

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR BCC MEETING

February 10, 2026

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

SFC CLERK RECORDED 03/17/2026

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

February 10, 2026

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

B. Roll Call

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

Members Present:

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

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 Greene. He 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 Jennifer Wilson, Deputy County Clerk.

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

G. Approval of Agenda

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

 GREG SHAFFER (County Manager); Chair Greene, Commissioners,

SEC CLERK RECORDED 03/17/2026

there are no recommended, changes to the agenda as presented. I would just note for purposes of our minutes that the initial meeting agenda or the only meeting agenda for today's meeting was posted last Tuesday, February 3rd at approximately 5 56 p.m. far in excess of the 72 hours required by the Open Meetings Act. Thank you.

Upon motion by Commissioner Johnson and second by Commissioner Bustamante, the agenda was approved by unanimous [5-0] voice vote.

2. Matters of Public Concern

CHAIR GREENE: Daniel, do we have anybody signed up online or first do we have anybody here in the audience? I see none. Thank you, Daniel. Anybody online?

DANIEL FRESQUEZ (Media Coordinator): Mr. Chair, we have Chris Mechels raising his hand.

CHAIR GREENE: Excellent. Please, Mr. Mechels.

MR. FRESQUEZ: Mr. Chair, would you like a timer to be displayed?

CHAIR GREENE: Three minutes, please.

MR. FRESQUEZ: Mr. Mechels, it appears that you're still muted.

CHRIS MECHELS: Hello? Can you hear me?

CHAIR GREENE: Yes.

MR. MECHELS: Okay, good. I was unsure of that. Okay, now I'm ready. Okay, let me begin again. First issue I'd like to raise with you is your OMA violation. Your current meeting is in violation of the Open Meetings Act on two key issues. The minutes you just approved on January 13TH minutes should have been approved two weeks ago per OMA, which requires that you, that you have the minutes approved at the next meeting, meeting. You didn't. The minutes that you should have been bringing for approval today is January 27th minutes, and you failed to do that. So, again, this is in violation of OMA and it's very clear. I suspect that you're getting very bad guidance from your County Attorney because you're the only county as far as I can tell in the state that has a problem with this particular kind of OMA violation. You've got to start looking at this yourself. Read the OMA yourself, stop listening to your attorney. He's just getting you getting you in trouble.

The other thing that you're still in violation of is, you're still in violation of the Public Records Act, the IPRA. The particulars in which/how you're in, you're in violation of that is you're in violation – the Clerk is continuing to charge a dollar a page for free permit for records that are free under IPRA. This is a violation of IPRA.

The other thing that you're still in violation is that the published records from your – from your records custodian, which is the County Attorney, are illegal on their face. You need to deal with that. Stop taking advice from your County Attorney. They created the problem. You can't expect that they will give you useful advice on it.

I will note that you've improved in one area. Your budget hadn't been posted on as required by your, by your resolutions. Your budget had not been posted on the Sunshine Portal since 2016. You posted it, Hey, some progress. So after 10 years you finally posted your budget as required by your resolution.

The other thing where we continue to struggle with is rules of order. The rules of order are continuing problem not only with the compliance within the BCC itself, but within your, your other committees and commissions. I went to an Ethics Board meeting last week. They violated both the Open Meetings Act and the rules of order, and they did it very cheerfully under the advice of your attorney, county attorney Peter Valencia, who seems to have no interest in following the law in these areas. So again, they need to pay attention.

Lastly, I wish to speak, as I think – hope we've agreed, I wish to speak to one of your agenda items today, 5A, when it comes up on your agenda. It concerns with the Caja and I believe I have something useful and perhaps even informative to say to that. So I look forward to your calling upon me when that agenda item comes up. Thank you.

CHAIR GREENE: Thank you, Mr. Mechels.

COMMISSIONER BUSTAMANTE: Commissioner Greene, I have a concern about the fairness to individuals who may not know that they can comment during the meeting. Are we changing protocols that if people get in during public comment, they can request to speak for an item on the agenda during the meeting and open it up for public comment?

CHAIR GREENE: I would love to discuss that. I'm open to suggestions in any way in this.

COMMISSIONER BUSTAMANTE: My only suggestion is that at the time, since the individuals who are going to comment about – and this is just the thought that I've had and I'm sure there are other thoughts – they'll have read the agenda, they'll know the matters and they can speak to it at that time, since it won't be, you know, it's not speaking to exactly the presentation per se, but they have an opportunity to speak. I'm just concerned about everyone else who is not going to get the opportunity to speak to every matter as they request. Thank you.

CHAIR GREENE: Thank you. And I think I will open up item 5 for everyone. Are you two proponents/sponsors of this; if you're okay with one are you okay with all? Or do you have people that come are going to come to support this? Do you have a feeling about this one way or another?

COMMISSIONER BUSTAMANTE: I don't know that we'll have anyone coming. It's going to be much like others that we've approved.

CHAIR GREENE: Okay. Well, I will just because he politely asked, I will open it up to him, but also to anybody else. If you have people that want to show up or if there are other people here to do that.

COMMISSIONER CACARI STONE: Chair, respectfully, isn't that what open public comments for people make comments and then we don't respond. So they have their three minutes and they could talk about what they want rather than to pop in and off the agenda. What's the correct process that we need to follow? I'll refer to the County Attorney here.

WALKER BOYD (County Attorney): Chair Greene and Commissioner Cacari Stone, it is under the operative resolution, the Chair's decision to allow public comment on a given item on the agenda. It would, it would be the Chair's decision in consultation with you all.

CHAIR GREENE: I hadn't consulted with you two regarding whether you

had people supporting of this, and I almost expected people to come support it, so I figured it would be something that would be an opportunity.

COMMISSIONER CACARI STONE: Well, if anyone shows up, I am open to you Chair at your discretion opening the mic for public comment to the Caja del Rio support letter.

CHAIR GREENE: Thank you.

COMMISSIONER BUSTAMANTE: Thank you and just for future considerations, since this happened at our last meeting, in the interest of being fair to anyone who would want to comment about something on the agenda, that they would be made aware that this is something that's going to be opened up and available for any item on the agenda.

CHAIR GREENE: I love the idea. Let's figure a way to discuss this and find out how we all feel about this. I'm open to as much input as possible. Thank you very much. Is there anybody else online, Daniel?

MR. FRESQUEZ: Mr. Chair, there are no other users raising their hands.

CHAIR GREENE: Fabulous. Thank you very much.

3. Approval of Meeting Minutes

A. Request Approval of the January 13, 2026, Board of County Commissioners Meeting Minutes

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

4. Consent Agenda

No concerns were raised regarding the Consent Agenda. Commissioner Johnson moved to approve and Commissioner Hughes seconded. The motion passed by unanimous [5-0] voice vote.

- A. Request Approval of Editorial Amendment to Resolution No. 2026-113, A Resolution in Support of the Camino Real de Tierra Adentro Inscription on the World Heritage List.**
- B. Resolution No. 2026-026, a Resolution Requesting a Budget Increase to the Law Enforcement Operations Fund (246) in the Amount of \$156,649.**
- C. Request (1) Approval of Amendment No. 1 to Agreement No. 2025-0191-CSD with United Way of North Central New Mexico to Provide Ride United Transportation Services and Flexible Funds to Low-Income Individuals, Extending the Term of the Agreement to December 30, 2026, Increasing the Compensation by \$130,000 for a Total Contract Amount of \$370,045.52, Inclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.**
- D. Request (1) Approval of Indefinite Quantity Amount Agreement No.**

- 2026-0148-FD-A with Redline Gear Cleaning and Agreement No. 2026-0148-FD-B with Southwest PPE, for Bunker Gear Inspection, Cleaning, and Repair Services; and (2) Delegation of Authority to the County Manager to Sign Purchase Orders.**
- E. **Resolution No. 2026-027, a Resolution Amending Resolution No. 2020-100, to Recognize the Santa Fe County Health Policy and Planning Commission as the Local Health Council and Establish the Election of Vice Chair.**

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

5. **Consideration of Commissioner Proclamations, Resolutions, Recognitions, and/or Other Items**

- A. **Request Approval of a Letter from the Santa Fe County Board of County Commissioners to Support for Permanent Legislative Protection Designation for the Caja del Rio.**

COMMISSIONER BUSTAMANTE: Thank you. I know that we have interest on this Commission as we passed letters before and the time when groups were looking to establish the Caja de Rio as a national monument. To that end, under a new administration sales of public lands has been, something that those of us who care for the Caja and its meaning in our communities, we know that we have senatorial support in moving forward as possibly preserving this land permanently. So unlike the other letters or not unlike the other letters, this is simply a letter requesting support that we stand and continue to support protection of the Caja del Rio. Commissioner Cacari Stone, did you have anything to add?

COMMISSIONER CACARI STONE: Thank you, Commissioner Bustamante. There's a slight echo up here just for it, but I'll continue for time's sake.

Thank you for leading this Commissioner Bustamante, as this has also been the people and landscape part of your community growing up as well. There is significant cultural and historic importance of the Caja del Rio, recreation and public access. It's important that we maintain and preserve existing designations especially areas of critical environmental concern, which the Caja del Rio is. There are threats around the transmission lines, LANL and other threats over the years that has inhibitive grazing and local ranching and farming and practices and cultural and spiritual traditions of our neighboring Pueblo communities. So we are fully in support of this federal protection as a permanent area. So I just really wanted to highlight those from the fact sheet that goes with the letter of support. Thank you.

CHAIR GREENE: Thank you, Commissioners. Other Commission, comments or support? Go for it, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. The protection of Caja del Rio is very important and so I support this.

CHAIR GREENE: Commissioner Johnson.

COMMISSIONER JOHNSON: Likewise. I applaud you for bringing this forward. I think that it's important to communicate this to the congressional delegation

SFC CLERK RECORDED 03/17/2026

and the Caja is an amazing space for recreation, but also a spiritual space and ecological space, and it's important that we protect these in our own backyard. Thank you.

CHAIR GREENE: Thank you. Is there anybody from the public here that would like to speak in support or in opposition of this today? I see none in the room. Daniel, is Mr. Mechels available for two minutes.

MR. FRESQUEZ: Mr. Chair, I have given him unmuting capabilities.

CHAIR GREENE: Okay. Thank you. So I will say my piece on this, which is two things. Very in support of this I think the Caja de Rio is both beautiful and important to many communities, both traditional and contemporary.

The one question I have about this letter is, Santa Fe County is a partner in the Buckman Direct Diversion, which has transmission lines along the Caja. And we'll be doing some project work in this area and I would like to find some language that would acknowledge that so that –

COMMISSIONER BUSTAMANTE: Can you repeat that please?

CHAIR GREENE: Yeah, I'm sorry. So, Santa Fe County is a partner in the Buckman Direct Diversion project, which is kind of technically located in the Caja and has transmission and water supply lines basically running through the Caja. And I wonder if there's a place to acknowledge that and sort of say, please work with us on that aspect. Consult with us, consult with the tribes and if it's appropriate, I know that they're reaching out to BDD, and we're putting together a BDD letter that'll be similar to this in support of this, but I just want to make sure that we also show that as a member of BDD, that we want to make sure that doesn't suddenly –

COMMISSIONER BUSTAMANTE: Would you be amenable to just allowing the separate letter from the BDD or do you see a place where it could go?

CHAIR GREENE: I guess I'm fine with that. I just want to make sure that we don't miss that. And so –

COMMISSIONER BUSTAMANTE: I don't think they can hear you 'cause I can barely hear you.

CHAIR GREENE: Sorry, this is really hot or not so hot. I just want to make sure that we do not preclude our opportunity at BDD to do improvements to BDD, the return-flow pipeline that Santa Fe County is a member, a partner of and the actual direct diversion is on Caja del Rio. So I get a concern that we're not acknowledging that in this letter, but, if the members of the Commission just want us to do it in BDD, I bet you we could do that.

COMMISSIONER CACARI STONE: Chair Greene, thank you for that consideration. The Northern Rio Grande Heritage Area will be sending a separate letter. We sit on that. I am the member on that. And Senator Heinrich's staff, I think, welcomes other letters of support. So I would suggest a city, county BDD letter as Commissioner Bustamante also suggested would be even more an advantage that they have more letters in hand and we don't try to do it all in one. Are you okay with that?

CHAIR GREENE: I'm fine with that. I just wanted to acknowledge it here to make sure that we didn't miss that opportunity. Any other comments? Do I have a motion from either of you?

MR. FRESQUEZ: Mr. Chair, I apologize. Chris Mechels is ready to speak.

CHAIR GREENE: Mr. Mechels, please, two minutes.

MR. MECHELS: Okay. Well, again, Mr. Chair and members of the Commission, thanks for your time. I think it's important that we get this two minutes, that we are allowed to speak during these agenda items, and that's been problematic in the past. It has always been in the rules of order that that was allowed forward. But the previous chairs forgot that obligation. I think again, bad advice from the County Attorney.

There's some particular points that I would like to raise on this current presentation. For one thing, it's, it's got errors in it and it's just sloppiness. The resolutions that are cited in the background are false. Resolution 2005 has nothing to do with what they're proposing here and 2019 is off point on it. The only resolution that looks like it's actually on point is 2022-030. This is just sloppy work. If you're going to bring this stuff, do some – do your homework. Too frequently these things are brought before the BCC and they slide through because nobody looks at them. Well, I looked at it, that's the problem.

The other thing I would take issue with is you cite compelling justification. There is no compelling justification. If there were, it would've been passed a long time ago. This seems like just a continuation of the efforts by Anna Hansen who used this issue, the Caja issue, to try to block power lines from Los Alamos National Laboratory. I think that blocking Los Alamos is not a problem for me. I would like to do that, but using this as a stalking horse, be honest, if you want to block Los Alamos, block Los Alamos, don't wave Caja around to do that.

Anyway, please be honest and do your homework. Thank you.

CHAIR GREENE: Thank you. Mr. Mechels.

COMMISSIONER BUSTAMANTE: Chair Greene, may I speak to that?

CHAIR GREENE: Yes, please.

COMMISSIONER BUSTAMANTE: Just to be very clear, this has nothing to do with the former Commissioner and the interest of slowing a transmission line to the Los Alamos. It doesn't have anything to do with Los Amos except the big picture in preserving an area that has long been for tribal spiritual practices as well as traditional people's practices gathering wood running cattle. This has been a long conversation even before the power line.

So respectfully, everything that was stated is incorrect. And I still hold that it's an important thing to preserve power line or not, giving its context within the historic, traditional communities and our native neighbors that is who created the language. I think it's important for the gentleman to understand that this was not created by one person. It was actually a large group who mold and worked and contributed to a letter that was finally able to be more succinct. But this letter comes from both our tribal and our traditional communities, peoples. So nothing that was stated was factual. Thank you.

CHAIR GREENE: Thank you Commissioner Johnson.

COMMISSIONER JOHNSON: I'll defer to Commissioner Cacari Stone, if she's like to respond first.

COMMISSIONER CACARI STONE: Oh, thank you. Chair Greene. I just want to clarify that the LANL power line and agreements with the federal government and the federal government's contractors as along with sovereign nations,

had come to a quite extensive and deep and comprehensive negotiation process culminating in a memorandum of a agreement and understanding that ended and was finalized in the fall. So this is completely separate from that process and that process had its own due diligence. Thank you.

CHAIR GREENE: Thank you. And yes?

