm going to close Matters of Public Concern.

6. PRESENTATIONS

No Presentations.

7. MATTERS FROM THE COUNTY MANAGER

MS. MILLER: Madam Chair, I have a few things. First of all, if you get out of here earlier enough tonight, I just want to remind you, we have a Santa Fe County Fire Department graduation and badge pinning at IAIA at 6:30 pm. That's tonight.

Also, and I believe you received maybe copies – I don't know, of an IRB that the City is considering, that the City of Santa Fe is considering. They are considering the issuance of industrial revenue bonds in a principal amount not to exceed \$80 million to defray the cost of acquiring, constructing and equipping a new adult residential retirement facility to be located at 41 Old Taos Highway in Santa Fe for use by El Castillo retirement residence. And the ordinance under which the bonds will be considered by the governing body of the City on or after September 11th, which is at least 30 days after the date of this letter.

They have asked for our comments. I just got the letter at the end of last week and then met with our Assessor, who they've also requested some comments, so I wasn't able to have a set of comments already printed and reviewed for you to approve today, but I wanted to let you know, give you a little bit of a background and what staff is likely to recommend to you relative to comments and see if you have anything else you would like to kind of reflect back to me so that at our next BCC meeting I would be able to bring a completed letter for your approval.

Concerns that I discussed with the Assessor and that staff had brought forward, number one is that there's an unfair tax advantage in a crowded market. There are multiple senior living facilities in the City of Santa Fe. I think there's nine to be exact, plus we have one out in the county that has been approved for development and this would be the only one of those nine or ten that would have tax abatement if they have an IRB. There are at least nine other providers of retirement assisted living services, so we're concerned about providing one competitor in the field with a tax break none of the others have that.

Also, an eroding tax base at a time when government is struggling to provide public safety and other core services. If I understand this, currently the property is valued to where their property tax bill is about \$36,000 a year. It would likely go up to about \$80,000 a year. but if they receive an IRB and are tax-exempt, not only would the increase not be realized by the City, the County, the public schools, the Community College, the base would be gone as well.

So I think that's one of our concerns and we would want them to negotiate some kind of payment in lieu of taxes that would help make public safety, public schools, universities, the Community College whole.

Also the premise of a need for property tax abatement, typically when you're looking at tax abatement, one wants to know do you need it in order to actually expand or finance your project. So one would want to look at whether they are a well capitalized company that has the ability to finance without a tax break. It's unclear whether that tax abatement is necessary for this project to go forward.

Also, typically, when you're on focusing economic development you want economic based jobs, that is jobs that are created because you're bringing, importing income from outside of the region or the state or the area. Manufacturing jobs are a

typical example of that. If you manufacture and you export what you manufacture, you're bringing in money from elsewhere. It's hard to say whether in a retirement facility you're actually bringing anybody from elsewhere. We don't know where the residents come from. If the residents are coming from elsewhere and bringing money from elsewhere into the community, then it could be considered economic based. I know when we looked at getting a state LEDA grant for the Caja del Rio, which is a senior assisted living community the state turned it down because they said that's not an economic based type of industry.

So those are our areas of concern. As well, the state statute requires that a municipality and the county in which it's located jointly develop criteria for issuance of industrial revenue bonds by either government. We don't have that criteria developed between the City of Santa Fe and Santa Fe County and to my knowledge it's never been done. 22 years ago when I was Finance Director here I don't think that that was the case and certainly since I've been back, for the last nine years we have not developed any kind of criteria in collaboration with the City. So that's something we think we should try to do because additionally, New Mexico Fresh Foods has gone to the City for industrial revenue bonds as well and we were a part of that because they also came to us for a LEDA grant, so we did know what they intended to do and one of them that they represented here was that they would at least pay taxes equivalent to what that property was generating now. So they weren't looking to have that removed. So I think we didn't – and we were involved in trying to help move that project forward. So we didn't comment to them on that particular IRB, but we did believe it would be prudent for us to work with the City and develop joint criteria, a mutually acceptable set of criteria.

So I just wanted to get that on the record to you and see if you had any other comments, any additional concerns, anything that you would like, because I do want to at least let them know we do plan on commenting, and that these are some of the items that we think are important for them to know we have concerns about.

CHAIR HAMILTON: That's excellent. I really appreciate that you brought that forward. Do you have other stuff? Or are there questions? Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, Manager Miller, thank you very much. I wholeheartedly support the idea of developing criteria for us to work together because I know you and I have talked about IRBs in the past and I think to create criteria with the City would be beneficial to both of us. Also, when you talk about the number of facilities that we have in the nursing home area – is that the correct term?

MS. MILLER: Senior living, assisted, memory care type, independent living and senior assisted living and memory care.

COMMISSIONER HANSEN: Right. The broad scope of care for seniors. We have the Legacy out in the county; it's in Aldea. Then there's another one on Caja del Rio that's in process. Or have they never gotten anywhere?

MS. MILLER: Madam Chair, that's the one, the senior campus. They've been approved – they have some development approvals and they've done the – they have developed the base infrastructure. They have not gone vertical yet.

COMMISSIONER HANSEN: Right.

MS. MILLER: There's also Beehive Homes, which is off of Airport Road.

There's Morningstar off of Pacheco. There's Montecito off of Rodeo Road. There's Kingston off of Rodeo Road. There's Brookdale. These are all off of my head. But those are ones I know of. And none of those, according to our Assessor, have a tax abatement.

COMMISSIONER HANSEN: Right. And those are just the ones we know of. And I think there are other small facilities that are around the county and the city that we can't pull up off the top of our head at the moment, but I do believe there are some other ones. So it is concerning to me that if we single out somebody and give them an IRB are we being fair to this large number of constituents that are being served. So I really appreciate you bringing this forward. Thank you.

CHAIR HAMILTON: Excellent. Are there other comments or questions?
Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Manager Miller, some of the things I would like to know – I think working with the City is actually good business between government to government. So whatever we can do to help out the City I'm totally for that. One of the things, the IRBs, does that affect any IRB potential that we have to go in the future. You don't have to answer now, however, if you'd like to.

MS. MILLER: Madam Chair, Commissioner Garcia, any time that there is tax abatement – one thing government accounting standards boards – it's a new requirement that all tax abatements that are given by a governmental entity now need to be reported in an audit. There's not really a place that somebody can go look and say, how many tax abatements has this governmental entity granted? And can we quantify how much money in our tax base is being abated or forgiven, so to speak, or paid for in some alternative form. Now there is a requirement through the Accounting Standards Board to do that. So that's a good thing, but I think essentially if you're pulling with an IRB, if you're pulling out what's already in the base and you're not bringing in additional economy, you need to consider that there is a cost to that and are you getting a resulting benefit?

So does it affect future ones? It could, in the sense of if you've already given enough tax breaks to enough entities when it starts to look unbalanced, it could. Now, counties cannot do an IRB within city limits, but cities, municipalities, can issue IRBs out into the county, within I believe a five-mile radius. So this goes to we should have criteria. We should work together because what we wouldn't want is for us to say we turned one down and they walk over to the City and get one out in the county. That would be frustrating because then we wouldn't necessarily be at the table in negotiating some kind of payment in lieu of.

So I know that may not be a direct answer but it is a discrepancy in the way it's treated in the law between counties and municipalities.

