

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR BCC MEETING**  
**January 13, 2026**

Camilla Bustamante, Chair - District 3  
Lisa Cacari Stone, Vice Chair - District 2  
Justin Greene - District 1  
Hank Hughes - District 5  
Adam Johnson – District 4

SFC CLERK RECORDED 02/13/2026

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**

**January 13, 2026**

1. A. This regular meeting of the Santa Fe Board of County Commissioners Board was called to order at 2:00 p.m. by Chair Camilla Bustamante in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

**B. Roll Call**

Roll was called by Celeste Garcia, County Clerk Office Operations Manager, and indicated the presence of a quorum as follows:

**Members Present:**

Commissioner Camilla Bustamante, Chair  
Commissioner Lisa Cacari Stone, Vice Chair  
Commissioner Justin Greene  
Commissioner Hank Hughes  
Commissioner Adam Johnson

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. O'ga P'ogeh Owingeh Land Acknowledgement**

**F. Moment of Reflection**

The Pledge of Allegiance and the State Pledge were led by Chair Bustamante. She acknowledged that this building and Santa Fe County as being in the original homeland of the Tewa people also known as O'ga P'ogeh Owingeh, "White Shell Watering Place." The Moment of Reflection was led by Karmela Espinoza of the Public Works Department.

Commissioner Greene acknowledged the passing of Pojoaque Pueblo member Stephanie Crosby who served as Tribal Secretary and Tribal Administrator.

Chair Bustamante acknowledged the passing of New Mexico's former Lt. Governor Roberto Mondragón.

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[Chair Bustamante read the agenda captions throughout the meeting.]

**G. Approval of Agenda**

CHAIR BUSTAMANTE: Manager Shaffer, do we have any changes to the agenda as provided?

GREG SHAFFER: Chair Bustamante and Commissioners, there are no recommended changes from staff relative to the amended agenda as presented. I would simply note for purposes of the meeting, that the initial agenda for today's meeting was posted on Tuesday, January 6<sup>th</sup> and the amended agenda was posted on Friday, January 9<sup>th</sup> at approximately 2:12 p.m. The only substantive additions or changes to the initial and amended agenda were the addition of miscellaneous action item 7.E as well as Matter from the County Attorney, 11.A 2 and 3 and 11.C. Thank you, Chair.

Commissioner Greene moved to approve and Commissioner Johnson seconded. The motion passed by unanimous [5-0] voice vote.

**2. Matters of Public Concern – Subject to 3 minutes**

DANIEL FRESQUEZ (Media Coordinator): Chair Bustamante, we have one person on line, Chris Mechels, will you please unmute your mic.

CHRIS MECHELS: Okay, yes, I'm Chris Mechels and I'm coming to you today from Tesuque. The issue I'd like to raise with you today is the recent passage of your own – of the raises that the Commission gave to itself and other elected officials. It was basically a betrayal of the trust of the public by this group and I hope you take it as such and reflect on that. Because what you did is you took what was set out to be a fairly objective examination of the raises comparing it to cost of living, etc., and you turned it into a circus. You just couldn't resist just throwing numbers around with no justification and the County Manager's Office absolutely disgraced itself.

The biggest one which you ignored and continue to ignore is the fact that the resolution that you passed, 2025-54, which set up the salary commission which was looking to the salaries is itself just not – it's not legal. The resolution that they passed in May was not the resolution that became law. So what you did was you voted for a resolution. The resolution has been filed. It is not the resolution that you voted for. Right there you've got a big problem. At that point you should have stopped because the resolution no longer is the resolution that you voted for. It's just totally not correct.

The next thing you did is at the end of October is you approved people who hadn't even applied for the job. The application was that you had to send an application letter, etc. You had three people that actually met the state – met the procedure that – what was required. Three people. You made up two more and staffed them with friends and cronies to get to five. You failed to add the last two which were required under the original law that you didn't pass legally. Which you were suppose to have seven members of the commission and you didn't. You hit three and that's not a quota – quorum. You should have stopped.

It seems like there was nothing that this Board of Commissioners would not

overlook in rushing to give yourselves raises. It's an absolute disgrace. And the only person that showed half-way reasonably was Hank Hughes who said he thought that you should have used the impartial group to make the raises and none of you wanted to do that. You insisted on running in and getting yourselves raises. You even went so far as to compare yourself – your salaries to justify them to the salaries of San Juan County, Oregon. This is ridiculous. This is the height of ridiculous and yet you all sat there and did your thing. Voted yourself raises. You allowed no public input. None of the public showed up because they weren't allowed. I wasn't allowed to speak.

It's outrageous. It's illegal and really should reflect on this and do something about it. Good luck.

CHAIR BUSTAMANTE: Anyone else? [There were no other speakers.]

[This transcript was edited for length and clarity.]

3. **Approval of Meeting Minutes**

A. **Request Approval of the December 2, 2025, Board of County Commissioners Meeting Minutes**

Upon motion by Commissioner Johnson and second by Commissioner Cacari Stone, the December 2<sup>nd</sup> meetings were unanimously [5-0] approved.

B. **Request Approval of the December 15, 2025 Board of County Commissioners Meeting Minutes**

ATTORNEY BOYD: Chair Bustamante, Commissioners, just a reminder that the December 15<sup>th</sup> meeting ended in a closed session and adjourned. So the minutes that you approve today need to contain a statement today, if true, that the only matter discussed in the second executive session was the subject listed in the motion for closure.

Commissioner Greene moved to approve with the County Attorney's statement added in as part of the motion. Commissioner Hughes seconded and the motion passed by unanimous [5-0] voice vote.

4. **Consideration of Commissioner Proclamations, Resolutions, Recognitions, and Other Items**

A. **Request Approval of a Proclamation Proclaiming Monday, January 19, 2026, as "Dr. Martin Luther King Jr. Day," and Tuesday, January 20, 2026, as "National Day of Racial Healing" in Santa Fe County. (Commissioner Lisa Cacari Stone)**

Commissioner Cacari Stone: Thank you Chair Bustamante, greeting all, happy new year to you. As we look to 2026 we look towards hope and vision. I would like to invite three key leaders from Santa Fe as well as statewide to please join us at the

mic and I'll introduce you properly, thank you.

Our guests today are leaders and in 2026 we know that leadership matters. To live with purpose, to live with conviction. To recognize those shoulders we stand on and the legacies that have brought us to maintain and hold the line for civil rights and human rights. Today we have Miles Tolunow, Miles is the executive director of Contigo Immigrant Justice formerly known as New Mexico's Dreamers Project. Under his leadership Contigo serves immigrants, mixed-status families across Santa Fe County and throughout New Mexico with a focus on keeping families together. Expanding access to legal counsel and addressing legal deserts in rural and underserved communities.

Our second guest is Mr. Cedric Page, Dr. Mr. Cedric Page. He is the treasurer of the Santa Fe Chapter of the NAACP. Dr. Page holds a PhD in geography from Rutgers University and completed the management development program at Harvard University. His academic and administrative career includes faculty leadership roles with the US Air Force Academy, the University of Colorado Denver, Zuni, DigiPen Institute of Technology and the UNM Los Alamos. He retired with vote from of his other colleagues as professor emeritus. He was appointed in 2019 by Governor Michelle Lujan Grisham and serves on the Board of Regents of New Mexico. He is also a former military service. Thank you for your service.

Mr. Little West is an attorney from Holland and Hart, LLP. He is also the chair of our New Mexico Martin Luther King Jr. Commission. Mr. Little West is an attorney in Santa Fe. He currently serves as the chair of the commission and he works tirelessly and was just in Santa Fe this morning at the legislature and is dedicated to advancing Dr. King's message of non-violence and social change. He's serving in his second term.

I welcome each of you to make a comment in support of this proclamation.

CEDRIC PAGE: Thank you, Commissioners. Cedric Page with the Santa Fe branch of the NAACP. I'm representing our president Dr. Simesha McEachern who is not going to be with us this afternoon.

I'm going to share with you a couple of thoughts regarding this proclamation that you're considering and hopefully will approve. The power of peace in times of division, this is what we're celebrating on Dr. Martin Luther King Day on Monday, January 19<sup>th</sup>. Dr. King believed that non-violence is not passive. It is a courageous, strategic and transformative force. In these times when communities often feel polarized, the idea of peace as an active practice becomes especially relevant. The same invites participants to explore how empathy, dialogue and disciplined non-violent principles can repair relationships and strengthen civic life and create what Dr. King called the Beloved Community.

Dr. King put forth six principles of non-violence that he believed would get us to this place called the Beloved Community. The first principle is that of non-violence, Non-violence he believed is a way of life for courageous people. It is an active, non-violent resistance to evil. It is aggressive spirituality, spiritually and mentally and emotionally.

Principle two, non-violence seeks to win friendship and understanding. The end result of non-violence is redemption and reconciliation. The purpose of non-violence is the creation of the beloved.

Principle three, non-violence seeks to defeat non-justice not people. Non-violence recognized that evil doers and also victims and not evil people. The non-violent resistor seeks to defeat evil not people.

Principle four, non-violence holds that suffering can educate and transform. Non-violence accepts suffering without retaliation. Unearned suffering is redemptive and has tremendous educational and transforming possibilities.

Principle five, non-violence chooses love instead hate. Non-violence resists violence in the spirit as well as the body. Non-violent love is spontaneous, unmotivated, unselfish and creative.

The last principle that Dr. King put forward in terms of these principles, as principle six. Non-violence believes that the universe is on the side of justice. A non-violent resistor has deep faith that just will eventually win. Non-violence believes that god is a god of justice.

Those were the six principles of non-violence that Dr. King put forward that many of us strive to live up to today and it is the reason we come together on the 19<sup>th</sup> of this month to celebrate a day, a national holiday, to continue the work that his vision and his dream for a Beloved Community can be achieved.

I want to just say one thing about the Beloved Community. It's a vision of a society based on love, justice and reconciliation. The Beloved Community is an ideal society where brotherhood, justice and love prevail. Dr. King believed that this community could be achieved through non-violent action and a commitment to social justice. He envisioned it as a place where individuals would transcend their racial, ethnic, social differences to live in harmony and mutual respect. The concept emphasizes the importance of Agape love which is unconditional love for all people and serves as the foundation for social change and community building.

So I take this opportunity to thank you for giving us this opportunity to acknowledge your commitment through the proclamation that is going to be presented. On behalf of our president Simesha McEachern we want to thank you for recognizing that day, next Monday, through your proclamation and your efforts to create what we believe as a Beloved Community as was sought by Dr. King and many, many others who work tirelessly over the years. Thank you very much.

MILES TOKUNOW: Tough act to follow. Good afternoon, Chairwoman Bustamante and Commissioners, County staff and community members. I want to first start by thanking the County Commission for this proclamation honoring Dr. Martin Luther King Jr. Day and the National Day of Racial Healing. This public recognition matters. It signals that the County understands that justice is not only something we commemorate but something that we're responsible for advancing through our policies, our partnership and our presence moving towards that Beloved Community.

Dr. King reminds us, quote, injustice anywhere is a threat to justice everywhere. He understood that civil rights, racial justice and economic justice were inseparable. He also understood that the law can be a tool for liberation or a weapon of harm depending on who protects it and who it excludes. Today we are living in a moment that makes that distinction painfully clear.

Just last week in Minneapolis, Renee Good, a mother and an activist was killed by

an ICE agent just blocks away from where George Floyd was tragically murdered in 2020. That proximity is not incidental. It is symbolic and it reminds us that state violence, racialized policing and immigration enforcement grow from the same roots. In the same token, black liberation and immigration are not parallel struggles. They are intertwined struggles that our grief, our resistance and our visions for a liberatory future are also connected.

At Contigo Immigrant Justice, formerly the Santa Fe Dreamers Project, we see this everyday in our work across New Mexico and especially here in Santa Fe. We currently carry more than 15,000 open cases statewide and each one of those cases represents a person navigating a system that is intentionally complex and more and more cruel. We provide legal representation because we know that due process is a civil right not a privilege. Immigrants with lawyers are exponentially more likely to succeed in their cases, to remain with their families and to avoid detention and deportation. Legal representation is one of the strongest protections against racialized enforcement and unchecked government power. Over this past year we have expanded our rural clinics, increased our humanitarian and family based relief filings and fully integrated New Mexico's only immigration specific bail bond fund. That means that fewer people are sitting in detention cells simply because they cannot afford freedom. It means that families are staying together and children are sleeping at home instead of wondering where their parents are or went. This is racial justice work. This is civil rights work. This is constitutional work today. And we know that the constitution promises due process and equal protection but those promises mean little if they're not applied to all.

Dr. King warned us that laws divorced from justice become instruments of oppression. When immigrants are denied counsel, when enforcement operates without accountability, and when fear replaces fairness, the constitution itself is weakened. That is why this partnership with local government is so, so crucial and critical. Santa Fe County has an opportunity to continue by leading and deepening collaborations with organizations like ours and so many wonderful immigrant-serving organizations in the County. That could look like investing in the legal defense infrastructure or supporting community-based education so that people know their rights before a crisis occurs.

Dr. King also said that we are caught in an inescapable network of mutuality tied in a single garment of destiny. What happens to immigrant affects the moral health of our entire community. What happens to our Black communities under state violence shapes safety for all of us as well. And today, we honor Dr. King as we acknowledge the National Day of Racial Healing. We are called to move forward from remembrance to responsibility. We are committed to building a future rooted in dignity, due process and collective liberation and we are grateful to the County for standing with us in that work and we look forward to continuing this partnership in service of a more just and humane community for everyone. Thank you.

CHAIR BUSTAMANTE: Thank you.

LITTLE WEST: Good afternoon, Chairlady Bustamante and Commissioners and all of the residents of Santa Fe County. My name is Little V. West and I'm honored, deeply honored, to be here today as Chair of the New Mexico Martin Luther King Jr. Commission. I'm also a proud resident of Santa Fe where I have had the

privilege of living and working nearly 20 years witnessing first hand this community's commitment to the pursuit of justice and inclusion. It is an ongoing work to be sure. And I want to thank you for the invitation to be here and especially to Commissioner Cacari Stone for her leadership in bringing forward this important proclamation recognizing both Dr. Martin Luther King Jr. Day and the National Day of Racial Healing. This dual recognition is particularly meaningful because it connects Dr. King's transformative legacy with our ongoing work toward healing and justice for all. And Dr. King's life and philosophy provide wisdom to us today every much as relevant now as it was in his time. This is because Dr. King's vision for the world wasn't just about ending segregation in America as it then existed. It was about creating what he called, the Beloved Community, where justice, equality and human dignity will flourish for all people.

Today as we face new challenges to our civil rights and continue to witness acts of violence, discrimination and injustice in our own times, Dr. King's principles of non-violence, moral courage and interconnectedness provide our roadmap forward. He reminded us that injustice anywhere is a threat to justice everywhere. There should come a time for everyone of us when we just can't wait any longer. Our consciousness should lead us to act to make our community a better place to live and the sooner that time comes for each of us, the sooner we will realize the Beloved Community that Dr. King longed to see.

Here in Santa Fe County, we have a unique opportunity to realize Dr. King's dream. Our rich and diversified experience here positions us to lead by example when it comes to healing the wounds of the past and ensuring justice for the future. The proposed proclamation's emphasis on moving forward from commitment to action challenges us, each of us, to do that important work of translating our values into concrete changes. Furthermore, the National Day of Racial Healing called for by the resolution to be observed on January 20<sup>th</sup> isn't just a day of reflection. It's an important reminder that we must all engage in the ongoing work of building bridges, addressing systemic inequities and creating policies that truly serve all residents, 24-hours a day, 7 days a week, 365 days a year.

Therefore, I encourage all of Santa Fe County residents and all the residents of our great state to join the New Mexico Martin Luther King Jr. Commission in honoring Dr. King's legacy not just through remembrance and commemoration but through service, dialogue and sustain action to achieve the Beloved Community that Dr. King envisioned. So I encourage you to visit the New Mexico Martin Luther King Jr. Commission's website to find a way to connect, celebrate, commemorate and serve over Dream Week – we celebrate Dream Week in New Mexico. We started yesterday with event in Clovis. There are going to be some other events in the southern part of the state and we're moving north. King Sunday will pass through Santa Fe and headed to Española and back to Santa Fe and back to Albuquerque but statewide. So I encourage everyone to check out our website for the dream wherever you are toolkit because if you're not able to participate in person, there are other virtual participation options also materials, educational materials that you can use to ensure accessibility.

So in closing, thank you Commissioners for the opportunity to be here and speak

in support of honoring Dr. King and thank you for your leadership and service.

DR. PAGE: If I may, I'd like to invite each Commissioner and members of the audience to attend the Martin Luther King Day celebration at the state capitol on Monday at 12 noon in the Rotunda. We have a program that I think will highlight many of the things that were addressed by the presenters this afternoon and we encourage you to see you there is possible. Thank you.

COMMISSIONER CACARI STONE: Thank you, Dr. Page, Mr. West, and Mr. Tokunow. And if the Chair allows, may we read the proclamation.

CHAIR BUSTAMANTE: Please.

COMMISSIONER CACARI STONE: This is a joint proclamation proclaiming January 19<sup>th</sup> Dr. Martin Luther King Jr. Day and January 20<sup>th</sup> as National Day of Racial Healing:

Whereas, Dr. MLK Jr. was a visionary leader whose courage, moral clarity, and commitment to nonviolence advanced the civil rights movement and helped transform the social, political, and moral fabric of the United States; and

Whereas, Dr. King's life and teachings continue to inspire generations to work toward justice, equality, dignity, and opportunity for all people, reminding us that freedom, fairness, and democracy require both conscience and collective action; and

Whereas, in recognition of Dr. King's enduring contributions to civil rights and social justice, in 1983 the United States Congress established Martin Luther King Jr. Day as a federal holiday, observed on the third Monday in January beginning in 1986 as a day of remembrance, reflection, and service; and

Whereas, the State of New Mexico formally observes MLK Jr. Day as a legal holiday, and in 1987 reaffirmed its observance for state employees on the third Monday in January following public dialogue and deliberation regarding its importance to the State's civic values; and

Whereas, in Santa Fe County, MLK Jr. Day has long been recognized through the official closure of County administrative offices and facilities, honoring Dr. King's advocacy for civil rights and encouraging residents to participate in community observances, service activities, and commemorations, including events hosted by local organizations and community partners; and

Whereas, Santa Fe County is strengthened by its diverse peoples, cultures, histories, and traditions, and affirms the values of respect, service, inclusion, and shared responsibility that are central to Dr. King's vision of a Beloved Community; and

Whereas, leaders and elders of the Civil Rights Movement, including Reverend Jesse Jackson – and I want to honor the brother of Jesse Jackson who lives here and he doesn't want to be recognized but he lives here in Santa Fe and has been here as a long-term resident, him and his wife and business owners – have reminded us that Dr. Martin Luther King Jr.'s dream was never static, but a living call to action – encompassing the right to vote, open and fair housing, economic justice, peace, and full participation in civic life – and that this dream must continue to evolve as our nation confronts new and enduring challenges; and

Whereas, Dr. Martin Luther King Jr. Day calls each generation not only to remember

history, but to renew its commitment to justice through action – by strengthening democratic participation, expanding opportunity, advancing equity, and working together across differences to build communities where all people can thrive; and

Whereas, Santa Fe County recognizes that federal actions and proposals that reduce essential public services, dismantle equity efforts, and weaken protections for land and the environment disproportionately harm vulnerable and underserved communities; and that County government, as the level of government closest to the people, has a responsibility to act as a frontline instrument of continuing the vision of MLK Jr; and

Whereas, the National Day of Racial Healing and recognition of the Truth, Racial Healing & Transformation framework are observed annually on the Tuesday following MLK Day, and in 2026 will be observed on January 20, providing an opportunity for our County to move from commitment to action and to continue to use policy to effect meaningful change toward health, racial equity, and justice; and

Whereas, racial healing is an ongoing, inclusive process that repairs harm, strengthens relationships, and transforms institutions to affirm the inherent dignity, humanity, and worth of all people.

Now, therefore, be it resolved that we, the Board of County Commissioners of Santa Fe County, do hereby proclaim Monday, January 19, 2026, as Dr. Martin Luther King Jr. Day and Tuesday, January 20<sup>th</sup> as National Day of Racial Healing and may it be further proclaimed that the Board encourages residents, County employees, community organizations, educators, faith communities, and civic leaders to honor Dr. King’s legacy through service, learning, dialogue, and actions that promote justice, equity, compassion, and mutual respect.

May it further be proclaimed, that Santa Fe County reaffirms its commitment to the principles Dr. King championed and to building a community where all people are treated with dignity, differences are respected, and opportunity is shared.

And may it be further proclaimed, that Santa Fe County recognizes racial healing as an ongoing process of learning, accountability, relationship-building, and institutional transformation.

I leave it to my colleagues in the Commission and the Chair to make comments.

CHAIR BUSTAMANTE: Comments, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. Thank you, Commissioner Cacari Stone and thank you to our distinguished guests. There’s many insightful words that were said by our speakers and I really appreciate your coming and joining us to present this resolution and I think you, Commissioner, for bringing it forward. And I am fully in support of it. Thank you for your words.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair and thank you, Commissioner Cacari Stone. And thank you to our guests. It brings back memories of my formative years when MLK Day was being proposed and hearing absurd opposition to honoring such a great legacy, the person but also the principles. I really appreciate today the fact that you brought up the principles. It’s not just the person we have to remember the vision and where we are – we have to carry that torch and this is one way

we can do it. And we can do it by remembering and celebrating together on Monday and we can also do it on Tuesday and taking action and being of service. Honestly, when I was coming of age in high school I was in a community service high school that used Dr. Martin Luther King Jr. as a role model and taught that. And as strange as it sounds, there is an arc that brings me to this seat today because of his work. Thank you. Thank you to all of you and thank you to Martin Luther King. Thank you for bringing this forward.

COMMISSIONER GREENE: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you both for letting me speak, thank you Commissioner Cacari Stone for bringing this forward. I was 11 years old when Martin Luther King Jr. was killed/ assassinated. And later I didn't really learn about his work until I was in college and then he became a hero when I learned what he stood for. So thank you for all of your words and encouraging us to continue in that vein. Obviously, I am very much in support of this proclamation.

CHAIR BUSTAMANTE: Thank you, Commissioner. I appreciate this and what to thank you, Commissioner, for bringing this forward and for our guests in speaking to it. During this time in our country where there is a lot of concern and when we think of concepts like Beloved Community and what it really means to defeat evil and not people, those words are very important for us to understand today. When we look at something that is about the Beloved Community it has to do with humanity. It has to do with how we treat each other, individuals within our communities and that humanity is lost when we have people who wear masks in our community and aren't working within their training to deescalate situations. And I sincerely with all my heart in the interest and in the support of the words and spirit that Dr. King brought to our country and to this planet is that we lose the masks and we work towards de-escalation of these situations and that we work towards better training that allows the community to speak its voice and for individuals to not feel threatened by a mask that dehumanizes an individual. The research shows that masks make it less accountable. A person can do things that they wouldn't normally do if they were showing their own face and that's very interesting in a time of humanization in understanding what community means.

I'm grateful for this opportunity and I want to bring to light a communication I had with the County Manager about the importance in really reflecting on de-escalation and what it really means to do that and from my own heart what it really means to humanize those people who are recognizing that they are working with other people. So I want to thank you again for bringing this forward and for our guests and I will say Commissioner Cacari Stone if you want to make the motion.

**Commissioner Cacari Stone moved to approve the resolution and Commissioner Greene seconded. The motion passed by unanimous [5-0] voice vote.**

[Photos were taken]

- B. Request Approval of a Letter of Commitment to the Office of the Governor Regarding Chupadero Water System Improvements and Potential Future County Ownership.** (Commissioner Justin S. Greene).