COMMISSIONER JOHNSON: Thank you, Chair. Just in response to the public comment, the letter states, the Board of County Commissioners has passed resolutions supporting the preservation and protection of the Caja del Rio, and then cites the specific resolutions 2005-76, 2019-144 and 2022-30. The comment about the irrelevance of 2005 and 2019 resolutions, I don't see that bearing weight. 2025 is about the preservation of the Caja through the restriction of truck traffic and the 2019-144 resolution, the resolutions titled A Resolution Supporting the Protection of Wildlife Corridors in the Upper Rio Grande Basin Urging US Congress to Adopt the Wildlife Corridors Conservation Act of 2019, and Expressing Support for the Santa Fe National Forest to Adopt and Establish the Caja del Rio Wildlife and Cultural Interpretive Management area. The references are apt and I just wanted to clarify that for the record. Thank you, Chair.

CHAIR GREENE: Thank you very much, Commissioner Johnson. Thank you both sponsors of this. Are we ready for a motion?

COMMISSIONER CACARI STONE: I just want to be sure there's no one else in the room. And people from the Caja living in the Caja. I know we had a former LANL employee who just did public comment.

CHAIR GREENE: Wonderful.

COMMISSIONER BUSTAMANTE: Thank you, Commissioner. I'd like to recommend and request approval of the attached letter for support of permanent protection of the Caja del Rio.

COMMISSIONER CACARI STONE: I second it.

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

CHAIR GREENE: We have a letter. Thank you very much.

6. Appointments and Reappointments

A. Request Appointment of Commissioner Lisa Cacari Stone (D-2) and One Other Commissioner to Participate in Area 1B Working Group.

MANAGER SHAFFER: Thank you, Chair Greene and Commissioners. This is an informal working group that was proposed at a meeting between Commissioner Cacari Stone and myself and citizens and the mayor and two city councilors from the City of Santa Fe. Long story short, as the Board is well aware, Area 1B is the last remaining area that was to be an annexed by the City under the settlement agreement between the City and County resolving various claims regarding annexation as well as subsequent implementing agreements. That area for general public consumption is generally described as the unincorporated area between West Alameda and New Mexico 599 bordered on the west by the traditional historic community of Agua Fria and

to the east by the city limits.

The Board has consistently expressed a desire to resolve through negotiations the status of Area 1B as well as other related issues concerning annexation. This proposed working group would focus specifically on options related to Area 1B because it concerns a matter as to which the Board had expressed intense interest. It seemed proper and appropriate to bring it to the Board so that you could appoint two County Commissioners to participate in those discussions. I emphasize that this is a working group. It has no power to bind either the City Council or Board of County Commissioners. Any suggestions or potential alternatives that come out of those efforts would ultimately be subject to approval in duly called open meetings by the City Council and Board.

I believe Commissioner Cacari Stone, as the County Commissioner representing Area 1B, respectfully request to be part of that working group and in any event, if that's acceptable to the full Board, one additional County Commissioner appointment would be appropriate. I'd be happy to answer any questions. Thank you.

CHAIR GREENE: Thank you, County Manager Shaffer. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you. Chair Greene. Thank you, County Manager Shaffer. I just really want to recognize this moment of new and renewed spirit of cooperation that's intergovernmental between the County and the City. It's a moment and opportunity of time where we're doing right by our communities, our diverse communities, and we revisit festering issues, challenges that we can take on as accountable governments closest to the people to make sure we respond to what's needed for our communities. So I'm super excited about this working group. But it's each of you that I want to thank because we've been meeting, we've had executive sessions, we've had great conversations and public comments from community partners from Area 1B, the residents of Agua Fria Village, and I believe this Board is the board that's going to make the decision to help move this forward. This working group is to roll up our sleeves, focus and make/take some recommended actions to be considered both at the City Council government and here. So ultimately, all five of us will be making that decision.

I do want to make a nomination, but I don't know, Chair Greene, if you want to hear other comments from other Commissioners at this point.

CHAIR GREENE: I would love to hear those comments first before we go to nominations. Anybody? Yes. Commissioner Johnson.

COMMISSIONER JOHNSON: I just want to echo what Commissioner Cacari Stone said. This is an important issue for people who live in this area, but also for the relationship between the City of Santa Fe and the County. And this represents a new opportunity for us to work together on an issue that has been contentious and was in part personality driven for a long time to come to an adequate resolution. I think that this is an important step forward and I want to thank Commissioner Cacari Stone and County leadership for initiating this and for your representation of District 2. Thank you.

CHAIR GREENE: Fabulous.

COMMISSIONER BUSTAMANTE: I want to also thank Commissioner Cacari Stone for picking up this ball that the community has been asking for for a while. And it did, actually go within the judicial system, but rethinking about what – I'll just say

the community didn't show up to say we don't get trash service and – it wasn't about that. It was about acknowledging the historic nature of the community. So I'm grateful that we're able to do this again. Thank you.

CHAIR GREENE: I do want to thank you as well. Having been a part of the negotiation, or not negotiations, but of the deliberations a few years ago. It's nice to have a new administration at the City willing to discuss this with us and also some new faces at the table here to work through this. I wish you all the luck in the world. I do ask that you report back to us at least monthly whether in open session or if this is allowable in executive session to keep us up to date about the progress of this so that we can keep it on an effective path.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. Thank you, Commissioners. Actually, hopefully this won't take months and months. We hope to be expedient and look at the evidence, bring it back to you, our report, for you guys to have other discussions and questions and look at our recommendations for action by the BCC while it happens simultaneously at the City side. So that's what we're hoping to do.

CHAIR GREENE: Great. Well, good luck.

COMMISSIONER CACARI STONE: Based on each of your comments, I'd like to nominate Commissioner Johnson to join the working group, mostly because of his land use experience working with historic communities. Also, because I think the community be assured that there's a fresh eye looking at it, and we'll count on each of the other three of you during the discussion and our recommendations to also weigh in. But I'd like Commissioner Johnson to serve on this short term working group.

CHAIR GREENE: Do you accept that nomination, Commissioner Johnson?

COMMISSIONER JOHNSON: I do accept. Thank you.

COMMISSIONER BUSTAMANTE: I'll second that.

CHAIR GREENE: Excellent. So we got a motion from Commissioner Cacari Stone, an Acceptance by Commissioner Johnson and a second by Commissioner Bustamante.

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

MANAGER SHAFFER: Chair Greene, if I could just clarify that the motion and the second did also include Commissioner Cacari Stone, just so that the record is clear.

CHAIR GREENE: Yes. Sorry, that seemed like it was in the –

COMMISSIONER JOHNSON: And I'd be happy to, if we need to nominate Commissioner Cacari Stone; are we good?

ATTORNEY BOYD: Chair Greene and Commissioner. I believe that the minutes have been clarified that that motion was to nominate both Commissioner Cacari Stone and Commissioner Johnson.

COMMISSIONER JOHNSON: Great. Thank you Attorney Boyd.

CHAIR GREENE: Thank you very much.

7. **Miscellaneous Items**

- A. **Resolution No. 2026-028, a Resolution Approving the Application and Petition of Esencia Holdings, LLC and Santa Fe Land Development Partners, LLC for Formation of Esencia Public Improvement District Pursuant to The Public Improvement District Act, NMSA 1978, Sections 5-11-1 to -27 (2001, As Amended Through 2019), the Santa Fe County Sustainable Land Development Code, and the Santa Fe County Public Improvement District Policy and Application Procedures; Making Findings in Connection with the Application and Petition and Supporting Documentation Requesting Approval of the Formation of the District; Determining the Real Property to be Included Within the District and the Purposes for Which the District Is Being Formed; Approving the General Plan, Feasibility Study, Rate, Method of Apportionment for the District and Manner of Collection of Special Levies to be Imposed Upon Real Property Within the District, and Approving a Development Agreement for the District; Establishing Parameters and Authorizing the District to Issue Special Levy Bonds and Subordinate Obligations; Providing for Governance of the District; Providing that Bonds and Other Subordinate Obligations of the District Shall Not Be Obligations of the County; Waiving Certain Requirements to Formation of Public Improvement District; Ratifying Certain Actions Heretofore Taken; Repealing All Actions Inconsistent With this Formation Resolution; Directing the Mailing of A Notice of Adoption of this Formation Resolution By the County Clerk; and Taking Related Action.**

CHAIR GREENE: Thank you very much.

LEANDRO CORDOVA (Deputy County Manager): Thank you, Mr. Chair. I'll go through the summary and then I don't want to go through the entire background either, but yet staff will be available for questions. So once I go through the summary, I'll then introduce our presenter from that's representing the applicant.

Pursuant to Resolution #2006-40, which adopts the Santa Fe County Public Improvement District policy application procedures a PID review committee was convened to evaluate an, an application and petition submitted by Esencia Holdings, LLC and Santa Fe Land Development Partners, LLC, for the formation of the Esencia Public Improvement District. At its January 27, 2026, meeting the Board of County Commissioners adopted resolution #2026-020 pursuant to the Public Improvement District Act, Section 12.7 of the Santa Fe County Sustainable Land Development Code. The PID review committee has completed its review in accordance with the resolution #2006-40 and Section 12.7 of the SLDC.

Again, I'm not going to go through all of the details of the background. We were just here two weeks ago, so again, I think staff has been able to present what has been provided to us. At this time, I believe Jennifer Jenkins and JenkinsGavin is representing the applicant and developer and I know they have a slideshow that they'd like to present to you. And I think they're willing to answer any questions you have. And if there's any

questions they can answer, I will give it a try.

So, at this time, Mr. Chair, if I could, I'd like to hand it over to Ms. Jenkins.,

CHAIR GREENE: Please, thank you, Leandro. Ms. Jenkins, take the mic.

JENNIFER JENKINS: Good afternoon. Oh, that was loud. It's hot mic.

Okay. I'm just going to keep it over here. That's, is that good? Okay, great.

Good afternoon, Chair Greene, Commissioners. I'm Jennifer Jenkins with Jenkins Gavin here on behalf of Esencia Holdings ready to be. Do I need to be sworn? No. I don't think. I don't think I need to be sworn. I'm so used to being sworn. Okay.

We have a brief presentation. I'm going to, just give a little brief overview of the Esencia community and then I'm going to hand it over to Justin Horwitz with the Rodey Firm, who's going to go through some of the details of the proposed Public Improvement District.

So we have an amazing team of experts working with us on putting this PID together. Of course, Garrett Price, the President of Price Land Development Group, and Esencia Holdings is our principal. We are joined by Adam Bauer consulting on the PID. Jerry Ween and David Pearson, our appraiser. And then as I just mentioned, the experts at the Rodey firm who have been involved I think in every PID that has been established in the State of New Mexico. We have an amazing team working.

So this is just to get oriented. Esencia is located in the Community College District. It is directly southwest of the Rancho Viejo master plan community. We're right at the, at the current terminus of Avenida del Sur which terminates into the north boundary of the project. As you are familiar there, the County is broken up into three sustainable development areas and Esencia is in Sustainable Development Area 1, which is the County's primary growth area. Sustainable Development Area 1 is comprised primarily of the Community College District with a few parcels also kind of north of 599.

The Community College District Ordinance was adopted over 25 years ago, and Esencia is continuing that legacy that the County began a quarter century ago, preserving 50 percent of its land to protect arroyos and watersheds. And also celebrating community recreation and preserving our undisturbed natural landscape. Esencia includes a 7-acre community park in addition to natural open space, and also we have three-pocket parks internal to each of the phases.

We are expanding roadway connectivity as well as multimodal connectivity with a very robust trail network that connects to existing and future trails within the Community College District. The biggest aspect of this, as you may be aware, the County is embarking on the finally extending Avenida del Sur west to Highway 14, which is a critical, kind of one of the last critical pieces of roadway infrastructure that has been identified to serve the Community College District. And Esencia is contributing \$2 million to that effort.

We also have some amazing sustainable approaches to stormwater management, as well as utilizing solar streetlights and common area lighting powered by solar and capturing storm water in order to passively irrigate our streetscape and our common areas. We are doing significant extensions of the County water system as well as the County sewer system that not only serves Esencia but serves homes and businesses outside of our boundaries. We are connecting into the existing county water system and actually creating an opportunity to further loop that system which improves fire flows

and dependability of the system. And we are building a two-mile extension of the sewer line over to the Quill Wastewater Treatment Plant opening up opportunities for more connection to the county sewer system.

A big element of the entire Esencia community program is diversity. Diversity of housing types, diversity of lot sizes, diversity of income ranges that we can serve in the community. Everything from town homes, single family homes, larger semi-custom homes, multi-family build to rent, and all of this integrated within the community. Again, we are serving a diversity of families in the different types of housing situations that they may need.

And we're just going to move on from that. Some of these are extra. Here we go. This is what I wanted to focus on. So in accordance with the requirements of the Community College District Ordinance 15 percent or 74 of the homes will be priced affordably for, folks ranging from 65 to 120 percent of area median income in Santa Fe County as established by HUD. Our price ranges range from \$171,000 up to about \$395,000, and we have homes that hit the two, three, and four bedroom size. So again, it's all about serving a diversity of community and family members in our community. And these homes, again, are spread out throughout each phase of development. But in addition to affordability, there's the concept of attainability because we have members in our community they don't qualify for the affordable homes, but yet they are struggling to be competitive and to purchase homes for market rate homes. And as we know, we have seen home prices escalate dramatically in the last 10 years. Right now, the median home prices, Santa Fe County is \$850,000. It's nuts. So what we are really excited about is that we have two home builders we are working with currently, one of which their homes start in the high 4s. For other home builder, their homes start in the high 5s, well below that median price point. So in addition to our more deeply affordable homes, we are really proud of having a variety of income levels that we can serve in this community.

So this I thought was a great quote that I wanted to share with you. We had a very comprehensive appraisal done as part of the PID application and Mr. Pearson states, Esencia scale sets it apart from competitors. Its expansive open space, integrated parks and sweeping view corridors provide amenities unmatched by other projects in the area. At comparable price points, Esencia delivers a greater overall value. And that was our mission from the beginning. We wanted to create and offer great value to the community.

So these are just a few snippets showing some of the elements of our 7-acre community park, which we are so excited about. We have a beautiful scenic overlook here, and this is really about creating community gathering space and creating a reason for people to come together. This has expansive views of the Ortiz and the Sandias to the south. We have a really dynamic combination of active recreational opportunities as well as passive recreational opportunity. We have a playground serving children of all ages. We have a pump track for cyclists that's going to be fun. Big, you know, open lawn areas, and we're going to have a stage we would for music or movies in the summer. And again, really creating a rich community gathering place.

And then this just shows that offsite sewer line that I had shared that come from our southwest corner of Esencia, two miles all the way to the Quill, which is a really important extension of the sewer system within the Community College District. And then of course there's the Avenida del Sur Project, which is also a critical roadway

connection for the community. And I don't think we needed that. We've already talked about that.

And at this point, I'm going to go ahead and hand it over to Justin Horwitz with the Rodey firm to touch on some of the elements of the PID. Thank you so much.

CHAIR GREENE: Thank you, Jennifer. Take it away.

JUSTIN HORWITZ: Good afternoon. Justin Horwitz with the Rodey Firm. Pleasure to be here. Thanks for having me. Joined by my colleagues, Jenica Jacobi and Andrea Lavell as well, who helped with the application. I'm going to talk for a few minutes about the public improvement districts generally in this project and I want to be respectful of your time with your busy agendas, nod me along as appropriate.

I'm going to begin with a level set on the PIDs. That's what this slide is about. The Public Improvement District Act was introduced in New Mexico in 2001. The County followed suit in 2006 with the adoption of its policy ordinance, and modernized PID policy and application procedures in 2016, Adopted [static interference]

The act provides a streamlined procedure by which the County may choose to create a new separate political subdivision of the state here a public improvement district, which can fund public infrastructure on a reimbursed basis as well as going costs, operation and maintenance costs of districts administration. These districts are most often used in planned residential projects like the one before you today. The act relies primarily on special levy revenues. We'll talk more about that, to fund costs of the district. These revenues ultimately can be pledged on issue, which is what's planned, described in the application. We'll talk about that when we get to the plan of finance. But what I want to be clear at the onset is that the obligations of the PID, those bonds are not obligations to the County. Those are separate and apart from the County.