COMMISSIONER GARCIA: And also Madam Chair, in regards to the \$80 million, is that \$80 million just for one project? For a senior type housing? \$80 million? Almost \$100 million project?

MS. MILLER: Madam Chair, Commissioner Garcia, it's my understanding it's for the development on the corner of Old Taos Highway. Now, in the IRB they'll define the project, but it's my understanding it's just for that development. Yes.

COMMISSIONER GARCIA: \$80 million is a large project. What about

the – in regards to the IRB, does that affect the Community College, the Santa Fe Public Schools or the County for bonding capacity?

MS. MILLER: Madam Chair, Commissioner Garcia, the effect for bonding capacity is not necessarily that great. However, it does reduce the revenue received to pay debt service, because they would not be subject to the debt service taxes either. So if for instance, out of their current taxes, I said it's about \$36,000 a year, \$35,000 a year, 42 percent of that comes to the County. 11.5 percent or so goes to the City, and that is split between operational and bonds. And I can't remember off the top of head how much goes to the schools, but you can figure the other 49, 48 percent goes to the public schools and Community College. And a good percentage of that to pay debt service.

COMMISSIONER GARCIA: And then also, Madam Chair, Manager Miller, has the City mentioned whether it's going to be an affordable type living senior facility or is it going to be – because as a Commissioner mentioned earlier, and as you mentioned as well, there's several different senior living facilities throughout the city and some of those are very expensive for any individual to actually afford unless they're in a different category of financial – I don't know what I'm trying to say here but has the City mentioned whether it's going to be an affordable type senior housing?

MS. MILLER: Madam Chair, Commissioner Garcia, I haven't asked that question but El Castillo's model is not, and I had not heard that this was to be targeted to any kind of low to moderate income, that it would be an expansion of the same type of program they currently have, which is one where you pay in at an estimated value per year for the estimated time of your life and you purchase your unit or your services in advance. It's kind of like insurance. If you pass away before they run out of money that you contributed to you unit then they keep it but if you live longer than anticipated they bear that expense. So that's my understanding of the way the El Castillo model works. I know it's kind of a crude explanation of it but it's not a monthly fee, like many of the others are a monthly fee based upon the level of service you receive.

COMMISSIONER GARCIA: Madam Chair, what department is this initiating out of the City? The Manager's Office of the Economic Development Section? Because one of the things my fellow Commissioners brought up or yourself is there is a lot of zoned, undeveloped senior housing that's going to be popping up left and right.

MS. MILLER: Madam Chair, Commissioner Garcia, the letter came from the Manager's Office, however, I believe that the Economic Development Department and their Legal Department are the ones working on providing information to their board, or the council.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: So actually, Manager Miller, would you consider that an additional consideration to give an IRB to a facility when the other nine aren't getting them if it was a special consideration like targeting low income people or something?

MS. MILLER: Madam Chair, I think as a policy making Board, if what you're trying to do is encourage that type of development, IRBs are an economic development tool, and that tool, you want to give those incentives or that tax abatement to the type of business that you would like to attract and that you would like to develop in

your community. So I think that's the kind of thing where we were talking about what type of criteria would we like to mutually develop with the City, is that one of the things you'd want to say? Well, we think we'd want to give IRBs for certain types of industries or businesses that do x, y, and z.

Those are the ones we really want to target, versus, maybe just anybody who asks for one. I don't know the background of why El Castillo is requesting it. I can't speak to that. What I have is one paragraph from the City that they are considering them, so we're quickly trying to assess some of those things but the other side of it is they negotiate – the entity that goes to the municipality, they're the ones who negotiate their agreement, their payment in lieu of taxes or whatever their agreement is. We're not a part of that although we can make comment. And so the things that I brought up were things that we'd like to put in our comments.

CHAIR HAMILTON: Thank you. Do you have any other items?

MS. MILLER: I have a couple really quick things, real quick announcements. I just wanted to let you know that Triad, which is Los Alamos National Laboratories, is launching their partnership with the Regional Development Corporation to boost economic diversity in the region. They have a meeting tomorrow from 10:00 to 11:00 that we were invited to. If you're interested in going to that I can give you the flyer and also the N3B, the cleanup contractor, has been hosting some public forums on the legacy cleanup at Los Alamos National Labs and their next one – I think the next one is in Taos on August 15th and in Santa Fe on August 22nd. So I can get you more information if you're interested in going to those. I know that we have met with N3B and expressed some of our concerns and things that we'd like them to focus on so I just wanted to let you know that we know that they're having those meetings and to pass those times on to you.

CHAIR HAMILTON: Great. Thank you very much.

MS. MILLER: And that's all I have.

CHAIR HAMILTON: Excellent. Thank you.

8. MATTERS FROM COUNTY COMMISSIONERS

B. **Resolution 2019-104, a Resolution Supporting the Eighth Annual Neighbor to Neighbor Food Drive in Coordination with the City of Santa Fe and The Food Depot and Authorizing the Use of County Facilities for the Collection of Non-Perishable Food Donations**

CHAIR HAMILTON: Do you want to do your resolution first and then go back to the –

COMMISSIONER HANSEN: However you would like to do that.

CHAIR HAMILTON: Why don't we go to B. first? The resolution supporting the eighth annual Neighbor to Neighbor food drive. Commissioners Hansen and Garcia.

COMMISSIONER HANSEN: Thank you very much, Madam Chair. Yes, I'm very excited that again we're having the food drive and we are supportive. We have supported this for the last – I think this is our third year. Thank you, Commissioner Garcia, for joining me in sponsoring this. I have sponsored this for the last couple of

years and I think it's a very important thing for our community. I had just a few questions about the drop-off locations in the county.

I thought – possibly I was mistaken – but I thought that we had last year used the Agua Fria station at La Tierra as a drop-off for the people in Las Campanas but I don't see that on the list this year. I don't know if we used it last year. I was under the impression we did. Can anybody answer that?

VILMA SALINAS (Volunteer Coordinator): Madam Chair and Commissioners, right now on my list I have that we're going to have two containers at the County Administrative Office building, one at the Community Services Department, one at Public Safety Complex, one at Public Works, one at Project Management, and we are having one at El Rancho Senior Center and one at the Santa Cruz Senior Center. But I don't know if we're having one – you mentioned Las Campanas?

COMMISSIONER HANSEN: Well, in Las Campanas there's the La Tierra fire station. So I thought that last year we had that as a drop-off place, but we did not? Okay. So we're not using the Nancy Rodriguez Center as a drop-off either? Okay. Anyhow, I just was asking because I know that this is countywide and this is great but for constituents I was wondering if we had any places that they could drop things off, but I think they have to work it out for themselves.

MS. SALINAS: Madam Chair and Commissioner Hansen, I can request one for the Nancy Rodriguez Center if you wish.

CHAIR HAMILTON: Also remember there are numerous drop-off locations that individual communities who are participating – so there are drop-offs at both Glorieta fire stations, at the Hondo fire station, in Lamy, Eldorado. There are a whole bunch of drop-offs that each community has organized in coordination with Neighbor to Neighbor.

COMMISSIONER HANSEN: Right. Okay.

CHAIR HAMILTON: So your question might be a yes. It might be not on this list.

COMMISSIONER HANSEN: Right.

MS. SALINAS: And Madam Chair, Commissioner, I was just informed by Paul Olafson that we can only have containers in those centers that are staffed. So that's my error. I apologize.