COMMISSIONER GREENE: Thank you, Madam Chair. The item in front of you right now is a letter that we're going to send, hopefully, upon approval to the Governor's Office in support of County partnership and eventual taking over of the Chupadero Mutual Domestic Water System. Chupadero's Mutual Domestic Water System has had a long standing partnership with Santa Fe County dating back to one major milestone in 2012 when a resolution was brought forward and approved to commit Santa Fe County to taking over the water system. Since then over time and sporadic progress based on money that was brought forward and different projects that could be completed, Santa Fe County has partnered with the mutual domestic system to upgrade their wells and to build a uranium removal system in their water system. Up until about a year ago the Chupadero community was under water restrictions and this well and the uranium removal system allowed them to reopen their system which not only did it allow people clean drinking water but it also removed a lot of the restrictions on the amount of water that people could use. People were limited to 4,000 gallons per home/per month which if you tried to do that, that's not very much in a rural setting up in the mountains. And this system also allowed people to actually sell their land because if you've ever tried to sell a property with severe water restrictions it's difficult. People do their due diligence and they can't close the deal. So this was a key monument in that so this letter, one of the more recent things that we've done in partnership with the mutual domestic is found a grant or a loan system through the State of New Mexico Water Trust Board for the amount of \$5 million that would do the infrastructure rebuild that they need to bring their system up to Santa Fe County standards and allow us to take over the system.

The Mutual Domestic Water Board has already addressed a lot of the administrative issues that they have to deal with. They still have a few more to do but they've done a great job. They're very active/proactive at the legislature, very proactive with their rate setting, very proactive with their bill collecting. They're really a great mutual domestic but as with many mutual domestics, it is tough to run a small system like that and it's in better hands when it's in the County's hands.

Anyway, this letter is in support for their application to the Water Trust Board and it is a show of commitment by Santa Fe County to the Governor's Office and this is at the request of the Governor's Office showing that we're onboard to take over the water system pending bringing the system up to their standards and some administrative details that would be required for us to take over. I can answer some questions about this but I'm really proud of Santa Fe County in the work that they've done to help Chupadero thus far and this will get us over the finish line in the next few months.

CHAIR BUSTAMANTE: Thank you. Any question? Commissioner Hughes.

COMMISSIONER HUGHES: I'm just wondering if you checked with the Department of Public Works? Are they willing to take over this system?

COMMISSIONER GREENE: We've been working with Public Works and they've been doing projects on behalf of the mutual domestic up there. The uranium removal system and the new well were performed by Public Works. Slowly, slowly,

poco, poco they've been doing work when the mutual domestic goes and gets capital outlay money, they've been turning it over to Santa Fe County to do these projects and those systems are in place and yes, those are the conditions – we have many conditions for them to achieve, the big one is the rebuild of the water line and the new tank and that would bring it up to our standards.

COMMISSIONER HUGHES: Okay.

CHAIR BUSTAMANTE: Thank you. Similar question, so Public Works had input on the conditions that the County would be taking this over and the Public Works is in favor of this?

COMMISSIONER GREENE: I would allow them to answer if there is a specific question but the preliminary engineering report was commissioned by Santa Fe County and they gave a scope of work or a scope of conditions that the upgrades to the system would have to be brought to for us to be able to take it over. But that was the ultimate goal and they're under a resolution to do that. The goal is to bring their system up to our standards where it can be taken over.

CHAIR BUSTAMANTE: Thank you.

MANAGER SHAFFER: Chair Bustamante and Commissioners, I would invite Brian Snyder to come up as well. From staff's perspective we're implementing direction that was previously given by the Board of County Commissioners albeit some time ago. We're moving forward to implement that policy direction and I believe that Brian and his team and legal have worked on conditions that we feel would be appropriate to before the Board makes that ultimate decision but whether or not to accept the system and take it over, again, would ultimately be a Board of County Commissioners' decision but staff is proceeding in accordance with what we understood to be ultimately the previous direction of the Board. I hope that clarifies.

CHAIR BUSTAMANTE: Yes, it does. Thank you. Did you have other comments, Brian.

BRIAN SNYDER (Public Works Director): Madam Chair, Commissioners, I don't have anything else to add other than everything that Commissioner Greene has said and Greg has said is accurate. We're acting right now on the preliminary engineering report that was procured and delivered and we're getting an engineer under contract right now to take that to the next step. It's estimated without doing the design it's going to cost about \$5 million and that's the request of the state. So once it's designed and constructed to meet our system needs we'll be open to conversation of taking over the system.

CHAIR BUSTAMANTE: Thank you, Brian. And did you have any feedback from the Water Policy Advisory Committee?

MR. SNYDER: Madam Chair, I'm not aware of any feedback from the Water Policy Advisory Committee. The original PER was done in 2019 and then we redid that earlier in 2025, and we're acting on that.

CHAIR BUSTAMANTE: Thank you. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. So just to clarify, Commissioner Greene or whomever, this is a letter of commitment that helps the

Governor's Office understand the County's plans in coordination with the Chupadero Water System. We will then also see this before the Board of County Commissioners as a resolution for adoption of that water system?

COMMISSIONER GREENE: My understanding is that the formal adoption will come before the Board when all the boxes are checked, everything is either built or in process and that Public Works and the County Manager can present to us that they feel confident that everything is all teed up. Whether it's – there was some encouragement by the Governor's Office to get this adoption taken before the end of this year, before the end of her term. But that may not be quite feasible. But there's step by step. The Water Trust Board will hopefully award money later in May, later this spring and then work would probably not commence until next spring. Whether between that time that we would receive that money, have the designs up to our specs, and us executing the work or having the work completed, when that actual adoption happens is going to be a little bit up to us and to Public Works to decide whether they're ready. But that will come before us when it's time.

CHAIR BUSTAMANTE: Thank you. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante. Thank you, Commissioner Greene for putting this forward. I just have a question. I actually lived in Chupadero earlier in my time here and I know that folks were on wells. How does this system interact with folks who are using private wells and maybe just educate me a little bit? Does this support that as well?

COMMISSIONER GREENE: I don't actually know the answer to that completely. I know the mutual domestic supplies water to most of the community and maybe the mutual domestic has taken over some of those customers that were on private wells. I don't know if there are still a whole bunch of people that are on private wells there or not. But there are some 80 homes in the area that are on the mutual domestic and I don't know the actual number of homes that are up there and if it matches up one to one. It's possible that there's some outliers that are outside of the mutual domestic and maybe this system will actually tie them in as well.

CHAIR BUSTAMANTE: Thank you.

**Commissioner Greene moved to approve and sign the letter to be submitted to the Governor's Office in support of the Chupadero Mutual Domestic Water System. Commissioner Johnson seconded. The motion passed by unanimous [5-0] voice vote.**

**5. Consent Agenda**

- A. Resolution No. 2026-001, a Resolution Requesting a Budget Increase to the General Fund (101) in the Amount of \$20,000. (Finance Division/Yvonne S. Herrera and Community Services Department/Matilda Byers)**
- B. Resolution No. 2026-002, a Resolution Requesting a Budget Increase to the General Fund (101) in the Amount of \$50,000. (Finance**

- Division/Yvonne S. Herrera and Community Services  
Department/Chanelle Delgado)
- C. **Resolution No. 2026-003, a Resolution Requesting a Budget Increase to the Alcohol Program Fund (241) in the Amount of \$145,905.**  
(Finance Division/Yvonne S. Herrera and Community Services  
Department/LeAnne Rodriguez)
  - D. **Resolution No. 2026-004, a Resolution Requesting a Budget Increase to the State Appropriations & Other Projects Fund (318) in the Amount of \$158,413.** (Finance Division/Yvonne S. Herrera and Office of  
Emergency Management Division/Brad Call)
  - E. **Resolution No. 2026-005, a Resolution Requesting a Budget Increase to the Housing Administration Fund (517) in the Amount of \$1,7122,000.** (Finance Division/Yvonne S. Herrera and Housing Authority  
Division/LaToya G. Ricketts)
  - F. **Resolution No. 2026-006, a Resolution Authorizing the Disposition of Fixed Assets Worth \$30,000 or Less in Accordance with State Statute**  
(Regarding the Donation of a Fire Tender to the Cabo Lucero Fire District in San Miguel County). (Finance Division/Yvonne S. Herrera and Public  
Safety Department/Jacob Black)
  - G. **Resolution No. 2026-007, a Resolution Authorizing the Disposition of Fixed Assets Worth \$30,000 or Less in Accordance with State Statute**  
(Regarding the Donation of Two Fire Tenders to the Colfax County Fire Department). (Finance Division/Yvonne S. Herrera and Public Safety  
Department/Jacob Black)
  - H. **Resolution No. 2026-008, a Resolution Authorizing the Disposition of Fixed Assets Worth \$30,000 or Less in Accordance with State Statute**  
(Regarding the Donation of a Fire Tender to the Newkirk Fire Department in Guadalupe County). (Finance Division/Yvonne S. Herrera and Public  
Safety Department/Jacob Black)
  - I. **Resolution No. 2026-009, a Resolution Authorizing the Disposition of Fixed Assets Worth \$30,000 or Less in Accordance with State Statute**  
(Regarding the Donation of Pickup Trucks to the New Mexico Corrections Department). (Finance Division/Yvonne S. Herrera and Public Safety  
Department/Jacob Black)
  - J. **Resolution No. 2026-010, a Resolution Authorizing the Disposition of Fixed Assets Worth \$30,000 or Less in Accordance with State Statute**  
(Regarding the Donation of a Fire Tender to the Santa Rosa Fire Department). (Finance Division/Yvonne S. Herrera and Public Safety  
Department/Jacob Black)
  - K. **Request (1) Approval of Amendment No. 1 to Project Assignment No. 1 of Agreement No. 2025-0101-A-CMO/BT with Souder, Miller and Associates, Inc., Increasing Compensation by \$72,504, for a Total Contract Sum of \$488,659, Exclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Amendment Form**

- and Purchase Order.** (Public Works Department/Erin Feehily and Purchasing Division/Bill Taylor)
- L. Square Technologies, LLC for Asset Management/Work Order and Data Management Software, Increasing Compensation by \$92,520 for a Total Contract Sum of \$354,323.72, Exclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.** (Public Works Department/Anthony Serna-Sanchez and Purchasing Division/Bill Taylor)

Commissioner Cacari Stone moved to approve the Consent Agenda as presented.  
Commissioner Hughes seconded and the motion passed by unanimous [5-0] voice vote.

[The Clerk's Office provided resolution numbers throughout the meeting.]

- 6. Appointments and Reappointments** – None were presented
- 7. Miscellaneous Action Items**
- A. Resolution No. 2026-011, a Resolution Approving Lot Line Adjustments and Authorizing Roadway Improvements, Construction, and Dedication Actions in Connection with the Development Plan Approval Process for the Nueva Acequia Affordable Housing Projects.** (Community Development Department/Denise Benavidez and Public Works Department/Ryan Ward)

ANNE WODARCZYK (Senior Planner/Community Development): I'm Anne Wodarczyk and I'm standing in for Denise Benavidez today. With me is Ryan Ward from Public Works. This is an approval process for the development plan for the City of Santa Fe requiring a lot line adjustment and lot splits to comply with City design standards. I have the team with me, if you'd like to introduce yourselves, they have a presentation.

JOSIE BUTLER: I'll just be talking for a second. Hi, welcome, thanks for having us present. We're here as the development team for the Nueva Acequia Affordable Housing complex. Here with me today are our design team from TWG, Megan is on line, Megan Adams, she will be presenting as well Alexi Dzurec from Autotroph. My name is Josie Butler. I'm here on behalf of Project Moxie. We have been the consultant on the project since its inception.

CHAIR BUSTAMANTE: Thank you.

MEGAN ADAMS: Good afternoon. I'm Megan Adams, regional director for TWG Development. I've been leading this project with everyone that you just heard since the beginning, since 2024. We have a great update. We've been on schedule. So our first slide is our project team. Before you is Alexi and Josie and the County staff. Those of us not with us today, Jayne's Corporation, well known in this area helping us with preconstruction and hopefully eventually the general contractor/final

contract. Also the Boys and Girls Club, this is an amazing project. We're serving a lot of needs and the Boys and Girls Club is part of that for a new childcare center. And then, thanks to the County and Project Moxie, Josie and Jen, for getting multiple support services agencies to support residents long term.

ALEXANDER DZUREC: Thank you very much for hearing us today. I am Alexander Dzurec. I also go by Alexi. I'm with Autotroph we're a local architecture and planning firm with an office straight up the street on Marcy Street. We're really excited to be part of this project working with the County to develop affordable housing on the south side of Santa Fe.

This is a multi-family affordable housing development. It's on city-owned land that is about – a little over 6.5 acres. We're looking to develop 159 units of rental housing comprising of 1, 2, 3, and 4 bedroom units. I'll show you some more slides about location in a second but we're located off of Camino de Jacobo near the intersection of Cerrillos and Airport Road. The setting is really incredible because it is in close proximity to schools, health care, shopping and other amenities that will service our residents. Megan, I'll give it back to you.

MS. ADAMS: So as mentioned this project is going to serve families with children, individuals and seniors. A lot of people – part of the workforce. We're prioritizing low incomes between 30 percent and 80 percent of area median income with 90 percent of the units at or below 60 percent of AMI. And it is a full LIHTC project. The way we fund affordable housing anywhere is 4 percent or 9 percent. You may have learned about it before with Project Moxie's presentations. It's the way we fund different types of projects. So in New Mexico for the families and the individuals we use the 4 percent financing and that's getting us 106 units on this site. And with the 9 percent financing we serve seniors and we're able to get 53 units on this site. So it is two buildings but it is one community and Alexi will show you that.

MR. DZUREC: So here's some basic renderings of the project and I'll go over the site plan in a second but as you can see we're looking at two buildings surrounding a kind of courtyard with some really nice amenities including playground, picnic areas, and other outdoor recreational amenities on the project site. Megan, do you want to go over some of the funds and –

MS. ADAMS: This site has a lot on it and what we're showing you here is the milestones completed, the milestones we have left to do and then all of the funding sources. We've done a lot and we've done it in perfect timing. It couldn't be more perfect. There is so much support in New Mexico. We have state funding. We have county funding. We have city funding, developer funding, private funding and even Federal Home Loan Bank if you know what that is. It's not really a jurisdiction but they support a lot of housing and we've been awarded that funded and so because of that wonderful news all of the time for this project we're able to stay on track and close as expected in August or by September 1<sup>st</sup> is our target and as you can see we've hit our milestones to date, ever since summer of 2024 when we signed the MOU and we've been awarded a bunch of funding and so we're ready to move forward.

The architect, Alexi, has submitted the site development plan. He's going to submit for a building permit in a couple of months for review and then we'll move

straight to the financial closing and then construction will take a couple of years and then we'll do lease-up.

Again, this project has had great success so far right from the beginning and couldn't have moved faster for the funding. And we have tapped all of the funding sources we possibly can to fund this amazing community. And so that's what you see on the right.

MR. DZUREC: So as Megan mentioned, we have been very busy on the design side. We started back in 2024 and developed the conceptual design to support our LIHTC application. We received funding last spring in May and then we proceeded on our initial design phases up until the end of '25 in terms of the building design and we're about to enter into our last phase of building design, the construction documents which gets enough detail to permit and get a final bid and then construct the project. Looking for a building permit submission on or about mid-May and then hopefully an approval after a few months of review by the City on or before September 1<sup>st</sup>.

However, going along with that process is our site development plan approval process. Running in a parallel track we've also been developing our site design to a pretty high standards because given the size and type of this project the City of Santa Fe requires a Planning Commission approval of a development plan. So we had to do a very robust development plan submission that includes all the information on the site design that shows compliance with pertinent City standards in terms of utilities, roadways, traffic, parking, etc. That is currently being reviewed and we are already getting comments back from City staff and addressing them in this review period. We're anticipating a tentative date for Planning Commission hearing in May and then a couple of months back and forth to finalize the development plan and record it. Also aligning with that same September 1<sup>st</sup> deadline there. One we have both the development plan approved and recorded as well as our permits issued we can then start construction. So we're on track to make that schedule right now.

We'll have staff read the lot line resolution to discuss why we're here and then I'll go into a little more detail on the details of the project and why we're here to discuss this today.

MS. WODARCZYK: So the resolution – we're asking for City review requires recorded property lines to match the proposed development configuration. Because City code is based on parcel boundaries, lot line and a limited lot split are required. The adjustments consolidate the housing site into one compliant parcel and to separate roadway areas. And then the other part is that a new roadway parcel would support City review and future dedication of roads to the City.

MR. DZUREC: I'm going to actually skip over this slide because it provides a lot of detailed information that we're happy to talk to you – I want to kind of zoom out and look at the context we're working in so you'll understand why we're proposing what we are here.

So in terms of context, again, the site is located off the intersection between Cerrillos and Airport Road for future context, the San Isidro shopping center is right here. There's Lowe's and the improvement center, the south side plaza is right underneath this bubble here. The parcel has actually three – there's actually three lots. The main build

site is this one entitled Tract B1 which includes our primary build site as well as Camino de Jacobo which is a roadway that is functioning as a City right-of-way but it's actually under County ownership, oddly enough. There is then a Lot 2 which is a 30-foot wide by about 1,000-foot long lot that goes on the east side of the Jacob de Martinez community which is a current Housing Authority property and then lots – there's a Lot 1 which is just to the south of that also 30-foot wide which essentially goes from that all the way down to the intersection of Cerrillos and Airport. I'm going to skip ahead to get to some stuff and then I'll come right back, I promise.

This now is rotated so that north – this detailed site plan is rotated so that north is on the left-hand side here, again, for orientation, Cerrillos Road, Airport Road, Camino de Jacobo. It's a very unique and interesting site. As mentioned earlier it is in great proximity to this San Isidro shopping center – and located off of Camino de Jacobo. This is the very first road that you encounter after you turn onto Airport Road and if you blink you'll miss it because it's right after that intersection. It provides access to the Jacob de Martinez Community Housing project that is existing and under County ownership and operation right here and Camino de Jacobo provides access to it but it also provides access to this storage, a used car lot and the church and some other businesses that are located off and in-between Camino de Jacobo and Lopez Lane. A thing of interest to note is that there's an adjacent project being developed right now as we speak, that is Staybridge Suites. You may have heard about this. It's been a long time in development and it's finally gotten the go ahead and is moving ahead now. And as part of that project, that developer is developing an extension of San Ignacio Road which runs right behind the San Isidro shopping center to be able to access their site as well as this Camino San Alberto. So these are being funded and developed by an adjacent developer not part of this project.

But in looking at this and looking at the conditions in accessing the site to off of Camino de Jacobo we realized that there would actually be a benefit to extending San Ignacio over to Camino de Jacobo. So we're proposing to construct a roadway that makes that link in that connection there. And that does several things for us. Given the kind of difficulty in kind of accessing and getting out of Camino de Jacobo it really turns our front door to be accessed from San Ignacio just then goes up to Zafarano and provides really good quality access to the rest of city street network there. And it also provides better connection through the adjacent residences and businesses up to that same road network there and it provides good pedestrian connectivity for residents to easily walk over to the shopping center and do shopping and have access to basic services.

So essentially what this resolution is proposing is to carve out a lot that is for the building parking and then create a separate lot that are for roadways that are really being used as public roadways right now and then to work with the City to see if we can dedicate them and have the City take ownership and maintenance of those roadways in the future.

Zooming into our site a little bit better just to give you a better sense of the detail design, as Megan mentioned, it's a multi-generational community. We've got 106 family units organized in a U-shaped building. We've got 53 units of senior housing located on the south side here. And then we have an earmark for a future childcare facility to be

operated by the Girls and Boys Club. All of those are accessed—have access to a common shared amenity courtyard which has the playgrounds and outdoor recreational opportunities discussed earlier. We then wrap the site with parking, with three access points off of Camino de Jacobo, San Ignacio Road and Camino San Alberto so we've got good quality access for emergency services, fire department as well as waste collection here.

MS. WODARCZYK: So our recommendations, the resolution approves the lot line adjustments and related lot split affecting County-owned parcels associated with the projects. It authorizes the County Manager or designee to approve roadway improvements to offsite roadway in connection with the projects, it authorizes the future dedication of offsite roadways serving the project to the City of Santa Fe following construction in accordance with applicable standards and it delegates authority to the County Manager or designee to review, approve, and execute all documents necessary to implement the above, provided that the improvements are subject to the availability of sufficient appropriations.

And with that, we'll stand for questions.

CHAIR BUSTAMANTE: Thank you. I'd like to open this with Commission whose district this is, Commissioner Cacari Stone, your perspective on how this has been going or what you think?

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante. Certainly, we need affordable housing and I'm 100 percent, 200 percent on this project particularly on the district 2 ends as it bleeds into district 3, Chair Bustamante's, the Airport Road corridor, seniors, workforce, everyone you've mentioned are so important to Santa Fe County.

I've a quick question and later I'll defer to other Commissioners but I have some technical questions. There's mixed housing all around there, right. So one of our beloved communities is the Camino de Jacobo HUD neighbors. There is also Las Acequias Neighborhood Association/LANA, there is the mobile home park that has been longed established there and you have marked here, and quite a few homes and residence, some elders living there. There is a lot of activity going on off of Rufina which is going to be some other developments we've approved as well as the City so I have two main questions.

First, my biggest concern and the community's concern is traffic. Already Public Works has done a fine job and investing in poppas or speed bumps because the Camino Jacobo community has young children but we also have the Boys and Girls Club there. So we have people who don't live in the area coming and going. There's not a good entry way there. It's been blocked up. People speed. The Public Works has put on signs to slow down. So that's the number one concern.

The arteries to and from this is also going to become – the traffic to some of the area, the San Isidro Plaza we're going to have that new multi-use facility that used to be the theater. My question to you is have you done an updated traffic assessment around this and what is the discrepancy between what your traffic assessment shows and what I've been hearing from our community?

MR. DZUREC: Commissioner Cacari Stone, thank you very much for

your questions. To answer your primary question, yes, a traffic impact analysis has been performed. That was part of our submission to the City Planning Commission. What it found was that right now there is a poor level of service coming into Airport Road onto Camino de Jacobo right now. Our project will not exacerbate that situation, in fact, it's going to slightly improve it because by connecting through on San Ignacio Road over to Zafarano Drive over here, it is providing a much more direct route for our residents to come in here and also it's going to provide more access for the residents of Jacobo de Martinez over to these areas too.

So we're providing more access and connectivity to the site which is going to lessen the overall traffic impact so that now, people that are accessing both the Boys and Girls Club here as well some of the businesses along Camino de Jacobo can still use this but then a secondary option for using this. So that's going to actually reduce traffic on Camino de Jacobo.

COMMISSIONER CACARI STONE: Thank you. My other question is around community input. I just received a confirmation from the Las Acequias Neighborhood Association president and they are completely unaware of this project. So I just received confirmation. The Jacob de Martinez and our community there, I go to monthly meetings with our wonderful housing team and we have Ms. Ricketts in the back and folks, I haven't heard any presentations around this project to those residents. They are very important. There's also communities and long-term intergenerational owners of the mobile home community. They have not received any updates or community engagement so how do you plan to address that because this really impacts them, 100 percent of their daily life.

MR. DZUREC: We agree 100 percent, Commissioner. As part of our development plan approval process, we had to have an early neighborhood notification meeting. We did send out notices to Las Acequias Neighborhood Association and to all the residents in proximity here. We only had one person come to that people that was outside of the design team and/or City staff. There was some basic comments about architectural design and features but no other comments related to traffic or anything else. I will say, it greatly surprised us that we did not have any other visitors or attendees to that meeting. But we did mail out notices to all of those organizations and to those addresses as required by City regulations.

COMMISSIONER CACARI STONE: I understand that and, again, who is not to be jazzed around childcare and everything that you're proposing here. We do need more parks that everyone uses – is there a park as part of this at all? Any open space, park, any usage that people can go to?

MS. BUTLER: Commissioner Stone, we are trying to maximize density on the site. In order to do that, a lot of it is taken up by parking and that courtyard design that was so important at the initial phase. So there isn't exactly public green space. The design team is working to try and incorporate the bike path that is already in planning with the City of Santa Fe that will run along that Camino San Alberto road all the from Airport connecting through. So there is aspects of the project that will have some public recreational opportunities.

As far as presenting to any neighborhood groups, if staff directs it, Project Moxie

would be happy to do any sort of community presentation that is needed to incorporate neighborhoods.