So from a purpose perspective, the application materials present two primary purposes. First, the developer is undertaking the cost of installing public infrastructure in the district, if approved by this Commission, would be in a place to help fund a portion of that infrastructure on a [inaudible] basis. Second, the district would take on costs of operation and maintenance. for roads, the internal roads in the community that would be dedicated to the public district. A note of course, is that the district is performance based funding. The project has to be successful. The project has to develop homes with third-party buyers to take on those homes and ultimately fund those special levies, that would operation the district and the bond debt.

I'll show you in a bit more detail, go in some of the slides, how important these PIDs have become in residential development projects around the state. So, as I said, the PIDs have become trusted tools in New Mexico/ Sort of the largest portion of these PIDs can be found in the Albuquerque Metro as well as in near the border, near El Paso and Sunland Park. The action today would, if adopted, would approve the first PID for Santa Fe County. You would join a few other districts in the northern part of the state. You'll see that as we look through the next couple slides, that the districts are primarily at the periphery of these communities where there's heavy infrastructure demand for both onsite and offsite to connect this, you know, planned community to existing infrastructure.

We'll talk a bit about disclosures that come in the project to home buyers. But what we see, like we see here with Esencia, is that these projects attract sophisticated national builders that know how to take on these large scale projects because of the

amenities, the early delivery of infrastructure and the predictable absorption that comes with projects that are developed in a public instrument.

Last sort of item of note in this potpourri, is that you'll see, and you've heard a little bit about how the public improvement district can be supportive and work in connection with your affordable housing goals and policies. We'll talk a bit about how the special levy program that's proposed exempts the affordable product from the levy that the fund finances the public infrastructure community.

All right, so this next slide shows you, it's a deep dive into the, the metro area. It gives you a snapshot of the number of districts and the variety of districts in Albuquerque, Bernalillo County, Rio Rancho, Ventana Ranch and Mesa del Sol, which are on that chart, were the first two out of the box. Those go back about 20 years. And you've had sort of ongoing use of these districts over that time. And what I hope the Commissioners see in this slide is that Santa Fe County will not be cutting the trail on how these districts operate. You'll find that there's a long history. There's experts out in the community that can help guide the district as it moves forward in its administration operation, and financing as it moves forward, if the Commission acts favorably today, Then you can see a few additional districts. You see the southern part of the state that I mentioned, as well as the northern and the projects, I guess the note I want to make on this slide, that the projects that you see represented by these districts all share a common theme and that each of these district represents just a major investment in public and private infrastructure. Public in particular by the land develop. And without the PID, we would expect slower sales, longer absorption, piecemeal development, challenged cash flows by developers. And with the PID, we expect accelerated construction of public infrastructure, accelerated delivery of amenities, and accelerated absorption. At the end of the day, this tool provides a reliable source of financing for public infrastructure in your community.

So the key elements of the district, so if this body chooses to approve the formation of the district by acting on the resolution before you, this body, as you heard in I think in the intent resolution, would become the governing board of that district, ex officio as the board of directors for the public improvement district. The County Clerk and the County Treasurer would become the clerk and treasurer as well for the district. This result occurs because of County's PID policies, and I just wanted to note that in your formation resolution, it notes that the developer team is happy to assist in the future if this body chooses to change that structure in the near term. And then we're happy to participate on the board or in any officer role that the Commission might desire. The board as it sits as the governing body of the district can choose to be as active or inactive as it likes, as well as in terms of its use of County staff. Typically, what we see in those districts in our experience across the state is that public improvement districts rely on outside professionals to run and administer the district. We'll see PID administrators who are expert. in special levy budgets. Bookkeepers who understand government finance, professional auditors like the one that was before you at the last meeting, the one who undertook the Santa Fe County audit. Separate legal counsel for the district as well as separate bank account trustee depository to manage the funds. The application, as I mentioned, contemplates the infrastructure on site that otherwise isn't accepted by the County would be held by the district. The district will impose a special Levy B for

ongoing operation maintenance. And we would expect that that would be – it would help fund a relationship with a third party professional to assist with the ongoing operation maintenance of the infrastructure.

The other item bundled into that special Levy B is necessary insurance for the public infrastructure for the operation and maintenance. We've allotted, what we investigated as an appropriate budget for ongoing insurance, and we would expect as well that any relationship that the district has with a third-party service provider would provide necessary indemnity to the district for ongoing operation maintenance.

Last item of note is that as to the board, the statute provides broad liability protection for actions in your capacity as board members.

I want to just talk for a second about the disclosures that go to third parties to buyers, residents of your community. State law requires in the act, a variety of notices are provided to prospective purchasers in the district. If the body here acts favorably today, there would be a notice of formation recorded of record against the real property in the district. Once the levies are imposed by the district, a notice of imposition of special levy would also be recorded. And then twice a year in June and December, a notice of information is recorded against the real property record in the district by the district providing current information about the special levy burden and other relevant information that's required by statute. Any seller of property in the district a professional, you know, a Pulte or DR Horton or other seller of homes has a legal obligation to deliver that notice prior to contract. Failure to deliver that will subject that seller to penalties under the PID act including damages, attorney's fees. A positive item of note is that this group, the land developer, the home builders out there, have experienced together working on other PID projects where they implemented systems to ensure that the notices, the former notice that's in the application materials is put in as part of the marketing package and the contract package, and ultimately delivered to the home. We've seen good success by this group and the other projects that we've worked with them on.

Talk for a minute about the special levies that I hit on earlier. As we talked about the levies would be used to repay bonds, fund costs of service and cover the administrative costs of the district. Two special levies, a Special Levy A and a Special Levy B. Special Levy A is imposed on all market rate property in the district. It would not be imposed on the affordable property or any property that is owned by 100 percent disabled veteran that lives in the district and owns property. The range of levies between zero unaffordable, and 3650 on the smallest product and up to 6,000 just over 6,000 on the largest front foot product. Those levy amounts that you see in your application documents would not be subject to further increase if the body acts favorably today. The district will also impose a second levy, a Levy B. That Levy B would fund, as a I the operation of maintenance costs for the roads and administrative costs. That levy is initially set at \$600 for the first year, it would increase by 2 percent annually as proposed. The levies that we've proposed are within the parameters set by both State law and by the County policy ordinances. No other tax or other charges proposed by the district, no charge would be imposed on any property outside the district boundaries. The lien of that levy is, is co-equal with property taxes, it would be charged the County on its regular tax bill to homeowners.

So the application contemplates that the district would issue a single series of bonds in October, 2027. This is, you know, sort of my read a fairly conservative approach which would allow for significant build out in the community and ownership of platted lots by the national homebuilders. Bonds are projected to be issued in the amount of \$22 million. These projected amounts would leave about \$19.4 million for the developer for reimbursement purposes with total costs of – [It was requested that Mr. Horwitz speak directly into the mic.] So \$19.42 million of the approximately \$65 million of public and private infrastructure costs advance for the project. The debt service for the bonds would be paid by that Levy A that we talked about. The final bond amounts would ultimately be set in 2027 when we understand what the current interest rates would be. But in no event would a change in the bond amount impact the levies that the homebuyers pay for the property. Bonds again, are non-recourse to the County, and the final maturity on bonds would be no later than 30 years after that issue in 2027. Note too, that the formation resolution would impose financial parameters on the district, ensuring that both the special levies cannot exceed the amount that we've discussed today, as well as put a cap on the total bonds that are issued at \$25 million. The only way those amounts could change is with this Commission's approval as to the change in the financial parameters.

So, as you can see from the last slide, the developer team and your staff have been working through the application materials for some time. I want to take a moment and thank County Manager and his team for the thoughtful review and comment on the application materials. From our view, the process has been professional and transparent, and we're really grateful for the heavy lift from the team. The administrative process officially commenced with that pre-application meeting in the spring of last year. We worked through a draft application update and ultimately led to a final formal application filing. We ask now kindly that the Commission consistent with your staff's report, take action on the approval of that formation resolution before you. We have the entire team here to answer questions and we're happy to stand for questions. Appreciate your patience with my microphone inefficiencies here. Thank you.

CHAIR GREENE: If you have further comments coming through your microphone, you can also lift it up so it's sitting more in front of you. Perfect. I bet you it works better. Commissioners. Yes. Commissioner Hughes.

COMMISSIONER HUGHES: Just one question. I understand we'd be the board overseeing the public improvement district, but would we have an opportunity later on to create a different board? Supposing I'm saying, you know, if we do this in several instances, we do this, say we have four or five PIDs and we don't want to be a board for all those. Can we create a separate board?

MR. HORWITZ: Mr. Chairman, Commissioner Hughes, you would have an opportunity to adjust that structure. It would take an update to the provisions in your SLDC in that Sustainable Land Development Code, that section that sets forth the requirements with respect to district governance. So with a change to that code, whether it's this district or future district, you can set an alternate structure. Give yourself more flexibility on how you'd want to handle governance of these districts in the future.

COMMISSIONER HUGHES: And what do other communities use for a board? In other words, what does Albuquerque use for example.

MR. HORWITZ: It's all over the place. In Albuquerque they have appointed boards, which – I'm going to, going on a rabbit hole here – which ultimately after six years requires an election for the residents then to take over control of that board. Bernalillo County, for example, sits as the board on its districts. So you've got a variety of choices. And Los Alamos has a mixed board. Some commissioners sit on the board with other professionals or other residents.

COMMISSIONER HUGHES: Okay. Thank you. Those are all my questions.

CHAIR GREENE: Great. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you for the presentation and the explanation of PIDs. I think it's an interesting idea and one that I think is worth trying in Santa Fe County. I do have a couple questions about it. One was asked by Commissioner Hughes. I guess I'm curious if there have been past attempts to your knowledge of PIDs in Santa Fe County, and if you have an understanding of why they may not have come to fruition. I think we'd all like to hear that.

MR. HORWITZ: Mr. Chair, Commissioner Johnson, to my knowledge, my specific knowledge I'm aware of one project that I've worked on in recent memory that just lost some steam. Made it through the application process, it worked through the County staff and needed to be reworked in terms of how the developer presented its application. Different than what we have here. It was looking for the district to provide upfront financing, as compared to this reimbursement approach that the developers proposed here.

COMMISSIONER JOHNSON: Yeah, I think it's a good idea to, you know, as we dip our feet into the PID pool, so to speak, this is not an advance on the project. It is reimbursement. The project's already been approved, it's already been financed. We're already well on our way. So, I think that's good.

A related question is, are there lessons learned from Albuquerque metro area PIDs that are useful and instructive for you all in creating this application and this plan? What have we learned? If some have been around for 30 years, I'm sure there have been some road bumps along the road.

MR. HORWITZ: Mr. Chairman, Commissioner Johnson, I think it's a good question. The lesson learned that sticks out the most in my mind is sort of the earliest lesson which we took from a project in Rio Rancho called Mariposa. In that project, the district used general obligation bonds in connection with its issuance, which the project part one. Part two, the district issued bonds very early in the project without significant infrastructure development and without significant vertical development of home. So you didn't have diversity of ownership in the community prior to the home issue. And so there you had a situation where the bond transaction essentially blew up because there was insufficient development. Homeowners were taxed. You know, there was a handful of homeowners that ended up being taxed at a great amount.

Here, in contrast, and the lesson that, you know, across the state moving forward is having this levy regime, which sets forth a maximum levy, it protects homebuyers from any unexpected property tax bill with the levy and carry that forward with the lesson of waiting until their significant development so that the bond market is ready to receive the debt and the bond transaction would be successful.

COMMISSIONER JOHNSON: Interesting. Thank you. I imagine that that the Albuquerque metro area realtors in that area have been educated as to PIDs. Have we done outreach to Santa Fe realtors to help them understand how the disclosure works? Because you know this is an extra fee that shifts maybe from HOA to PID? So where does that fall?

MR. HORWITZ: Mr. Chair, Commissioner Johnson, I have not been involved in any outreach yet, but I expect that the developers and homebuilders will be coordinating that.

MR. JENKINS: Thank you, Chair Greene, Commissioner Johnson and Commissioners. So, yes, the educational piece is really important. So of course there'll be full disclosure at any of the sales offices and model homes as far as prospective home buyers so they understand what the PID is and how it, how it operates. And there's also in terms of working with the real estate brokerage community, we're not quite to that point yet. We are thrilled to report that we have 180 home sites that are ready for permits. So we are moving along and going out there, which is really exciting because we are here to produce housing. But the outreach with the brokerage community will definitely come. And having those open houses and inviting the brokerage community to see the models and to also working on – we've already kind of started putting together what does that PowerPoint presentation look like as that educational piece? Because it's important that anybody who is interacting with our homebuyers has accurate information. Right? That is the most important thing. And so it's, it's our job to make sure that education is happening.

COMMISSIONER JOHNSON: Great. Thank you. Yeah, that seems like an important component. Just as much disclosure as possible. It's not a tiny line at the bottom of the contract.

MS. JENKINS: No fine print.

COMMISSIONER JOHNSON: Thank you, Ms. Jenkins. Are there things that a PID does that form restrictions or mechanisms preventing claims by buyers to sellers or to home builders that are outside of the normal range of allowances? In other words, does the PID create some sort of restriction or force mediation versus against lawsuits? Something like – do you see where I'm headed with that? I just want to know if the structure of the PID sort of forecloses some opportunities that homebuyers might have to make, you know, justifiable claims against the construction company or the real estate agency or what have you?

MR. HORWITZ: Mr. Chairman, Commissioner Johnson, the PID does not impact those contractual rights or other rights that a buyer would have in a normal sales transaction.

COMMISSIONER JOHNSON: So all rights are maintained by the buyer?

MR. HORWITZ: Correct.

COMMISSIONER JOHNSON: That would normally come along down the pike for purchasing a home?

MR. HORWITZ: Correct. And, and as I mentioned in the presentation, the PID actually creates an additional right essentially a claim for buyers in the event that that notice that Jennifer was just talking about is not properly delivered and properly delivered in advance of a sales transaction.

COMMISSIONER JOHNSON: Thank you for that. No further questions, Chair. Thank you.

CHAIR GREENE: Thank you. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Chair Greene. So it's my understanding that it's the SLDC, that it's our requirement that this Board would have to be the first PID board. And if that were amended or changed, I understand we can change that to allow for a different board if we were to update the SLDC to not have to use County resources as the board. Does that do anything for your timeline? Is that something that can be done to get it started? And then we make the change to the SLDC while we're already identified to be the PID board. Because otherwise I think, you know, of course the alternative would be to have a committed standalone PID board. Can you answer that if we are able to change that Sustainable Land Development Code?

MR. HORWITZ: Yeah. Mr. Chairman, Commissioner Bustamante, my view and your County Attorney may have a different view, but my view would be that the Board is free to act today on the formation resolution and could come back and amend this resolution to appoint an updated, essentially board roster, post amendment of the SLDC.

COMMISSIONER BUSTAMANTE: Thank you. The other question is how does the PID assure that home costs would stay low? I think there was an impression when we're watching the presentation that there's this affordability and there'll be built-in taxes that are going to take care of this. How does the PID in itself, other than having it operated by the homeowners association or the developer, however, if it was not a PID; how does that being a PID assure affordability in the long run and in the short run?

MR. HORWITZ: Mr. Chairman, Commissioner Bustamante, the short answer I think is your affordable housing ordinances essentially are the tool that would ensure affordability. The PID really its primary purpose is not to deliver affordable homes. It's to deliver in an amenitized community in a non piecemeal, non-leapfrogging way.