CHAIR HAMILTON: So the County is participating and they're going to have drop-off centers at our buildings where they're staffed, so it's a manned location. And then there's countywide participation. One of the things the Neighbor to Neighbor organizing group has done is get more and more communities to participate. And they host. They do all the hosting in their community. They pick the drop-off point. They coordinate with Neighbor to Neighbor, so around the county people will have lots of options if their community is participating or they can do it right at the County.

COMMISSIONER GARCIA: So, Madam Chair, every single County building is staffed. Fire stations are possibly staffed, 24/7, so maybe if staff can look into maybe adding additional more areas to drop off and maybe we can actually get it on our webpage or some other way to notify the general public instead of just the four drop-off places, maybe we have ten, twelve, thirteen drop-off places. So maybe staff can just look into that and see where there's more possible drop-offs and I understand you're new to

the organization so welcome. And so I think maybe what the Commissioner would like is maybe a few more drop-off stations and get the word out a little more. Thank you.

MS. SALINAS: For sure.

CHAIR HAMILTON: As far as I know, around the county there are like some 120 at this point, communities participating. So there are minimally 120, something in that ballpark, drop-off locations. At the final pickup day, on September 21st Neighbor to Neighbor comes around in a big truck and picks up all the stuff.

COMMISSIONER HANSEN: They come to my house. Because I'm the designee in my neighborhood in Casa Alegre.

COMMISSIONER GARCIA: There you go. There's another drop-off spot – Commissioner Hansen's house.

CHAIR HAMILTON: Ask and you shall receive.

COMMISSIONER HANSEN: And also I was wondering about a friendly competition with the City about who could raise the most food and I was wondering if anybody had mentioned that to the City as a possibly friendly competition.

MS. MILLER: Madam Chair, we did that – I don't know if we did that last year. I know we've done it before and we chumped them.

CHAIR HAMILTON: Neighbor to Neighbor actually calculates the total weight of contributions from every organized community, so we'll get that information, the City and the County.

MS. SALINAS: Yes, and Madam Chair, Commissioners, last year Santa Fe County was recognized for bringing in 654 pounds of food, and you actually won first place in the category of most food from a business. So we'll try to definitely bring more this year and we'll definitely advertise it as much as possible.

COMMISSIONER HANSEN: Thank you so much, and welcome to the County. We're happy to have you here.

MS. SALINAS: Thank you.

COMMISSIONER HANSEN: And nice to meet you.

MS. MILLER: And Madam Chair, I want to point out too, if you're like me and you don't go shopping very often so you don't have a whole lot of canned goods to contribute you can contribute money and they will equate that to pounds.

COMMISSIONER HANSEN: And it's a really good rate of money to pounds. So I also highly encourage that for people who don't have a lot of extra food laying around but have a little bit of extra cash. And with that, Commissioner Garcia, I would like to move approval of this resolution of the eighth annual Neighbor to Neighbor food drive in coordination with the City of Santa Fe and the Food Depot and authorizing the use of County facilities for the collection of non-perishable food donations.

COMMISSIONER GARCIA: Madam Chair, what a great organization that this is to the city, especially during the winter months when the individuals that cannot be out there actually hopefully get fed and thank you for allowing me to be the co-sponsor. Second.

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

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER ROYBAL: I just want to make a comment too. I look

to this organization. It is a great food drive that we do have and I know it's been – Commissioner Hansen is correct. This is the third year and actually I sponsored it the first year so I'm really proud to see other Commissioners getting involved and bringing it to our districts, to every single district. I think that it's important and it's grown tremendously. So I'm just really proud for the County to be involved with this food drive and with the Food Depot. So I just want to say that.

CHAIR HAMILTON: Excellent. Thank you so much. Other comments?

COMMISSIONER HANSEN: I just want to say yes to my fellow Commissioners and thank you so much for all your great comments because it is true; we are really fortunate to have an organization like the Food Depot in Santa Fe County that really works to deal with food insecurity and all County staff for their participation, which is very important.

CHAIR HAMILTON: Thanks so much. So we have a motion and a second.

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

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

CHAIR HAMILTON: Are there any comments or announcements from Commissioners? Commissioner Hansen.

COMMISSIONER HANSEN: I just wanted to share with everyone that Senator Heinrich had a really great symposium summit down in Albuquerque with the Rocky Mountain Institute. I attended. So did Ambra for Commissioner Garcia, and Claudia from the Sustainability Division, and Building New Mexico's Clean Energy's future. It was a really good summit. A lot of participation from all over the state which was great to see and especially for our rural counties who don't really quite have the same access to the information that counties like Santa Fe have on diversification and solar infrastructure. So it was a really great meeting in that regard to get information out to other counties and for Santa Fe County to participate. There was an EV workshop. There was a building workshop on getting our EV grid built. Mayor Keller was there. Senator Heinrich came and sat in on a number of the sessions, so that was really successful.

And then also this week in the same line, I want to thank you all for appointing me to the Coalition of Sustainable Communities. We had our first annual meeting. That was in Albuquerque and Mayor Webber is the chair now of the Coalition of Sustainable Communities and Mayor Keller is the vice chair. Myself and Mayor Ken from Las Cruces are on the executive committee. We will be continuing to talk about issues on what we should be working on. All of the members have been asked for their main five priorities. I hope that we can work on the EV grid for the state. I feel like a charging stations for EVs is really important. If we're going to develop this kind of infrastructure we have to have the charging stations so that we can encourage people to purchase electric vehicles.

So that was a really successful meeting. I haven't been in Albuquerque twice in one week since I was in graduate school so it was a challenge to go to Albuquerque twice a week but I'm grateful they were both really successful meetings, talking about climate change and working for the Carbon-Free Handbook. There was also some very interesting speakers from the Rocky Mountain Institute and I hope in the future that they will be here in Santa Fe so that other people can hear some of their great ideas. That's all I have right at the moment.

CHAIR HAMILTON: Thank you very much. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I wanted to thank my Fire Department Station 50 in the Pojoaque area. I wanted to kind of highlight a situation that happened on Saturday. We had a structure fire but they were able to save the structure. And just to kind of put it out there and make everybody aware, how they determined how this fire started is it's a newer home and it had an antenna and lightning struck the antenna and it followed down the co-ax cable and started some of the co-ax cable fire inside of the house in a closet. But I want to just give a huge thank you to the Fire Department because they were able to find the closet and minimize the damage and put the fire out before losing the structure. So I did want to highlight that.

Also I wanted to recognize Station 50 as well because I did have a constituent that came forward and came by my house, actually to let me know that he just wanted to thank them for the service they provide. He and his wife do have some health issues. His name is Brian Baca, and Tracy Baca and they just wanted to say thank you to the Fire Department for all their service. They really feel that they've saved their lives a couple of times for some of their health conditions. So I just wanted to thank them on the public record and ask them to continue their hard work. Just a huge thank you.

Right now my gratitude to the fire station and to all of our Fire Departments and Public Safety Department, just my gratitude is immeasurable for all their service. So I just wanted to put that out there and thank them for their service, and that's it. Thank you.

CHAIR HAMILTON: Thank you so much. Commissioner Garcia.