COMMISSIONER CACARI STONE: Thank you. I think that we want to move forward for the sake of affordable accessible housing that is quality, there's access points to get to public transportation. I am in support of this project 100 percent. But what I'm asking is around the variance and things that you're requesting today that you please do your due diligence with our communities there. There are so many to engage and mobilize in English and Spanish and bring this back after that has been done. And I would like to see more than one resident participating.

We all know, my fellow Commissioners know, public notices – and Commissioner Greene and I sit on a joint working group with the City – everyone agrees that public notice signs we seen them knocked down, blown away with the wind, it's not the best approach to community engagement. So I think we owe the community to go above and beyond, get them jazzed, have them ask questions, give input.

So that's where I stand today that we forego this so that you can do some more community engagement process. But I'm also committing my time and the connections there to help you with that. Thank you.

CHAIR BUSTAMANTE: Thank you. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Congratulations for getting it this far. You're really on a production critical path. That's really great. This project was kind of stalled until we sort of reorganized and we reorganized really effectively and it's really – kudos to the County staff and to the development team, Alexi, Project Moxie and Public Works and Community Development and Affordable Housing all aligned – pretty amazing.

I do want to give you also the kudos for that road. This is a great interconnection so that we take the load off of Camino de Jacobo. I've driven Camino de Jacobo it doesn't really work and even if we brought that to City standards that doesn't mean you could take a left-turn out of there onto Airport Road, you couldn't. You'd have to take a u-turn. So this does, to Commissioner Cacari Stone's point, relieve a lot of that traffic from the Airport Road that is already a somewhat failing intersection Airport and Cerrillos and brings it over to Zafarano to around about. It has a lot of different benefits. I think having that sort of new front door, maybe the design can tweak in a way, maybe the address should be actually more formal to that new road so that when people go with GPS and put that address it's not the Camino de Jacobo that it is actually the new – whatever that is called – but San Ignacio Road. Just to give it that added punch in there. I think that that's great.

Lastly, and I guess this is my one question, is the 30-foot strip, 30 feet doesn't make a street but it makes a nice trail and it does make a great opportunity certainly not to put cars onto the intersection of Cerrillos and St. Francis but it would be pretty amazing if that became a new pedestrian way that somehow made it all the way to Rufina and all the way to Cerrillos and Airport Road and really gave pedestrians an advantage, right. We live in such a car-centric community that haven't a road or trail, tree-lined, 30 feet is actually a tree-lined trail. It's not a 10-foot wide strip of concrete or asphalt but it actually can be something that meanders slightly and have a few trees on it. It can really

be something that especially for the affordable houses that back up on it they might actually feel like those houses have an added amenity behind them. When Commissioner Cacari Stone talks about parks, it may not be a full-on park but it is a linear trail that kids can ride their bike on, you know, learn how to ride a bike in an area where there are no cars and have a little bit of benefit there. There's definitely a bunch of vacant land behind there and I hope that the County maybe in partnership with the City can look at other projects that are in that corridor that we can work on together to bring more amenities but more affordable housing and just keep going, you know, we're building that muscle and now we're going to have to keep exercising it.

Thank you very much for bringing this forward.

CHAIR BUSTAMANTE: Thank you, Commissioner. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you for the presentation. A couple of questions. Do you mind going back to the slide with the color boxes and maybe you can give us an explanation for dummies. I see that there's text but just to clarify – just starting at the top the light blue box. If you could quickly overview this there's a lot of text on the screen. Just so that we have full public understanding; how are we carving this out? What will the County still own? What is recommended to be dedicated to the City perhaps down the line given coordination of the trails?

MR. DZUREC: Understood, Madam Chair and Commissioner Johnson thank you very much for the questions. I'll try and give you a quick overview that doesn't get into too many of the weeds here but I'm happy to get into them if we need to.

The project has three parcels. This is Lot 1 that goes essentially from our project site on San Ignacio Road up to Rufina Street. Then there is Lot 2 that goes down to that intersection of Airport Road and Cerrillos. And then there's the kind of primary site that has that dog leg that includes Camino de Jacobo. We're trying to do this in a very simple way that complies with City regulations that utilizes a lot-line adjustment and a lot split to simply these parcels for what we need to do on this project for all the issues that we have just been talking about.

Effectively what we're going to be doing is moving some lot lines so that we expand Lot 1 to be a little bit bigger and move that lot line from here down to here creating an easy way of carving out this roadway. We're going to then take Lot 2 which we're borrowing a little bit of this to get some additional developable area and some good street frontage against Camino San Alberto here and move this lot line down to the southern portion of the site and that creates then a separate Lot 2 that goes all the way down to Airport Road and Cerrillos.

To Commissioner Greene's previous question, we have met with the Metropolitan Planning Organization as part of the City's review on this, they have – kind of coincidentally there already is a bicycle and trail master plan that has an alignment going along this whole way and there has been initial discussions although there no commitments of any kind, by taking this Lot 1 and 2 and adjusting them as shown and creating these more dedicated linear lots. Those can then be developed as a trail in the future in conjunction with the City. We'll leave up the details of how land exchange works and gets development but we are providing for that and we designed an extra long

sidewalk along Camino San Alberto over the course of site too.

So when all said and done about that, we would then have lots 1 and 2 are simplified and brought down here. Lot B1 is then the green area here which is our development site. It's our buildings, our parking lot and then we'll do a lot split to carve out this L-shaped parcel which are essentially roadways. It's already an existing roadway in Camino de Jacobo and then the proposed extension of San Ignacio around there. And this resolution is then to enable the County Manager to then be able to work with us and make these things a reality.

COMMISSIONER JOHNSON: Thank you for that explanation. It was clarifying so I appreciate it. Have you gotten a nod from the Planning Commission's City staff that we're not going to encounter a roadblock during their Planning Commission and the City?

MR. DZUREC: I can't speak, of course, on any official capacity for the City but the initial reaction from the design review team from City staff has been very positive. They welcome the idea of affordable housing on this site. They welcome the idea of connectivity. They welcome the idea of incorporating roadways and a potential bike path in the future. We are hopeful about Planning Commission approval and the initial input that we've gotten from staff has been very supportive.

COMMISSIONER JOHNSON: Thank you. So could you move to the slide that is timeline or talks about the development path. We are in January and if we were to approve this today you would move to the Planning Commission at the City to request the lot line adjustment. And when is the next time, if any, that the Board of County Commissioners would have a chance to review this project again?

MS. BUTLER: Chair and County Commissioners, you are welcome to ask for a project update at any time and we'll have our development team to present to you all. We are on quite a time crunch with the development plan approval process. There is funding that is tied to closing and we need permits and the plan approved in place. Federal Home Loan Bank, for example, we've already filed one extension. We would potentially lose that funding should we not close on time. So some of these needed lot line adjustments to move the development plan approval process forward are key timelines that we need to hit for the development side. But we'll come present whenever.

COMMISSIONER JOHNSON: Okay, thank you. And I think my next question and Commissioner Cacari Stone sorry if I misunderstood you, but I guess I need clarification. In my opinion it seems like this might be something that we should approve today and I wasn't sure where you stood on that. I would recommend that we approve it with a condition that we have additional community outreach to inform the residents – to make an extra effort as you suggested. And that's just my interpretation of what you said. So if I misread you, please correct me, but that's kind of a preliminary proposal for what we should do to move forward. Thank you.

COMMISSIONER CACARI STONE: Thank you, Commissioner Johnson. I think that the message to so many communities around here and first of all I again say, tremendous, tremendous work. Exactly what all of us encourage and what to see moving forward. But if the community – if we go to them and I'm talking about like

we're not one, we're having different neighborhoods here, these lot line as you just laid out and thank you for the question because it helped clarify, really does have a major impact on the Camino Jacobo, Martinez Housing Community, LANA, the mobile home community – what I'm requesting is and I'd be willing to help with this is that we have a meeting soon within the next week and a half, two weeks, no more, and we really get folks out. We can use Boys and Girls Club meeting space. And that we actually walk people through what the plan is and how these lot lines will impact them, get feedback and then come back for approval.

I don't like holding it up but with one person showing up to me it's my job, I'm sorry but it's my job to ask for this. Thank you.

JONATHAN BUTLER (Community Development Director): If I may, Madam Chair.

CHAIR BUSTAMANTE: Please.

MR. BUTLER: Thank you Madam Chair and to Commissioner Cacari Stone's point, we did do outreach efforts in particular through and with our Housing Authority. We have been in communication with residents who are approximate. I don't think that from making a recommendation we can do both. We can do more outreach and community engagement and that not upset the impact of what we are attempting to propose based on the lot-line adjustments. I see it as one particular part of the project that there will be adequate opportunities before Planning Commission to also involve residents in those processes to where they can go and they can also engage the Planning Commission of which as a part of that we have to do additional advertisement of what's happening.

So I think we can do that and still get to Commissioner Cacari Stone's point and needs and the two processes can run congruently.

The second thing I think I would add is that we can continue to go out and do more robust community engagement on the overall project itself. It's one thing to think and talk about the lot lines and to move the project through its planning processes. It's another thing when you actually start seeing activity and people may be more likely to be more engaged in the project when they begin to see more activity.

We can take responsibility in working with you, Commissioner Cacari Stone and Olivia, to ensure that we do that. I guess my sense just from my professional vantage point is you can do both of those actions together and not necessarily have to pause and separate one part out and wait before you all take a vote.

CHAIR BUSTAMANTE: Thank you, Jonathan. Commissioner Hughes.

COMMISSIONER HUGHES: Just to be clear, is it important for the timeline that you get approval of the lot line today?

MR. DZUREC: Madam Chair, Commissioner Hughes, critical maybe not but important to get that done soon. City staff has asked, are we intending to dedicate the roads and then there's a whole conversation that would have to happen with Public Works about what is required for those roads and so forth. I think the actual lot-line adjustment would need to be done or at least in works and recorded prior to recording the development plan itself. But as we all know, these things take some time to actually work through the City processes and get surveyors involved and things like that. So, yes,

we have some time but it may not seem like as much time if you're looking at a date in May or even in September for final approval of this stuff – and it would probably be a little bit late for our needs.

COMMISSIONER HUGHES: Megan, can we hear from you?

MS. ADAMS: I just want to clarify that the request for the lot-line movement does not affect the actual outline of the project. None of the outside lot lines are moving. It is internal lines to make the financing align better with a low-income housing tax credit project.

Alexi, could you just clarify that the roads aren't moving, nothing is changing – why we need those few lines moved.

MR. DZUREC: Yes. To Megan's point, everything in color right now is currently a County-owned parcel. What we're proposing to do is realign some lot lines to be able to facilitate these roadways and to facilitate a common parcel that is part of lease parcel from the County to the developer. So, no, we're not proposing to take over any other land or get rid of any land right now but it is aligning these two to work with the proposed design and the circulation onsite.

COMMISSIONER HUGHES: I think it is important to approve the lot-line adjustment today for the project to move forward. This project has been going forward since before I was a Commissioner, while I was a Commissioner and I don't think we want to slow it down now that we're getting close to the finish line. This is very important to us, all of us I think, so I would encourage us to approve this today.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Just to allay some of the fear of Commissioner Cacari Stone, I think Jonathan mentioned this outreach effort that would happen at the Planning Commission review. I think all of these tweaks are actually in alignment in a really enlightened method to help in the case of the affordable housing complex immediately to the north. They're going to have a new access point to their neighborhood that takes them off of busy Rufina and really takes them off of the failing intersection, you know, less than ideal intersection on Airport Road. In the case of the lot line that is behind there, there's no commitment here as to what is going to be done with it in this proposal right now. If they so propose to just turn that into a park be it 30-foot wide – the best solution, again, is this enlightened solution that puts a trail back there that makes something pedestrian with no cars. It seems like a pretty enlightened design that even, you know, informed neighbors can become misinformed neighbors and we should do our best to inform them, no doubt. But we also, from my perspective here, this is a pretty good design that solves an affordable housing solution for us and there will be opportunities for that trail and that road network to be assessed at the Planning Commission stage.

But this is your district, if you would like two weeks, I guess you could make a motion to that and try and get some community input in that amount of time. But I wouldn't want to hold this up any longer than that.

CHAIR BUSTAMANTE: Thank you, Commissioner Greene. May I ask what the impacts of a delay would do to the project?

MR. DZUREC: At this point, a two-week delay I don't think will have a

significant impact on the project. But if that turns into four weeks, six weeks, eight weeks, then we need to go back and either amend our development plan submission and/or push back that date and that could have some pretty serious consequences to the funding that Josie had mentioned. The building permit approval and the closing are simultaneous. We need that building permit in hand and we need the site development in hand before we can get the building permit in hands. So you can see why we don't want a significant delay on this because we don't want to have that push back and potentially sacrifice funding at the tail end of this.

CHAIR BUSTAMANTE: Thank you. Do you have something else to say?

MS. ADAMS: Chair, Commissioners, just to reflect Jonathan's words, Commissioner Cacari Stone, Project Moxie helps with community outreach all the time and often we find that two weeks is not enough time to really get community input in a meaningful way where they feel involved. I echo Jonathan's sentiment that two things can happen at the same time and we can really hone in on the community input process in the coming months and really take time with each group, talk through their concerns. Once again, this is not locking into any sort of design. This is just the lot-line adjustments and their input could still be potentially helpful.

CHAIR BUSTAMANTE: Thank you. So are you saying that the movement of – that it's only the movement of the lot line. It doesn't change the roads. It doesn't mean a backhoe is going to go in and extend something without additional approval; is that what I'm understanding?

MR. DZUREC: That is absolutely correct. We cannot do any development work on the site until we have our site development plan approved and recorded. And, again, that is not anticipated to happen until September. The roadways that are proposed on the design would require an alignment like this but it is not locking in that design per se until that Planning Commission approval which tentatively looking at the hearing in May and then final approval and recordation in September.

CHAIR BUSTAMANTE: And not moving that lot line would have a negative impact – if we don't have it within two weeks and it is extended then we have a potential to lose –

MR. DZUREC: We do, yes, because the Planning Commission needs to understand where our roads are going to be and how they're going to work. In general, they are not in favor of having a – effectively they are going to operate as a couple of public streets on private property with maybe a series of easements. There was some discussion of maybe the County could take ownership of maintaining those roads. Under other circumstances that may make sense but because we are surrounded by City property here and we're connecting to the City street network, it did seem to make the most sense to see if it's possible to dedicate those roads to the City although, there will be technical issues and discussions that we need to have with Public Works before that can actually happen.

CHAIR BUSTAMANTE: Thank you. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I appreciate my Commissioners support of moving this project forward. Again, I appreciate everything that you're doing.

I'm going to point out a couple of contradictory statements I've heard here. I've been sitting here for a year and no one on the project has ever reached out to me as the Commissioner out there, saying, can we get some meetings together with your community. People know where I stand with community engagement. There's no joke or no mystery around how deep community engagement means for anything from economic development to housing and so forth. So no one has reached out to me. No one on the team. No one from Project Moxie. I have confirmation from the neighborhood association. Mr. Butler, thank you for your update. I have been at 80 percent of the Jacob Martinez housing community meetings. This has never been broached. A presentation has never been made to these folks. I read the minutes when I don't go. I didn't see anything in it. Maybe, Ms. Ricketts can clarify or correct me, but I have not seen any presentation with the resident advisory board meeting there. So I just want to point this out.

And then we say, I appreciate Commissioner Hughes saying, that this has been in development for a long time. I understand the reality and the feasibility of getting all this through all the hoops that people jump through. If this has been in development for so long, I think, frankly, it's pathetic we haven't had one person coming to the table for community input. So, what's contradictory is that we've had all this development for so yet we have one person who came to the table, we had minimal community input or we just don't have time for it. And if we don't push it forward today we're holding up progress.

Do you see the contradictions? And so as a systemic issue, in the year that I've been here, this continues to be a challenge. That is not okay for me. You happen to be the victims of this process today. But we need a better process. I know we have Growth Management in the room. We have Public Works. What is the systemic change solution to address robust community input when it comes to affordable accessible housing? What are some pathways we consider as a Commission because we never get to hear that together? Any ideas coming from my staff because I trust our staff.

MR. BUTLER: Sure, Madam Chair, thank you, Commissioner Cacari Stone for your points. I think for example for us as we engage our Housing Authority residents, first I'll speak to that, we have different mechanisms to be able to engage them. We have newsletters. We have staff members. We have other points of contact. We have direct mail. We have email and we have other ways in which we are interacting with them on a regular basis. I will say secondarily we have a resident advisory board meeting on the 26<sup>th</sup> which we would more than welcome our team from Project Moxie and Alexi doing a presentation. We can do that. I think secondarily just around the questions of community engagement, there's always room for improvement. We also have to think about the appropriate mechanisms to be able to try and meet people where they are. We aren't always great at being able to simply advertise for public meetings and public input and expect that those residents are going to be there.

I will say that we were specific in attempting to accommodate residents by meetings at a time that was not at business hours for our most recent conversations that we had. We've also been active in trying to encourage different mechanisms, virtual mechanisms as well as in-person mechanisms for people to be able to meet. I think we

will continue to try to do the best that we can and work with you to do that. I'm open to doing that. I think as you and I came into this project, a project that predates both of our service to the County, we know that there have been significant steps and a lot of moving parts in play. And we'll take some blame and responsibility as County because this is our project. And so, we sometimes forget that everybody is not reading the paper or the digital paper or looking at the news when these things are coming up and you all are voting on them we are looking at that as extensions to the public process as well but I'd love to work with you to be able to do it. I think the 26<sup>th</sup> we can set as a point to be able to do that. I also think based on some of our mechanisms and being able to determine the best ways in which residents in this community are getting information it still tends to be through direct mail. And so we've tried to accommodate and make sure we send out those notifications but whatever advise, counsel or ways in which we can collaborate together to do it and be effective at it, we're open ears and willing to engage.

CHAIR BUSTAMANTE: Thank you.

COMMISSIONER CACARI STONE: So I saw a lot of heads nodding and it sounds like everybody is on board with a more robust community engagement process; is that correct? From our County team to Project Moxie – that's great.

So I'm going to make an amendment to the resolution, if that's okay Chair. It would go as stated but end with, Approval process with the Nueva Acequia Affordable Housing Project and requiring a robust community engagement process with the neighboring communities, the mobile home park, LANA Neighborhood Association, Jacob Martinez community and the local businesses.

Let's be creative. Why do we have to do either or. Let's write it as part of the resolution and the robust process be from January through – and we could look at your deadlines again – but a robust process in the first quarter of the year. I don't know if that would be amenable, Chair.

CHAIR BUSTAMANTE: It's amenable. So you're making the motion to approve it with that addition. Do we have a second?

COMMISSIONER HUGHES: Second.

COMMISSIONER GREENE: To move this forward, I'll second that.

CHAIR BUSTAMANTE: Oh, I'm sorry. Commissioner Hughes was actually in the motion of doing that. So motion made by Commissioner Cacari Stone, second by Commissioner Hughes. All in favor.

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

**B. Request Approval of Santa Fe County Lodgers' Tax Tourism Event, Facilities and Attractions (TEFA) Grant Program Funding Recommendations**

LISA KATONAK (Community Development Department) Thank you so much, Madam Chair, Commissioners. Lisa Katonak, Marketing Coordinator for the Santa Fe County Community Development Department, Tourism and Marketing

Division.

In front of you this afternoon we have the request approval of requests approval to grant Santa Fe County Lodgers' Tax Tourism Event, Facilities, and Attractions, otherwise known as TEFA, grant funding recommendation.

The Community Development Department requests approval to grant Santa Fe County Tourism Event, Facilities, and Attractions grant awards in the amount of \$50,000 to 12 organizations for Fiscal Year 26, as recommended by the Santa Fe County Lodgers' Tax Advisory Board.

To provide some background, on October 30, 2025, the County released a Notice of Funding Availability, known as a NOFA, for the Santa Fe County Tourism Event, Facilities, and Attractions Grant Program. That NOFA solicited applications from eligible organizations supporting tourism-related events, facilities, and attractions within Santa Fe County.

Grant funding is available for the period January 2026 through June 2026. The TEFA program is a reimbursable grant, with authorized expenditures limited to activities that support tourism-related events, facilities, and attractions within the County.

Applicants were required to demonstrate how proposed activities would increase tourism and visitor activity in the unincorporated areas of the County. The eligible purposes of the grant program is to establishing, operating, purchasing, construction, otherwise acquiring, constructing otherwise requiring, reconstructing, extending, improving, equipping, furnishing or acquiring real property or any interest in real property for the site or grounds for tourist-related facilities and attractions or tourist-related transportation systems of the County; and to provide police and fire protection and sanitation service for tourist-related facilities, attractions and events located in the County.

Eligible applicants are limited to government entities and non-profit organizations engaged in income-generating activities that are related to their exempt purpose. Complete applications were due to the Community Development Department by Friday, November 21, 2025, and a total of 14 organizations submitted complete applications by the deadline and were reviewed for funding consideration.

The funding cycle was highly competitive, with over \$66,840 requested and \$50,000 available for award. Of the 14 organizations applications it's broken down by category of six applications that requested program support related directly to Public Safety/ Sanitation Services for Events; four of those applications requested program support related to the Tourism Event/Attraction Short Term to enhance the visitor experience; and four applications requesting program support to equip a tourism attraction or facility for long-term use.

The Santa Fe County Lodgers' Tax Advisory Board served as the TEFA application review committee and met on December 5<sup>th</sup> to review, score, and evaluate all applications. Applications were evaluated using the criteria that is outlined in your packet weighing equally: Section 1: Project readiness or what they consider shovel ready; Section 2: Receipt of goods or services within the grant term; Section 3: the necessity of the project to the function of the event, facility, or attraction; and, Section 4: contribution to Lodger's Tax collections within unincorporated areas of the County.

Applications were scored individually, and funding recommendations were based on total scores as well as available grant funding. Two of the applications were not recommended due to lower evaluation scores as well as the availability for TEFA Grant funding.

Applicant #4's submittal for their project was dependent on funding from other funding resources. Although it was noted that other funding resources were confirmed, the applicant did not provide a project timeline within their application addressing Section 1 of the project readiness/shovel ready and Section 2 of the receipt of goods or services within the grant program.

And Applicant #7's application submittal was dependent on funding from the Santa Fe County TEFA Grant Program as well as other funding sources from business sponsorships and individual donors which were pending at the time of the application. And also did not provide a project timeline within their application that would address Section 1: Project readiness being shovel ready and Section 2: receipt of goods or services within the grant term.

For Applicants #3, 8, and 11, it was confirmed that partial grant funding would be useable by the applicants, given ability to phase the project, or the availability of other funding sources, etc.

The recommended action this afternoon is approval of the 12 Lodgers' Tax TEFA Grant award recommendations totaling \$50,000, as recommended by the Santa Fe County Lodgers' Tax Advisory Board. And I stand for questions.

CHAIR BUSTAMANTE: Thank you. Any questions from the Commission? Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Lisa, again, I always appreciate your work. Is it too late to accept other applications from other projects that didn't really know about the Lodgers' Tax? Because is this everything that we're going to do for 2026 or are there other windows of opportunity?

MS. KATONAK: Thank you so much, Madam Chair, Commissioner Cacari Stone. So there are two grant programs within the Tourism Lodgers' Tax Grant Facilities. One, is the tourism infrastructure grant program for a total of \$50,000. The second is the Lodgers' Tax Marketing, Advertising and Promotional Grant program and I brought that forward in the late fall for the County Commission review and approval.

So those are the two grant cycles at this time. Once we are completed with this program, we will await the new fiscal year funding.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. How much is available, I know this grant program has \$50,000, but how much is in the LTAP budget right now, the balance?

MS. KATONAK: That would be a question for our Finance Department. Our Finance Director oversees the Facilities Fund. They allot \$50,000 to me to provide for the grants for tourism infrastructure. I'm not specific but I can get that dollar amount for you after this meeting. Much of that fund has been depleted due to acquisitions within the County.

COMMISSIONER GREENE: I know about that, yes. But in the scheme of things, \$16,000 for potentially eligible – to run out of money just at the margins when we spent millions and millions on other things. It just seems to show the consequences of our past actions and how they play out here.