So when we've looked at this question, what we've seen is that the PID, the primary attribute from a sort of a sales perspective is that it is a more desirable community. It has a shorter absorption period. And essentially the homes hold their value in a way better than some of the surrounding communities where PIDs exist.

COMMISSIONER BUSTAMANTE: Thank you very much. And another question, Mr. Chair, and again, thank you for the presentation. The other question that I have on the top is, how does this take away, or what potential does this have to take away from existing resources within the County? So, we have a limited number of resources. We budget for the efforts that we have within our communities. How would this PID assure that we are not going to over commit in what we have? Assure that everything that we are doing within the PID is of value, yes, to that community, but right now it's the taxpayers of Santa Fe County who would be losing out on something. Is there potential for that in the event that something happened and it had to be taken care of and those people who are already paying taxes would be the ones held responsible for those costs?

MR. HORWITZ: Chairman, Commissioner Bustamante, yes, first of all, the County has no obligation to support the PID. There is no obligation to step in any way, whether there's shortfall on bonds or whatever it might be. We expect the PID to be

successful. We've modeled it in a way that it would be successful. The district application includes a study, a detailed study, of the, the long-term operation and maintenance costs. Those have been reviewed by County staff. I think we all think they're reasonable and that we've budgeted sufficient funds for those ongoing costs. And we see in terms of the bond issue, as I mentioned, a conservative approach in terms of when bond issue would happen and necessary and debt service coverage. When bonds are issued, you know, there'll be at least 110 percent debt service coverage for those bonds. So essentially a built in reserve based on the district's revenues and other sort of things that would indicate strength and readiness to, to take on that burden.

COMMISSIONER BUSTAMANTE: I appreciate that. Thank you. So, just to state it for clarification, make sure everyone's understanding it: if the PID is established there isn't a way the extra expenditures of a new development would be picked up by the local county taxpayer; correct?

MR. HORWITZ: Chairman, Commissioner, yes. Correct.

COMMISSIONER BUSTAMANTE: Thank you very much. That's all I have.

CHAIR GREENE: Thank you. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. I appreciate the questions of my colleagues and of course also agree with you, Mr. Horowitz, right?

MR. HORWITZ: Horwitz, yes.

COMMISSIONER CACARI STONE: That our staff is great and our legal counsel and county manager team, I thank Mr. Cordova as well for being part of the application. I have similarly aligned questions. One is in the area of governance and accountability, what's our requirements, and the other one is around resident burden, which is also aligned with some of these questions.

So regarding governance and accountability. Clearly you've established we are taking on no financial risk on at the County level, correct?

MR. HORWITZ: Correct.

COMMISSIONER CACARI STONE: Okay, thank you. This is my question regarding transparency and reporting. So there's 20 PIDs in New Mexico, and we know some of those have been in litigation like Mariposa. We have the case of Angel Fire up north. We also have the Albuquerque Academy. So what kind of annual reporting with us as the board would we receive on levy collections, delinquencies, bond coverage ratios and reserve levels? What would you provide and have you provided with other projects like this?

MR. HORWITZ: Yes, Chairman and Commissioner Stone, the district, like any local government here in the state has, burdens and, and obligations to the Department of Finance with budget requirements, as well as, its annual audit requirement with the State Auditor's office. The books and records of the district are subject to review and the budget of the district subject to review as well at the DFA level each year. I'm trying to think about whether we've – we certainly can arrange right for the district to have copies, reporting other things that appear that need to be delivered to the County. That's at the pleasure of the County. But those are the types of things. The things that you would imagine, you know, other local governments have to take on in the

ordinary course.

COMMISSIONER CACARI STONE: Okay. Thank you. I appreciate that. Would these reports to be posted to the public along other BCC financial materials? Clearly public information records has been priority for our constituents. So what have you done with other reporting? Do you make them public?

MR. HORWITZ: Chairman, Commissioner Stone, first of all, all of the records of the district are subject to public inspections. If an interested member of the public, they can send a letter to the district records custodian and seek any information that the district has that's not otherwise privileged, which there would be very little. The audit report, of course, is publicly available online at the State Auditor's Office and I believe that DFA publishes budget material as well.

So I think, generally speaking, information can be found. If it's the Commission's pleasure we've seen some districts take on websites and other types of approaches as they've matured so that could be tool to help keep your constituents as the district board informed of the operations and happenings at the district.

COMMISSIONER CACARI STONE: Thank you. So, for this formulation resolution, we could include language, that requires reporting to us if we are the current governing board, correct, Attorney Boyd?

ATTORNEY BOYD: Chair Greene and Commissioner Cacari Stone, certainly the Board could include that language in the formation resolution. I don't think it would be necessary because the SLDC currently requires all PID records. That would be considered public records of the PID to be kept by the Board in its capacity as the Board.

COMMISSIONER CACARI STONE: Okay. I'm just, again, love that we're looking at innovations. We're on the cutting edge with 20 other PIDs in the state. Our constituents want guardrails and if we're going to be accountable and responsible, I want to be sure we have guardrails set today before we vote.

The second major issue is brought up by other Commissioners on resident burden, what they call tax shock increase payments. I saw the table you had it ended at what year was that? It only went for three years. What happens after you pull out? I didn't see estimates of future costs to the homeowners themselves.

MR. HORWITZ: Chairman, Commissioner Stone, so the costs to the residents as to Levy A are static. In fact, it will not in any year exceed the maximum amount that's shown to you in the application documents. What you might've seen in the table was a snapshot of the special Levy B that increases 2 percent. And we might've shown 10 year and 20 years and 30 years out. That might have been what we were trying to show in that table you're referring to.

COMMISSIONER CACARI STONE: Okay, because where, where I'm going with this is that of the research I did nationally and in PIDs in New Mexico, buyer disclosure has been the most contentious issue and unforeseen. We can't look into a crystal ball today and as a governing board, we're required to help mitigate, maybe lawsuits that come forward when there's delinquencies in collections and late fees. I noticed in the case of the Cabezon community, the PID note – where does our obligation and accountability and in your start regarding delinquencies and have you had litigations around that, particularly with your firm and organization?

MR. HORWITZ: Chairman, Commissioner Stone, I'll answer the second question first. So as to delinquencies, we generally see very low delinquencies in these districts, a percent or two, and that's usually corrected. And the reason that happens is most of these homes are new homes and you have the mortgage company paying the property tax bills. So you don't see shortfalls as to the levy or the property tax. They're baked in to that annualized payment that the homeowner has.

I'm aware of one piece of litigation going back 15 years, but it involved a district, sort of what we were talking about, sort of the false start district where the district issued bonds too early. There weren't residents, sort of a sister of the Mariposa project that I mentioned and didn't turn out as noisy or bad. But the district there looked to collect from the developer on the project. But I'm not aware of any foreclosure actions that involve developed communities where you've got homeowners in the project. Typically, once bonds are issued, there's a minimum threshold that's baked into the bond documents so the district has to be 20, 30, 40,000 in arrears in a particular year to justify a foreclosure action, right? The district's not going to be taking on litigation against a home buyer for whatever the number is, a \$3,000 delinquency or \$4,000 delinquency. So that's been my experience. So we, we have not seen litigation in foreclosure against residents.

COMMISSIONER CACARI STONE: Well, it sounds like you've had a positive experience. Others have not. So, thank you.

I guess this is your air of expertise. You're breathing it, living it. This is your work. So I thank you for your patience with my questions. But, are you as a – in the development agreement is the developer released in the event that you would default on delivering and completing the project? And do you have any other defaults to be released of your obligations? In other words, how do we remain to protect the homeowners in this situation? And I heard some general conversation, but again, I was looking for more specifics, very substantive protections for homeowners.

MR. HORWITZ: Sure. Chairman, Commissioner Stone, the development agreement that's in the PID application, is sort of misnamed. It's actually a financing document and less a development agreement. And so that document has indemnities of the developer that run to the benefit of the County and the district as to costs that might be incurred through the operation of the district or things, you know, in the event that there's litigation, whatever there might be in the future that's unforeseen, the developer has an obligation to step in and protect the County and the district from those costs.

COMMISSIONER CACARI STONE: Okay. Thank you so much for answering all my questions for all the work to date. And I have one more question for Attorney Boyd. Are we, as a Board allowed to add a caveat in the resolution itself around some guardrails and potential future formulation of a special board, as Commissioner Hughes and others have brought up? Are we allowed to add a additional statement here today that I could propose?

ATTORNEY BOYD: Chair Greene and Commissioner Cacari Stone, the proposed formation resolution was worked out between my office and, and the applicant. And so certainly any amendments there too would need to I would recommend getting the applicant's position regarding any amendments you're considering proposing. But certainly I can advise as to whether any of the proposed amendments you're making are consistent with the PID statute. To go back just a little bit to, to conclave with Mr.

Horwitz, I would just reemphasize that the special levies are an obligation, a tax obligation, essentially, and as a result the properties within the proposed PID are no different from any other property in the county, in the sense that if someone does not pay their taxes, their property can be subject to, to foreclosure.

COMMISSIONER CACARI STONE: Thank you so much. Thank you.

CHAIR GREENE: Thank you. Great questions from the Board here. I have three that I just want to bring up here. So the first one you mentioned that eligible folks, 100 percent disabled veterans would be excluded from this. What about the new change in the laws that have different levels of eligibility for exclusion? Was that based on the old version and or if somebody's quote unquote 50 percent disabled, are they also precluded from this as well?

MR. HORWITZ: Chairman Greene, the language, the statutes, the tax code, provides a specific exemption for 100 percent disabled veterans as to levies in public improvement districts. The recent statutory updates don't deal with levies. They just deal with property taxes. And so the answer is if someone's less than 100 percent disabled there is no exemption for the levy.

CHAIR GREENE: Great. Thank you for clarifying that. In terms of staff time and County obligations here, we are going into this understanding that we may be called to quarterly or semi-annually meetings. What about the staff burden? Our finance department, the audit goes through our auditing process, correct? We have to deal with that. That's an additional audit that we have to do. Who pays for it? And then what do we expect the staff time to be on that?

MANAGER SHAFFER: If I could, Chair Greene. The PID is anticipated to be fully self-sufficient. So from the special levies that are raised, the PID would have resources to hire likely contract with staff in order to keep the books. You would have a separate audit. It's not a component unit of the County. So it is a separate entity you could imagine universes in which the PID contracts with the County to provide certain services. But, that's not required under the statute. And certainly, there's a case to be made that it would be better if the PID was just kept separate and hired its own consultants to assist it in doing its work. That would be my take on it. And perhaps Justin has a different one. But again, I think that the PID special levy is anticipated to cover all of those consultant fees.

CHAIR GREENE: Thank you. Actually, that was better pointed at the County Manager than it was at you. So, perfect. Thank you for stepping in, Greg.

And then I'm not so worried about first buyers, right? You guys are going to manage the marketing to sell these properties. It's second buyers and third buyers and subsequent buyers. What sort of documentation goes on plats goes on the sort of the documents that carry forward and make sure that all the title companies know that this is there. So not only is it training of realtors, but also training of title companies and making sure that there's something unbelievably obvious that lives with this property for the life of the PID.

MR. HORWITZ: Chairman Greene, good question. The existence of the, the Public Improvement District will be noisy on the title history. There will be, as I mentioned, a, a notice of formation resolution which is recorded against all the real property in the district. A bunch of documents there. A notice of imposition of special

levy recorded against the real property records in the district. And then prior to June 1 and December 1 of each year moving forward, there will be a current notice of information that is recorded on the property records. So, over a 30 year term, you might have 60 plus documents regarding the existence of the PID. And so our experience is that both, we had to do a little bit of training as Jennifer mentioned earlier, but the realtors will be aware of the existence of the PID, the title companies will all be of the existence of the PID once we get moving.

CHAIR GREENE: Thank you very much for the time and energy put into this. Thank you for staff this. You know, you've done this before, we haven't. So thank you for walking us down this path. Any other questions from the Board? Yes, sir.

Ck: I will make a motion, but it if Commissioner Cacari Stone wanted to add something, we can hear that first.

COMMISSIONER CACARI STONE: Thank you Chair Greene and Commissioner Johnson. I was going to move towards a motion, but with a one added, "therefore be it resolved" under section 7, district governance, page 9 and beginning page 10 that we have a subsection C. I was listening to each of my colleagues, other Commissioners, and I like the idea of a caveat of a guardrail. So something along the lines for 7C, Now therefore be resolved that the Board retains authority to require review and corrective action if district conditions materially deviate from formation assumptions and may consider establishing a dedicated public improvement district governance structure for ongoing oversight and accountability. That gives us an open avenue based on what was discussed.

CHAIR GREENE: Walker.

COMMISSIONER JOHNSON: I'll second that.

ATTORNEY BOYD: Chair Greene and Commissioner Cacari Stone. I believe the applicant indicates that they have no problem with that proposal and I don't as well. I think it would be a good way to indicate the Board's intent to revisit the, the governance structure of the district and potentially consider a standalone board.

MANAGER SHAFFER: If I could. Just as a housekeeping matter, Sara's going to pull up the, draft resolution in words so that you can all see what was just being proposed, so that we have, again, a nice clean record in terms of the proposed amendment. So Sara's going to pull that up and broadcast it just so that everyone can see it.

CHAIR GREENE: That's fabulous.

MANAGER SHAFFER: That way we make sure that we captured it accurately before –

CHAIR GREENE: And if the applicant would just into the microphone acquiesce to this so that we have it on the record. Nods and winks are great, but.

MR. HORWITZ: Yes.

COMMISSIONER BUSTAMANTE: Chair Greene, I would also like to see something that takes the responsibility of this Board off of being the PID board. I think that we have a lot of things that we're overseeing and to be an additional board for the purpose of a new development doesn't make sense to me. It does take our time and, you know, we've heard that it won't take any additional resources. We can make this happen. But I do understand that upon rewriting the SLDC, we can actually modify it and

make something available that says, at this point we would be the PID but we would be working to and I don't know what the exact language would be, but I would ask that during the time that Attorney Boyd is working with the applicant, that the language is put in that we would work to get this particular governing body off of that responsibility.

CHAIR GREENE: I think that that is a, to be determined, like make sure that when we do the SLDC update that that is something that we enable. We're going to be kind of stuck with this.

COMMISSIONER BUSTAMANTE: I won't vote for this without a commitment to looking at that.

CHAIR GREENE: I mean, I think we're all committed to that too. But if you want it –

COMMISSIONER BUSTAMANTE: I would like to see it in this motion.

COMMISSIONER CACARI STONE: Chair Greene, I want to support Commissioner Bustamante. I want to run this statement past you again, Commissioner, to see if this, expresses what you're also saying: That the Board may consider establishing a dedicated Public Improvement District governance structure for ongoing oversight and accountability. So it gives us an out and I was looking for that guardrail.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: That's great. Do we have this updated for the approvals?

COMMISSIONER CACARI STONE: Yes, Chair Greene and Sara, I emailed to Attorney Boyd for any potential legal wordsmithing based on Mr. Horwitz's approval. And I also CC'd you, Sara, let me know if you got it. Thank you.

CHAIR GREENE: Commissioner Hughes, did you want to be the, the new second? Excellent.

COMMISSIONER HUGHES: I second it's in my district. So I do want to second it.

CHAIR GREENE: Thank you. We have a motion, we have a second with the changes to the resolution. What I heard I was acceptable to, is everybody clear with what the motion is? And Karen, do you have the, the additional language? Okay. We will get it on the screen and please if you want to read it and make sure that you're cool with it too, that would be great.

COMMISSIONER CACARI STONE: Chair Greene. Sara Smith, I was looking at it for it to be under section 7, which is a governance section. We have an A and B, and it seemed to make sense to put it under C for the resolution itself; if that is okay with Attorney Boyd and the BCC.