COMMISSIONER GARCIA: So Madam Chair, just a couple of things. School started today so please be careful in the school zones out there. I don't know if anybody's gone down Yucca Street. We actually have a new taxpayers' public school, Milagro. It's a very beautiful school. We're actually going to have a grand opening and a general public tour I believe in the next couple of weeks. You can look on the school website. But please be careful in the school zones.

Also, I attended the County Fair last week and I'd just like to give a shout-out to Anna and her staff, Gina Montoya and all the staff that was out there, anyone from Director Flores' crew to Mr. Montano's crew. A great, excellent turnout at the fair. Thank you for the County Fair.

In regards to Senator Heinrich being in the State of New Mexico, I'll give another shout-out to actually one of our co-workers, Ambra Baca. Her husband who runs Urban Rebel Farms, Senator Heinrich actually did a personalized visit to his farm and they actually did some camera shots there and so it was actually good to see a US Senator come to a local urbanized farm, especially when it's one of our co-worker's family.

And also one thing that sometimes gives me chills down my back but it's actually awesome and cool. That's our new administration complex. Mr. Flores, you and your

entire team have done an excellent job. I just want to give you kudos, Tony, you and your team have done an excellent job in getting that facility where it's at and what has happened the last year and a half in the facility, everybody that I talk to when they pass by that building they say, that thing wasn't there a year and a half ago. I say, no, it wasn't there a year and a half ago. Excellent work from you and your team, Tony. Director Tony Flores, what you've done out there. I think that is it. Thank you to the entire staff as well.

CHAIR HAMILTON: Thank you very much. Commissioner Hansen.

COMMISSIONER HANSEN: I also wanted to mention one other thing that I have been having a very serious issue in my district on Forest Service land and on BLM land is that there are a number of shooting areas that unregulated and that numerous people are complaining quite strongly. I have reached out to Senator Heinrich's office and asked him for help on possibly developing a shooting range in Santa Fe County. I think we need a regulated area, especially with all the shootings, the school shootings and everything that has happened over the last week.

I wanted to also send out a special prayer for all the people who have lost family members from gun violence in the last few weeks and having to work on gun issues has been really challenging for me. It's not something that I would have thought I would have to face as a County Commissioner but I can see that having unregulated shooting areas is really a disaster and something that really needs to be contained and worked on and I am working with BLM also on that effort. So I just wanted to share that with constituents.

CHAIR HAMILTON: Thank you. And I just wanted to quickly mention that I did my first Coffee with the Commish the first Saturday of August, on the 3rd at Hondo Fire Station. It was actually a huge success. I want to thank Tina and Daniel for getting the word out on that, really helping me with that. It was really well attended. It was a really good forum and we're going to be doing that every month, so the first Saturday of every month from 9:00 to 11:00 at Hondo Station 2. We're doing the next one whatever the date of the first Saturday of September is. So look for it and we'll see you there.

9. MATTERS FROM OTHER ELECTED OFFICIALS.

CHAIR HAMILTON: Madam Clerk.

GERALDINE SALAZAR (County Clerk): Thank you, Chair Hamilton and Commissioners. Just once again, I want to notify the public that we will be having for the first time the local election on November 5th and we will also – what is unique is that all non-partisan elections will be on one ballot. We won't have any more small elections throughout the year. So all on one ballot. So that's exciting for the public and I think it's a benefit to the taxpayers so that there's not a lot of mini-elections throughout the year.

In addition to that I'd like to mention that the Secretary of State did assign new numbers to your districts. On July 22nd of this year they formally went through the process so I have that confirmed and I want some other confirmations on other issues regarding the district numbers, but what we see now is that Commissioner Hansen is in District 1. Commissioner Roybal is now in District 2. Commissioner Hamilton is District 3. Commissioner Garcia is District 4. And Commissioner Moreno maintains his number of being the 5th District in Santa Fe County. So those are the new numbers. There are no

geographical changes. No mapping changes. But those are the new numbers for your districts, legislatively mandated, that the Secretary of State reassigned those numbers. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, Madam Clerk, so there's a pending lawsuit from my understanding. So are these actually official or do we wait to the laws have actually been settled?

CLERK SALAZAR: The way the law is now, the Secretary is mandated to do the work that was in the law, in House Bill 407, which was passed, and I believe Chapter 112. So by law she needs to do her portion of that, her responsibility. Now, where the lawsuit is, I don't know where it's at right now but we'll find out whether what she has done will continue or if they're going to repeal all of House Bill 407, we don't know. But she needed to continue with the process to meet her legal mandate.

COMMISSIONER GARCIA: Thank you.

CHAIR HAMILTON: Okay. The opportunity for confusion is just staggering and I think this is probably a poor way to trot this out for everybody, so I'll look to Manager Miller for some clarification as we go forward.

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. **Regional Water System Related to the Aamodt Settlement**
2. **Executive Management Personnel Issues**

BRUCE FREDERICK (County Attorney): Thank you, Madam Chair. we're requesting to go into executive session to discuss the items listed in agenda item 10 pursuant to the authorities listed in the same item number.

CHAIR HAMILTON: Thank you. So I'd entertain a motion to go into executive session.

COMMISSIONER ROYBAL: Madam Chair, I'd like to move that we go into executive session for the items that were summarized by County Attorney Frederick.

COMMISSIONER MORENO: Second.

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

have a roll call?

The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2, 3, 5, 6, 7, and 8) 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

[The Commission met in executive session from 4:11 to 5:15.]

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes.

COMMISSIONER HANSEN: I'd like to make a motion to come out of executive session.

CHAIR HAMILTON: Thank you.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. And I want to add, if it's acceptable to the motion that we only talked about that which was listed on the agenda and no actions were taken. So I have a motion and a second.

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

11. PUBLIC HEARINGS

- A. **Legal Tender Dispenser Liquor License. Historic Hotels of Las Vegas New Mexico LLC, D/B/A, Legal Tender, Applicant, Requests Approval of a Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011. The Property is Located at 151 Old Lamy Trail Within Section 33, Township 15 North, Range 10 East (Commission District 5) [Exhibit 2: Revised Staff Report]**

JOSE LARRAÑAGA (Case Manager): Thank you, Madam Chair. Before you I passed out a revised report. There was a mistake on the Commission District. It should be Commission District 4. That is the only correction in the report.

The zoning for this property is regulated by Ordinance No. 2016-9, the Sustainable Land Development Code. The site is zoned as Commercial Neighborhood. Appendix B: Use Table illustrates the uses allowed within the above-mentioned zoning district, subject to all other applicable standards of the SLDC.

Appendix B: Use Table, allows for a restaurant with incidental consumption of alcoholic beverages as a permitted use.

The applicant is requesting the Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011. The current owner is Brumby's, LLC and the current registered location is 7 Caliente Road, Santa Fe, New Mexico. License No. 0011 will be transferred to 151 Old Lamy Trail, Lamy, New Mexico and leased to the Legal Tender.

The Legal Tender will operate as a full service restaurant with a bar menu and a full bar during business hours.

The State Alcohol Beverage Control Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. The Liquor Control Act requires the Board of County Commissioners to conduct a public hearing on the request to grant a Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011. In accordance with the Liquor Control Act the BCC may disapprove the issuance of the license if the location is within three hundred feet of any church or school; the issuance would be in violation of zoning or an ordinance; or the issuance would be detrimental to public health, safety or morals of the residents of the local option district.