So in terms of Rancho de las Golondrinas were they just not ready? Why were they not selected?

MS. KATONAK: Thank you so much, Madam Chair and Commissioner Greene. So based on the breakdown of past applicants along with this year's applicants, last year's applicants was seven. This year's application process garnered 14. Of those 14, five of them were repeat applicants. Nine of them were new applications. My sense is for Golondrinas, last year they applied for sanitation services for events and attractions which is necessary and vital to an event or tourism attraction. This year's application process – let me look at my chart – was for property irrigation improvements for 2026 and that was noted as equipping of a tourism attraction for the facility for long term. Based on the Lodgers' Tax Advisory Board and their prioritizing of public safety, health and welfare for tourism events and attractions, they looked at the applications that address public safety and security as well as sanitation as one of the more outlined priorities within the applications. So based on the funding that is available and due to the demand and the requests, of course the funding requests exceed our dollars.

COMMISSIONER GREENE: Okay. It seemed like their request was aligned with the actual focus of this and seems like safety – yes, safety is definitely a priority here, safety and sanitation. But capital is not a temporary, porta potties, right. That's safety and sanitation. Safety is barricades. To me, this should be an investment like Rancho de las Golondrinas asking for irrigation work, right, infrastructure. Something that has some capital benefit as opposed to temporary toilets. Anyway, I'll leave it there. It's probably too late to amend this at this point. And I just find that the priorities of the board there was not aligned with the idea of investing in the infrastructure for the long haul as opposed to temporary toilets.

MS. KATONAK: Another thing to note, Commissioner Greene, thank you for the question, is the applicant had submitted their project and it was dependent on funding from other funding resources and although it was noted that they had other funding resources confirmed, the applicant did not provide the project timeline with their application so their Section 1 and Section 2 did not garner sufficient points. So that was there too.

COMMISSIONER GREENE: Okay.

CHAIR BUSTAMANTE: Las Golondrinas is a concern. They have over 20,000 students a year and that's just in the summer months and part of the fall and part of the spring. The acequia is actually something that is connected with the rest of the acequia systems and if it's not maintained it actually does have a health and safety affect on community at large and this is a conversation I've had with them because the neighbors have concerns who are on the same acequia. So it is a concern that we wouldn't be funding Las Golondrinas at this time.

I am hearing and I know that we really want to take a vote, but I do believe that there is more conversation to be had and in the interest of transparent government some

of us have to go to the restroom. I hate to pause before we take a vote on this but I do want to hear and look at if there are any other considerations to make if there was something next closest in the lineup. Were they down low on the list or was it between them and someone else given their reliance on this to make sure their acequia system is doing what its suppose to do.

[The Commission meeting paused from 4:09 to 4:18]

CHAIR BUSTAMANTE: Thank you every one and thank you Lisa for your understanding. Let's pick up from where we left off. The question specifically was from both Commissioner Greene and myself about Las Golondrinas and where were they in the ranking? Was it a close measure? They have a lot of people who go through that and not to mention that the acequia impacts the rest of the community which is a big deal if you sat with the community.

MS. KATONAK: So the proposals or the applications were reviewed based on the criteria and what was available within the application. Some of the information that was provided talked specifically about ornamental decoration. And did not provide for timelines and the deadlines and construction aspects. And although Golondrinas is dear to my heart we try to support Golondrinas where we can as much as possible, the application needed to speak for itself because other applications also who need funding for their events and their attractions put their best foot forward in order to be able to try to garner County funds.

We would like to support every organization that applies. The reality is that we have this allocated amount of dollars based on the NOFA. It was advertised for \$50,000. So that is the best we could do within the dollar amount that was requested. Now given the funding amount and looking toward the future for the new fiscal year, we can consider an increase to that funding, a restructure of the grant program. This grant program was in its first pilot last fiscal year. That was overseen by the former community development director Paul Olafson. He worked with Legal and staff in regard to the NOFA and the criteria. But of course we would entertain any feedback and suggestions in a rehaul in the notice of funding availability if you think that the priorities of sanitation, public safety and welfare – looking at a separate type of funding and –

CHAIR BUSTAMANTE: May I, I appreciate so much that you are wanting to be flexible and look at other ways of doing things. And what I'm hearing is that there was an incomplete application that did not meet the needs and had some elements missing. So I appreciate everything that you're saying about looking at changing the whole process but I don't think that's going to fix what was wrong with this and I'm grateful for your consideration. I know you do a tough jobs. It's like having a lot of kids and wondering which ones to feed.

MS. KATONAK: Thank you.

CHAIR BUSTAMANTE: Yes, thank you. Any other questions from the Commission? Hearing none, Commissioner Greene.

COMMISSIONER GREENE: Just for conversations sake, \$60,000 to fund all of them. What would it take – most of these ones that seem to be left cut out

seem to be capital, actual real capital projects. Benches over at the Wildlife Center. Those things last multiple years. I'm not going to ask why that was deficient but asking for a couple of thousand dollars for benches, sure, right? We all go to the Wildlife Center – hopefully, you all go. Golondrinas gets thousands as Commissioner Bustamante said. Thousands of people there. They could remedy their application and as long as they perform and its reimbursable these seem like the right projects. In the scheme of things \$16,000 to go through this headache to make people disappointed when we could say, Hey, just perform to the standards that our program should do.

Can we make a motion to increase our budget to do this? Is this something – I mean \$16,000, again, seems pretty small to be quibbling over here.

CHAIR BUSTAMANTE: Thank you, Commissioner. Anyone else? My general sense is I understand that. I think the timing for this and having applied for many, many grants over many, many years is deadlines, things being clear, the people who did pull it all together in the right amount of time and address those issues, doing that in this moment isn't really fair for those who gave it their best. I'm not saying that Golondrinas didn't give it their best for us but these are my constituents and I believe in that place more than you'll ever know. I've got a great-great grandma who had dirt floors. If you ever want to tour with me, I'll show you. But that's part of doing good business is making sure that we're adhering to the deadlines and we want to be fair to those who met the number but I would recommend that, yes, we can look at expanding that. But if someone doesn't meet the criteria for the application – when I think of what is fair to those who applied and did, is that fair? It's an issue of fairness in my opinion.

COMMISSIONER GREENE: I'm not asking to take money from other projects. I'm just saying the ones that had minor deficiencies – I haven't asked the question about what was the Wildlife Center's deficiencies but based on the brief description of what Las Golondrinas did and the issue that there were some issues to it obviously, it's a reimbursable, right, can they fix it? We might not have given them a chance to fix it because we were out of money. It was not an issue of robbing Peter to pay Paul. We're just saying \$16,000 let's see if they can perform to this and if not then the money reverts and they didn't actually perform.

CHAIR BUSTAMANTE: Understood. Thank you. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. Also for the purposes of discussion I think I agree that it may be worth increasing funding and I also agree Chair that it may not be in this funding cycle. What I would propose that we consider and this is just why I'm bringing it up since we're all here, maybe we have a 50 cap or maybe it's 60 next year but also the ability that's written into the resolution that approves this sort of funding or our own internal policies to have that kind of flexibility if there are indeed outstanding projects of 75, not guaranteed that we will give out X amount because then we could mitigate these situations and seems like we had kind of a sweet spot in the applications and hopefully we get more because we do want to support the arts in Santa Fe County. That's food for thought. I'm not proposing anything directly but I think that's worth considering, Ms. Katonak.

CHAIR BUSTAMANTE: I appreciate that, Commissioner Johnson. Looking at the call for proposals that went out in October, I don't see anything that is

specifically says, health and safety measures. I see that it is for specifically operating, purchasing, constructing, otherwise acquiring, reconstructing, extending, improving, equipping, furnishing or acquiring real property or any interest in real property for the site or grounds for tourist related facilities and attractions or tourist related transportation systems of the County. And when I look at the rest of the document and I'm just doing a quick scan, but I don't see anything that refers specifically to health and safety measures. Was that something that was determined after the notice went out?

MS. KATONAK: Madam Chair, Commissioners, when I note public safety, health and welfare I am looking within the category of public safety and sanitation services for events within the category.

CHAIR BUSTAMANTE: And where is that for immediate release on October 31<sup>st</sup>?

MS. KATONAK: It is not on the Notice of Funding Availability. However, in looking at the different applications and categories of funding in order to be able to look at each one individually and what the impact might be for the community and short term and longer term effects.

CHAIR BUSTAMANTE: And where would the applicant have seen that? I'm looking at item 2 under the purposes – providing police and protection and sanitation for tourist related, I'm seeing that. Is there where it would be understood that the applicant would know what that is because otherwise I don't know that referencing another document would necessarily be the way an applicant would know.

MS. KATONAK: It was noticed within the NOFA. It was pulled from the NOFA with eligible purposes Items 1 and 2.

CHAIR BUSTAMANTE: Okay. And where would it show that I doesn't have a timeline? I'm looking at this, where it would say that this application should have a timeline? Is that also in something, a different document?

MS. KATONAK: Yes, it is more specific within the application regarding that each section and what is noted within the requirements of the criteria in order to be able to evaluate.

CHAIR BUSTAMANTE: Okay. So it's missing the timeline. Okay, and if that's what went out and it was equal to everyone that then seems fair. I think we can look at the suggestion of expanding that but when an application doesn't come in meeting the requirements we need to –

MS. KATONAK: And Madam Chair, I was looking for the Finance director or somebody from their staff because I do not have access to the balance of the facilities fund. I only oversee the marketing and advertising and promotional services line item which is the 215. The 214 funding for tourism and infrastructure gets funneled into a separate fund which I don't have access to looking at the balance.

CHAIR BUSTAMANTE: I appreciate your good work, sincerely. Anything else? Do we have a motion either way?

COMMISSIONER GREENE: If we're not going to increase it, let's just move on and accept it as it is but I wish –

CHAIR BUSTAMANTE: You have an opportunity to make –

COMMISSIONER GREENE: I'll make motion to fund all applications in a reimbursable fashion, allow all applicants to remedy their applications for the full

amount that they requested to the maximum amount of \$66,840.

CHAIR BUSTAMANTE: Requiring the County –

COMMISSIONER GREENE: Requiring the County to give applicants 45 days to remedy their applications to make them acceptable and for them to perform to the standards in a reimbursable fashion as long they do approvable work.

CHAIR BUSTAMANTE: So you're extending the dollar amount?

COMMISSIONER GREENE: If that's allowable, \$16,000.

CHAIR BUSTAMANTE: Manager Shaffer, you're the only one I see here could can speak to finance unless there's someone else.

MANAGER SHAFFER: Current year revenue in fund 214 would certainly support that. We would have to bring back a budget adjustment resolution at a future meeting for the Board's formal action as it would be an increase in the allowable expenditures for those purposes. Again, my understanding is that there would direction that we bring that back at a future meeting since we did not put it on this agenda a budget adjustment request.

CHAIR BUSTAMANTE: And I will second that motion.

COMMISSIONER GREENE: Great, thank you.

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

CHAIR BUSTAMANTE: Okay, onward, ho. We have an opportunity and I want to thank Jacqueline who has conceded, we do have applications that came in after the fact and it's one of those that we had a deadline but we have been asked to consider some other funding for different projects. And we're going to go ahead and go to item. if everyone is amenable on the Board, to move to item D and allow item C for after D. Is that okay with everyone?

**D. Consideration of Applications, Pursuant to Resolution No. 2019-102, for Santa Fe County to Act as Fiscal Agent for Capital Outlay Requests Made by Four Non-Governmental Entities: 1) Interfaith Community Shelter Group Inc., 2) EINNM, 3) Girls Incorporated of Santa Fe Inc., and 4) The Human Rights Alliance.**

LEANDRO CORDOVA (Deputy County Manager): Madam Chair, Commissioners, thank you for your time today. I'm not going to read the entire memo but I am going to get into some of the details of the memo. I will try to move quickly but I do want to make sure I cover some of the details.

The summary of the item is that Santa Fe County has received four applications requesting the County serve as the fiscal agent for capital outlay funding requests for the 2026 legislative session. Pursuant to Resolution No. 2019-102, Exhibit A, applications from non-governmental entities must be submitted by August 1<sup>st</sup> for consideration in the County's Infrastructure Capital Improvement Plan. All four applications were received after this deadline and are therefore not included in the County's adopted FY27-31 ICIP. The applications were submitted by the following non-governmental entities: Interfaith Community Shelter Group also referred to as ICS, EINNM, Girls Incorporated of Santa

Fe, Inc. and the Human Rights Alliance.

So a little background as I mentioned and referred to Resolution 2019-102 which is the foundation and the basis for which we accept and evaluate all requests into the County. The deadline of August 1<sup>st</sup> seems to be meant to coincide with the ICIP deadlines. When this was originally adopted that was about the time the ICIP was due and it has since been moved even sooner to mid-July. And although the deadline has passed, the Board of County Commissioners could waive the deadlines as it has done in the past. For example on January 10, 2023, the Board of County Commissioners amended the ICIP to add three late fiscal agency capital outlay requests: namely, for the Santa Fe Opera, Santa Fe Animal Shelter & Humane Society, and the Española Pathway Shelter. The Santa Fe Opera and Santa Fe Animal Shelter & Humane Society may be instructive in considering these late requests because the State of New Mexico generally requires that the local government receiving the capital outlay appropriation to obtain a legal interest in the property or improvements acquired with the appropriation, and that any private user of the capital pay fair market value for use of the capital; or that the capital be transferred to the private entity pursuant to an exception to the so-called Anti-Donation Clause, such as the Affordable Housing Act or Local Economic Development Act.

While Santa Fe County and Santa Fe Opera ultimately did reach an agreement on how to implement the water portion of its appropriation, it took extended negotiations and time to do so, and the projects must now be prioritized to meet the expenditure deadline. The County and Animal Shelter have yet to find a way to implement the capital outlay appropriation made for the Animal Shelter's benefit. We are still working with them and we're going back and forth but we have not been able to find an amenable solution by both parties.

If the Board were to consider these late requests, County staff do not believe that two can be implemented in accordance with current State law and practice. Specifically: Girls Inc. does not want the County to own its project, and we do not see how it fits within an exception to the Anti-Donation Clause. And the Human Rights Alliance leases its existing space, and capital outlay appropriations cannot generally be used to improve leased space. Consequently, County staff cannot recommend that the County agree to act as a fiscal agent for these entities.

However, in the case of ICS and EINMM, it is possible that the capital outlay appropriations could be implemented pursuant to the Affordable Housing Act, obviously subject to additional legal and financial review and execution of appropriate agreements.

County staff would highlight the following with regard to the two projects that seemingly could clear threshold legal feasibility: EINMM has not secured any funding as of the date of this application; nor does it have the proposed project site under contract. In terms of operations, EINMM states in its application that, that at this stage, we are still in the start-up and planning phase and do not yet have finalized referral agreements, intake data, or projected participant counts by county.

ICS represents that it has self-financed Phase I, and the proposed construction site is under contract with closing scheduled for February 2026. In addition, ICS has experience running a shelter, as well as with fundraising and volunteer coordination.

At this time, our recommended action would be for the Board to decide whether it

wishes to waive the deadline in Resolution No. 2019-102 to consider these late fiscal agency applications. And if so, if the Board agrees to act as fiscal agent for any or all of these projects, County staff will bring a resolution amending the ICIP for adoption at the Board's January 27, 2026, meeting. And I stand for any questions at this time.

CHAIR BUSTAMANTE: Thank you, Mr. Cordova. Do we have any questions? Commissioner Hughes.

COMMISSIONER HUGHES: Just to be clear, you are recommending that we accept ICS and EINMM but not the other two?

MR. CORDOVA: Madam Chair, Commissioners, actually at this time as staff I unfortunately can't recommend any of them because they came past the deadline and I just want to iterate that I have been consistent with other requests in the past that have considered maybe submitting applications but because it was after the deadline, after discussions, after helping them understand the vetting process and the requirements they may have chose not to apply. So, therefore, from my perspective as staff trying to advise the Board I would not recommend any of them. However, as the Board of County Commissioners you have the ability override the resolution and those requirements and direct staff to pursue it one or all or none at this time.

COMMISSIONER HUGHES: Let me phrase it differently. It's possible, if we do accept Interfaith Community Shelter and EINMM and they do get money from the legislature, we are in a position where we could basically fund that or accept that money and spend it on their behalf and everything would work out. Whereas for Girls Incorporated and Human Rights Alliance there's no path forward even if we accept them, get allocated money, we can't spend it.

MR. CORDOVA: Madam Chair, Commissioner Hughes, yes, at this time with our limited time to do due diligence that is the conclusion that we have come up with as those two projects would be very difficult for us to convey the funds over to them similar to the Animal Shelter at this time. Without a clear path, it would take a lot of potential negotiation and we may not actually get to a place where we can actually transfer those funds.

COMMISSIONER HUGHES: Okay. Obviously, these are four good groups. We all support the stuff they do but whether we can support them in this particular way may be a question which you have answered.

CHAIR BUSTAMANTE: Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. Thank you, Leandro. I wonder if there is a way in the future to be more firm about deadlines or otherwise we risk repeating this because I think as Commissioner Hughes said, we're all in support in the abstract of all four of the missions that we're presented with here. It seems that, to me, that two of them, Girls, Inc and the Human Rights Alliance, there's not really a path for being a fiscal agent that works. The other two there are and they're very worthy projects and they're things that we're interested in doing in Santa Fe. Given our experience, just to take one example, the Animal Shelter and issues around that, I think we've learned some lessons there but we have another lesson to learn here about firming up this sort of deadline.

Just as an example, a group in Glorieta asked me if they could forward and ICIP request as well and I told them, and this was even after, that that really wouldn't be

possible until the next legislative session and they understand that. There is a queue. But there also are pressing issues. So I think – my question contains some statements of opinion but is there a way to firm this up or is it just sort of that as elected officials we have this kind of power to push things through? And that may be the case. I am just wondering if there are ideas to make, sort of, a fair lay of the land because we don't want to also remove from ICIP priorities by adding to them.

MR. CORDOVA: Madam Chair, Commissioner Johnson, I think the best way to put that is there seems to have been a reason why they adopted the Resolution 2019 in the first place and I think part of that was to create some firm guidelines. I would also agree that things have changed significantly since 2019 so I can hear in your comments that there is a potential desire to revisit the resolution. Take a hard look as to whether those dates are still appropriate in 2016 as they were in 2019. So I totally can respect that and I hear you in that and we will make those efforts and take a hard look at the resolution and see if that might be something you want to bring back to the Board to adjust for future cycles.

What I do think we still want to focus on is our alignment with the deadlines created by the Department of Finance and Administration for the ICIP submission and that's why I believe the 2019, the August 1<sup>st</sup> date was such because it lined up with the deadline for the ICIP. It is quite early to do this in July and I understand that and with legislative session not being for six months, seven months later, a lot of times it is so early that we don't always get the word out and we can also attempt to do a better public outreach so the non-profits are aware of our deadlines. And we would be happy to continue to make those efforts. We tried to do that last year and like I said we did get more requests. I also will state that not every request that comes through the ICIP process gets onto our ICIP and typically, a lot of times that is vetted out at the staff level and working with Legal and others to vet out whether it can be a transaction that we can facilitate. So that's another reason why some time is beneficial so staff can have enough time to do that due diligence. Sometimes we have been able to get somewhat creative. If we have a working or contractual resolution with a non-profit or an actual relationship we sometimes can make things work a little bit differently because we're already exchanging benefit and the County is getting a benefit. Time does help to make these work better for us.

COMMISSIONER JOHNSON: Understood. Thank you. That's a helpful answer. I would request that we do revisit the 2019 resolution and I think that's something that – two Commissioners could spearhead because we respect and acknowledge that all changes like that would require staff time and would require some legal analysis but we're also available to help with that process. But I think it's probably best that we revisit that. I'll yield the floor now, thank you. Thanks, Leandro.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you for those questions and thank you, Chair. First of all, Mr. Cordova, I know you work very hard to respond to everyone, you and your team, and I thank you. And we do have to have deadlines so you can do your work and we can't keep moving the benchmarks but I do have a question because I'm interested in revisiting and maybe being one of the County Commissioners, I'd like to be a part of amending the resolution. How do we think about these

applications are really around money that would be coming from the state legislature potential, right, and we know the realities if we have our County government timelines and processes, but the legislature has those. So community organizations that are doing -- these four applicants I want to congratulate you and thank you for trying and applying -- and I see we have Rep. Lujan here and is it okay, Chair, to ask Rep. Lujan to briefly tell us that legislative process that puts these communications in this seat to come and ask us for late breakers past our deadline because it kind of seems like a Catch 22 and moving forward I want to think creatively. Is there something we need to have in a resolution around the legislative process. Is that okay, Chair?

CHAIR BUSTAMANTE: I appreciate that. But what I would like to do is add a component to it. There is an element here that concerns me with the Board going after the fact when we as Commissioners are communicating with our constituents regarding the priorities and we have had some major faux pas with people going to the legislators after the fact. I don't want to open a door for that but what I see is that we have community organizations that get a nod and a promise to work on something for that community organization that's very different than the Commissioners having the stuff on our list and in that case then it seems appropriate to open and serving those people in the community who are doing the good work as Commissioner Hughes said.

So I wanted to preface what our representative and she's laughing but I love her, wants to share with us regarding that process. Thank you, Rep. Lujan.

REP. TARA LUJAN: Thank you, Madam Chair and Commissioners. It's true if feels like it's a Catch 22 to quote you Commissioner Cacari Stone. I would just like to say that, I've been working at the legislature since 2011, and so there is, there is process that helps us get things in place, and that's why we ask you for deadlines. And it wasn't until then, until we put into statute, well, it really wasn't statute, it was really an executive decision at the time under the Martinez administration to say, we need some stricter deadlines around capital outlay process and procedure. And so then, you know, before it was even a little more and a lot chaotic. And it goes to the point that we have about \$7 billion that has been unspent in capital outlay. So that's why, right? So we want to be judicious and we want to really be more efficient. And we're looking right now to reform how we do our capital outlay to just be honest with all of you.

But as it stands right now, there is still a window open for accepting, applications, if you will. But there has to be a fiscal agent and with respect to the work that you have all done, I understand that. I don't have, and we don't have control of are when opportunities come up at different times and that's what I'm here before you today and in respect to a couple of these particular, in fact, three of these out of these four applications or in my district. But when I'm looking at those that are coming in to the timeline that surpasses those deadlines that we put upon the public and they really fit the need and the priorities of our communities. Then it's up to us as elected officials to take a pause and really to reassess. And that's what you're doing.

And I want to say thank you very much for even the consideration of this, but, under respect, out of your governing body, I completely understand your timelines and your deadlines because we put those upon you as well.

But there is still a time, and it's a very, very small window right now, particularly for me.

I serve on house appropriations. We will be reviewing during this week, in front of us, we will have those capital projects that we're looking at just as process before the session actually begins a week from today on Tuesday. Again, then we will be revisiting them, but we'd like to have things a little more concrete.

But things are still – the way things, the way government works is there is a little bit of room for renegotiating and amending things. That's just government, that's process and procedure. It's called, you know, we've reformed some of those amendment processes from where the budget starts in the House and it goes to the Senate. They do it a little bit different other than having direct amendments as they did in the past. So things are subject to change, and I understand that, but I also understand the constraints that you are under as well.

But when I'm looking at opportunities, and I'll give the example of the Reentry Program/Project that came before me in a timely way and in a reasonable amount of expenditure at \$1.5 million for a building that is already constructed, that is already in place. What we look at, what I look at and other legislators, is what, you know, where, what is the phasing here? And the first thing is phase one, when you don't have anything and you're really looking for construction and property and all those sort of things. Second thing I look at, of course, or first is the fiscal agent. And if it's in place, and I can tell you time, after time, after time, I have found fiscal agents for projects that come before different legislators and my time working and now as a legislator to really put some things together that seem pretty critical to the communities. And it doesn't seem fair and I understand that. But those are the things that we have to work with as elected officials and really how are we applying that to the needs and the prioritization of our communities and these projects really fit that. But I do understand and respect your process and procedure and I'm just letting you know right now, things can be a little more fluid than most people know. And that's just the way that, that's just the way things work at the Capitol.