CHAIR GREENE: Okay. My only question is, is should this be item C and D, should it be broken into two separate things? That one is retain authority to require corrective action if the district condition materially deviate and D, may consider establishment.

ATTORNEY BOYD: Chair Greene and Commissioner Cacari Stone, you'll need to have a new – you'd have to have another subject to that because it's a new sentence if you split it out into subsection D. So I think it's fine as it is, but if you want to add it again, I would just suggest making a period after assumptions and then a new sub D that says, the Board may consider establishing.

CHAIR GREENE: Thank you for that, but would that be better instead of an and but to have it as a separate, you don't care?

ATTORNEY BOYD: I suppose, Chair Greene, I suppose so it would be helpful in terms of breaking out the two conferrals of authority that are set forth in that one paragraph as it –

CHAIR GREENE: It sound conditional when it's in one statement, but, okay. Is that okay with the motion and the second?

COMMISSIONER HUGHES: Either way.

CHAIR GREENE: Thank you. And the applicant?

MR. HORWITZ: Mr. Chairman, the applicant accepts the addition to the formation resolution?

CHAIR GREENE: Thank you very much. All right, we have a motion and a second on an amended resolution here.

The motion passed with four “aye” votes and Commissioner Bustamante abstaining.

[The meeting recessed from 3:40 to 3:55]

B. Request (1) Approval of Amendment No. 1 to Agreement No. 2025-0192-CSD with The Food Depot to Provide Food Assistance to Low-Income Residents of Santa Fe County, Increasing the Compensation by \$125,000 for a Total Contract Amount of \$275,000 Inclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.

CHAIR GREENE: Thank you very much. Just as a matter, I'm going to step away and recuse myself from the next two items, but I do as Chair want to acknowledge that the next two items regard the Food Depot and The Food Depot did a great job and service to our community this past week or maybe even 10 days as it was, in helping us distribute water and goods to the Valle Vista neighborhood. And, this was really, you know, what they do best. It's pretty amazing how they jumped on these things and do it so well. And we were reminiscing about some past stuff that we've done together while we were on break. And it's really beautiful. So thank you, Jill and the Food Depot, please tell your team that Santa Fe County really, really, really, thanks them for everything in jumping to it.

With that I'm going to pass the gavel to Commissioner Johnson to take care of item B and C. Thanks.

COMMISSIONER JOHNSON: Thank you, Chair Greene. And we will hear from Jennifer Romero. Thank you.

JENNIFER ROMERO: Chair, Commissioners. Jennifer Romero, Santa Fe County Community Services Deputy Director and I'm joined here today by Jill Dixon, executive director of the Food Depot and Diego Salinas, who's a program coordinator. In summary, the Santa Fe County Purchasing Division and coordination with the Community Services Department requests approval of amendment number 1 to agreement number 2025-0192 with the Food Depot, increasing compensation by

\$125,000 for a revised total contract not to exceed \$275,000 inclusive of New Mexico GRT.

The amendment will allow continued provision of navigation and food assistance services to low income residents of Santa Fe County through the agreement end date of February 7, 2027. In Fiscal Year 2025, Santa Fe County entered into an agreement with the Food Depot to provide navigation and food assistance. As part of this effort, the Food Depot expanded the food mobile program originally launched in 2021 by adding two new food mobile trailers in the spring of 2025. This expansion significantly increased vehicle capacity and enhanced service delivery. The food mobile trailers offer a variety of food options, including shelf stable items, fresh produce, dairy, eggs, and frozen proteins. The model allows clients to board the trailers and select groceries at no cost, promoting dignity and reducing food waste through client choice. County funding supports food purchase distributed across 13 locations throughout Santa Fe County. Since July 1, 2025, the program has provided approximately 8,400 service instances serving an estimated 1,300 unique households. Funding for the additional \$125,000 associated with this amendment #1 is available from general fund cost center.

Our request is that you approve amendment #1 to this agreement with the Food Depot, increasing the compensation by \$125,000 for a total contract amount, not to exceed \$275,000 inclusive of New Mexico GRT and delegate authority to the County Manager to sign the purchase order. And with that, I, with the Food Depot will stand for questions.

COMMISSIONER JOHNSON: Thank you, Ms. Romero.
Commissioners.

COMMISSIONER BUSTAMANTE: I don't have any questions, but I do want to thank you for all your good work as well, sincerely. And I think it's a great idea to have. I love the idea of people getting to go in and do their own shopping, if you will, and I think it's great. Thank you.

JILL DIXON: Thank you.

COMMISSIONER JOHNSON: Thank you, Commissioner Bustamante.
Commissioner Hughes.

COMMISSIONER HUGHES: Yeah, I agree. I appreciate all that you do and I'm in support of this and unless does anyone have any questions?

COMMISSIONER JOHNSON: No. I just want to reiterate my support. Ms. Dixon, thank you for your leadership and thanks to the County's team for working with you all. We really appreciate your work. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I'm just a big champion. You're what we really need now in this community and I appreciate the expense of services, our Community Services Department as well, Jen. And, I liked your button and I want to say it in public that hunger is a policy choice, but so is sustenance and nourishment. So thank you for helping us make a better policy choice.

COMMISSIONER JOHNSON: Commissioner Hughes.

COMMISSIONER HUGHES: So I move that we approve amendment #1 to agreement #2025-192 CSF with the Food Depot.

COMMISSIONER BUSTAMANTE: Second.

COMMISSIONER JOHNSON: I hear a motion from Commissioner

Hughes and a second from Commissioner Bustamante.

The motion passed by unanimous [4-0] voice vote with Chair Greene having recused himself.

- C. Request Approval of Amendment No. 1 to Lease Agreement No. 2025-0216-PW Between Santa Fe County and The Food Depot for the Lease of a ½-Acre Tract of Real Property Located at 4250 Airport Road, Santa Fe, For the Use of Parking to Support Food Distribution Services.**

COMMISSIONER JOHNSON: We'll hear from Michele Caskey.

MICHELE CASKEY (Public Works): Thank you, Commissioner Johnson, Commissioners. In addition to supporting the Food Depot in those ways, for a year now we have been renting a half-acre paved parking lot at the YDP property on Airport Road for the Food Depot to park their fleet of delivery vehicles. And that property is going through a use study and will likely be redeveloped in the future, but we are able to make it available for another year to the Food Depot to continue parking. And Jill Dixon wanted to say a few words about what this has allowed them to do for their operation by parking there.

COMMISSIONER JOHNSON: Please, Ms. Dixon.

MS. DIXON: I guess we can all get really excited about parking lots. Yes, but if you worked for the Food Depot, you would. If you've never been to our location on Siler Road, we share the back parking lot through the grace of Kitchen Angels who actually owns that space. Being able to move our rapidly growing fleet offsite dramatically improved both the efficiency and the safety of our operations.

We have a distribution out of our parking lot twice monthly, and it was getting to be an actual hazard for human beings to work in that parking lot and allow over 600 households of cars to drive through on those Thursday mornings. So we now have much cleaner lines of sight. We're able to move people through without as many road hazards. And honestly, just having the maneuverability in that paved lot has really improved efficiency, given us a safe place to put our trucks and allowed us to continue expanding our fleet to meet the community's needs rather than having to be confined by space.

So thank you very much for your consideration.

COMMISSIONER JOHNSON: Great. Thank you, Ms. Dixon. Let's hear from the Commission. Commissioner Cacari Stone

COMMISSIONER CACARI STONE: Well, as I shared with you, I'm not a very good realtor or buyer. Why do we even rent this space if no one's using it? Just a question. I mean and if we're going to look at it to be a public use space, are we going to think about cooperative agreements where services that are really serving our most neediest communities and the Airport Road corridor would have access to it? I'm just curious.

MS. CASKEY: Thank you Chair and Commissioner Cacari Stone. This is an in-kind donation lease. And in order for us to be supportive of our community partners, we need to make sure we're not favoring one or over the other. And so we have

to make an appraisal of the value of the property before we enter into a lease. Last year, I don't know exactly how the initial conversation happened, but because we operate as Senior Services and our meal delivery program out of the YDP facility, I think it became a question of could we use this parking lot for some other benefit? And somehow this resulted and we determined that yeah, we could, and then we determined the value of the parking lot and, and that we could do it for a year. Does that answer your question?

COMMISSIONER CACARI STONE: It does, but I guess the question is, we're actually getting over 9,000 in rent from Food Depot.

MS. CASKEY: No, no. It's an in-kind lease. They do quarterly reporting of the value of their services to our community.

COMMISSIONER CACARI STONE: So the 9,000 et cetera is just the amount determined on that lease.

MS. CASKEY: Yes, of the market value.

COMMISSIONER CACARI STONE: You're not actually having to pay that. Well, boy, that really makes me feel better. Thank you. Sometimes I have to ask questions to get it. Thanks.

COMMISSIONER JOHNSON: Thank you. Commissioner Cacari Stone. Commissioner Hughes, would you –

COMMISSIONER HUGHES: Well, if everybody's done with questions, I'll make a motion to approve.

COMMISSIONER JOHNSON: Any further questions? All right, go ahead.

COMMISSIONER HUGHES: I move that we approve amendment #1 to lease agreement #2025-2026 between Santa Fe County and the Food Depot.

COMMISSIONER JOHNSON: Do I hear a second?

COMMISSIONER BUSTAMANTE: Second.

COMMISSIONER JOHNSON: Motion by Commissioner Hughes. Second by Commissioner Bustamante. All in favor.

The motion passed by unanimous [4-0] voice vote with Chair Greene having recused himself.

MANAGER SHAFFER: And if I could, Chair Johnson. I just want to echo what everyone's already said. Food Depot obviously is a great asset and community partner for our community generally. But I did want to acknowledge their quick response to help assist with the water delivery efforts in the Valle Vista subdivision and area. And also wanted to acknowledge, though they're not here, that the Albertson's Market on Zia, working through their store director Isaiah Garcia, also donated four pallets of water towards that cause. So again, I wanted to acknowledge our non-governmental organization partners, and what they contributed to the County's efforts to support that community. Thank you.

COMMISSIONER JOHNSON: Thank you, Manager Shaffer. With that, I'll return the gavel to Chair Greene.

CHAIR GREENE: Great job, Mr. Vice Chairman. Thank you very much. Thank you, Food Depot. Good luck out there.

D. Resolution No. 2026-029, a Resolution Authorizing the County Manager to Review and Approve the Submittal of the Local DWI Grant Program Application and Related Documents and Agreements for Fiscal Year 2027.

CHAIR GREENE: Thank you very much, LeAnne. Take it away.

LEANNE RODRIGUEZ: Good afternoon, Commission Chair Greene and members of the Commission. My name is Leanne Rodriguez and I am the Community Services Operation Manager and I am here today to request your approval of a resolution authorizing County Manager to review and approve the submittal of the DWI program's local DWI grant application and related documents and agreements for fiscal year 27, which is due to the New Mexico Department of Finance Administration by February 26th. These local DWI funds are the primary funding source for the Santa Fe County DWI program. These funds are generated through an excise tax on the sale of alcohol collected by the New Mexico Department of Tax and Revenue and administered by the New Mexico Department of Finance and Administration.

Each year, Santa Fe County is required to submit an application outlining how the LDWI funds will be utilized. The application that will be submitted is for FY 27. In FY 26, the County DWI program applied for and was awarded \$1,440,988 in distribution funding; 31,500 in LDWI grant funding and 300,000 in detox grant funding. Historically, the program has consistently received the full 300,000 allocation available for detox grant service. The LDWI distribution amount that the staff applies for is based on an estimate that is provided by DFA, by the Tax and Revenue Department. Over the past two fiscal years, these forecasts have steadily declined, resulting in a reduced amount available through the LDWI distribution formula.

For Fiscal Year 27, Santa Fe County's estimated allocation is 1,283,763. Our staff will be applying for the full distribution allocation. As well as 80,000 in LDWI grant funds and the full 300,000 in detox grant funding.

County staff is currently in the process of developing the LDWI application and we are utilizing input on our funding allocations from program staff, our program evaluators with Aspen Solutions, as well as the DWI Planning Council.

We also are guided by our program strategic plan for 23 through 26, as well as the latest evaluation report from PIRE in 2019. The complete application packet is on track to be submitted to the County Manager by February 13th to allow time for review and approval in order to get it submitted to DFA by February 26th.

Additionally, the DWI Prevention Program requests the opportunity to provide the Board of County Commissioners with a comprehensive presentation at the end of FY 26. This presentation will include our program initiatives – I'm sorry, will include data and outcomes analyzed and presented by the independent evaluator Aspen Solutions, as well as an overview on our program initiatives and community partners and the goals within the new strategic plan that we're looking to implement July 1, 2026. This presentation will support the Board's understanding of funding allocations and services, as well as, the respective impacts provided to the residents throughout Santa Fe County with our DWI program funding.

We request the approval of the subject resolution authorizing County Manager to review and approve the submittal of the LDWI application related documents and agreements for FY 27. And I stand for any questions.

CHAIR GREENE: Thank you very much. Commission, any comments, concerns? I just want to say good job. Thank you very much. I have a question. We have in this agreement with Uber, right that's part of your program?

MS. RODRIGUEZ: Yes. The agreement is through Cumulus Media that oversees the Uber program, yes.

CHAIR GREENE: Okay. Has there ever been any look at using Lyft, utilizing a different contractor in this?

MS. RODRIGUEZ: Right now, Uber is the one that has created the program to provide those promotion codes. And I know there's been talks with Lyft, but I don't believe that there's been anything created for them to provide anything similar.

CHAIR GREENE: Great. I've had constituents ask me about that, so I thought I'd ask
Okay. Great. Folks, go ahead.

COMMISSIONER CACARI STONE: Thank you so much for your work and for doing youth prevention, you and the Community Services Department. I noticed that PIRE was the evaluator and now you're switch switching to Aspen.

MS. RODRIGUEZ: We've been with Aspen Solutions since 2024.

COMMISSIONER CACARI STONE: Okay. Were you able to use the evaluation that PIRE did to incorporate into the grant you wrote and other evaluations?

MS. RODRIGUEZ: Yes. Since that's the last full evaluation report that we have for a three year period, we still utilize that report from PIRE.

COMMISSIONER CACARI STONE: That's great. I'm really glad to see this work and I support it.

MS. RODRIGUEZ: Thank you.

CHAIR GREENE: Want to make a motion?

COMMISSIONER CACARI STONE: I make a motion to approve resolution #2026, authorizing the County Manager to review and approve the submittal of the Local DWI Grant Program application and related documents and agreements for Fiscal Year 2027.

MS. RODRIGUEZ: Thank you very much. I appreciate it.

COMMISSIONER HUGHES: And I'll second.

CHAIR GREENE: Thank you very much. We got a motion by Commissioner Cacari Stone, a second by Commissioner Hughes.

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

- E. Resolution No. 2026-030, a Resolution to Authorize the County Manager to Acquire Through Negotiated Purchase and Sale Agreements Real Property Interests to Construct Avenida Del Sur West Extension.**

CHAIR GREENE: You're back up. And I guess this is Esencia, part of

the Esencia sort of road work.

MS. CASKEY: It's related, yes.

CHAIR GREENE: Fabulous.

MS. CASKEY: Chair Greene, Commissioners, when I was here in January, the board approved our contract with Tierra Right-of-Way, who we've contracted with to handle the right-of-way and land acquisitions for this project along Avenida del Sur, Vista del Monte. And now to keep the project moving, our next step is to acquire the actual property along that project. So we have 15 property owners that are going to be affected by the widening of the road and the expansion of the roadway over 6.5 acres of actual acquisition of land and other permanent easements and temporary construction easements. So we are here to request signature authority to the County Manager to negotiate those purchase agreements with those property owners. And I stand for any questions. And Erin is also here from Projects to answer any questions about the project.