Growth Management staff has reviewed this request for compliance with pertinent code requirements and finds the following facts to support this request: the site is zoned as Commercial Neighborhood; the zoning on this site allows for a restaurant with incidental consumption of alcoholic beverages; the applicant has met the State of New Mexico requirements for noticing; the site is 7.8 miles from the nearest church and 7.6 miles from the nearest school.

Approval sought is approval of a Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011.

Staff recommendation is approval of a Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011 to be located 151 Old Lamy Trail.

Madam Chair, I stand for any questions.

CHAIR HAMILTON: Thank you. So we'll open this for any public comment and a motion in a moment, but first, are there any questions from the Commissioners?

COMMISSIONER GARCIA: Madam Chair, I'd just like to thank the applicant for actually coming forward a couple months ago in regards to the response. You had patiently waited for a bit and thank you, staff, for working with the applicant with a very important, possibly non-conforming to current day standards moving forward because I've seen the work that you have done in the City of Las Vegas. Excellent work out there. Thank you. And if there is no one, anybody from the public that would like to speak before or against it, I'd like to make a motion for approval.

CHAIR HAMILTON: I'm not going to take motions yet. First I have to open it up for public comment and that would include any comment from the applicant if it's their desire. I'm going to open for public comment. Is there anybody here who would like to speak to this matter? Anybody at all? Don't feel pressured. Thank you.

ALLAN AFFELDT: I just want to say thank you, Commissioners and staff. I'm Allan Affeldt of Historic Hotels of Las Vegas, New Mexico. I just want to thank the Commissioners and staff for working with us on this. I know it wasn't trivial. These old buildings are always complicated and we're really looking forward to being an important part of Lamy in Santa Fe County.

CHAIR HAMILTON: And many other people are as well. So I do have a motion. Do I have a second? Oh, wait. I'm sorry. My mistake. If there's anybody else who would like to speak to this matter? Seeing none, I will close public comment. Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, I would like to joyfully second this motion, and thank you very much for your patience and for working with the County on making this happen. We are looking forward to having you be part of our economic development and part of Lamy and I am looking forward to the opening and coming and enjoying food at the new Legal Tender. So on that, I second.

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

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

11. B. 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) **WITHDRAWN – TO BE HEARD AT A FUTURE MEETING**

11. C. **BCC Case #10-5365 South Saint Francis Plat Extension for all 4 Phases. Vegas Verdes, LLC, Applicant, JenkinsGavin, Inc., Agent, Request 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 8 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)**

NATHAN MANZANARES (Case Manager): Thank you, Madam Chair.

On July 11, 2017 the Board of County Commissioners approved Preliminary Plat for Phases I-IV and Final Plat for Phases 1 and 2 of the St. Francis South Mixed-Use Subdivision.

The applicant now requests a 12-month Plat Extension from the projects original approval date) for Preliminary Plat for Phases 1-4, which consists of 22 lots, in accordance with Chapter 5, Section 5.7.11. In addition, the applicant also requests a 36-month extension for Final Plat of Phase 1, consisting of four lots, and Phase 2, consisting of eight lots, on 68.94 acres in accordance with Chapter 5.7.12 and Chapter 5.8.7 of the SLDC.

The applicant states, Due to market conditions, the plats have not been recorded. Therefore, the approvals will expire 24-months after recordation of the Final Order dated September 12, 2019. The requested time-extension will allow an extra 12 months for the

applicant to address current conditions for the project

Building and Development Services staff have reviewed this project for compliance with conditions of plat extension approvals, approvals for phased developments, approvals for compliance with pertinent SLDC requirements and found that the facts presented support a 12-month time extension on the preliminary plat approval for Phases 1 through 4. This will require preliminary and final plat for Phases 1 and 2 to be recorded prior to September 13, 2020. The 12-month extension is only valid if preliminary and final plat for Phase 1 has been recorded within one year.

If the requirements for preliminary plat and final plat recordation of Phases 1 and 2 are satisfied, staff recommends approval for a 36-month extension for final plat for Phases 1 and 2.

In conclusion staff recommends approval of the applicant's request subject to all previously approved conditions as stated in the staff report. Madam Chair, may I enter the conditions into the record as stated in the staff report?

CHAIR HAMILTON: Yes. Thank you.

[The conditions are as follows:]

Approval Condition Recommended by Staff:

1. Applicant must record Final Plat for Phase 1 per requested 12-Month Extension (By September 13, 2020). If Final Plat for Phase 1 is not recorded by September 13, 2020 the Preliminary Plat will become null and void and the proceedings on the subdivision shall terminate and a new Conceptual Plan application will need to be submitted.

Previously Approved Conditions for Project:

2. Compliance with applicable review comments from the following:
 - a. NMDOT
 - b. NMED
 - c. OSE
 - d. SHPO
 - e. Soil and Water
 - f. Santa Fe Public Schools
 - g. County Public Works
 - h. County Fire Marshal
 - i. County Utilities
 - j. County Planning Division
 - k. County Open Space and Trails
 - l. County Affordable Housing
3. Preliminary and Final Plat with appropriate signatures shall be recorded with the County Clerk's office.
4. All Staff redlines and comments shall be addressed prior to plat recordation. 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.
5. Water restrictions and conservation covenants shall be filed in the County Clerk's Office and referenced on the plat.

6. A financial guaranty shall be submitted for all off-site and on-site improvements, prior to Final Plat recordation.
7. Compliance with conditions of the Original Master Plan.
8. The two proposed streetlights located at each of the entrances shall not exceed 25 feet in height.
9. Access permits must be obtained from NMDOT prior to plat recordation.
10. Applicant shall be required to plat 38' internal easements with a 60' radius cul-de-sac turnaround on all internal cul-de-sacs.
11. Lots 3, 4, 5, 6, 7,8, 9, 10,11, 12; 18, 19, 20, 21 shall be required to gain access through internal cul-de-sacs only, these lots shall not access directly onto the main loop road
12. Lots 13, 14; Lots 15, 16; Lots 1, 2 shall be required to share driveways.
13. Access to Lot 22 shall be directly across shared driveway for Lots 1&2.
14. Lots 15&16 shared driveway shall be directly across Lots 13&14 shared driveway.
15. Access to Lot 17 shall be directly across internal cul-de-sac road between Lots 7&10.
16. All Roads/easements being created with the subdivision plat shall be named and rural addresses shall be obtained prior to plat recordation.
17. If multiple lots are purchased by one owner/developer and lots are consolidated, the Land Use Administrator is authorized to approve the lot consolidation and vacation of easements through an administrative plat approval.
18. A TIA is required for all lot development and future platting, and shall include existing development and approvals to analyze the cumulative effect within the entire development and analyze all existing traffic on Rabbit Road to determine when intersection improvements are warranted.
19. The Applicant shall be responsible for all design and construction costs associated with the two intersection connections with Rabbit Road. These improvements shall be constructed when warranted, no later than Phase 3 development.
20. The applicant is responsible for improvements to Rabbit Road from the intersection with St Francis Drive to the railroad crossing to the west of their property to the design cross section in Exhibit 8 as part of this final plat approval.
21. The Applicant shall identify a total of 30% open space on the plat.

MR. MANZANARES: Madam Chair, I now stand for any questions the Commission may have.

CHAIR HAMILTON: Thank you. So once again, are there questions from the Commissioners? Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, this may be a question for the applicant.