But that window is very narrow and it is very close to closing. I don't have a lot of time to really put forward unless I have, we have fiscal agency. And if it's not, then we move into figuring something else out. But I'd also like to comment on, you know, kicking the can down to the next year, so to speak, let's just apply for. We are looking at reforms for capital outlay, just to let you know. And what that looks like next year is not guaranteed to what it looks like this year. We are also under constraints with our budgets. We thought we had a lot of funding/ new monies this year. And it, it was around, 500 million and it's down to a 100 million. That money's already spoken for, so to speak.

There's also the Junior Fund that most people are familiar with now called a Grow Fund, which is a Junior Grow Fund where we look at operational budgets. We also need that fiscal agency as well. I can tell you with that with the reentry project. I have been talking with my colleagues and there is commitment there if you're needing to hear that, because as you move your projects and prioritizations, we also have to move together as a delegation here in Santa Fe to then see where in our districts how we come together to first we try to fully fund a project, right? But we also have to work amongst each other and kind of say, look at, this is my district. I really support this. We need this, that sort of bartering, if you will, to really look at how we get this all done. So we've come closer to setting things in stone, if you will, with deadlines and such, but there is still, there is room

for change. And I think that that just goes to us all realizing at the state level as legislators, as volunteer legislators, that we need that because the continuum for us is really a continuum. And we're not paid, as you all know, we're volunteers. We travel around the entire state trying to prioritize. I myself send money to Northern New Mexico because of the greater need there than here even in our own county. Just so you know that there are needs that are that dire, I then have to look at that as well. So I'm just letting you know there is room for change and decisions as we are the elected officials that make those decisions. But it's not easy.

And you do have a prioritization list and I want to thank you for what you have prioritized. I have spent some time looking at it already, and I just say thank you for all the things that you have already put together. And I know this is exceptional, but that's just how government works. And if so, be it if the desire of the Commission today to make exceptions. I, for one will thank you from the bottom of my heart because some of the things that I have been working on really fit into the boxes of what we're doing. Interfaith, as mentioned before, is another one, but we all want to do the right things for our communities. These are at the top of the list for our communities. I understand from Girls Inc. and Human Rights Alliance, the HRA, I understand the constraints with the Anti-Donation Clause, and I respect that as well that we're looking and putting our laws into place. We'll have to figure those things out down the way, and I'm happy to continue to work with them as well as they're trying to reach their goals.

We have a lot to do, and I just want to say respectfully, thank you, but the process is a little more fluid for us.

CHAIR BUSTAMANTE: Thank you, Representative.

REP. LUJAN: We put you in order to help us, but thank you.

CHAIR BUSTAMANTE: Thank you. We really appreciate your hard work. Sincerely, you have no idea for more than you know. That's the way to put it. Thank you. Sincerely, Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair, and thank you, Representative Lujan. Thank you, Leandro. I know, sorry. You know, all apologies. But also, you know, thank you for being as dynamic and flexible in assessing these and finding a glimmer of hope. You know, we're aligning the glimmer of hope in our ability, in the Anti-Donation Clause to make this happen. And the glimmer of hope that Representative Lujan brings forward with saying yes, it's late, but not too late. Right? And, you know, both of these projects fill really unbelievably critical slots in things that we're aligned with here in Santa Fe County, right?

We need a next generation homeless shelter. These guys are all ready, have site under contract, have preliminary designs. Their architect is here. This could potentially be ground broken if money became available later this fall, by the end of this year possible, right. And we are the only people in this conversation right now standing in the way of this. We can make this happen.

In the case of the EINMM, two of my fine cohorts up here talk about permanent supportive housing, right? We talk about this, that's exactly what their project is. It's a slightly different flavor of it, but it is permanent supportive housing for people who are coming out of the, you know, out of jail and out of the judicial system and they've got Chef Ruiz here who is one of the great folks that literally through, you know, does these

great things, provides opportunity to people that really didn't see a pathway out of a really terrible cycle. And we have an opportunity to provide that housing, which is that missing link. He's providing the jobs and other organization and other organizations are providing the training to get people off that cycle. But the missing link is housing. And at the end of the day, the Affordable Housing Act has given us the opportunity to bypass the Anti-Donation Clause and make this happen as physical agent.

I want to add one last part to this, which is we are not solely dependent on the legislature here. Last year, for example, the legislature not in direct ICIP money, but through an appropriation, put \$180 million towards housing; right? And yet we would still need to be a fiscal agent to go to that pool of money. So beyond the money that these guys might get from appropriations and ICIP sponsorship, it's possible that they could get \$3 million from legislators now, but could go to the Secretary of Labor or Workforce Solutions who is managing \$180 million budget for housing. In that they could say, this is a fabulous idea. It now has legislative support, it has a fiscal sponsorship by Santa Fe County. Let's fill the gap with \$10 million there, and they can raise the rest. Same thing for these guys. They could get 600,000 from the legislature and they could fill the gap from that pool of money, but they need us. They need us to do this and to step up to be that fiscal agent.

I think we should take/we should charge for it. I mean. I don't know if we charge for it, if we can take a percentage to make sure that we have a staff member. Because if we're good at this, we should actually have that skill set compensated for so that we don't have to feel like we're, you know, taking away from other projects.

I support both these projects. I see a pathway forward without us. These things wait and we can't wait in this community.

Girls, Inc., I support them and really feel like I would love to see them succeed in their project. But if we don't have a pathway forward, I understand HRA, same exact story, support their mission, support their center, but if we can't find a way forward, that's too complicated to overcome today.

But if we can make these two organizations stand something up, get money from the legislature, get money from other appropriations at the state government, go and grant write, we're the fiscal agent. We can make that happen. And we've done it before. Española Pathway Shelter two years ago was a great example of one of those projects where we did permanent supportive housing for the Española community. It's been complicated and there's been a whole bunch of headache in it, but it's being built right now in Española for 16, 18 units for folks up in that community. We can do this. It's work, no doubt, but it is possible.

CHAIR BUSTAMANTE: Commissioner Hughes.

COMMISSIONER HUGHES: Well, I just would like to make a motion based on what Commissioner Greene said unless he wants to make the motion.

COMMISSIONER GREENE: Let's let Commissioner Cacari Stone speak before that but I'd love to make it.

COMMISSIONER HUGHES: Maybe Commissioner Cacari Stone could comment first.

COMMISSIONER CACARI STONE: Yeah, thank you. I support whatever you're going to motion. I think I know. But just for the record, I do support that

we revisit the 2019 resolution and look at ways to synergize with the ICIP with the state legislature since they're in reform. So let's, let's just commit today that we do that as the BCC. And I agree with the staff assessment here, that we really are – what's on the table is number one and two. So let's go to the motion.

CHAIR BUSTAMANTE: I would like to say something as well. The other thing that I want to impress is that we recognize that this flexibility is lent to the nonprofits and external groups that we as commissioners are working with our constituents to get those priorities in advance. And that we're not adding something specifically if we haven't been communicating with our constituents and we find at the 11<sup>th</sup> hour we want to push an issue. It's not fair or appropriate to the rest of the commissioners who put their priorities forward. That being said, with your motion.

COMMISSIONER HUGHES: Okay. Well, I move that Santa Fe County Act as fiscal agent for capital outlay requests made by Interfaith Community Shelter Group and EINMM.

COMMISSIONER GREENE: Second.

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: Commissioner Hughes has made the motion. Commissioner Cacari Stone made the second. All in favor?

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

CHAIR BUSTAMANTE: Motion carries. Thank you.

**C. Resolution No. 2026-, a Resolution Identifying Santa Fe County 2026 Legislative Priorities for Environmental Sustainability and Climate Action**

JACQUELINE BEAM (Sustainability Manager): Thank you, Madam Chair and Commissioners. Jacqueline Beam, Sustainability Manager with the Community Development Department. And this resolution identifies Santa Fe County's legislative priorities related to environmental sustainability and climate action for the 2026 regular legislative session.

The resolution will be used by County staff and the County's legislative team to guide the monitoring, evaluation, prioritization, and advocacy of legislation that may affect County operations resources and long-term sustainability goals, particularly in instances where legislative timelines make it impracticable to obtain a formal position from the Board of County Commissioners.

And I will just briefly summarize if that's okay in light of the time, the points for the priorities for the 2026 regular session. Number one, that we advance environmental sustainability, community resiliency, and climate action, promote clean water and energy conservation and/or management, and improve sustainability at the state and local level, provide economic access and benefits for low income households while increasing their ability to access utilities that use cleaner forms of energy for electricity and transportation.

Result in one or more of the following, the incentivization of EV ownership and

usage, decreasing emissions from transportation, expanding the development of EV charging infrastructure and access to low or no carbon transportation options. We encourage reductions in building emissions through the increase of renewable energy production, advanced sustainability and climate action goals of the County, including conservation and protection of natural resources, carbon neutrality, climate resilience, economic vitality, increased quality of life and social equity. Provide adequate funding and support for state departments tasked with implementing climate policies and programs, and protecting the environment such as the New Mexico Environment Department and Energy Minerals and Natural Resources Department.

Support prioritization of funding and funding mechanisms for infrastructure projects, energy projects and economic development opportunities that enhance local communities and advance community resiliency and climate action.

Create and advance pollinator friendly initiatives to include healthy soil initiatives. Incentivizing the planting of pollinator friendly, regionally appropriate plants, and avoiding and or banning the use of pesticides known to kill pollinators or harm human health. And support coordinated regional statewide and national action to protect pollinator species.

Improve the New Mexico energy grid, including increasing microgrid access and renewable energy sourcing, transmission line capacity, and the ability to operate independently from the national and regional grid. Providing grow programs at the state level, such as community solar subscriptions or solarized Santa Fe to assist individuals with community solar participation, as well as questions about and funding of solar installations in the residential and commercial sectors.

And finally, prioritize oil and gas reform to ensure clean air, water, and soil through capping requirements of legacy wells. Increased methane emissions regulation requirement of wildlife and wetland sensitive area protection and buffers, transition to renewable energy and codification of net zero methane emissions.

And I will just add, the list of known bills that we have as per the report out from the Coalition of Sustainable Communities New Mexico is comprehensive emission limits, virtual power plants, or these are the, the general themes, a demand side management and on bill financing, New Mexico Food Recovery and Composting Act, solar tax credit, public power study, geothermal tax credit, and microgrid oversight of which this resolution covers in its language.

And with that, I stand for any questions and our recommended staff recommendation is that this subject resolution be approved.

CHAIR BUSTAMANTE: Do we have any questions for Ms. Bean?  
Commissioner Hughes?

COMMISSIONER HUGHES: Yeah, just thank you Jacqueline, for putting together this resolution. And I assume this includes most of the things the Coalition for Sustainable Communities will lobby for. So this allows us to lobby on their behalf for these things and I think it's a very thorough and complete sustainable resolution. Thank you.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: It's an excellent resolution and very thoughtful and comprehensive. Who could say no to this? I mean, this is fantastic. I

think it's important, and I'd like to add a caveat that we consider a statement that we encourage the state of New Mexico to look at New Mexico laws to support solar. There was one, we were considering the AES application, a caveat with the New Mexico law that didn't actually call for a state requirement. We'd have to re-look at it, but where I'm getting to is I'd like to have a statement that sees we, the Board, supports state local government, intergovernmental collaboration for solar justice assuring equitable access to solar energy benefits equally to communities as well as that benefit communities and reduce the harm of pollution and energy and security.

I think this is really important because some of the tensions and complex dynamics are, can we have both? Can we have solar plus have direct benefits of jobs and direct benefits to communities, to the environment, and see money flow and economic opportunities as well, rather than to say, okay, we have global applications and this is our only option. And I'm wondering, based on what I said from your expertise, what would that statement look like that we could add today?

MS. BEAM: Commissioner Cacari Stone. Thank you and Madam Chair Commissioners. I mean it was a very long statement, so I apologize that's I'm not able to summarize right away.

COMMISSIONER CACARI STONE: No, I'm sorry. It's basically one of the solar justice statement added so that we're benefiting communities economically and the environment locally as well.

MS. BEAM: Certainly we can add triple bottom line language as an easy way to adjust that. And then also, I think there will always be those who have different opinions about progress. And in our codes and in our permitting process, that is also something that's reflected through the state legislation. So anything that we can do to help ease the way in those opinions and provide more opportunity for voices, I think that is absolutely something that we should support. And so the triple bottom line language would be the understanding that we are looking at social, environmental and economic viability and attempting to look at that nexus of those three areas and choosing the best option for all people and planet.

COMMISSIONER CACARI STONE: Well, I recommend, my recommendation is totally a hundred percent support everything you have here. And then to add, a statement #7 to strengthen intergovernmental cooperation around solar justice, ending with what you just said so that communities have more of an opportunity for diversity of voices around the development of solar projects that be social and environmental and economic considerations in that, or something along that line. Maybe Legal counsel, if the Commission agreed with a statement along that line, it's up to them as well right now, not just me that we add this.

CHAIR BUSTAMANTE: Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you. Madam Chair. Building off what Commissioner Cacari Stone said, and I support the inclusion of language about solar justice. I think just to keep things simple number 10, improve the New Mexico energy grid, increased microgrid access and renewable energy sourcing, transmission line capacity, and the ability to operate, independently from the national and regional grid. I think it might be useful if we add, in the hopes that this, gets traction at the legislature now or in the future, to add municipal utility. So adding that in since, given that we have

a feasibility study about that sort of thing, it, you know, that works in coordination with it. So I would propose that addition as well. Just, just to line 10, and I think it's the addition of the word municipal or municipally run grid utility/public utility. Let's, let's make sure the word public gets in there, please.

MS. BEAM: Thank you, Commissioner. I do have one question. Are you asking for the potential access to, is that more of the language that –

COMMISSIONER CACARI STONE: Yes So anything that increases the ease of creating such a utility and an opposition to anything that would diminish the opportunity for us to create such utility. Right because these are statements of support mostly, it's just the way that the language works. But if there's a proposal to restrict that sort of thing, we should oppose it. And I'd like, I think we'd all like to know about that right away. But the lobbying team, county team, legislative team should understand that the will of the Commission, if we vote in favor of this, would include publicly owned municipal utilities. Thank you.

CHAIR BUSTAMANTE: Commissioner Johnson, would you be amenable or am I understanding micro grid access and renewable energy sourcing, or could it be local and renewable? Or does that blend it too much? Like it's saying including increased, so it would just be including, and these are all sort of potential, right?

COMMISSIONER CACARI STONE: Yeah. Maybe including the ease of creating a, a publicly owned municipal utility, increased microgrid access, and renewable energy sourcing. Or am I misinterpreting you, Chair?

CHAIR BUSTAMANTE: Yeah, there is language that does address the requirements for local utilities, however, you see fit for that. You understand where we're going is just to make it easier, not necessarily saying we already know the results of this, so it sort of implies, but to acknowledge a value in it and frankly, even microgrids would have a local element to them but to integrate the locality or immediate access. Does that clarify? Is that some something you could work with Jackie?

MS. BEAM: Yes. Madam Chair, my question is for the legal team, however, I might need a little time to wordsmith this.

ATTORNEY BOYD: Yes, Chair Bustamante, Commissioners, I appreciate this very much. Just in advance of any vote, some, some clarity about what language, if any, we're inserting into this resolution so that we can get the, correct words down into the signed copy.

CHAIR BUSTAMANTE: Okay.

COMMISSIONER GREENE: Madam Chair, I've got a point.

CHAIR BUSTAMANTE: Is this to address this language?

COMMISSIONER GREENE: Yeah.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. I went to a legislative town hall a couple nights ago, I guess it was and I think it was Senator Stefanics was proposing, they're looking at, instead of necessarily working at a local level, they're looking at a statewide public utility. And so whether it's a statewide public utility or a locally owned public utility, I think that aligns with what I've heard from the legislature as opposed to aligned to, specifically to Santa Fe County. But maybe there's

an all encompassing – I think there's a study happening or could be happening and that study is something that if we think that we want to get behind as a part of that, then we should be participating in it and showing our that we're behind that.

CHAIR BUSTAMANTE: Does that address your concern, Commissioner Johnson?

COMMISSIONER JOHNSON: Could we add, so let me just toss it back to you, Commissioner Greene. Given what Commissioner Bustamante and I have said, would you recommend, in this meeting that you had, do you have a specific recommendation for number 10?

COMMISSIONER GREENE: I think I would just try to align to the things that are maybe have potential at the legislature as opposed to very like what I would call the self-interest of Santa Fe County, but the interest of the legislators that we are behind their interests in public utility ownership at whatever scale.

COMMISSIONER CACARI STONE: Okay. So then maybe it's what Commissioner Bustamante said, the addition of the word local.

COMMISSIONER GREENE: Local or statewide or, you know, just hearing what Senator Stefanics mentioned is, or it might've been Senator Trujillo –

COMMISSIONER CACARI STONE: Right, statewide. But I feel like we want, I mean, I guess I would want to, you know, I'd support that in the abstract.

COMMISSIONER GREENE: Support of alternative ownership models.

COMMISSIONER CACARI STONE: Yes.

COMMISSIONER GREENE: Including public utility, public ownership.

COMMISSIONER CACARI STONE: And hybrid models. Maybe just to make it flexible.

CHAIR BUSTAMANTE: Yeah.

COMMISSIONER CACARI STONE: Okay. So let's do that.

ATTORNEY BOYD: Can you please read that or repeat that for me?

COMMISSIONER GREENE: Support the study of public ownership models.

CHAIR BUSTAMANTE: I wouldn't put study in there because these are pretty aspirational. It's saying increased microgrid.

COMMISSIONER CACARI STONE: So support alternative ownership models. I think you said alternative first.

CHAIR BUSTAMANTE: We're just saying to include. Including alternative ownership models, microgrid access and renewable energy sourcing. It fits right in.

COMMISSIONER CACARI STONE: I agree with that.

CHAIR BUSTAMANTE: And I also met with a senator who has been working on this, Senator Stefanics who has been working on this since the early 90s who is not in disagreement that a local may be possible as well. So she's having the larger conversation across the board who's been working on this since the 90s. Which says, we're all new to the table and she said, everyone who comes to the table wants to have their new idea when they're all not really that new is what her bottom line message was, is what I believe I heard. But I don't want to put words in her mouth. Alright, anything else? Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Yeah, I just wanted to clarify based on, and thank you for your suggestions and I wanted to clarify the statement to be added so the Commission considers this as well. Support intergovernmental cooperation to establish clear, transparent and community centered solar justice processes that enhance public participation and shared decision making in the development of mass commercial solar projects, ensuring outcomes that strengthen community viability and deliver measurable social, environmental and economic impacts. And I can –

ATTORNEY BOYD: I have to apologize. I got about 10 percent of that. I'm very sorry.

COMMISSIONER CACARI STONE: Oh, that's okay. It's just about intergovernmental cooperation to establish clear, transparent – and I could email it, but I wanted the Commission to hear it, to see if anything, to make sure that they're okay with this.

To support intergovernmental cooperation to establish clear, transparent, and community centered solar justice processes that enhance public participation and shared decision making in the development of mass commercial solar projects, ensuring outcomes that strengthen community viability, deliver measurable social, environmental, and economic benefits.

So I brought in yours with some of mine and my long-winded thing to make it shorter.

MS. BEAM: Thank you, Commissioner.

CHAIR BUSTAMANTE: Okay. Anything else? Commissioner Hughes?

COMMISSIONER HUGHES: I think those are fine to add that. I think that's a little more detailed than we need, but it's okay. This is just sort of a laundry list of everything we're going to support at the state legislature, and so I have no objection to adding to it. It just seems a little more detailed than necessary, but that's fine.

COMMISSIONER CACARI STONE: I'll defer, I'll email what I said and I'll defer to Walker to maybe truncate it. It's fine if it's just a symbolic statement, then I'll send it to Walker and CC to you, Jacqueline.

MS. BEAM: Thank you.

CHAIR BUSTAMANTE: Do we have a motion to approve with the recommended changes or any clarification or changes to the recommendations?

COMMISSIONER CACARI STONE: I will move to approve with the changes recommended to item 10 and to item -- what was yours, Commissioner Cacari Stone?

CHAIR BUSTAMANTE: The recommended changes as stated?

COMMISSIONER JOHNSON: Sure, as stated.

CHAIR BUSTAMANTE: Okay. Commissioner Johnson has made the motion to approve with recommended changes as stated. Do we have a second?

COMMISSIONER HUGHES: Second.

CHAIR BUSTAMANTE: Second by Commissioner Hughes.

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

CHAIR BUSTAMANTE: Thank you. Motion carries.

MS. BEAM: Thank you, Commissioners.

- E. Request (1) Approval of Amendment No. 6 to Agreement No. 2020-0133- RECC Between Santa Fe County and Superior, LLC, Extending the Term to June 3, 2027, and Increasing the Compensation by \$612,971.40 for a Total Contract Sum of \$1,671,009.17, Exclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.**

BILL TAYLOR (Purchasing Division): Good evening, Chair Bustamante and Commissioners, Bill Taylor with Purchasing Division. We're here requesting approval of amendment number 6 to the Superior LLC contract. It extends the term to June 3, 2027, and increases the compensation by an additional \$612,971.40 for a total contract amount of \$1,671,009.17 cents exclusive of tax.

We entered into the agreement with Superior in 2020 and this amendment to increase compensation will allow RECC – its contracts, provide support for their CAD system, automatic dispatch. And so this will allow them to purchase four servers and continue the maintenance and service that will stand for questions and defer to Director Lujan.

CHAIR BUSTAMANTE: Do we have any questions for Bill Taylor or Roberto Lujan? Commissioner Greene.

COMMISSIONER GREENE: Thank you Madam Chair. Bill, it seems like this initial contract says was \$75,000 and now this addition is \$600,000. Is there a sort of a certain point where we have to go back out to RFP for something of a certain magnitude larger, I mean, obviously another year plus escalation makes sense but if this is another year, but it's – or what another year and a half and it's, you know, eight times larger than the initial contract. It seems like it's an order of magnitude larger for us to be approving without some competition or procurement process.

MR. TAYLOR: Chair Bustamante, Commissioner Greene, that's an excellent question for Procurement. We did initially do this as a sole source procurement this termination based on our system compatibility with Central Square and in the system at RECC. This contract – we can go out to bid at any time and try to find suitable, make it more competitive. Absolutely. Discussed that with our customer agencies to see if we can do a better price. But, there were some initial prior to Director Lujan's tenure here. I believe that we did get into this system through, I think DFA presented the initial contract and assistance with the Superior System with all local public bodies to utilize this system. And that's kind of how we got into that. But, yes, the amount of the contract does seem to open the eyes of competitiveness and interest of other systems out there.

COMMISSIONER GREENE: So are we locked in based on a statewide system?

MR. TAYLOR: Chair Bustamante and Commissioner Greene, we are not locked in. We have termination clauses. We can go out for procurement at any time.

COMMISSIONER GREENE: Do you know, Director Lujan, of competitive software or products that might be able to get us there?

ROBERTO LUJAN: Madam Chair, Commissioner Greene, there's plenty

SFC CLERK RECORDED 02/13/2026

of CAD vendors out there that can do what the system does. We'd have to look into it. Going back to the initial contract sum, I'm not sure what was negotiated at that time. But when I came into RECC, I was advised that we were running out of data storage. So I think that the contract maybe initially was negotiated for less than what we planned on ingesting at RECC.

So this specific request is for four servers to support the data that we're currently ingesting without overrunning what we currently have. So it would support system array server and a primary server that would ingest – the primary server would ingest the data and then send that data to the system array server for storage.

Then we didn't purchase a backup server at the time of the initial contract, so now we do have a backup server, but it doesn't have a system array server. So this would be the purchase of a primary server for, and a system array server for that server, a backup server, and a system array server for the backup server, which obviously is going to increase the cost because servers are expensive right now.

I don't know. I can't give you any indication of what a new CAD system would cost exactly. I can tell you they're very expensive and there may be some support on the forefront soon from DFA that might support us purchasing a CAD system through DFA.