CHAIR GREENE: Fabulous. Thank you, Michele. Yes, Commissioner Hughes.

COMMISSIONER HUGHES: Have you contacted the property owners yet, or are you waiting, still waiting for the appraisal, or do you have the appraisal?

MS. CASKEY: the property owners know that this project is coming and we've had a number of community meetings. The next step for this phase of the project is to finish the appraisals of – we're doing independent appraisals of each value for each independent property, and those will be complete in May. And we anticipate making the offers to the homeowners in June.

COMMISSIONER HUGHES: Okay. And how much money approximately are we talking about?

MS. CASKEY: For the purchases? We don't have the appraisals in yet. So I don't have an actual figure yet.

COMMISSIONER HUGHES: All right, that's my question.

CHAIR GREENE: Excellent. Anybody else? Hearing none. This is your District 2.

COMMISSIONER HUGHES: All right, I'll move for approval of authorizing the County Manager to acquire through negotiated purchases and sales agreement real property interest to construct Avenida del Sur West Extension.

COMMISSIONER JOHNSON: And I'll second.

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

8. Presentations - None

9. Matters from the County Manager

A. Miscellaneous

CHAIR GREENE: County Manager Shaffer, please do the honors.

MANAGER SHAFFER: Thank you, Chair Greene and Commissioners. I wanted to remind the public that the February 24th Housing Authority Board and Board

of County Commissioners meetings were canceled at the direction of the Board of County Commissioners, so as to allow Commissioners as well as other members of the County team, including myself and some of your liaisons to attend the National Association of Counties Legislative Conference in Washington, DC . The next board of County Commissioners meeting will be held on Tuesday, March 10th. The next housing authority Board meeting will be held on Tuesday, March 31st.

I did want to update the Board that in response to the direction that the Board, gave relative to the Tourism Event, Facilities And Attractions Grant Program, the so-called, TIFA Program, the County Development Department tourism and marketing staff, did contact the two TIFA grant applications that had not been recommended for funding this application cycle and those applicants did resubmit revised applications that meet the NOFA criteria and staff will be moving forward with implementing those grants and the funds to do that will be included in the mid-year budget adjustment resolution we anticipate presenting to the Board at its March 10th meeting.

In addition, I wanted to confirm that the County will host a community meeting, for the Valle Vista Subdivision area on Thursday, February 12th at 5:30 p.m. The meeting will be held at the Training Academy gymnasium located just south of the Valle Vista Subdivision right off of New Mexico 14 at 4337 NM 14. We look forward to hearing directly from the community relative to the water service challenges that it experienced over the last several days. We'll have representatives from the Public Works and Utilities Department, as well as the Office of Emergency Management, our Community Services Department, and our Fire Department will be in attendance and look forward to again meeting with the community.

Lastly, I did want to confirm, as we communicated to the Board, that we did re-evaluate security protocols in light of some concerns that have been raised relative to sign-in requirements. As you might have noticed, it's now abundantly clear that that is voluntary. If people choose to provide such information we believe that the purposes that led to the initial requirement can be addressed through other means and appreciate the feedback of the public.

I also wanted to note that we have completed the renovations to the Bennie J Chavez Senior Center. Substantial completion was achieved on or about January 22nd and the facility was formally accepted and turned over to the Community Services Department on February 2nd. We are now repairing the building for public use and service delivery with a tentative reopening date of March 14, 2026. And we'll be working to plan an appropriate ribbon cutting event to celebrate that significant renovation to the senior center and community center. I think this is the final update that I had.

We were notified from our congressional delegation that the congressionally directed spending request that the Board had directed staff to pursue of \$2.5 million for a permanent supportive housing project was included in the Transportation, Housing and Urban Development Appropriations Bill, which was recently passed by the Congress and signed into law by the President. So we will be bringing that forward to the Board when we receive the formal grant documentation. And we'll also be presenting to the Board in March, we believe at the March 10th meeting, the feasibility study associated with a permanent supportive housing project or development as well as an overall affordable housing investment plan. Again, the goal is to bring the feasibility study and the overall

plan to the Board in March, hopefully at the first meeting in March. So I believe those are all in terms of my miscellaneous updates. Thank you, Chair.

CHAIR GREENE: Thank you Greg. Congratulations to all involved on that grant. That's pretty amazing and to our delegation, great job.

B. The Second Session of the 57th Legislature: Updates and Potential Action to Express Support for or Opposition to Legislation that has Been of May be Introduced

CHAIR GREENE: Hvtce, you're up to tell us what's going on at the Roundhouse.

HVTCE MILLER: Good afternoon, Mr. Chair, Commissioners. Hvtce Miller, Santa Fe County Manager's Office. And just one moment while I get help from Sara passing out the report provided to you today. [light banter]

Mr. Chair, Commissioners, I would like to say that we're closing in on the end, but it sure doesn't feel like it at the legislature. Next week the 19th is the final day for the legislature, and there's still a lot to do that is proceeding right now. The state still needs to pass its budget. There's still not a capital outlay bill introduced. I think GRO projects are still being finalized as well, and the tax package is on its first house, it originated in the Senate. So it hasn't even passed through the Senate yet and still needs to go to the House.

But with that being said, if you will open up your report to page 2, I have the listed legislation, which has been signed into law and there's some pretty big bills there. The Immigrant Safety Act, the Social Worker Interstate Compact, the Medical Licensure Compact, the state highway taxes and fees which is increasing bond capacity for the Department of Transportation, which should hopefully help us all out on New Mexico Highways. And so those are big items and that they have clear the pathway for a lot of legislation to be discussed currently. And as opposed to trying to go through so many different, I would say Governor supported items, I just wanted to pick out these four pieces of legislation, which I think are key to clearing up the log jam, which is occurring there at the, at the Capitol currently.

And so over the next few pages, I have Senate Bill 151, which is the Tax Package; House Bill 247, which are Capital Outlay Changes; Senate Bill 17, which is Stop Illegal Gun Trade; and, also Senate Bill 18, which is the Clear Horizons Act. And I wanted to pay special attention to Senate Bill 151, which is, which has become the tax package currently and within the tax package there are seven items which have been vetted through and which have made it into the tax package currently. And those are corporate income tax decoupling. So that's separating our state connection to federal IRS regulations related to corporate income tax. Local journalist credit, which is an effort to provide a tax break for local news sources so that local news, newspapers, reporting agencies, so print papers and also online papers, can have that ability to stay in business and provide that information to our local communities. Physicians tax credit, another effort by the state to increase our medical staffing within the state due to lack of physicians. Health, healthcare equipment, GRT deduction, and I'll speak on that a little bit further. Quantum Facility infrastructure projects, an initiative to encourage the

quantum field of technology to come to New Mexico and be the home for this emerging field. And lastly, childcare facilities, which goes along with the whole universal childcare initiative which is being pushed through at the state.

So I wanted to talk particularly about the construction GRT deduction, which is part of this tax package. And originally this was Senate Bill 92. And it was discussed and there was a lot of issues with it from localities, municipalities, and counties because of the unpredictability of what this may cause to budgets for municipalities and counties. What is proposed that they're trying to encourage affordable housing production by providing a tax break when you're specifically building affordable housing. And so, that would be a tax break on the construction materials used in those affordable housing and also the labor used in that affordable housing. I put in the report here in the italics from the fiscal impact report for Senate Bill 151, exactly is that the fiscal impact of this section is difficult to estimate the precision due to limited statewide data on the number of scale of affordable multifamily housing developments that would qualify for the deduction. Eligibility is tied to projects undertaken pursuant to the Affordable Housing Act for which there is no public comprehensive centralized data set, capturing total construction costs, taxable gross receipts associated with materials and labor, or the volume of projects likely to pursue qualifying grantee status. In addition, uncertainty around future construction activity input costs, financing conditions, and the extent to which the deduction would spur new development versus subsidized projects that would have occurred absent the initiative complicates estimation of both state and local revenue impacts, and for that reason, municipalities and also the, New Mexico Counties is opposed because of the unpredictability that exists within the bill right now because we just don't know how that would impact our budgets at the local level. And this falls under our general principles resolution that we have in place, which is to protect our revenues at the county level. And so, our lobbyists and along with New Mexico Counties and other, municipalities and other counties will continue to speak to the sponsors and also as it goes into the next committee about possible ways that we could tighten up language or even revisit another way to encourage affordable housing that doesn't create this unpredictability to local budgets.

And so the tax package has gone through Senate Tax and its next stop will be at Senate Finance. And, like I said, I don't believe that there's a need right now to oppose the entire bill as it is right now. It may come to that point, but we're, we're still working with sponsors and also committee members at its next stop to try to take this part out, basically.

The other part within the tax package was the healthcare equipment GRT deduction. And this is a lot different because to alleviate the harm caused from these GRT deductions for municipalities and counties, there's actually a fund set up so that a hold harmless mechanism can be put in place for any loss revenues or GRT that comes from the sale of these healthcare equipment. The way that it's written right now, it should have no affect to localities and the GRT that they receive from that. So that, that is one particular item in the tax package regarding the affordable housing that I wanted to make clear to you. That is an issue and is still ongoing right now, but there still is a lot of time left to deal with the situation that that's at hand.

MANAGER SHAFFER: If I could add just to Mr. Miller's discussion,

Chair Greene. The legislature knows how to hold harmless local governments when they are making changes to the gross receipts tax base. And in the same bill, that Mr. Miller was describing, there is a so-called hold harmless distribution for healthcare equipment gross receipts tax deduction. So basically the state general fund reimburses local governments for revenue that is lost based upon that deduction. That's in our view the appropriate response for the state since counties cannot control what those deductions are, and that if the state is going to introduce uncertainty into the tax structure, that it should find ways to ensure that local governments' budgets don't pay the price for those deductions.

With regard to the affordable housing deduction itself, in addition to what Mr. Miller indicated is that another way to think about it is that in essence if Senate Bill 151 were to be enacted in that form the legislature would be mandating that a local government that has implemented an optional gross receipts tax would be required to, in essence, provide a grant to an affordable housing project even though it didn't actively make that choice. And that's because the deduction is automatic. So in other words, as was the case with Turquoise Trail or with Cresta Ranch, the Board of County Commissioners ultimately made the affirmative decision to help support those projects pursuant to the Affordable Housing Act and our Developer Assistance Program, along with Housing New Mexico, formerly known as New Mexico Housing Authority. But this would seemingly again take away that discretion and that local government autonomy, so that if an affordable housing development receives support from a state agency pursuant to the Affordable Housing Act, this deduction on materials and labor would be automatic and the local government, that would otherwise receive gross receipts tax on those significant investments, would not do so. That would potentially impact the ability of the local government to provide services for the development and/or infrastructure that is necessary to support the development. So, in sum, it's not a deduction that seemingly necessary, and it to the extent that the legislature wants to see it move forward, it could, as it has done elsewhere in the bill, provide for a hold harmless distribution or simply allocate more funds for affordable housing grants so that local governments who are ultimately required to provide services to those developments aren't shortchanged the tax revenue to do so.

I just wanted to provide that additional context relative to that particular issue. Obviously this Board is very pro-affordable housing and has demonstrated that many different ways over the years. This just happens again to run counter to local autonomy, as well as, ensuring stability and predictability with regard to necessary gross receipts tax income. Thank you.

MR. MILLER: Moving on to the next bill I wanted to discuss was House Bill 247, which is capital outlay changes. I spoke about this at the last meeting and the bill hadn't been introduced yet, and so this is the bill. It's 247. It's already passed through the House and it was introduced in the Senate today and has one committee referral to Senate Finance Committee. And so this will affect Santa Fe County and our planning of what type of projects that we will be able to put forth to legislators and to the governor's office next year for capital outlay. One of the changes is that for water projects that we have to send them through the state or request money through the state in that venue. And the reason being behind that is that the legislature are seeing that a lot of the water

projects are still left on the plate currently and they're not being completed or even initiated right now. So, they want to take control of those water projects and funnel it through the state route. So that they're funded in a more, a comprehensive and impactful manner so that those water projects can start being completed.

Another issue or another provision within House Bill 247, is that there's going to be restrictions on reauthorizations. So if this is passed, we'll only be allowed one reauthorization and that reauthorization cannot change the scope of the project. It could only be for a technical issue as in saying that, for instance, if the capital project was passed and it was sent to the wrong agency, instead of if should have been gone to the local government division DFA and got sent to, who knows the Secretary of State's office. That could be changed, but not changing the scope into a senior center, into a park for another location completely different from where it was in the original language. So we'll need to make sure and be a lot more vetted and precise within our language in the future in making sure that we're capturing the project that we want and that we know that we can complete going forward for our future ask.

The other element within that was in the amendment in Tax and Revenue, where they're actually putting a freeze on your project if it comes from severance tax bond funding. And so if in the year that the capital outlay is to expire, so they usually expire in the end of the fiscal year, so in June of a particular year, so if January of that particular year which your capital outlay is to expire by January if you have not encumbered any of that money, the DFA is instructed to go ahead and freeze that money and start the process so that it goes into the capital fund which has been created in 2024 which goes to fund capital outlay projects. So that's a big change as well. So, you don't want to wait around to last minute of the year that your capital outlay funding is going to expire to start putting forth that effort to show to the legislature and to the Department of Finance that you're going to start using that money. And generally that does have bi-party support going forward. I believe that that will reach the finish line. And I haven't heard of any particular changes in the committee so far that they still want to add in. So I think it'll go forward as is.

The next item is Senate Bill 17, the illegal gun trade. I'm sure you've seen a lot of this within the media recently. And this is a very contentious matter within the legislature. And as you can see in the following pages, even the New Mexico Counties is opposing this particular bill. So a lot of different views on this. And it actually is a, what would you say, a negotiating point for both parties as it's going forward to put other legislation on before this is heard, and making sure that other bills are taking precedent before this goes forward. As to the final outcome, I'm not certain and we'll have to just wait and see if this makes it to the finish line at the end of the legislature.

In a similar situation, the next bill, Senate Bill 18, the Clear Horizons Emissions Codification. So what the legislature's trying to do here is basically ramp up the efforts by the state to get to these zero emission goals that we have put forth in here. On page 7, I have the schedule by which this legislation proposes that we meet the, the certain deadlines: 45 percent less emissions by 2030; 75 percent by 2040, and, 100 percent less levels of 2005 by 2050. And like I said, this is another one of those bargaining points that's being used to negotiate putting forth other pieces of legislation first before this comes through. This might be one of the final items as well, which is con considered by

the legislature and passed or at least debated on the floor. And so just to let you know, that's one of the items that is being used as a bargaining point by both parties.

And on the last pages here on pages 10 and 11, I just wanted to show you all the different items which the New Mexico County's board of directors has taken action on so far. So there's a lot of support items, a few opposition items, and then only three items which are being held neutral on.

So with that, if there's any questions regarding funding items that are in the budget right now or any of the crime bills or health compacts, please let me know. Like at the beginning of my report, right now with the budget in play, the tax package in play, I would say everything is still viable. So everything could make its way through if the funding opportunity is not closed right now, which it's still open, I think there's still the possibility of a lot of things that could make their way through. Please let me know. And with that, if you have any questions, please let me know.

CHAIR GREENE: Thank you. Hvtce. Commissioners, any questions for Hvtce? Yes, ma'am.

COMMISSIONER CACARI STONE: Thank you. Chair Greene. Thank you, Mr. Miller. I just wanted to praise your efforts of being there every day, giving us this comprehensive update also for including me on the discussions, and I was glad to join the lobbyists as well as Chair Greene here on our capital outlay ask. Any updates on that? I think we have what, 13 items or so between water, housing, behavioral health, roads, bridges, fire, caretakers.