[Duly sworn, Jennifer Jenkins testified as follows:]

JENNIFER JENKINS: Good afternoon, Madam Chair, Commissioners. I'm Jennifer Jenkins, with JenkinsGavin here on behalf of Vegas Verdes, LLC, in request for the time extension for St. Francis South, and Commissioner, I'd be happy to answer any questions.

COMMISSIONER GARCIA: Thank you, Madam Chair, Ms. Jenkins. There's many conditions on here. Do you see any reason why you would not be able to record your final plat by September 2020?

MS. JENKINS: We are extremely hopeful. We are working with a couple of different potential users for the property right now and we've run into a few challenges. It's a big project and we're struggling a little with the County's TDR program. It's been a bit of a challenge in terms of its impact on this. And so we're working our way through it and we're actually in some very positive discussions right now with somebody who would be a pretty significant user on the property. So we are moving full steam ahead as quickly as we can.

COMMISSIONER GARCIA: The reason I ask is because 13 months will be here before you know it. So if there's some way we can get staff to somehow assist in the TDRs. I know TDRs is kind of a little challenging for that County, what we're doing, where we're at with it, so I'm just asking the question to see if somehow we could help.

MS. JENKINS: That would – yes. Like I said, we are focused on this and there's a huge investment already in this project just to get it to where it is today so we have every intention of seeing it through and again, we're in some very positive discussions right now with a couple of users. I've engaged with staff on the TDR program and am happy to make myself available as a resource in terms of somebody representing the marketplace in terms of how this program, kind of the impact of it on the ground, so to speak, the real world implications, and I think there might be some opportunities for the program to improve and actually fulfill the County's mission of preserving our open spaces and agricultural lands. But I think in its current form, I'm not sure it's fulfilling its mission in that way. So I'd be happy to be a resource to staff in that regard.

COMMISSIONER GARCIA: Thank you.

MS. JENKINS: Thank you.

CHAIR HAMILTON: Are there any other questions? So seeing none, I'll move to public comment. Is there anybody here from the public or anybody who would like to speak to this? If you would come forward and get sworn in and state your name.

[Duly sworn, Deanna Livingston testified as follows:]

DEANNA LIVINGSTON: I'm Deanna Livingston. I'm a property owner in the area. My home is on Calle Cantando, which is just opposite of St. Francis from this development. Am I correct in understanding that what's being sought here today is an extension for the final approval of the plans? Or on some and preliminary on the rest?

CHAIR HAMILTON: Vicki, or whoever?

VICKI LUCERO (Building & Development Services Manager): Madam Chair, Commissioners, yes. They are just requesting extensions of prior approvals, so nothing is changing right now as far as the project goes.

MS. LIVINGSTON: Wonderful. Thank you. The concerns that I have with regard to water and traffic flow in the area, it seems like it's a very short exit from where you get off on 25 and are on St. Francis between Rabbit Road, so I have concerns about that interchange when that property gets fully developed. Questions or concerns I have about that – should I send it to the Commission in writing in the form of an email? Or is there a way to get that information to someone while they're doing the plat and

planning to make sure they can at least think about what property owners in the area are concerned about.

CHAIR HAMILTON: Vicki, you may want to make sure I'm not lying, but if I'm not mistaken there were public meetings about that already.

MS. LUCERO: Madam Chair, that's correct. It was approved with [inaudible]

CHAIR HAMILTON: So accommodations for those kinds of concerns are already recorded, I suspect. If you have questions you might want to get with our staff and get them clarified and see if you still have concerns. At least that would be some information you have.

MS. LIVINGSTON: I think that was in 2017. I was doing chemotherapy in Houston.

CHAIR HAMILTON: I'm sorry to hear that.

MS. LIVINGSTON: My mother was keeping track of it in the paper but she wasn't able to come for any of that.

CHAIR HAMILTON: Perhaps that would be able to answer some of your questions.

MS. LIVINGSTON: Wonderful. Wonderful. Thank you very much. I appreciate it. Yes, sir.

COMMISSIONER GARCIA: Just also, Madam Chair, just as somebody from the community you can actually go through the file and any time you'd like to sit down at the desk and go through the file. And also keep in mind that St. Francis Drive is a New Mexico Department of Transportation highway so any comments we get for the development will run through the State Highway Department.

MS. LIVINGSTON: That's NMDOT, right. Wonderful. Thank you. And Rabbit Road, there are parts of it that are the city, City property, correct?

CHAIR HAMILTON: I think on that side it's all County.

COMMISSIONER HANSEN: No. There's no City.

MS. LIVINGSTON: Okay. Great. Thank you very much. And I want to thank you all for paving Calle Cantando which you did two years ago and we're thrilled. Thank you all very much.

CHAIR HAMILTON: Thank you. Is there anybody else who would like to speak to this?

[Duly sworn, Andrew Bushsbaum testified as follows:]

ANDREW BUSHSBAUM: Andrew Bushsbaum, 50 Calle Cantando. I just moved here to Calle Cantando and bought a place. But I was just curious what was meant by market conditions that affected the delay.

CHAIR HAMILTON: That's a good question.

MS. JENKINS: So the market conditions relate to a variety of factors. There's a mixed-use project. There's a residential component. There's also non-residential commercial components as well. And so it's a matter of working to attract the right mix of users for the property in accordance with our approvals and there is a significant infrastructure investment as part of this project and so it's about just getting the right group and the right players to make it work where you can bring in users for the property but also in a manner than helps fund the significant infrastructure piece and so

that's the formula that we're still working to achieve.

[Mr. Bushsbaum made remarks away from the microphone.]

MS. JENKINS: I've been as clear as I can be on that question, and I don't think delving into the specificity of land price is really pertinent, so I would ask for some consideration in that regard.

CHAIR HAMILTON: Okay.

MR. BUSHSBAUM: I was just curious what market conditions meant. I didn't understand what market. I mean, meat market, real estate market – what market are we talking about?

CHAIR HAMILTON: Right. Well, she said the real estate market. I guess that's –

MR. BUSHSBAUM: That was in the market?

CHAIR HAMILTON: I think so. So does that kind of address your question? I'm sorry. She said yes.

MR. BUSHSBAUM: Thank you.

CHAIR HAMILTON: Thank you. Is there anybody else who would like to speak to this issue? So seeing none, I'm going to close public comment. I think there's a couple more questions? Commissioner Moreno.

COMMISSIONER MORENO: Just a quick question for Ms. Jenkins. What kinds of effects – you've been holding this property and what kind of impact – well, the impact is going to be on the South Side. How are – and I recall from the previous meeting on this there were concerns about is Rabbit Road too narrow, and things like that. Have you done anything to the planning?

MS. JENKINS: So thank you, Madam Chair, Commissioner Moreno, Board of County Commissioners. So the plans that were approved as part of the subdivision plat included full engineering drawings for improvements to Rabbit Road. So depending on the scale of use and the intensity of use and what that traffic generation ends up being, we have two access points. We can have a loop road. You might recall we had those two access points to Rabbit Road. We likely are going to be seeing a minimum of probably one roundabout there and potentially two roundabouts. And so we will have right turn decel lanes, we will have left turn lanes, so that whole segment of Rabbit Road along our frontage is going to be significantly improved.