MANAGER SHAFFER: If I could, Chair Bustamante and Commissioner Greene and Director Lujan you can correct me if I'm wrong in any of my augmentations to what he stated, but switching computer-aided dispatch systems is no small matter. It's something that we're planning, to tackle with our partner agencies over the next one to three year timeframe. That will be influenced as well by funding decisions that are made at the state level relative to potentially funding CAD systems statewide. Until such time as we move forward with such procurement in collaboration with our partner, agencies, the town of Edgewood and the City of Santa Fe since they will all have to contribute to that substantial, capital purchase we are in a relationship with Superior as the owner of the current CAD software, One Solution. So again, not something we can, turn on a dime.

As Director Lujan pointed out this particular contract actually the most significant components of it are hardware. They are not, in fact, continuing maintenance services, at least as I understood it. They're primarily hardware and the installation of it to ensure that the system continues to function as intended and is able to back up all the data. So, again, Director, don't hesitate to correct me if any of my augmentations to your statement were inaccurate, but that's my understanding.

COMMISSIONER GREENE: I appreciate that. I think that, you know, just given the scale of this. If it's hardware, that also seems like it's something that there might have to be alternative vendors for that, you know, hardware is hardware, software runs on hardware, and I just wonder if – did we look, right? I mean, when this came, did you look, did your eyes just pop out of your head and go where did that come from? And then turn to Bill and say, maybe we should look somewhere else, or was this just a sort of uh oh, we we're sort of stuck, you know, our hard drives full.

MR. LUJAN: Thank you, Commissioner Greene. Do when we purchased new servers a few years ago, it was, I believe it was half the price. I'd have to look at it again, but half the cost of what we're asking for now, which makes sense. But the servers come from Dell and Central Square implements the servers and hosts their software on these servers. So Dell is where the servers are coming from. Central Square is

implementing the software and hosting all the data.

COMMISSIONER GREENE: Hardware costs go down, actually, right? I mean, unless we're like orders of magnitude more like we were buying gigabytes and now this time we're buying terabytes these should be cheaper. If we're just doubling our storage, it should be half the price of what it was three or four years ago. But anyway it seems like this locked us into something that might've been better scratching the surface and looking for alternatives.

MR. TAYLOR: Chair Bustamante and Commissioner Greene, just to reiterate the County Manager's comments, we are involved in trying to centralize our ERP system. This was reviewed. You're aware of that procurement, which we can look into with the selection of an ERP system. We're still in the open procurement process with that, and that can be incorporated. We could consider that through this RFP that we're out with for RECC. Their organization on flow and current state were included in the RFP.

COMMISSIONER GREENE: If this doesn't pass right now, what's the alternative?

MR. TAYLOR: Chair Bustamante and Commissioner Greene, they need to function and they need to operate. They do need this amendment to continue to operate and be functional at RECC. So it is a critical approval today that we're asking.

COMMISSIONER GREENE: And there's no way to procure an alternative and try to find something that's seemingly in line with –

MR. LUJAN: Commissioner Greene, the CAD software that we have is proprietary, so we have to utilize Central Square and their resources to make sure that we host it properly. So that's another reason that we have to go this route. It's also a matter of fact that our servers are on-prem. They're not cloud hosted at this time. So that's another reason that we have to also support the hardware to host the software.

COMMISSIONER GREENE: What is the lifespan of this? If we're going to an ERP system that might do this? Is this a \$600,000 fix that's only going to be good for us for a year or two? Or is this –

MR. LUJAN: Well, the maintenance runs through 2027, but the hardware should last longer than that. It just depends on how much data is ingested and how much data the servers can hold, it's just dependent on that information.

COMMISSIONER GREENE: Okay. Just a little shocking there. I don't think I'm going to support it, but just I wish it was a little more robust procurement. That that should have triggered something in my mind, but that's okay.

CHAIR BUSTAMANTE: Anyone else? Do I have a motion?

COMMISSIONER HUGHES: I move to approve amendment number six to agreement number 2020-0133 RECC between Santa Fe County and Superior, LLC, extending the term to June 3, 2027, and increasing the compensation by \$612,971.40.

CHAIR BUSTAMANTE: We have a motion by Commissioner Hughes.

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: A second from Commissioner Cacari Stone.

**The motion carried by majority [4-1] voice vote with Commissioner Greene casting the nay vote.**

**8. Presentations**

**A. Presentation and Discussion Concerning the County Road Acceptance Policy**

RYAN WARD (Public Works Department): Good evening, Madam Chair Commissioners. We've whittled them down, so it's just a few people left. I appreciate your time. And this is something I know that's very important and has been brought up numerous times over this past year with the flooding we've had. And I think it's probably advantageous of us to take some time out, walk through it. I'm really hoping tonight for a discussion, feedback, some direction. This is basically, the Road Acceptance Policy, that was resolution number 2021-061, which was actually updated in '22. So the, the resolution went through in '21 and then it was captioned again and there was a few things on the exhibit in 2022.

To give a little bit of background of the road adoption policy and why there's a priority now to revisit this document, and to actually look into the policy a little bit more. I know many of the Commissioners this year have asked about that from constituent calls on how do we get a road adopted, how is it accepted, what's the process? Initially stood up in 2012, was the first road adoption policy that kind of defined and wrapped some parameters around what we look at from the Public Work's standpoint.

So the purpose of the road acceptance policy is to establish procedures for orderly and uniform administration of the Santa Fe County process for road acceptance designation or re-designation and vacation of county maintained roads. There's a couple things on here as far as bullet points for key elements that I just want to touch on briefly. Please stop me if you have questions or input on any of these. But currently we have county maintain roads described as that which we can basically maintain. We can manage the full infrastructure whether that's a bridge, signage, pavement markings, asphalt, all those things are wrapped up into what defines a county maintained road. Non-county maintained roads are fairly self-explanatory. We don't have an obligation to do any maintenance of private roads that are non county maintained. There is a caveat for an emergency reimbursement in the case that there's a non county maintained road that the County sees fit to address. But there is a reimbursement process and an agreement that comes into place with that. And the one caveat I would say that's not necessarily defined here is there also needs to be resources from the County side to help with that. Typically when we see an emergency and we've seen flooding like we have, the impacts are countywide this year, not just localized in certain areas. Now, some years they are and so maybe that, you know, that clause makes sense. But it allows for citizens to apply for re-designation. And then there's clear preference for not adopting substandard roads. However, the BCC may waive that. In one of the sections that we'll get to it, it, there's kind of a Catch 22 with that. Cost imposed on applicants; and these are some things that we see from the standpoint of Public Works. I think the Commission probably sees these items as well as, you know, financial impacts on some of these residential areas out in the county that either don't have the funding to currently maintain their road and to try to bring it up to standards. So there's things to get it adopted that's required within that policy. The title research, title insurance, there's normally there is some cost to that. It's

SEC CLERK RECORDED 02/13/2026

got to be verified. Then you have a survey and a plat. Most of the roads that are private roads currently sit within private property. There is no dedicated right-of-way easement for that road. It's non-existent. And so having multiple tracks surveyed, and then dedication, there's a cost to that, to hire a surveyor to do the deed research and identify that, set new alignments for the roads. So there's a cost there that's to be borne by the applicant.

Investigation fee. So there's an internal fee for Public Works to do the review as well as the TAC committee. Those are administrative fees on timeframe to do some research, look through the packet, make sure it's complete. There's not necessarily a defined fee that I'm aware of, I spoke with Legal as well. But it is tied to that. Just another, possible cost for applicants.

COMMISSIONER HUGHES: If I could just, put in a comment on that. I think we suggested that the County would bear the cost of the phase one, the title and the survey because they're way too expensive for the residents.

MR. WARD: Thank you, Commissioner Hughes. That is something we have discussed. And as we kind of work through the presentation, I've got some slides on that. And that's some of the feedback that I would like back from the Commission kind of going forward. Those, those items that maybe make sense to help offset some cost for applicants.

So the next slide, basically County maintained roads. This is the definition. I've already kind of touched on that. I think everybody's kind of aware of what a County maintained road is, and we have the obligation of maintaining those roads. The one thing that I've highlighted here that I briefly touched on is on non County maintained roads there is a clause in there to accept emergencies, with written agreement as I mentioned, so long as that's structured and it's reimbursed to the County. But again, the caveat is having resources to do that in those instances.

The reality is – here's kind of a breakdown of what the County has now and what's been adopted. So 559.33 miles. The improved surface is kind of a breakout of asphalt chip seal, coal millings, which are recycled asphalt product that we put down on a lot of dirt roads just to improve them if they get real muddy, that's what that is. And then we have 251.47 miles of unimproved, which is gravel base course, dirt roads, and something that I think is maybe lines out what's kind of the standard across the nation. I tried to put together some detail on that. So currently we have 40 roads', full-time employees, which equates to about 28 lane miles per FTE to maintain. The national average is one per 16.7 miles to 36.9 miles. What I will say on the national average, a lot of those averages are captured for municipalities. So for cities smaller, limits normally unless you're in, you know, a large metro area – we're, where we're spread out, We have five road maintenance districts, which does help kind of offset some of that travel time and response time. But really, the national average is kind of structured on that. So we're kind of in the middle of that criteria. And then our current operating budget is almost 11 million, which captures everything as far as roads and maintenance goes. And a couple things just to always try to stress and keep in mind, and this is not just Public Works or roads, but making sure when we look at policies like this, that we're looking at finite resources. So the cost of those, you know, if you add more lane miles, that may be two new FTEs, that may be two new graders and a dump truck and a fleet vehicle to get them

out to the job site. So keeping those things in mind as we, you know, as you consider, you know, adding more or accepting more roads. And then the major thing is obviously the budget and the constraints that the County has as far as cost for indefinite maintenance of those roads.

So the private road miles, I worked with GIS, just to give you a little bit of data to kind of put things in perspective. I think it's good to see that. There's a little over 1,000 miles. I don't have data on surface type or any of that. I can tell you if you don't do any major improvements, and a road meets our design criteria width and all those things as far as design to do an asphalt to overlay is it's typically about \$1 million a mile. And unimproved surfaces, you know, range but FEMA numbers, I just threw some quick numbers together, just to give you an idea. Yearly to do greater road per mile is about \$12,000 and those are FEMA rates. So that's this year's rates for hour for using a grader, staff time, all those things captured in. Obviously at the County we have staff on board. We have our own fleet and our own equipment. So those, there's some cost savings there.

To give you just a little bit of background on previous submittals, the last private road accepted was actually some portions of Dinosaur Trail, which was in 2019. And since that time, there's not been any successful applicants. There has been some applicants that have made it through, or I say a applicant, had gathered up all their surveys, all their title work, had worked through the process with Public Works in the County and tried to structure one of the options as a Public Improvement District or a PID. But the cost now as many of the other items have talked about specifically the one with the development in Nueva Acequia you've seen exponential costs go up. Same for roads. It's no different across the board for construction. And so for certain subdivisions or residential areas to provide the funds to bring that road up to our standards is not feasible, even in the consideration of a PID. And so that's some of the things we're kind of talking through. And then to evaluate barriers, and those are some of the things that Commissioner Hughes mentioned, looking at what cost would the County consider in some of those requirements and those criteria.

So I wanted to break down just briefly the process itself. Basically there's a petition gathering up with the residents in that area. You've got to have 10 freehold real, real property owners within two miles. Then there's the designation of a point of contact for the group.

And then you have copy of deeds that have to be provided, plats that include the roadway. So basically the tracts where the roadway goes through, even though it's private. And then the review fee, as I'd mentioned is, is a review fee for the TAC as well as for Public Works to review that. Legal if need be as well. The delinquent taxes must be brought current for any road abutting parcel. So anywhere the road goes through private property, that actual property owner has to bring those taxes up. And then waivers that can be requested. One of the things that's mentioned is health and safety. I have worked with our Legal team to define that better. What exactly is health and safety, so that we know when we get these types of submittals what we're really looking at.

And then these are a couple requirements to actually dedicate the property. So title insurance, briefly mentioned that. Free and clear title, unconditional dedication to the County for public use. And then the survey and survey plat required are currently required to be paid by the applicants, as well as environmental assessment phase one

study. And so these are the ones that I think, Commissioner Hughes, we kind of discussed some of these specific requirements as to would there be an appetite to look at that if it made it through the application process. And everything is there and intact. And the next steps would be doing those two things, which is getting a survey to move it forward and then getting an environmental study. So, you know, I don't know what the appetite would be for that, but something to definitely consider.

I briefly wanted to just talk about Section 12, which is the criteria currently, and this is how it exists in the policy today. The general piece is the area that I wanted to point out. So when you read through that the last line which says so long as conditions of this policy have been met.

So there's a, little bit of a Catch-22 in that scenario. As it goes through the process it is solely up to the Board of County Commissioners to make that acceptance. However, it also has to meet policy and the policy of some of the design criteria of the road. So trying to understand what that really looks like. If we change things and I'll dive in a little bit deeper as we get to a few of these next slides on some things that we could change to possibly accommodate certain roads or what the Commission sees fit.

The next one, the technical factors, and these are, these are identified in the policy as well. We have the roads designed and constructed to County standards with the clear title. And there's past environmental contamination that can totally disqualify an application if during the phase one environmental study something is found where there's environmental impacts with contamination. If there's unusual maintenance characteristics. So these are things that Public Works will look through on these technical factors and then give feedback. If there's a recommendation from Public Works or not a recommendation because of some of these items that have been found as we've worked through the process. And basically the unusual maintenance characteristics, it's narrow roads, real steep roads that are tough to meet any kind of AASHTO standards for design. Those are the types of things we're really looking at. Minimum 100 average daily traffic volume or ADT volume, which is fairly low. Briefly, the SLDC controls how that roadway's classified. So in Chapter 7, there's some details and basically we have the County split into basically three districts, SDA 1, which is an urbanized roadway section or urbanized housing area, which is actually contained within District 2, 3 and 5. I believe, SDA 1. And so there's some different parameters in the SLDC classification for our land development codes. Really the biggest difference between SDA 1, SDA 2 and 3 are captured in a separate one, which is rural, it's really sidewalks. Sidewalks are noted on here for certain roadways within SDA 1 and there is no requirement for sidewalks and SDA 2 and 3 with it being more rural. Probably the biggest differences the ADT volumes remain the same, regardless if it's in SDA 1, 2, or 3.

So if it's a collector road. Just to give you a quick background, I'll just run down from the top. A major arterial is 5,000 plus cars a day. A minor arterial is 2,000 to 4,999. A collector is 601 to 1,999. And there's a sub collector in SDA 1, which doesn't exist in SDA 2 and 3, which is 301 to 600 cars a day. And then a lot of our roads are considered local roads, which is zero to 400 cars a day. And those are the same across the board. So you can see currently with a minimum 100 ADT volume, that could be something to be considered as well. Moving that up, maybe it makes more sense to have it when a collector road hits that threshold to really look at that then, because now you're moving

more vehicles, more families. I mean if it's not maintained adequately maybe that's something we need to really consider because you're putting a lot of traffic on it, and maybe it should be public; something to consider.

The road connection to federal, state, county, and municipal roads. We look at that in regard to we don't want a road on an island by itself and have to maintain a road that's paved out here and all the connecting roads are dirt. I makes it difficult to maintain.

Cost benefit analysis that we provide to the TAC during the review. The number of accidents is considered, emergency access needed and really I think from looking at the standpoint of the County and what the County Manager's Office and our Fire Department has been looking at, I think we've realized, I think all roads are critical and I think all roads, you know, the goal would be to have them accessible for emergency vehicles and those things. So I really think the emergency access needed is probably a consideration for all roads. Current classification is a school bus route. This has been in there since the beginning. I can't really tell you what the impacts are or the real benefits if it's a school bus route versus a non-school bus route. But those are factors that can get captured in for LGRF funding. So our local government road fund looks at school bus routes and the state looks at that. There's a specific funding for that. So that's my assumption is why that's actually in here.

Environmental or health concerns, drainage and flooding hazards where there's increased costs to have to do major drainage improvements is considered. Identified on the County long-range planning documents, adequate easements or right-of-way exists, which, as I'd mentioned earlier, is a rarity. If there's something dedicated, usually it's already a subdivision, probably a newer subdivision, and they dedicated at least the private roads. Adequate easements and utility relocation is needed. That's really a factor because when you see these private roads and for example there's one behind the Highway 14 fire station where we're putting the new bulk water in. There's some roads back there and the power poles jog back and forth the road, across the road there's utilities run everywhere. If that road was adopted and those utilities have to be relocated, they have, most of them have easements, but they're private easements to those houses, there's a lot of times there's going to be a cost to relocate those, assigning where the new property is for that easement, as well as, the dedication and then paying for the relocation from that franchisee utility.

So Section 7 A, in consideration for update allows the creation, and I'd mentioned earlier, for a PID or a Public Improvement District, The Board of County Commissioners may conditionally approve the classification change upon completion of improvement. So something to consider in regard to, if this road meets the criteria and works through the application process and is accepted at some point, having the ability then to find funding for it. And then at such time when that road is brought up to design standards, then it could be taken over for maintenance. And one of the other items is the conditional approval shall become void after one year from the date of the resolution. I think in many instances that's probably not enough time. If somebody works through that full process and does the application and works through the petitions and gets all their title clear and their title work, the timeframe may be more realistic once they've gone through that process and then it's been accepted two to five years. There may be somewhere in there that makes more sense that way they're not having to come back and start all over:

something to consider.

And then my last slide is really just to get feedback and talk through what things as we go through reviewing this policy that we need to update, we need to make modifications to a couple of the items, as Commissioner Hughes mentioned, the first one was application cost. What would be consideration for that as far as, would it be the survey, environmental impact study? What would the Commission want to really revisit and look at on that?

CHAIR BUSTAMANTE: Are you opening this up –

MR. WARD: I am.

CHAIR BUSTAMANTE: -- for questions, Mr. Ward?

MR. WARD: Madam Chair, Yes.

CHAIR BUSTAMANTE: Thank you for the presentation. I think we all might have some questions. Anyone? Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. Thank you, Ryan, this is very thorough and it's technical but so important that we have a process for this.

I do have a couple of questions, but they're actually you'll be able to answer them really quickly. Lane miles is that two lane roads?

MR. WARD: Lane miles, is the center line miles. Well, lane miles is two lanes. It depends on how many lanes there are.

COMMISSIONER JOHNSON: But it's not like you're counting one lane, then counting the next, then the other lane.

MR. WARD: So lane miles is typically one lane and then the other lane. A lot of times our books capturing our road adoption book that we do yearly, normally is just capturing the mileage. So whatever's in GIS, those segmented lines are the miles that we're capturing typically.

COMMISSIONER JOHNSON: Okay. So quick, quick question. If it's 500 some miles, is that 250 miles of sort of double-lane roads or is it 500 miles of lanes?

MR. WARD: So it would be whatever the length of that road is. If there's two lanes, it would be double.

COMMISSIONER JOHNSON: Okay. Thank you. Does your operational budget of just under \$11 million include your FTEs and how we calculate that?

MR. WARD: Right. And, and typically per year, Commissioner Johnson and Madam Chair, that's typically, we spend about \$1 million set aside on just road maintenance and kind of, you know, what we do in house, aside from the LGRF grant monies. There's a separate set aside a lot of times. Sometimes it's paid out of that same account as well.

COMMISSIONER JOHNSON: And what percentage of that is labor or staff, the FTEs?

MR. WARD: That's a good question. I don't know. I don't have that information in front of me to tell you exactly what the salaries are compiled, but I can get you that information.

COMMISSIONER JOHNSON: Yeah, no, no worries. So just an answer to your last question. It seems like you and do you mind going to slide back if we, If the BCC, this is just an idea, if the BCC conditionally approves classification, that might

initiate – if we conditionally approve something, that might be the threshold or sort of initiation – what am I trying to, I can't think of the right word – but would initiate the reduction or waiver or the County covers certain kinds of upfront costs because they have, that community, that road, whatever it is, has an understanding that we, we're going to do it. So they diminished their risk of doing title research, researching all of the things that you mentioned that are upfront costs, if we give that kind of conditional approval. So in a way, the second, or maybe it's third step in the process, right, talk with your team and see how likely or viable this is. Then the BCC could conditionally approve something like that to just provide some momentum. So that's just food for thought. Again, it's important to talk about this sort of thing and make sure that we get it as close to right as we can. Thank you, Ryan.

MR. WARD: Thank you.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair. Mr. Ward, thank you so much. It was very thorough and I feel more educated on what our caveats and pros cons might be as we consider further approvals or not. So here's some things you jogged me to think about and I'm going to defer back to you. So if, for example, if I eyeballed right now we're just close to 11 million, 10.9 on operating costs for 558 miles road. If we just eyeballed it and did, that's about 19k a mile, right? Every road we take on that's not County road, it's pretty expensive, right, to maintain that.

MR. WARD: Very expensive.

COMMISSIONER CACARI STONE: My biggest question is, cause as electeds we have to weigh the cost and benefits of serving those in the county who already have county roads. Would there be a crowd out effect in your opinion, if we take on other roads and are we just trying to keep up the pace of fixing potholes and roads and projects in the works like bridges and things like that? So is there a crowd out the more roads we take on that we're not going be able to keep up the pace?

MR. WARD: Madam Chair, Commissioner Cacari Stone. I think that's a well taken point and I think you're on point with that. That's exactly what it is. The way we're currently staffed and if you take more roads on, the balance of our metrics and our work orders being, you know, done would drop. And so we would have to balance that out. Typically you'd need more FTEs depending on how many road miles, lane miles you want to take on. And then the equipment as well as the budgetary funds to keep the maintenance up, whether that's potholes or seal coat or, you know, all the, the different maintenance factors that we do on those roads. So yes, I think, I think that's exactly what the County's up against when you're considering taking a private road. Because I think too, from that standpoint, I think constituents, they know what county roads they live on and they live on a county road and there's an expectation there for us to meet. And so to meet that and to keep that service level up because for example, we have roads out in Pojoaque we're typically grading some of those dirt roads because of the material every two weeks, every three weeks. That's, that's a lot of time maintenance. Some roads aren't that much that are dirt. It kind of depends where they're at and the soil conditions.

But there is a lot of maintenance to it. So as you add, even if you added dirt roads that fell within the SLDC criteria to remain a dirt road because it's a rural area, there's still that cost and maybe you need another grader to do some of that.

COMMISSIONER CACARI STONE: Thank you so much. I guess I was thinking about, you know, from time to time you think about subdivisions and HOAs and when people develop those people know when they buy their home or rent there that they're paying into, well obviously homeowners, they're paying into the road maintenance. So I guess I'm just asking from a distributive redistributive approaches policy folks, is it, in your opinion, fair for subdivisions, who knew they were paying into private roads to then now ask the County to take on their cost? Or what have you seen? Because I know you've worked in different states, so how can we think about that distributive, redistributing being fair to people who didn't buy into that.

MR. WARD: Madam Chair, Commissioner Cacari Stone, I think that's a really good question on how do you balance that fairness, I guess you would say, across the board. I live in a subdivision where I pay fees. My taxes when I purchased the property were higher than out in the rural areas that have dirt roads. So you truly are paying for that at some level when you purchase a home in a private subdivision that has an HOA and has some sort of road fees. And so yes, you're well aware of that when you buy in. I'm not sure how that redistributes and creates, you know, I'm not sure how it balances out when you really look at it. Because I went in with my eyes wide open knowing what I was paying into. I have sidewalks and there's paved roads and they're well taken care of. And in some of the areas in the County that are rural and so I'm always one of those people that's very empathetic. I understand, I know the concern. It's hard to get down your road to get to your house and it's a dirt road. but there is an assessment of that property at the time when you buy it, you know that that's a private road. A lot of these areas pay in, much like Spur Ranch, they have a road association. It doesn't always cover all their needs. If you have a rainy season like this year and it floods and it damages the road, there may not be enough funds there to offset that. And so, I would say it's just, it, it's more of a known, so it's how you really look at adopting the roads. And I think that's why from the standpoint of Public Works, and I think it's something that we would definitely consider would be looking at when it, somebody applies and it triggers it because it's now a collector road. So there's 400, 500 cars. I think to distribute that fairly across a larger group probably makes a little more sense than where you're serving 10 houses and they want us to adopt the road and take that on. There's not as big a benefit to that for either the County or the residents where you could improve other roads.