MR. MILLER: Chair Greene, Commissioner Cacari Stone, right now you there's word, but you don't really know until it's formalized within a bill. So I wouldn't want to say one way or the other that we're being funded to a particular level or for certain projects. Also, Saturday was the deadline for legislators to input their projects. So, Legislative Council Service is putting all that information together into a bill, and I believe that they're still waiting on the Governor's capital items as well. So they need to run the numbers, double check, make sure that these are actual projects as well before they include them in the bill. Though it seems late in the session, there's still a lot of work to be done for in regard to the Capital Outlay Bill.

COMMISSIONER CACARI STONE: Thank you.

MR. MILLER: You're welcome.

CHAIR GREENE: Thank you. Commissioner. Commissioners over on this side? Nothing. Thanks. Hvtce, a question for you. First off, thanks for including the two of us and probably calling us all in to help twist some arms and get some reauthorizations going.

The question I have is on this tax package. Do we have a way of quantifying what we think the impact would be based on more or less numbers for the three affordable housing projects that are coming down the pike that we may be able to present to our representatives in Senate Finance, Senator Trujillo? Like, is that a \$2 million thing? That, you know, we already gave them money in developer assistance but this would've been a \$2 million hit.

MANAGER SHAFFER: Yes, we could most definitely do that.

CHAIR GREENE: I mean, I think that would be useful for us to use in sort of showing what we've done, in sort of project by project, especially the two that

have been permitted, because we kind of have an idea of what their gross receipts would be on this. Anyway, good ammunition, but thank you very much.

MR. MILLER: Yes, great idea, Commissioner.

CHAIR GREENE: And when you get the capital outlay summaries from our team, could you please distribute it to us so we can get it over the finish line and make people feel wonderful or guilty, whichever one they deserve.

MR. MILLER: Yes, I will. And I'll make that note to our contract lobbyists as well.

CHAIR GREENE: Thank you. Right on.

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.

CHAIR GREENE: I'm going to start with Commissioner Hughes.

COMMISSIONER HUGHES: Alright, thank you, Mr. Chair. Quick notes from my district, of course, Valle Vista was without water for a week, so I thank everybody, volunteers, staff who helped get them back into water. I understand that's been completed. All the work completed and they're back in water. It was nice, even Commissioner Bustamante, thank you for responding to your friend and going out and see what was going on. And I understand we're having a meeting Thursday to meet with the community and hopefully we'll do better next time. And, so thank you to everyone who helped on that.

I'd like to mention that Eldorado community has put together a community wildlife wildfire protection plan. They want to get some sort of County Commission approval of it. I think the best idea I've heard so far from Brad was to do our own county countywide, I guess it'd be a countywide wildfire protection plan. And we'd include this in it and that way we would recognize the plan.

And finally, the Lamplighter project is an affordable housing project that's been in the works for at least five years. It's still short money. And so March 10th we will probably be bringing forth a resolution or just a budget adjustment to put some more County toward it that's provided that the City comes up with an equal amount of money and also that the private philanthropies are able to come forward.

And I guess also on March 10th, we'll hear about the permanent supportive housing project which we were so fortunate to get federal funding for. And so that is a big boost to that project. And that's it.

CHAIR GREENE: Fabulous. Thank you. Commissioner Hughes.
Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you Mr. Chair. I attended the first 2026 meeting of the North Central Regional Transit District and we have a new executive director of that entity steering the ship. All seems well, nothing major to report. We're going over financials and looking to expand services. And I think with new leadership there's a ways to sort of understand or bring a new outlook on the system and how it can benefit Northern New Mexico but I have a meeting scheduled with the executive director

and some County leadership in the near future, and we look forward to developing that relationship.

There was a meeting hosted by Growth Management about egress issues and potential of evacuation routes in Cañada de los Alamos and the Cañoncito areas in District 4. Thanks to staff for organizing that and the consultants that are working to better understand what the potentials are there. I mentioned it before but thanks to the Commission for supporting my nomination for the Area 1B working group. I look forward to that. And I think it'll be a really – it's just a new day. We have a great opportunity there.

And because I see him in the audience. I'll call out Ryan Ward. Thank you for some recent road issues that you are always very responsive to. So appreciate timely responses and that they actually end up resulting in completed work. So a sign was replaced in my neighborhood recently which was noticed by a constituent but we're working on some other things in the Cañoncito area. And that's it. Thank you, Chair.

CHAIR GREENE: Thank you, Commissioner Johnson. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Chair Greene. I went to the Comunidad Sana y Salva, safe and sound/safe and unharmed/safe and well, opening the kickoff for a project that went through Community Services and it's to do environmental health assessments. Very based in households on the south side in districts 2 and 3. And Olivia from District 2 was there. I was highly impressed by the strategy that the two women who put it together and I don't mean this in any type of deprecating, not thinking through it way, young people who really put together a strategy that was commendable. And I'm sitting there as a former dean thinking. I want to find a way to get these people credit. It was very good. It was just impressive. It's going to make a difference. And, that was just a pleasure to go to.

As well, thank you, Commissioner Hughes for the shout out in getting to Valle Vista. I'm grateful to all the volunteers and everyone who showed up to help. It was a difficult situation for quite a few people to be in. But the County showed up and it was very helpful. And that's really all I have for today. Thank you.

CHAIR GREENE: Thank you, Commissioner Bustamante.
Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. Just in terms of constituent engagement, just like to thank Olivia, we continue to enter everything into CivicTrack, but most importantly, respond to either myself or her or both of us, plus the County management team, whether it's Public Works or Community Services to complaints, debris violations, code violations, there's always something. And again, we couldn't do it if it wasn't a village. So I just want to thank all of you here and those of you who aren't here.

Just a couple other updates on constituent engagement. I continue to have cafecitos. I have three or four, actually four of them scheduled this week with folks that just want to meet and talk about some of the issues in District 2. Those continue to be funneled through maybe some common priority areas that I can find across constituents. Continue to meet with HOAs, Agua Village Association meeting last week. And, they continue to be both enthusiastic, but cautiously optimistic about the river trail, and people

are excited about that opening in March. So I want to thank Public Works again for moving that along. And it's beautiful. If anyone hasn't been there, it's a great walking path, even though it's not officially open. So I've been cheating with my dogs. The Las Campanas board, met with them. They gave a shout out to the fire department working with them closely in responses to some of their volunteers out there as well. I tried to do a plug to give volunteers from Las Campanas, so I'll keep trying.

Then in terms of committees, as you know, like the other Commissioners, those are starting up. We are having the Northern Rio Grande Heritage Area annual board meetings about three hours. We'll be hosting them here at the County. Anyone's welcome to come. It's this Thursday, I believe it's at one o'clock in the new building. And we'll also be participating in the Coalition for Sustainable Communities board meeting this week as well. I was recently appointed to that, so I look forward to that. So thank you, Commissioner Hughes for passing the buck. I look forward to it.

A couple of other things coming up, like the other Commissioners, many of us, several of us will be at the National Association of Counties Legislative Forum. So I look forward to some priorities. I know that each Commissioner has an expertise that they participate in. And I'll also be taking issues. We did last year. We took supportive housing to Senator Lujan who really loved that idea around behavioral health. So I think he was also a supporter with some other folks. Thank you to the County for putting that grant in.

And then a couple other priorities. Thank you to the County staff. I'm doing sort of a place-based policy priority as we're thinking about our capital outlay, but also projects coming up and our annual budgeting. So I had a south side District 2 platica with Community Services, the Fire Department, Growth Management, and many others, just to talk about what's happening in District 2. I find it exciting to be able to document across all of the departments and tell one story. So I'll be working with Olivia and one of the students on some infographics on that.

And in terms of legislative activities, I was able to host and facilitate the National Association Hispanic County officials forum on behavioral health. There was 20 to 40 people there, not as well as attended online last week, but there was excellent topics from self-care to updated health policy cuts, as well as what's being funded and I was able to offer something with some colleagues on behavioral health and trauma with Latino populations and what counties can do.

I think that's it. I'll be going out – the shooting range with BLM is rearing its head again, Commissioner Bustamante. So I know you've been out there before, but you're welcome to join me there.

The BLM is taking Olivia and I out and I'll be sure to send you the invitation. So, that's coming up next week as well.

COMMISSIONER BUSTAMANTE: Thank you. Commissioner. I just want to say I do have a constituent who would like to be informed. So I'll share that with you when we're done.

COMMISSIONER CACARI STONE: Okay, great, that's terrific. And putting a plug for the Valentine's Senior Dance this Thursday, February 12th. I hope that my mother-in-law will want to go and I think I officially qualify as a senior, so I'm planning on going. I love Valentine's Day. I hope to see some of you out here in the

chambers as well as our other Commissioners there. Thanks.

CHAIR GREENE: Thank you. Commissioner Cacari Stone, excellent. I will try to be as brief as possible, but I have a lot of things on this list to say thank you and to mention what's been going on.

First off, I took part in the kickoff of the pilgrimage, the Holy Week Pilgrimage planning, public Safety, transportation, communications, community service planning meeting, there was about 45, maybe 50 of us from state, county, city, private companies. It was pretty amazing how Santa Fe County and the planning team, Emergency Management and the Fire Department worked together to make sure that this goes off well in so many aspects. It's a really great thing. So, I hope you all plan on doing the pilgrimage Walk to Chimayo on Holy Week. I think this year, Good Friday is April 2nd.

I had a town hall in El Rancho last week. About 40, maybe a few more people showed up. It was a great turnout to have 40 people show up was impressive. And most of them were mostly interested about the water project up there. There were a few people that were interested in broadband and public safety. But for the most part it was interest in the water project that is, you know, hundreds of millions of dollars and there's a lot of communication gaps and understanding of the project. And so one of the realizations that I think and this is a request of the County Manager and our team is to create an ombudsman. This is the biggest project out there these days. I think we need somebody to sort of bridge between our project manager of Scott Kaseman and our communications team of Shawna Graves, to just be somebody that can walk people through the signup process and to understand where they go find their water rights and where they go find their plats and what's going on with property acquisition. There's so many questions, but they're very common questions that if there was one point of reference of somebody at County staff that could help facilitate that, I think we would have a, a greater success rate of signing people up and get rid of a lot of the misinformation that's out there about requirements and sacrifices that people think they're being asked to make. And, I think there's an opportunity there with an ombudsman.

I attended last night the Tesuque Valley Association's meeting. That's a very active community. That too had about 40 people at it. I wasn't the headliner there, but I did attend and speak for about five minutes. One of the concepts that came out of there was the utilizing a early warning fire camera system. This has been brought up by a number of us in the past. I would hope that this could be incorporated into next year's budget, at least as a first phase of this because this is being utilized in California pretty effectively. It has been proven in some beta testing here in New Mexico, and it just seems like it would speed up the reporting of fires in the hills. better identify where it is, what jurisdiction it's in, whether it's in the City, it's in the County, Rio Arriba, it's San Miguel. There's a lot of borderlands that we need to all work together on here.

I attended the Souper Bowl, which not the Super Bowl, but the Souper Bowl, the fundraiser for the Food Depot. That's one of the best fundraising events here. I want to give a shout out to our own Ignacio Dominguez, that's Chef Nash, as he was there with his kitchen staff and had a really, really tasty oatmeal soup. It was really good. He always wins for creativity there.

I subbed for the clerk at the New Mexico Counties meeting on Saturday and got to hear a really solid briefing about all the legislation that is happening here, and the

positions of New Mexico Counties on that. And I appreciate the Clerk asking me to sub for her.

For things out there, a request of our County Attorney. So, Walker, it came to my attention that we missed some deadlines of opportunities in things. And I'm wondering if that is in your purview to sort of, when you have items from the County Attorney when, for instance, we have an opportunity to comment or to become a party of standing in a certain situation, PNM's acquisition by Blackstone, that you make us aware of that and that you – all of those things with plenty of time for us to have it on the agenda either make us aware and say, Well, you got a couple weeks to think about it, or, Hey, we gotta make a decision at this next meeting. Because I really think that all of us would have loved to have been a party of standing for this and we just missed it. And we were talking about our utility issue at about the same time. And it just seems like something that we can easily miss but they have to have sent you a letter saying that we are a stakeholder in this and I would hope that we would, you would communicate with us that, Commissioners, we've got something to talk about in all of those things. And that would be a regular thing of coming soon. Gas Company, PNM, whatever it is, it's something that I think you probably know about but maybe not communicating. Anyway, if you have any questions about that, please feel free to tell me or speak up now.

ATTORNEY BOYD: I'll follow up with you after the meeting,
Chairman.

CHAIR GREENE: Thank you. For all of us, at Santa Fe County, we've been invited to, the Capitol on Thursday and Friday to be on Thursday. We are going to be on the floor of the House and we have a certificate being presented by Representative Lujan that will highlight Santa Fe County and all the great work that we do here. And then on Friday, Senator Jaramillo is going to be honoring us on the Senate floor. The floor session starts at about 11, and it would be a good idea for everybody to check in with the Speaker's office or the pro tems office about 10:30 to get your passes so that we can be ready to go on the floor for when it starts. Elected officials are offered a spot on the dais and then for those of us that want to participate, others are being offered a spot on the rostrum or you can watch from the gallery. But it'll be great.

I'm going to attend senior Valentine's Day dance at the rodeo grounds. I've done it a couple times. It's great. You should all do it too. Don't laugh. It's fun and they're appreciative. [light banter]

And then had an interesting request of to research past permits. This is mostly for our Growth Management Department, but also maybe it gets into our Assessor's Office and any documentation that we might have of work, whether it was permits or satellite imagery of the Zorro Epstein Ranch in Stanley, to help the investigators pull up whatever information we might have about what work was done while it was owned by the Epstein, by Mr. Epstein. And then the work that might have done since he died. If we can find a way to help either direct people to what information is available and consolidate it, folks over at the legislature have asked us to help with that.

And so I'll be heading to DC next week with the four of you, and I look forward to seeing you all there. Thank you very much.

B. Other Elected Officials Issues and Comments, Including but not

Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. – None were presented

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 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) Discussion of the Acquisition of Real Property for the Construction and Maintenance of the Santa Fe County Rail Trail.**

CHAIR GREENE: So matters from the county attorney. Are you ready?

ATTORNEY BOYD: Chair Greene, I just want to note at the outset that I need very little time to speak to you all. I think we can be done with executive session in five minutes. So if you'd like to have a break before then or after that just giving you an awareness of the time.

So without further ado, yes, I'm seeking a motion to go in executive session to discuss the acquisition of interest in real property as permitted by the Open Meetings Act. And the item for discussion is the acquisition of, of property for the rail trail. And there needs to be a, a roll call vote.

COMMISSIONER JOHNSON: I moved.

CHAIR GREENE: We have a motion from Commissioner Johnson. Do I hear a second?

COMMISSIONER HUGHES: Second.

CHAIR GREENE: Second, from Commissioner Hughes. A roll call please.

The motion to go into executive session passed by unanimous roll call vote as follows:

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

[The Commission met in executive session from 5:13 to 5:42]

CHAIR GREENE: Can I get a motion to come out of executive session please?

COMMISSIONER BUSTAMANTE: I'd like to make a motion to come out of executive session and nothing was discussed other than the items that were put on the agenda and no decisions were made.

CHAIR GREENE: Fabulous. I got a motion from Commissioner Bustamante. Can I get a second, please?

COMMISSIONER JOHNSON: Second.

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

B. Potential Action on Items Discussed in Executive Session – None

12. Public Hearing – Pursuant to TEFRA

A. Resolution No. 2026-031, a Resolution Approving Host TEFRA Approval for the Rio Grande School Project and National Finance Authority Bonds.