We're going to have bike lane improvements. We're going to have pedestrian improvements as well as roadway improvements in order to accommodate the traffic flow into and out of the project. And so those drawings – that has all been engineered and will be improved and built on a phased basis as the project is constructed. And so we'll be updating our traffic study as we move forward with individual projects to determine at what point those particular improvements are warranted. And then they will be constructed as part of those projects.

COMMISSIONER MORENO: Thank you.

CHAIR HAMILTON: Thank you. Are there other questions? If not, what's the pleasure of the Board?

COMMISSIONER GARCIA: Motion for approval, Madam Chair.

COMMISSIONER MORENO: Second.

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

MS. LUCERO: Madam Chair, can I just get clarification? Does that include staff's conditions?

COMMISSIONER GARCIA: Yes.

CHAIR HAMILTON: Thank you. As per recommended with the conditions. So with that clarified, motion and second.

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

CONCLUDING BUSINESS

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

Commissioner Garcia moved to adjourn and Commissioner Roybal seconded. With no further business to come before this body, Chair Hamilton declared this meeting adjourned at 5:40 p.m.



Approved by:

Anna Hamilton
Board of County Commissioners
Anna Hamilton, Chair

ATTEST TO:

Geraldine Salazar
GERALDINE SALAZAR
SANTA FE COUNTY CLERK

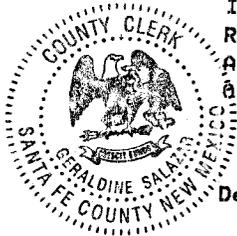
Respectfully submitted:

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

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

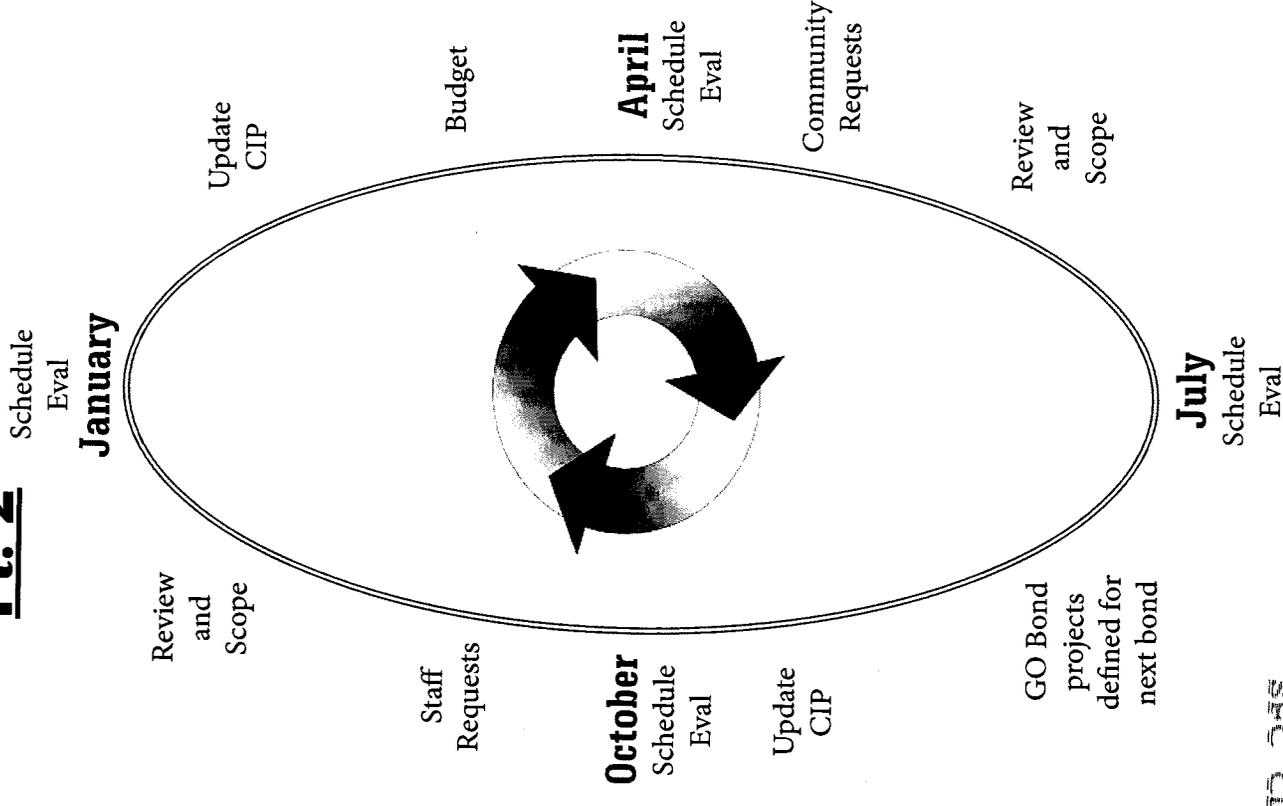
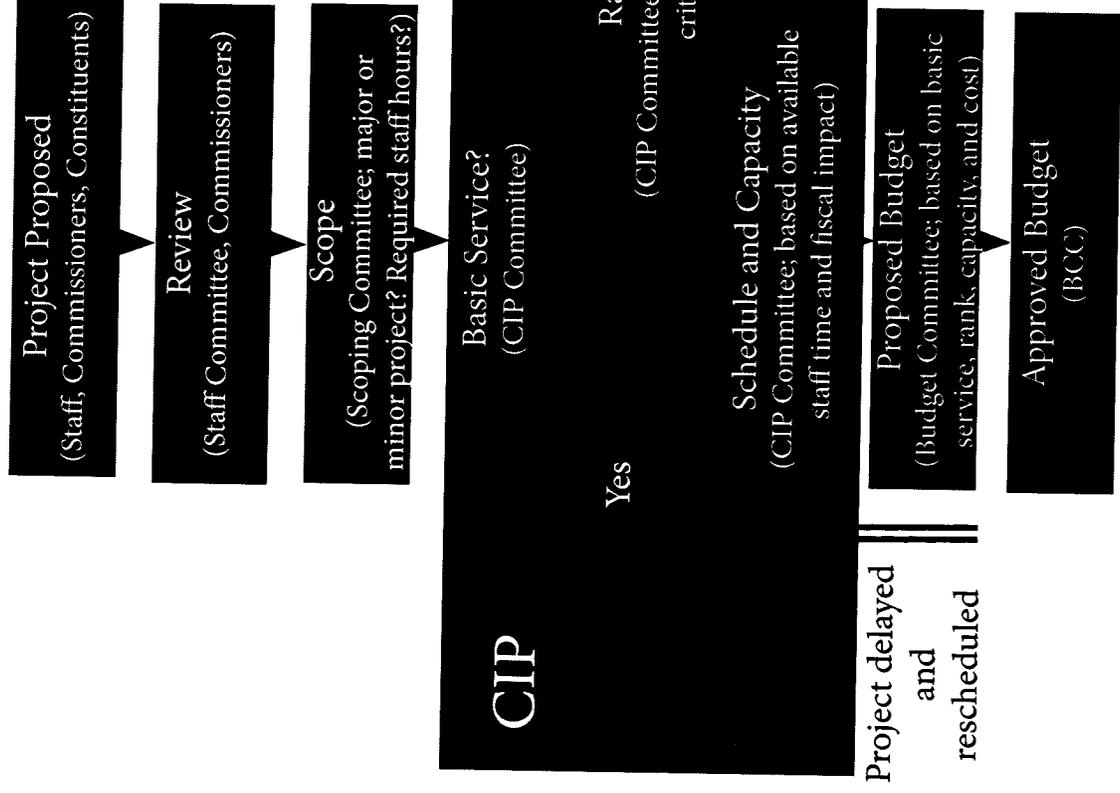
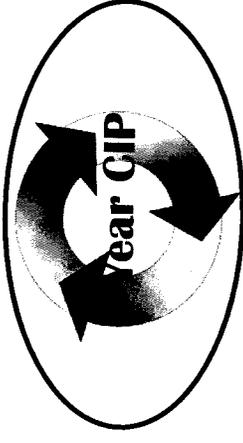
BCC MINUTES
PAGES: 45