COMMISSIONER CACARI STONE: Thank you. Thank you for your expertise. And so it could be reasonable as a BCC we ask for a cost benefit analysis or fiscal impact to the County as part of a technical factor in the application. So we have a process. I don't know if that would require us more resource to do that. It seems reasonable to ask for that so that we can weigh, we don't want our current residence to not be served for people who bought into private subdivisions who now decided they want the County to pick up the cost. That's extreme. That's extreme. But we could ask for that?

MR. WARD: Madam Chair, Commissioner Cacari Stone, yes. I think you could see somebody legitimately ask for that and how that's balanced out or approved because I don't think you would see that often, but if other roads were adopted, I think in the communities in Santa Fe and Santa Fe is fairly tight knit, you know no matter what

district you're in, individuals will see if this road's adopted, well what about my road? And so you've got, and so you still need parameters. Right now maybe they're too restrictive and maybe they're not. We would rather have them more restrictive so that when it comes to the Commission, the Commission's making a decision based on the TAC committee and Public Works, and it's not wide open to where we don't think we could really maintain that road because of whatever the technical factors that it didn't meet.

And so there's some of those things to kind of contemplate and consider.

COMMISSIONER CACARI STONE: Thank you so much.

CHAIR BUSTAMANTE: Thank you Commissioner. And thank you, Ryan. Commissioner Hughes.

COMMISSIONER HUGHES: Well, you and I have talked about this before. I think it's important that we maybe prioritize collector roads because that's the point at which they become, you know, unmaintainable. As Spur Ranch Road is, it's now a collector road. Although maybe it's not a collector road now because it's completely washed out. So I think a couple things I'd like to change in the policy.

I think emergency repairs ought to be made more what's allowed by the Attorney General says is allowed. That we can do emergency repairs. And not that any have come up recently because fortunately the road that washed out, nobody was denied access to their house. But if that were to happen, if a road were to wash out and a subdivision couldn't access their homes, fire trucks couldn't access their homes, we shouldn't ask for a written agreement ahead of time and be reimbursed, we should just go fix it right away. Hopefully that never happens, but we should have a policy where we could take care of that.

The other thing is we tried to – we figured out the cost for Spur Ranch Roads Survey and the environmental one, and it's way too expensive even for that fairly wealthy road association. So I think maybe we state where they have to apply and they all agree to dedicate the easement to the County and everything like that is in place. And then the County would pay for the environmental one and the surveys. And if anybody disagrees with me, say, so now because he's taking notes.

And the last thing, I think we ought to make sure that even if somebody submits an application that's partial or not complete the Commission should be made known. We should be informed of that because there may be some cases where, you know, we want to adopt a road that's not quite up to standards. Well, all the roads that we are going to adopt aren't up to standards because that's, that's the reason that they want them adopted is because they're not up to standards. But I think we also, I think it says something like, you know, you'll bring the application to the County that is complete. And I think you ought to bring the application to the County kind of regardless to the Commission. But I, I haven't figured out quite what word to put in there, but I think it's a little too strict the way it's worded now.

MR. WARD: Madam Chair, Commissioner Hughes, thank you for those. Those were some of the things I was hoping to get some feedback on. So I appreciate that.

COMMISSIONER HUGHES: And anybody who disagrees with me can say they don't. Maybe Commissioner Johnson has a comment.

COMMISSIONER JOHNSON: I just think that we should, instead of allowing incomplete applications, shape the contours of the requirements such that they are stepped or phased and you know, that that can trigger something. We don't want people to just put a name in and say, oh, take a look at my road. That's going to waste staff time and it's going waste our time. So I would propose a phased approach where. I like what you said, and I didn't memorize exactly what it was, but it is, get the property owners to do the 10 free holders or whatever the percentage is to agree to go through this process, have a designated point of contact, and then have some sort of memorandum where they agree if the process goes through to relinquish their private property where it intersects with the road and other things that your expertise can – but have that be the first phase. Maybe it comes to us in a very preliminary way. We don't need to, you know, we can do an assessment of it. And then phase two occurs and the Commission may decide to provide funding for individual projects. And that should maybe be at our discretion. I mean, we can approve preliminarily a rode/a project of adoption, but say we can't stomach these costs. so if you guys are really interested in getting this adopted here it is.

But these are just ideas. I haven't thought through every consequence. Long and short, propose a phase approach so that we don't get in incomplete applications. We just have the phase 1 of the application be a bar. But, you know, mezzanine level, not the low, not the high. That's what I propose.

MR. WARD: Madam Chair and, and Commissioner Johnson, I think those are really relevant as far as reviewing the applications. Maybe a phase 1, phase 2 scenario because there is a lot of staff time that you touched on. The Spur Ranch packet was, I can't remember how many pages it was, I started working on it maybe back in late 2020. Legal spent a lot of time on it as well. Several folks in our department spent a lot of time. So it is a lot of time to review the application to make sure things are in order. So, that is something to keep in consideration. And I think, to your point, Commissioner Hughes, you would hope that never happens where you have a washout, like you said, and in that instance at Spur Ranch, individuals have luckily two access points. Now they have one where it's washed, but everybody can get out. But I think we do have a lot of roads, and I know we do in the County that have one way in and one way out. And so if you have some sort of natural disaster flooding, you may run into that instance. It may not be it never happens. It may happen. And so to your point, I think emergency wise that can happen.

COMMISSIONER CACARI STONE: I agree with the emergencies. I like your proposal and support that, Commissioner Johnson. My concern is if we can have – oh, I thought he asked for a response to what we agree with, so I support that. I think the only caveat is still going back to my initial point of we need a way to do a cost benefit analysis or fiscal impact. And I support that that's in here because otherwise we're competing, for example, the San Isidro bridge crossing finishing that with a private owners and a road somewhere and who gets what, and we get into a tizzy with that as a Commission. Thanks. Thanks, Chair.

CHAIR BUSTAMANTE: Thank you. My apologies. Commissioner Greene.

COMMISSIONER GREENE: Thank you. Ryan, just for edification, what

are we talking about in terms of the cost? What is the real cost that is the barrier? Like if Spur Ranch Road couldn't afford it, it was \$10,000, it was a \$100,000, it was a \$1 million or was a thousand dollars. What are we talking about?

MR. WARD: Madam Chair, Commissioner Greene, initially when I did the cost estimate, and this didn't necessarily size all the culverts when I initially did it back in, I think 2021, put together cost estimate, it was about \$1.6 million to bring it up to our standards then. So it's about three, I think I revisited about \$3.6-ish today.

COMMISSIONER GREENE: Okay. And, take a step all the way back to the barrier that they're at right now. That initial payment, what is that order of magnitude like? That's, again, a community with a 100 families on it can't pay \$10,000, or can't pay \$5,000, or a \$100,000? That initial part that they, you said it's too expensive to apply; what is that?

MR. WARD: Madam Chair, Commissioner Greene, the cost associated with that originally was more tied to – I think typically they have 25/\$30,000 in their road fund that they maintain the dirt road now that they pay into. But looking at that process because they went the PID route, that's the decision that the group made but with the Assessors, there wasn't enough tax assessed value. Maybe I'm missing the point.

COMMISSIONER GREENE: Yeah, yeah. So, so you mentioned that we're not getting applications because there's a cost barrier to applying, not even to getting it done and adopting and all that stuff, but just to get it into our thing, they have to do a certain environmental assessment. All of those sort of prep work things; what does that cost? Because one of the concepts here was maybe the County can pay for that. Well, what are we talking about? What can they not pay that we suddenly can pay?

MR. WARD: Okay. Madam Chair, Commissioner Greene, I think I understand the question. So, I don't have real numbers, but I can tell you, it's all associated with the length of the road as far as the EA study. I've seen them be very, very costly. So, you know, upwards of a hundred thousand more depends on the length of the road. If there's known historical or archaeological areas out there, then it exponentially gets more costly, Survey to have the survey done, which is a piece of that, again, a surveyor is going to look at it from how many tracts am I having to cut that right-of-way. I haven't costed out any ranch surveys in a long time, or looked, but they're working with Precision Survey, who did the road settlement agreement. It's up in that area probably again, you know, it could be 50 to \$100,000 depending on how many tracts and what kind of property corners they have to set, if there's creeks and different things. I mean, it can exponentially add up.

COMMISSIONER GREENE: I guess if there's more tracts, there's more houses to spread it across, right? So there's a sort of weird little ratio that could be figured out in that. I really like these financing mechanisms and making these financing mechanisms, educating folks for this. And I want to take a step back. I'm part of a community road. It's not a county road. We pay a lot of money to have road maintenance. If the County took that over, that goes away. Well, I've just saved money, right? I mean, so how can we potentially say to a group that's paying \$100 a quarter for road maintenance, well, you're not getting this for free. That \$100 is going to go on forever because the County's going to take it on. But the County has to defray its cost and there's a mechanism, right? Instead of saying, you know, I'm actually going to save you

money. I'm going to reduce your external taxes of your homeowners or road maintenance agreement, but it's now going to become part of your assessment. And to be very clear about that and just say, look, you know, just like you said it, it's got to raise the property value for it to be part of the Assessors. Well, if I save somebody a couple thousand dollars a year in road assessment things that increases my property value by whatever, who knows? There's ways to make this financeable, I think in a variety of fashions here that I think that, that we can make solutions happen if people are educated into the financing mechanisms that we have available that we can say, well, here's the reality: you're paying \$100 a quarter for this instead you're now going to pay \$200 a quarter, but we're going to deal with the headache, right. You're never going to have to deal with it, right? And I just think that there's more creative solutions here.

COMMISSIONER HUGHES: Can I just interrupt?

COMMISSIONER GREENE: Yeah.

COMMISSIONER HUGHES: Because Spur Ranch Road tried to create a public improvement district. They did all the paperwork, that's what Ryan worked on, and it wouldn't increase the value of their home enough to make it justifiable. So we couldn't approve that. They wanted to do it, but we couldn't approve it because I forget what it cost, \$20,000 a house to pave the road, but there wouldn't increase the value by \$20,000. In fact, it wouldn't increase the value at all because living on a paved road isn't any different than a dirt road out in the county.

COMMISSIONER GREENE: I mean, I live on a dirt road six blocks from here. And, yeah my neighbors don't want to pave it and neither do I.

COMMISSIONER HUGHES: So a public improvement district is pretty hard to pull off because it doesn't work.

COMMISSIONER GREENE: There have to be mechanisms other than that that can potentially do it. Maybe that's not the, quite the vehicle or there's different assessment tools that can find out whether that's – It's tough to shift the burden to the County with a limited budget that we have and without giving people mechanisms to do it, right? And, yes, maybe they would be okay with that, paying that, but the PID isn't legal. Well, there's got to be a different way that maybe they do their own special assessment ahead of time to say it's \$20,000, you know, we've got to get to \$20,000, but you guys are going to come up front with \$10,000 of it, so we can hit that threshold. Right? We're willing to do it, but let's be creative in how we get to something that is workable.

COMMISSIONER HUGHES: But this is a discussion of how we decide which roads we're going to adopt.

COMMISSIONER GREENE: Yeah, I'm just trying to think of ways that we can make this easier for these high-barrier roads to be financeable. Because, you know, for us to do a couple million dollars road, it's just like the water systems, right? We took on Hyde Park and there's \$11 million and we shouldn't have done that. Chupadero, at least we've got Chupadero doing the right thing and applying to grants and doing that to get to that point where we would be willing to adopt a water system without burden to the County. We need to help them, each of these roads get to that.

So anyway, that would be my way of trying to get to yes, in a solution oriented way that doesn't put all the burden on us. That the people that benefit from it actually pay

most of the burden. I wonder, in the case of Spur Ranch Road, I think it was brought up to me that it is actually a collector that is collecting beyond the people that are on Spur Ranch Road. So there is a greater benefit. Right? I think it's a backdoor to Eldorado. Well, if it's a backdoor to Eldorado, then maybe Eldorado should kick in a little bit. Not as much as the Spur Ranch Road, people who have to use it five times a day.

COMMISSIONER HUGHES: Well there's various developments off of it,

COMMISSIONER GREENE: Right. Exactly.

COMMISSIONER HUGHES: They still have to maintain the road that comes off Spur Ranch Road to their house. They still have to. They're not going to be totally be free of all costs.

COMMISSIONER GREENE: Right. And then one last thing, one person on the road who has delinquent taxes, who wants to stand in the way of this, can just decide not to pay their taxes, to avoid this?

MR. WARD: Madam Chair, Commissioner Greene, the way it's structured now that's correct. Everybody has to have clear title.

COMMISSIONER GREENE: I mean if I'm against this and I live on a road and I don't feel like paying or doing it or getting any of this moving forward, I can stand in the way of this by just being a year delinquent on my taxes?

MR. WARD: That's correct.

COMMISSIONER GREENE: I mean that's standing in the way of progress by one person and there's got to be a way to sort of, but anyway –

COMMISSIONER HUGHES: I think it allows us to get, condemn their land.

COMMISSIONER GREENE: I don't know. I mean, if that's a property tax thing. What are you going to do? On one year delinquent, I don't think you can condemn them, I think – but anyway, I just see that as something that maybe we want to look into as to say there has to be some remedy for if 90 people on a road and there's one person that's delinquent, either voluntarily or involuntarily, can there be a way to sort of put a lien, a different type of private lien or other sort of mechanism to make sure that they can clear the way, that we can clear the way to make these things happen.

MR. WARD: Madam Chair, Commissioner Greene, I'll definitely capture that. That's actually in the criteria. So that's something, you know, that we can revisit is how that's structured for clear title.

COMMISSIONER GREENE: Thank you. Very, very educational.

CHAIR BUSTAMANTE: Thank you. I had similar thoughts regarding adoption of roads that have safety issues and safety concerns they're not right now in our purview how either through, and it's, I it's mostly been covered between Commissioner Cacari Stone and Commissioner Greene with regard to the assessment or if there is a GO Bond, something to assure that those roads that are not as safe as they should be, and how we would think creatively to say we can pick up more roads. So that if the voters had to take this to ensure that these particular roadways are improved to safety standards, something that opens up a bigger conversation. And I know nobody wants to hear about paying more in their taxes, but nobody wants to go across a road that most people would deem dangerous. And I just put that out there on how we would actually establish the

funds to address the mileage that you mentioned in that. So that's all I have is other ways to find the funding to support these problematic roadways. I think especially when we identify an egress issue. Because you said you know of a few and you think this is a community that's one way in, one way out and they've got this fire hazard or flood hazard, et cetera. How do we say to ensure safety and egress on public roads, county roads, something along those lines. But it's about the thinking on how we would fund those.

I'm grateful for your presentation, so thank you.

MR. WARD: Thank you, Madam Chair. If I could real quick repeat back what I heard to make sure that my takeaway.

CHAIR BUSTAMANTE: Yes, please.

MR. WARD: We discussed a look at the clear title issue, how that could possibly be addressed if there's a holdout; cost solutions; looking into, as Commissioner Green mentioned, if there's any kind of cost share; and then, Commissioner Johnson, information on all applications and looking at phase 1 and 2 maybe possibly during the application process. And then cost benefit analysis, which we'll look at. I've thrown out a couple other things, but the emergency aspect and we can, Chair, we could wrap up the true definition of health and safety and what that means. I think a lot of the individuals that call me, or at least the calls that I get in Public Works, it's a legitimate concern. People are like, well, I live on a dirt road, but I have emphysema or I have some sort of breathing ailment. And so the dust we have so many dirt roads in the county that's not truly considered a safety health hazard, but it might be for that individual, and you know, trying to look at that from a different angle. And I think the, the only other item was just, is there anything tied – I think one of the big parameters I think that can kind of tie this together is the daily traffic volume. So is a 100 too low? I guess that's my question to the Commission. Should it be 300, 400 or do we say in SLDC when it becomes a collector, if SLDC changes in two years, when it's revisited, do we look at just collector roads and above or is there any input in that?

COMMISSIONER GREENE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair. Thank you, Ryan. Could you look at standards with other counties that have similar geographies as us and maybe suggest to us so that we're not eyeballing it and it's based on good metrics.

MR. WARD: I can do that, Commissioner.

COMMISSIONER CACARI STONE: I think that would make sense.

CHAIR BUSTAMANTE: Anyone else? This is very, very helpful. Thank you.

MR. WARD: Thank you.

CHAIR BUSTAMANTE: And thank you. You stayed all day for it, so I'm grateful. Thank you. It's very, very helpful. Thank you.

**9. Matters from the County Manager**

**A. Miscellaneous Updates**

MANAGER SHAFFER: Thank you, Chair Bustamante and Commissioners. I have a few miscellaneous updates as well as a, a request for some

potential feedback from the Board related to a conflict with an upcoming BCC meeting.

In terms of miscellaneous updates. I just wanted to remind both Commissioners as well as County staff that, the New Mexico County's Legislative Conference will be held next week at the Santa Fe Community Convention Center. There are both New Mexico EDGE classes, as well as, NMCIA membership meeting on Tuesday. With the conference officially beginning on Wednesday morning. So look forward to seeing you at the legislative conference, next week.

In addition, this Friday at 10:00 a.m. you should have all received an invite for a groundbreaking ceremony relative to the Turquoise Trail all affordable multifamily housing development that the County supported in a variety of different ways. The project is underway, and it is at 4608 New Mexico 14, and that's generally across from Rancho Viejo Boulevard just off of New Mexico 14. So hopefully, many of you can make it to celebrate yet another significant achievement in the area of affordable housing for our community.

Finally, with regard to the upcoming conflict, we do have the National Association of Counties Annual Legislative Conference in Washington, DC from February 20<sup>th</sup> through February 24<sup>th</sup>. I think a number of Commissioners as well as myself plan on attending that conference, so achieving a quorum for the Housing Authority Board and Board of County Commissioners regular meetings on February 24<sup>th</sup> may prove difficult. We've looked at the urgency surrounding that meeting and the consensus view from staff at this point is that we could prioritize work so that necessary and urgent business is taken care of on February 10<sup>th</sup> and March 10<sup>th</sup> so there would potentially be the ability to cancel that February 24<sup>th</sup> meeting. If something were to change we could look at rescheduling a special meeting. But again, as it stands right now, it looks as if we could cancel that meeting if that's the desire of the Board, so as to accommodate the important NACo Legislative Conference. So I'd be pleased to receive any feedback that the Board wants to give relative to that topic or if there's additional information that you would like from staff before making a decision. Thank you, Chair.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. Did anyone have something they wanted to say?

COMMISSIONER CACARI STONE: I support so that we can participate the 24<sup>th</sup> day of our BCC would be the visits on the Hill. And I think it's really important for those of us going to the NACo that we be there for that. So I would appreciate rescheduling or canceling.

CHAIR BUSTAMANTE: I would have to agree for the same reasons. The reschedule would be important.

10. **Matters from the County Commissioners and Other Elected Officials**
  - A. **Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations.** (Non-Action Items)

CHAIR BUSTAMANTE: Let's go ahead and start with Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. I think I can

be very brief because there haven't been committees, so I want to wish everyone a Happy New Year. Happy holidays. I hope you all enjoyed your time away.

The only thing I have is that I spoke with Manager Shaffer, our meeting about the public utility feasibility study and I just wanted to humbly request that we, as I understand it, and you can correct me if I'm wrong, Manager Shaffer, the RFP for that is forthcoming and I think we'd all appreciate seeing it, in advance of that. So that's all I have. Thank you Madam Chair.

CHAIR BUSTAMANTE: Thank you. Commissioner Johnson.  
Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Madam Chair. I just wanted to recognize staff, the Community Services team for really putting on what I heard was a great regional behavioral health meeting and thank you County Manager as well for helping guide and lead that. There was really good feedback from providers and folks.

I also want to recognize Matthew Hernandez and the IT team. Matthew was telling me during our break, they were busy working and I don't know if I heard it right, Matthew, there's additional cameras, we have some new software, we have some new equipment to make this a more accessible meeting for those who are joining remotely as well. So thank you and kudos to the team for that.

Some other updates is on January 29<sup>th</sup> I will be moderating and organizing as part of the National Association of Counties Mental Health and Behavioral Health Virtual Summit. You can register at [naco.org](http://naco.org) and I'll be doing from 1:40 to 2:30 p.m. Mountain Time will be a forum on policy and advocacy landscape on behavioral health. On January 16<sup>th</sup>, Rep. Lujan has organized a community town hall pre legislative session for the district that overlays with my district, district 2, and we'll have Councilors Cassutt, Castro and of course, Rep. Lujan, myself and Mayor Garcia will be speaking at the Food Depot. So please join us.

Finally, I really want to make sure that I express acknowledgement and my intent to do this pre-planning with the City on a joint meeting between the County and the City. I know some of you sitting here that predated me have discussed that process. The last time we had a joint meeting with the city electeds was in 2014 with, at that time Mayor Javier Gonzales leading that. So, Mayor Garcia prior to being mayor, reached out to me and we started conversations. And I want to thank Attorney Boyd and County Manager Shaffer to kind of look at, I'm just exploring our parameters, but the next step is to seek your input on what is your, what do you see would be a good purpose? What would be the vision for this? What would you have as expected outcomes? What would be some priority topics and issues, the process, how often and what would be some pitfalls because I know all of us sitting here have thought about that before. And Attorney Boyd, I know you're super, super busy, but I wanted to confirm that we could use our liaisons to possibly vet a survey with all of us Commissioners to get ample input because it's about us working with them. And I'm just willing to do the footwork and the heavy lifting to help get this going. So I just wanted to really express that. Is that allowable to send out like a little Google survey?

ATTORNEY BOYD: Chair Bustamante, Commissioner Cacari Stone, I received your email earlier today and I will respond to it as soon as I can. I think that, as

is always the case, we want avoid the creation of a rolling quorum where Commissioners are engaging in discussion. But certainly there will be a way to solicit input from the Commissioners that allows you to collect and synthesize input, but also does not create a kind of email trick chain that later triggers the Open Meetings Act.

COMMISSIONER CACARI STONE: Super. Because that's the intent here. And if there's any other just big picture comments people want to make now, I welcome it. But in the meantime, I'll continue to kind of move forward on the ground work and the footwork with Mayor Garcia and he's going to bring in his interim City manager. So I'm welcome that right now.

CHAIR BUSTAMANTE: Commissioner Hughes.

COMMISSIONER HUGHES: Yeah, just, quickly. Since the City has increased the living wage, I think we should consider that in the County as well. And so I'm going look to that and see if we can duplicate what the City has done or do something similar. The Food Depot a few years ago suggested and I think it was before most of you were on the Commission unfortunately, suggested that we raise the minimum wage in Santa Fe to an actual living wage. And the living wage is not quite there.

Also some of the teenagers and parents of teenagers in Eldorado would like to see some sort of county teener programming out there maybe at the Vista Grande Public Library, we can do something. Since Vista Grande Library is in District 5, but close to District 4, Commissioner Johnson and I will work on that and see if we can't come up with something.

And finally, I'll just mention that the Eldorado Area Water and Sanitation District wants to be part of the WPAC. Commissioner Bustamante said there's no vacancies now, and I forget how is it by district or what?

CHAIR BUSTAMANTE: By area, district basically.

COMMISSIONER HUGHES: No, I mean, is there a District 5 representative?

CHAIR BUSTAMANTE: Yes. The gentleman who did the presentation on the data for the water summit, is the District 5 representative, I believe.

COMMISSIONER HUGHES: Okay. I'll work on that. See if I can't help them out. And that's it for me.

CHAIR BUSTAMANTE: Thank you. Commissioner Greene.

COMMISSIONER GREENE: Thank you very much. First off, I'd like to give congratulations to, Mark Mitchell and his selection to be the Governor of the Pueblo Tesuque. And I've worked with, Governor Mitchell on various occasions prior to my service as a County Commissioner and during my service as a County Commissioner. And I know that the Pueblo of Tesuque is in great hands and congratulations to him and the Tribal Council for this year's service. Also, a big thank you to Governor Earl Samuel for his service last year. I went out there to celebrate their King's Day new council celebration on Saturday. They celebrated with the Buffalo Dance and a little feast. It was beautiful. You should all do that. It's a great, great opportunity.

Another set of congratulations is to the Española Pathways Shelter. They obtained their special use permit that will keep the emergency shelter up and running. As you may remember, we sent a letter supporting this to Española in support. So they were thankful to Santa Fe County for supporting their effort there. They were also thankful to

Santa Fe County because even prior to my service, Santa Fe County helped stand up and fund the Española Pathways Shelter during COVID and helped establish the first emergency shelter in the Española area.

Last night we had a town hall in Nambe. I'd like to thank Ambra for setting this up, and to Chief Black, Scott Kaseman, Kurt Temple and Ryan Ward for attending. And to Shauna, who was here until a second ago, for coming to that as well.

I went to the town hall for our senate delegation that was very well attended and very informative. Commissioner Hughes and I went to the Los Prados groundbreaking. And people were very appreciative of the County's position in that and making that happen. Shanna, I gave you a shout out a second ago so just to make sure you hear it. Also another thing related to Shauna and Ambra, we took a tour of the Pojoaque Basin Regional Water System. This is a 750 to \$800 million project that many of you are aware of, but we got a really extensive tour of it, seeing the, the wastewater treatment or the water treatment facility. Also the wellfields and a couple water tanks and some of the construction line areas. It was a pretty good tour, informative and gave us a good idea of the scope of work that's going on there and maybe why it's costing \$750 million.

I am going to be working on a resolution regarding broadband that should come forward at the next meeting. I think I will be working with Commissioner Bustamante on this. She had signed onto it. We haven't gotten – there's nothing done yet, but we'll get it to you when it's time. We have some broadband opportunities here in Santa Fe County, that probably touch all of our districts. I've seen the, the map of, of it. And it's not only about broadband, but it's also about cell service. It's also about our 911 service and economic development. There's so many different aspects of this and I hope I can garner your support and have this before you in two weeks. It might be time sensitive and so I would love to get input prior to us adopting it. But, if it turns out that the state needs this urgently and we need some urgency behind this, it may come through and ask for approval and in one shot. Besides that, happy New Year everybody, and thank you for everything.

CHAIR BUSTAMANTE: Thank you, Commissioner. I want to commend the roads folks as we have a list of projects and in the La Cienega area, the Chimayo area and people/ our constituents are very, you know, concerned and want to know when the roads crews are going to get out to that area. And I do want to just communicate that they have a list. It's not necessarily in any particular type of priority except going down the list to get the road repairs and of course, making those that were not safe the priority.

So the other is that we have seen that the Richards Road has some issues and concerns. I was hoping to be able to ask Ryan Ward about the improvements from the problems that have now been in the newspaper about the roads/the Richards Road, I don't know if anybody here knows the status of that work; if not, I'll follow up with Ryan tomorrow.

And then the ordinance regarding illegal dumping. Currently, and it makes a lot of sense, if someone in and in the rural areas, it's very much an issue. You have bags of trash behind the trees or in an arroyo, and the ordinance says that if a piece of mail or there's an identifier, that that person needs to prove why it's not theirs, which makes sense. It's difficult, how else are you going to have any idea whose trash that is? In the La Cienega area we have an abundance of mail theft, people taking people's mail either from

their porch, the mailboxes, et cetera. And, I know that if, and I don't want to say a particular entity, but let's just say something like the rainforest and the, all right, Amazon, but if they leave something at my gate, it can be a problem. And there's no one there – if things get stolen and then they end up in someone else's trash, I would, I have been receiving ever since one particular issue now regular emails about a particular area and the mail that's just strewn across the road, and then there are multiple names and whose is it? That has a lot of issues to it. And if anyone here has thoughts, ideas on how to wrap our heads around – the mail carriers/the postal service has to be on top of the safety of the mail and other parts of the communities have those boxes that can't be broken into, and that works adequately for sure.

But the part that also became a, a pinch point was how the individuals were notified about their name being in the trash. So if someone, and I'll just say code enforcement puts us a note on their door, they are now going to take a picture of the note, but in the event that a household member takes it off, I believe, that the County needs to do more due diligence in trying to get a hold of the person whose name is in the trash because it is a crime. It's up to a certain number of days and a large penalty. And it can be very upsetting for an individual who just didn't even know that their information was found in the trash until they got a different letter that said you didn't respond to the notice on your door. And they never had a chance to even refute that their mail had been in the trash or taken or whatever the case may be. Not to mention that there were two items in that particular trash that had another person's name. So what diligence do we take as a County to make sure anybody and everyone has some communication and we know that they've heard from us? So do we follow up with a phone call? To what extent do we make sure, is it a registered letter if we're going to call something a serious crime? And if there are multiple names, then both of them need to prove that they're the ones who are not either culprit or that they are. But whatever the case, right now it's got some holes in it because seemingly a constituent who holds confidently that her family had nothing to do with that particular several bags of trash out there there's really no way, except as the current ordinance says unless you can prove you didn't do it, you did it. So there's some work to be done there. I'd like to work with Attorney Boyd and looking at how we can maybe put something stronger that says if there's – because it allows for an a notice, an what is it called when the police officer lets you go anyway – a warning, that if you get a warning because there is an allowance in there, if there's a warning that – but how do we prove or how do we assure that we have done our due diligence in letting someone know that they're going to be in trouble? And I'll just say a sticker on someone's door, even with a picture of it can get blown away. A hundred things can happen. So how do we make three efforts, whatever the attempts, whatever the case. So that was very important. So that was the biggie that I had.

As well as, bringing up matters from the county attorney. I had requested that we do address, I understand from Manager Shaffer, that we had talked about it before, but we have since had a situation where we did get external legal advice and I wanted to see it in this particular executive session to discuss what it means for the Commission to have its own legal representation. And, just in the interest of full disclosure, when we did get an external entity, Attorney Boyd was very clear, I answered to the County Manager. If there's anything around that, then how do we have someone – I report to the County

Manager and wouldn't have been in a position to represent the Commission if we needed independent support. So I would like to see that on a future conversation with the Commission on what that would mean in the event, and I'm not saying there's anything, I'm just saying if and if there was ever anything, what would it mean? We've got to talk about it. It's the bottom line.

Alright, so next on that, that's all I have. Oh, yes.

COMMISSIONER CACARI STONE: Chair. I just wanted to be sure that I saw Commissioner Johnson raise his hand. Were you going to give me any guidance or suggestions since I am meeting with Mayor Garcia this week. I just welcome it or you could just tell me one-on-one. It's up to you.

COMMISSIONER JOHNSON: So, super briefly. I think that our discussion with Ryan Ward was a good format. You know, it's can be lengthy, but if we use the presentation slot to have someone/staff present an idea, then we can all publicly, without having a quorum, without stepping on toes, have a discussion about purpose. And this is what you mentioned, Commissioner, purpose, priorities, frequency. So I would propose that we have something like that, you know, a five minute staff presentation that's like, this is what we could be, what do you guys think? And then we all discuss it and then it's not, there's no backdoor stuff.

CHAIR BUSTAMANTE: Thank you. I figured we could talk offline about whatever it was, but I think it's important. Commissioner Greene.

COMMISSIONER GREENE: Just a little joke and a comment. There's a, there's a song about that and that's called Alice's Restaurant. And the envelope was found under the trash, and that was how they were found guilty. But on a more serious note, if there is multiple mail found in a bag, that it was accused to be stolen, there's also probably DNA and other evidence in that bag that identifies the actual culprit because they're just throwing away somebody's trash, but they're throwing away their own trash too.

CHAIR BUSTAMANTE: Yeah, that's true. And we'd have to balance that against the cost of running DNA over trash in an arroyo.

COMMISSIONER GREENE: But if it's evidence, it's the postal service's requirement to do that. So preserving the evidence and turning it over to the postal service.

CHAIR BUSTAMANTE: No, sincerely. I actually as flip as I was being, take that very seriously because what this meant was this particular constituent had, at that point, because they didn't get the note that was on the door, and the answer was, well, usually everybody gets the note.

Well, that doesn't answer anything. And it said that, you know, she had a potential to spend some time in prison, in jail. So I don't think it's, you know, if it's going to cost someone some days in jail, I think we need to do our due diligence in proving that how do we take the straw or the sippy cup, whatever it is, and identify them. I don't know. But I think there's a conversation to be had.

**B. Other Elected Official Issues and Comments** – None were presented

**C. Election of Board of County Commissioner Chair for 2026**

CHAIR BUSTAMANTE: Do we have any statements, comments before we actually have a nomination and a second? We will start with Commissioner Cacari Stone and then Johnson.

COMMISSIONER CACARI STONE: Thank you Chair Bustamante. And I did prepare something so I could just stay focused. I wanted to affirm my commitment to this board and our shared work and thank each of you for, as I understand, everyone was willing to step up to the plate to be chair, so that's the good news.

I also want, before we go to nominations, thank you Chair Bustamante for your year of service and know that you are appreciated. Thank you. In terms of the extra time and energy that goes into being chair,

I think with our ongoing work, you know, under the ordinance, I looked under it, 2001-03, of course, we're following the chair serving as a 12 month term. But for the public, we are to vote today under ordinance #1990-7, and it is allowed that commissioners may serve successive terms. There's been some history on that. Together these ordinances do provide us some flexibility today and provides us some discretion to exercise our sound governance norms, but to base it on sound governance, on what benefits Santa Fe County and the residents of our County and to not base it on interpersonal dynamics or power dynamics. And I'm just saying that's standard. I'm not making a judgment on anything or anybody right now. I do also widely recognize that best practice practices for Santa Fe County Commissioner and talking to former commissioners and current is rotating leadership in taking turns. This is often informed sometimes by seniority, experience and service. The rotation supports what I believe is a great core value of common governance and cooperation on co-leadership, continuity and a healthy diffusion of styles and inclusion. I also want to note for the public that the Chair's role according to these ordinances is solely to preside and facilitate, to manage time, recognize speakers equitably, uphold adopted rules, and ensure parity of voice amongst all of us commissioners.

And as Commissioner Hughes has reminded me, we all have equal power here. And I think that's the beauty of a handful of five, so that any person tonight being voted in as chair is strongly discouraged from using discretion and going beyond influencing power beyond that role that is critical to good governance.

And finally, I just want to mention that at any time, according to Ordinance 2001-03, the Chair serves at the wheel of us, us five commissioners, and the Board may elect a chair at any time by a majority vote. If that chair is not meeting that role in a fair, inclusive, and balanced way and not facilitating fairly and honoring parity on shared governance.

And finally, whoever's elected chair tonight shall, and I am in my opinion, commit to engage in training and preparation that New Mexico [inaudible] EDGE and other trainings offer for Robert's Rules of Order to make sure that that person is equipped to do this in a successful way. I served as vice chair this year. There was an informal understanding, and there has been some tradition that the vice chair would step up as chair. I did the monthly meetings when we had them of the Finance committee with the Treasurer in collaboration and participation with Chair Bustamante. I've served this well,

and tonight I support others to step up to the plate to be chair and vice chair.

I'm interested in doing it in the future, but not tonight because I want to model a rotating leadership and taking turns based on seniority, because I believe each and every one of us can do it effectively. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Anyone else?

COMMISSIONER JOHNSON: Thank you, Madam Chair. Thank you, Commissioner Cacari Stone, well said. I just wanted to raise, so, Commissioner Cacari Stone covered a couple of things. I think that it would be helpful for just our process to – Commissioner Cacari Stone noted the role of chair and the sort of contours, the boundaries, et cetera. We take note of those. I am interested in better understanding the process of vote and in that capacity, I would actually recommend that people self nominate for all positions and we vote for particular candidates as opposed to something that might be nomination here – so instead of voting for and against a single candidate and then doing another round, okay, let's just back up. How do we vote for it at this position?

CHAIR BUSTAMANTE: We have a nomination, we have a second, and then we vote.

COMMISSIONER JOHNSON: So, then the case of someone not passing that vote would move on.

CHAIR BUSTAMANTE: Then we go for another nomination. We ask for a second.

COMMISSIONER JOHNSON: Okay. So we, we can't hear all of the candidates at once who want to be the chair.

CHAIR BUSTAMANTE: If someone wants to make statements. And that's what this is over to now.

COMMISSIONER JOHNSON: Okay. So this time period is for that statement period. So that clarifies the process, thank you, Chair. I just underscore that the chair serves at the pleasure of the rest of the Board and that's worthy of consideration and I appreciate the candidates who want to throw their hat in the ring. Thank you.

CHAIR BUSTAMANTE: Thank you. Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: I would like to reinforce something Commissioner Cacari Stone said is that the, the role of the Commission Chair is to run the meeting. And really, they shouldn't take their title as giving them the power to do something else. It's just to run the meeting, as far as I'm concerned. And, sign the paperwork and stuff like that. But not to go beyond that. Thank you.

CHAIR BUSTAMANTE: Thank you. Commissioner Hughes.  
Commissioner Greene.

COMMISSIONER GREENE: Thank you Madam Chair and to everybody so far in their on their discussion of the points. And, you know, I represent District 1 and District 1 has waited a few years, it's been about six years since District 1 has sat in the Chair. And I would be honored to be your selection and hope I can earn all of your votes here. And so whether it's a self nomination or whether somebody would like to make that motion in support of my nomination, we can decide how that goes. But, from my perspective, I understand it is about making the meetings happen, effectively, and making sure all voices are equally distributed here, including voices from the community

and making sure that when people come to speak and testify to us that they are, given the time and respect, but also a clock potentially or other guardrails to make sure that we're effective in our meeting things.

know that I can get a little long-winded, but maybe it's, -- but I usually take the microphone first. So, given the opportunity to speak, I usually try to get everything out first, and I hope you can all cover my topics long before as if I were to be Chair, before I would have to do it. And then I would only come in and either ask for clarification or hit the points that you might've missed in the in the process here. I enjoy a hardy discussion and have a little bit of skepticism sometimes, but not much. We're a pretty cohesive team here, both from the dais and from staff presentations here.

And so, I look forward – I guess since, Commissioner Johnson, were you asking for self nominations here today? How was that?

COMMISSIONER JOHNSON: That was only in the case of a sort of like voice vote on an individual person. So I didn't understand the process.

COMMISSIONER GREENE: I think in the past three years that I've watched this, I think somebody nominated the other person, right? I don't think we've actually gone around and actually had this discussion, to be honest. I mean, this is nice that we're, we're having this and talking about our willingness to serve, our willingness to wait, our willingness to support, our willingness to ask for certain guardrails and acquiescence to those things.

I am willing to serve. I think, I would look forward to the opportunity to represent us all on the, on the greater stage, but also to share leadership on all sorts of topics and to support all of the different things, whether it's working with the City, to working with water, to working with updating the general, not the general plan, but the SLDC and the SGMP, all of the things that are our priorities here this year, I hope to, as chair, should I be elected, to really move the needle and to have the most effective County leadership possible from our position here. So, thank you everybody.

CHAIR BUSTAMANTE: Thank you. I think I have stated what my concerns are with assuring that the Chair understands exactly what Commissioner Hughes was saying, that we follow the – we don't have a rolling quorum. And I've understood that the Chair should be in a position to work with the other Commissioners on specific issues. But if another Commissioner is already working with a Commissioner, then that would be a quorum and it would be inappropriate. I also have concerns that the Chair, unless identified and contacted by a constituent from another district should, and even if so, should contact or copy the district commissioner for that district. We have in the past had some oversteps into specific areas and making, I won't say commitments, but making suggestions about things in other districts, which we are each identified by our constituents and elected by our constituents. So it's not appropriate for whomever the Chair is to step out of that without even with communicating or assuring that there's communication with that district's commissioner, as well as, following all the rules of what we are trying to establish here. If we have something that is a priority on the ICIP, then we're following those requirements and we definitely work in goodwill with our colleagues on the BCC. And when I say in goodwill that we're, you know, we're keeping honest, we're communicating specific interests legitimately without falsifying any statements about anyone's particular position on something.

So it's really just about asking for truth, honesty, full commitment and keeping within the requirements of the Open Meetings Act and managing the tough situations gracefully, which I can honestly say, and I think it's been pointed out to me that I didn't necessarily always do well, and that's okay. I think there's also room to recognize that whomever the chair is, is that we're human, but that we're working on and towards doing the best we can for the constituents throughout the County and recognizing that our role is to keep the meetings going and assuring that those items that need to be addressed are addressed. That if something's going off the rails, that we pull it in so that we don't stay until 9 o'clock when we don't have that many agenda items. But that we are all looking over our packets in advance and we move a meeting and we're not open to having things not work within the system that's been provided to us.

So on that note, do we have any nominations or self nominations for chair?

COMMISSIONER JOHNSON: Madam Chair.

CHAIR BUSTAMANTE: Yes.

COMMISSIONER JOHNSON: Given that Commissioner Greene has expressed interest in being the chair, I will nominate him for chair.

CHAIR BUSTAMANTE: Okay. We have a nomination for Commissioner Greene. Do we have a second?

COMMISSIONER CACARI STONE: I second that nomination based on the rationale for rotating chairs case.

CHAIR BUSTAMANTE: Okay we have a motion from Commissioner Johnson, a second from Commissioner Cacari Stone. May we have a roll call vote please.

Commissioner Cacari Stone	Yes
Commissioner Greene	Yes
Commissioner Hughes	Abstain
Commissioner Johnson	Yes
Chair Bustamante	Abstain

**The motion passed by majority vote with two abstentions as noted above.**

CHAIR BUSTAMANTE: We have a new Chair. Thank you, Commissioners. Your role starts at our next meeting. Thank you very much and thank you for your willingness to serve.

**D. Election of Board of County Commissioner Vice Chair for 2016**

CHAIR BUSTAMANTE: Do we have any self nominations or a nomination for the vice chair?

Commissioner Hughes nominated Commissioner Johnson. Commissioner Cacari Stone seconded.

**The motion passed by unanimous [5-0] roll call vote:**

Commissioner Cacari Stone	Yes
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Commissioner Greene	Yes
Commissioner Hughes	Yes
Commissioner Johnson	Yes
Chair Bustamante	Yes

**The motion passed by majority vote with two abstentions as noted above.**

**E. Appointment of County Commissioners and Staff to Boards and Committees for 2026** [This item in the transcript has been condensed and edited for clarity.]

Sara Smith, County Manager's Office, noted that on an annual basis, the Board of County Commissioners appoints representatives to various boards, committees, and entities. Currently, 18 entities require such appointments. This memorandum is provided to support the Board's consideration of appointments for Calendar Year 2026. The Excel spreadsheet was shared on the screen and the Commissioners reviewed and identified their preferences for serving and Ms. Smith applied the new appointments to the spreadsheet.

Commissioner Cacari Stone expressed her desire to serve as the primary representative for the BDD. Commissioner Greene said that was the one position he felt strongly about maintaining for Board continuity and his familiarity with the \$70 million construction project. Further, he noted that BDD staff and consultants have requested he continue to serve on that board. Commissioner Johnson offered to set down as alternate and Commissioner was appointed to serve as the alternate for BDD.

Ms. Smith said a primary is needed for Sustainable Communities and Staff member Beam will continue to serve as staff support. Commissioner Cacari Stone agreed to serve as the primary and Commissioner Johnson offered to serve as alternate.

Commissioner Hughes agreed to serve as primary on SWMA and Commissioner Johnson as alternate.

Santa Fe County Investment Committee: the two alternates will be Commissioner Hughes and Commissioner Bustamante.

**Upon motion by Commissioner Cacari Stone and second by Commissioner Greene, the Board and Committee appointments were unanimously [5-0] approved.**

**11. 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 Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations**

SFC CLERK RECORDED 02/13/2026

**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) Breach of Contract and Performance Bond Claims Relating to the Cerrillos Senior Center and Fire Station; (2) Acquisition of Real Property for the Potential Expansion of Avenida Del Sur; (3) Discussion of Potential Litigation Against Missouri Great Dane and Gerling and Associates for Breach of Contract, Breach of Warranty, and Related Claims Arising from the Sale of Equipment to the County**

ATTORNEY BOYD: Good evening Chair and members of the Commission. I'm here before you to request a motion that, that the Board of county commissioners enter closed executive session to discuss, matters as permitted by the Open Meetings Act, specifically the acquisition of real property and attorney client privileged communications, regarding pending or threatened litigation. the three items are one, breach of contract and performance bond claims relating to the Cerrillos Senior Center and Fire Station. Two, acquisition of real property for the potential expansion of Avenida del Sur, and three, discussion of potential litigation against Missouri Great Dane and Gerling and Associates for breach of contract and other claims

And I would add by way of short context in terms of why we do not have a separate discussion item regarding independent counsel is that the Open Meetings Act, Chair Bustamante and Commissioners requires that any attorney-client privilege discussion in closed session take place and, and concern pending or threatened litigation. So if you wanted to discuss generally the role of the county attorney, that would not be permitted to, to take place in closed session. But, in terms of closed session, I'm happy to discuss, my representation of the County, my professional duties to the County, and any limitations, if there are any, regarding my representation of the County in closed session concerning one or two, one or more of the items that have been specifically described in the agenda. So that's just a little bit of an explanation. And I'm seeking a motion, consistent with what I've just described.

Commissioner Hughes moved to go into executive session to discuss the things Attorney Boyd mentioned. Commissioner Cacari Stone seconded.

**The motion to go into executive session passed by roll call vote:**

Commissioner Cacari Stone	Yes
Commissioner Greene	Yes
Commissioner Hughes	Yes
Commissioner Johnson	Yes
Chair Bustamante	Yes

[The Commission meet in executive session from 7:35 to 8:15]

Commissioner Greene moved to come out of executive session noting the only items discussed were those Attorney Boyd mentioned. Commissioner Johnson seconded. The motion passed by unanimous [5-0] voice vote.

**B. Potential Action on Items Discussed in Executive Session**

Commissioner Hughes moved to authorize the County Manager to acquire through negotiated sale from Ranch Land Utility Company and Easterseals El Mirado real property interest necessary for phase 1 of the Avenida del Sur extension project providing the purchase shall not exceed the appraised value of the interest to be acquired and any damages to the remainder of the property caused by the acquisition. Commissioner Johnson seconded. The motion passed by unanimous [5-0] voice vote.

**C. Authorize the County Attorney to Make a Demand and Bring Litigation Against Missouri Great Dane and Gerling and Associates for Breach of Contract, Breach of Warranty and Related Claims**

Commissioner Johnson moved to authorize the County Attorney to make a demand and bring litigation against Missouri Great Dane and Gerling and Associates for breach of contract, breach of warranty and related claims. Commissioner Cacari Stone seconded. The motion passed by majority vote with Commissioner Greene abstaining.

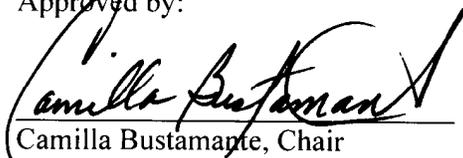
12. **Informational Items/Reports** – There were no questions or concerns raises.

13. **Concluding Business**

- A. Announcements
- B. Adjournment

Upon motion by Commissioner Johnson and second by Commissioner Cacari Stone, and with no further business to come before this body, Chair Bustamante declared this meeting adjourned at 8:20 p.m.

Approved by:

  
Camilla Bustamante, Chair  
Board of County Commissioners

ATTEST TO:

SFC CLERK RECORDED 02/13/2026

KATHARINE E. CLARK  
SANTA FE COUNTY CLERK



Respectfully submitted:

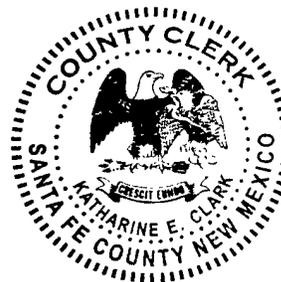
Karen Farrell, Wordswork  
453 Cerrillos Road  
Santa Fe, NM 87501

COUNTY OF SANTA FE            )  
STATE OF NEW MEXICO        ) ss

BCC MINUTES  
PAGES: 80

I Hereby Certify That This Instrument Was Filed for  
Record On The 13TH Day Of February, 2026 at 08:58:07 AM  
and Was Duly Recorded as Instrument # **2077104**  
of The Records Of Santa Fe County

Deputy  \_\_\_\_\_  
Witness My Hand And Seal Of Office  
Katharine E. Clark  
County Clerk, Santa Fe, NM



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