I Hereby Certify That This Instrument Was Filed for
Record On The 16TH Day Of September, 2019 at 09:55:31 AM
And Was Duly Recorded as Instrument # 1896701
Of The Records Of Santa Fe County



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

Proposed Capital Planning Framework Pt. 2



Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Rudy N. Garcia
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

DATE: July 30, 2019

TO: Board of County Commissioners

FROM: Jose E. Larrañaga, Development Review Team Leader *JEL*

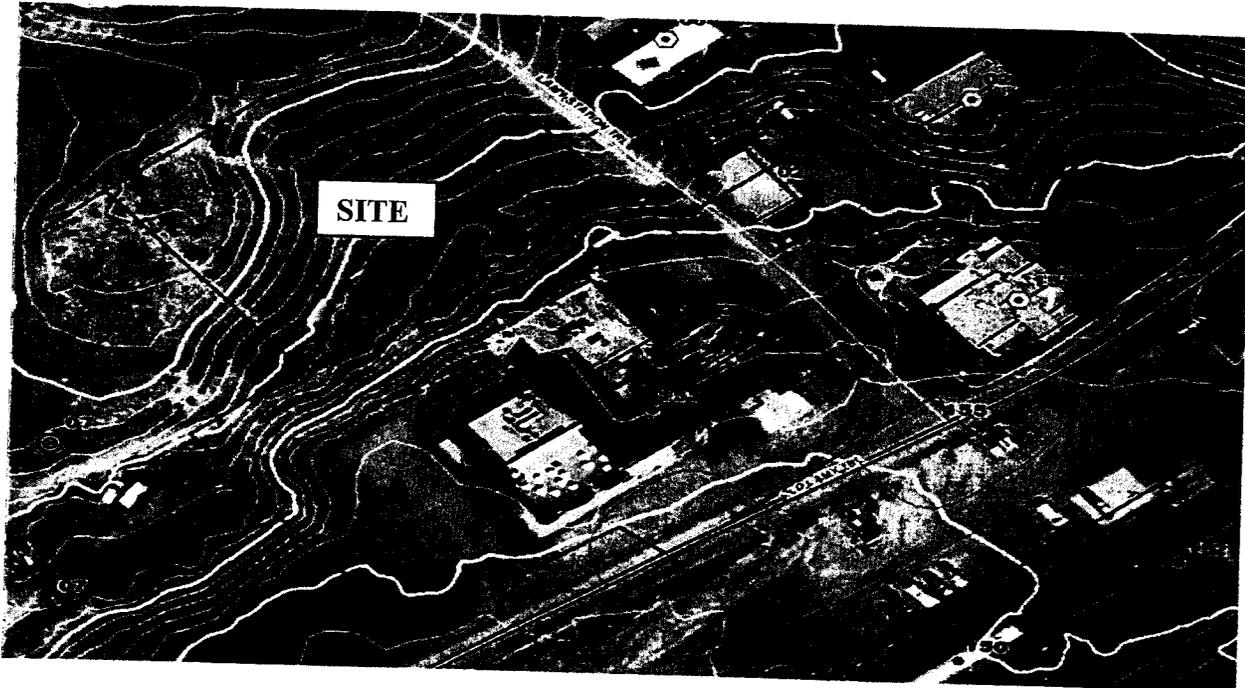
VIA: Katherine Miller, County Manager
Penny Ellis-Green, Growth Management Director *PEG*
Vicki Lucero, Building and Development Services Manager *VL*

FILE REF.: CASE # 19-5170 Legal Tender Dispenser Liquor License

ISSUE:

Historic Hotels of Las Vegas New Mexico LLC, D/B/A, Legal Tender, Applicant, request approval of a Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011. The property is located at 151 Old Lamy Trail within Section 33, Township 15 North, Range 10 East. (Commission District 4)

Vicinity Map:



102 Grant Avenue · P.O. Box 276 · Santa Fe, New Mexico 87504-0276 · 505-986-6200 · FAX:
505-995-2740 www.santafecountynm.gov

SFC CLERK RECORDED 09/16/2019

SUMMARY:

The zoning for this property is regulated by Ordinance No. 2016-9, the Sustainable Land Development Code (SLDC). The site is zoned as Commercial Neighborhood (CN). Appendix B: Use Table illustrates the uses allowed within the above mentioned zoning district, subject to all other applicable standards of the SLDC.

Appendix B: Use Table allows for a restaurant with incidental consumption of alcoholic beverages as a Permitted Use.

Based on the information listed above, staff has determined that the zoning (CN) on this site allows for a restaurant with incidental consumption of alcoholic beverages.

The Applicant is requesting the Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011. The current owner is Brumby's, LLC and the current registered location is 7 Caliente Road, Santa Fe, New Mexico. License No. 0011 will be transferred to 151 Old Lamy Trail, Lamy, New Mexico and leased to the Legal Tender.

The Legal Tender will operate as a full service restaurant with a bar menu and a full bar during business hours.

The State Alcohol Beverage Control Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. The Liquor Control Act requires the Board of County Commissioners (BCC) to conduct a public hearing on the request to grant a Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011. In accordance with the Liquor Control Act the BCC may disapprove the issuance of the license if the location is within three hundred feet of any church or school; the issuance would be in violation of zoning or an ordinance; or the issuance would be detrimental to public health, safety or morals of the residents of the local option district.

Legal notice of this request has been published in accordance with the Liquor Control Act by publishing notice before the hearing twice in the Santa Fe New Mexican on July 14, 2019 & July 28, 2019.

A complete Application was submitted on July 10, 2019.

Growth Management staff has reviewed this request for compliance with pertinent Code requirements and finds the following facts to support this request: the site is zoned as Commercial Neighborhood; the zoning (CN) on this site allows for a restaurant with incidental consumption of alcoholic beverages; the Applicant has met the State of New Mexico requirements for noticing; the site is 7.8 miles from the nearest church and 7.6 miles from the nearest school. (per Exhibit 2)

APPROVAL SOUGHT: Approval of a Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011.

GROWTH MANAGEMENT

AREA: Commercial Neighborhood, SDA-2

STAFF RECOMMENDATION: Approval of a Transfer of Ownership and Change of Location of Dispenser Liquor License No. 0011 to be located 151 Old Lamy Trail.

EXHIBITS:

- 1- Letter of Intent
- 2- Alcohol and Gaming Division Letter of Preliminary Approval
- 3- Zoning Statement
- 4- County Business License
- 5- NMED Permit
- 6- Site Plan
- 7- Aerial of Site
- 8- Appendix B: Use Table