JONATHAN BUTLER (Community Development): Chairman Greene, I am filling in for Denise on this item. Commissioners, always great to be in front of you. The Rio Grande School, New Mexican nonprofit organization has requested approval from the Board of County Commissioners.

[The Clerk's Office administered the oath throughout the meeting.]

[Duly sworn, Jonathan Butler, testified as follows:]

MR. BUTLER: I do understand I'm under oath. I am the Director of the Community Development Department and I am speaking on behalf of Denise Benavidez, our deputy director. We have two other people. You want to do them now?

LISA RIEMONDDY: Hi, my name is Lisa Riemondy and I represent Rio Grande School.

[Lisa Riemondy was duly sworn.]

IAN BEARDEN: My name is Ian Bearden. I'm with the Mondrall Sperling Law Firm.

[Ian Bearden was duly sworn]

CHAIR GREENE: Sorry. Just a point of quick order. Mondrall Sperling represents us on some other things.

ATTORNEY BOYD: Chair Greene, yes. Mondrall Sperling represents the County on certain bond matters, and I believe that it has determined that this representation of the Rio Grande School does not present a conflict of interest.

CHAIR GREENE: Was this one of the things that we discussed?

ATTORNEY BOYD: Chair Greene, no. We did not waive a conflict of interest because the firm has not determined that there is one for purposes of this matter. And I agree. The interests, there is no conflict between the Rio Grande school's interests and the County's interests for the purposes of this matter.

CHAIR GREENE: Thank you. Just thought I'd ask. Thank you. Go ahead, Jonathan. Thank you.

MR. BUTLER: Sorry, sometimes I forget the formalities and I just go right to it.

The Rio Grande School has requested approval from the Board of County Commissioners under the Federal Tax Equity and Fiscal Responsibility Act to support the issuance of up to \$5 million in tax exempt private equity bonds by the National Finance Authority.

The bonds would finance construction and related improvements at the Rio Grande School campus in Santa Fe County. The County's approval is solely to satisfy the federal law requirements, does not create any financial obligations or liability of the County. And specifically it is to allow for this time period to be a public hearing that satisfies those requirements. And, essentially, the sole responsibility then of the Board of County Commissioners would be to acknowledge that a public hearing is in fact taking place according to Section 147 F of the Internal Revenue Code. And the approval, grants the authority for the activities to take place. And we are acknowledging then that that public hearing is taking place and the Board, should it choose, if it allows for the resolution, then would also then be allowing the Chair just to sign in that attestation.

So I invite Lisa and Ian, to just give you sort of a snapshot of what they're doing. and then if you all have any additional questions of us, then we'll be here to answer.

MS. RIEMONDY: Hi, everyone. Thank you so much for having us. As I mentioned before, my name is Lisa Riemondy and I'm the Director of Finance and Operations for Rio Grande School. We are a 501 C3 independent school located here in Santa Fe, serving children aged three to sixth grade. I'll tell you a little bit about the project.

The school's been here in Santa Fe since 1979, and over the years has done a few campus expansions. This project we are building a two new buildings. One is our co-curricular building, which will house science, art, and performing arts. And the other building will house two classrooms. We are also taking down some very aged buildings as part of this process, including some portables.

MR. BEARDEN: Again, my name is Ian Bearden, Mr. Chair and members of the Commission, thanks for having us today. The TEFRA process that we're going through today is as Jonathan mentioned a part of the process necessary for approval of Section 501 C3 private activity bonds. Again, the County is not participating in the transaction outside of this TEFRA hearing. The County would not be obligated on the bonds, isn't endorsing the project. It's simply a requirement of federal tax law that a public hearing be held in the location where the project is going to be completed.

I'm happy to answer any questions about the TEFRA process. We've asked the County to undertake this process because the County's had recent experience with TEFRA for other projects. A little bit different in those cases because those typically involved County bonds rather than bonds being issued by an issuer outside of the state. But the process is very similar.

CHAIR GREENE: Excellent. Any questions from the Commission right now? Yes. Commissioner Johnson.

COMMISSIONER JOHNSON: Very minor. Not a question. I'm in

support of this. I think this is a good opportunity for you all and I have known, I did not have the opportunity to go to Rio Grande School, but many of my friends did. And I respect your institution, so thank you.

I think just a funny thing that we're seeing here is that the County is asked to be the fiscal sponsor for many City of Santa Fe projects. We're not opposed to doing so in this case, I don't think. But I'd like to kind of openly encourage the City to take these on. I know that in the past they had audit issues that may have prevented them from taking on those fiscal sponsorships, but I think distributing the pie in the future is a good thing for the Commission and all of the local elected officials to consider. Thank you.

CHAIR GREENE: Thanks. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Chair Greene. The tuition at this school is \$18,000 to \$24,000 a year; is that correct? That's what's noted. I am completely – I taught public school for too long to see what we don't have and was completely not in favor of what happened at the federal level to allow our public monies to go to private entities. I completely respect your school. I know that students have benefited, but I also know that a heck of a lot of money would do very well for a lot of underserved people in this community. And I understand that you have scholarships, et cetera, but we have community members in this town and in this County whose parents couldn't fill out the application if they tried. So I can't say that I have the same sentiment that Commissioner Johnson has. I do respect your organization. I do know students have benefited, but I don't believe in putting public dollars into private hands. Thank you.

CHAIR GREENE: Thank you. Other Commissioners? This is a public hearing, as a part of that, we need to open it to public comment. Is there anybody in the audience that would like to speak for or against this? Seeing none. Is there anybody online that wants to speak for or against this? Great. Any other thoughts from the Commission?

I just have one quick question. Was this advertised? Is there any advertisement notification obligation other than Santa Fe County's, agenda advertisements?

MR. BEARDEN: Mr. Chair, yes, a notice of the public hearing was advertised in the *Santa Fe New Mexican*.

CHAIR GREENE: Okay. Yesterday, a month ago?

MR. BEARDEN: A week ago, which fits the requirement of Section 147 of the code.

CHAIR GREENE: Fabulous. Thank you very much. Any other thoughts from the Commission? Do I hear a motion or any, anything we want to make happen here?

COMMISSIONER JOHNSON: I'll move to approve it.

CHAIR GREENE: Excellent. We got a motion from Commissioner Johnson. Do we have a second here?

COMMISSIONER HUGHES: I'll second it with a quick explanation that we're only granting them, I think, tax exempt bonds, so it's not actually public money. I am a little concerned as Commissioner Bustamante is about granting any advantage to private schools, but this is a rather small advantage, so I'm okay with it.

CHAIR GREENE: Just to be clear, we're not granting any bonds. We are just a sort of a process of a public hearing,

MR. BEARDEN: Mr. Chair. That's correct. The County is not issuing bonds. The bonds will be issued by the National Finance Authority, which is an organization in New Hampshire that issues bonds for projects of this type. The school will be repaying the, the principal amount of the bonds plus interest. But by having the bonds issued as tax exempt obligations, the interest rate on that loan is lower than it would be through conventional financing.

CHAIR GREENE: Right. And just for purposes of discussion for us to learn from this and to make this really something about like equity, right, and fiscal responsibility to sort of Commissioner Johnson's point and Commissioner Hughes and Commissioner Bustamante's – you know, love you guys, right? You're a great school. Good job. You know, lots of kids have grown up with that, but it is a privileged school. Santa Fe County has the opportunity to teach from this, right? And, I don't know if you do pro bono work for underprivileged schools like this, but you know, there might be a lesson and an opportunity for a school that is serving less privileged kids to get a \$5 million tax advantage loan that we could find from a school that is another qualified school but might be serving a different population that wouldn't otherwise know how to fill out this or, you know, whether it's fill out the application to go to the school or fill out the application to apply for this, wouldn't know that this program was available. So it would be great for us all to actually, Santa Fe County just did this and look at what we did. Do you have a school that could take advantage of this? Let us tell you that there are people here that make these things happen.

Anyway, my thought about that, you know, rather than say no, let's say, let's be more inclusive and let's make it happen for as many schools as possible.

We have a motion from Commissioner Johnson. We have a second from Commissioner Hughes.

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

CHAIR GREENE: Thank you very much. Go build some great buildings and pay your bonds back. Thank you.

MR. BEARDEN: Thank you very much.

13. Public Hearings

- A. Case No. 26-5000 Wholesale Liquor License: Tumbleroot Brewing, LLC DBA Tumbleroot Brewery & Distillery, Requests Approval of a Wholesale Liquor License to be Located at 32 Bisbee Court Units 3 & 4. The Property is Within the Planned District Santa Fe Community College District and the Employment Center Sub-District. The Site is Within Section 24, Township 16 North, Range 8 East, SDA-1**

CHAIR GREENE: Dominic, please.

[Duly sworn, Dominic Sisneros, testified as follows:]

DOMINC SISNEROS: Dominic Sisneros, Building and Development Supervisor, 240 Grant Avenue. And I understand I'm under oath.

MR. SISNEROS: Mr. Chair, Commissioners, Tumbleroot Brewing LLC, doing business as Tumbleroot Brewery and Distillery, request approval of a wholesale liquor license to be located at 32 Bisbee Court units 3 and 4. The property is within the Planned District, Santa Fe Community College District and the Employment Center Subdistrict and is located within Section 24, Township 16 North, Range 8t East, SDA 1, Commission District 5.

Tumbleroot Brewing, LLC, dba, Tumbleroot Brewery and Distillery, applicant seeks approval of a wholesaler liquor license. The business will be located at 32 Bisbee Court units 3 and 4, and the property is owned by Tessera LLC and leased to the applicant. The applicant previously received approval of a conditional use permit on September 21, 2017, to a final order filed and recorded on October 23, 2017, to allow the manufacturer of craft beer and distilled spirits including a packaging line, warm and cold storage for the product, and a small tasting room within the existing structure at 32 Bisbee Court. The applicant is currently in the process of renewing its County business license.

The proposed wholesale liquor license will not expand the size of the existing structure or increase the intensity of configuration of the use by 5 percent or more. As such, the request is considered a minor amendment to the previously approved CUP and no additional administrative amendments will be permitted.

Section 8.10.3.19 of the Sustainable Land Development Code, SLDC CCD use matrix, allow the sale of beer, wine and liquor for off-premises consumption and the use of a warehouse or storage facility as permitted uses within the zoning districts. Permitted use is allowed by right subject to compliance with all other applicant, applicable SLDC standards.

The State Alcohol Beverage Control Division has granted preliminary approval pursuant to the Liquor Control Act. The Liquor Control Act requires the Board of County Commissioners as the local option district to conduct a public hearing on the request under the Liquor Control Act. The Board may disapprove the license only if alcohol sales are prohibited at the location under the New Mexico law; issuance of the license would violate zoning or any other ordinance or the use would be detrimental to public health, safety or morals of the residents of the local option district.

Growth Management staff reviewed the request for compliance with applicable code requirements and filed the following facts in support of the application. The SLDC CCD use matrix per permits the sale of beer, wine and liquor for off-premises consumption and the use of warehouse or storage facility as a permitted use within the appointment center subdistrict.

The applicant has satisfied the State of New Mexico noticing requirements and the site is located more than 1,000 feet from the nearest church and the nearest school.

The recommendation is for approval of the wholesaler liquor license for Tumbleroot, LLC, dba Tumbleroot Brewery and Distillery located at 32 Bisbee Court units 3 and 4.

This report and list of exhibits below are hereby submitted as a part of the hearing record. At this time, I stand for any questions.

CHAIR GREENE: Thank you, Dominic. Commissioners, any questions from the dais? None on this side. Nothing on this side. Excellent. This is a public

hearing, so I will open it up to public comment. Is there anybody in the chambers that would like to speak about this? Seeing none, I guess I should have asked of the applicant here? Was there anything the applicant wanted to say?

MR. SISNEROS: There is a representative of Tumbleroot here.

[Duly sworn, Michael Chavez, testified as follows:]

MICHAEL CHAVEZ: My name is Michael Chavez, I live at 4313 Sleeping Bear Lane, Santa Fe, New Mexico 87507. I confirm I am under oath.

I'd just like to say that we're just trying to reapply for something that we had in the past. We had a lapsed in a license due to losing an owner who was in charge of this. And this just kind of fell away in the wayside in the while we were doing business. So we're just trying to reestablish what we already had in the past to continue doing business as we've done before.

CHAIR GREENE: Wonderful. Thank you very much.

MR. CHAVEZ: Yeah, thank you.

CHAIR GREENE: I will reopen it for public comment just to make sure, because the applicant should be speaking first. Is there anybody here in the chambers to speak about or against this? Seeing none. Is there anybody online, Daniel?

MR. FRESQUEZ: Mr. Chair, there is nobody online.

COMMISSIONER BUSTAMANTE: I'd like to make a comment, Mr. Chair.

CHAIR GREENE: Yes, please.

COMMISSIONER BUSTAMANTE: Just a comment to a local business owner and you don't have to get up. But I do appreciate that you are a local business and that you've grown. I remember when that particular location was literally a hallway, so, I'm not a drinker any longer, but I appreciate what you've brought to the community and the stuff that happens in town.

Local business matters. Thank you.

CHAIR GREENE: Yes, ma'am. Yes.

COMMISSIONER HUGHES: I'll make a motion that we approve the wholesale liquor license for Tumbleroot Brewing, LLC, dba, Tumbleroot Brewery and Distillery.

COMMISSIONER CACARI STONE: I second it.

CHAIR GREENE: We have a motion from Commissioner Hughes and a second from Commissioner Cacari Stone.
All in favor say aye.

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

CHAIR GREENE: You have a liquor license or maybe you have at least our approval of one. So thank you.

- B. Case No. 25-5170 Zoning Map Amendment and Conceptual Plan: Bonanza Creek Ranch, LLC, Applicant, Through Its Agent, JenkinsGavin Inc., Requests Authorization to Publish Title and General Summary of an Ordinance Amending the Zoning Map and**

Conceptual Plan Approval for a 297.853-Acre Parcel to Permit a Broader Range of Uses Than Currently Permitted. The Property is Located at 4 Eliza Road (Commission District 5, SDA-1, Parcel No. 99304435) and is Zoned Mixed Use. The Proposed Zoning Districts are Commercial General, Industrial General, Residential Community, and Mixed-Use.

CHAIR GREENE: Michael, please do the honors. This is your first time here, so welcome to County Commission presentations.

MICHAEL VOS: Thank you all.

[Duly sworn, Michael Vos, testified as follows:]

MR. VOS: Michael Vos, County Land Use Administrator, 240 Grant Avenue. And I understand I'm under oath.

We have a PowerPoint presentation to accompany tonight. Like I said, my name is Michael Vos, the Land Use Administrator. This is case number 25-5170 a request by Bonanza Creek, LLC through its agent Jenkins. Gavin, for a zoning map amendment. To an approximately 298-acre parcel to permit a broader range of uses than currently permitted. And secondly, a conceptual plan that delineates the proposed zoning districts in a four-phase development of the property.

I am joined by Destiny Romero, a development review specialist senior, who is a key staff member in the review of this application. And there are other members of Growth Management and the Public Works Department should you have any questions related to their areas of expertise.

Before I dive into the details, I want to make it clear that there are two components to this application. So if you agree with the applicant's request and staff's recommendation, you'll be taking two actions at the conclusion of this public hearing. One to authorize publication of an ordinance to amend the SLDC zoning map. And the other would be to conditionally approve the conceptual plan request. One of those conditions is that the conceptual plan does not become effective until the related ordinance becomes effective as well.

The property is located within Sustainable Development Area 1 on the west side of New Mexico Highway 14, south of the I-25 and Highway 599 interchange. And north of the state penitentiary and the County's Quill Wastewater Treatment Plant. Currently, the entire 298 acres is zoned mixed use. The proposed zoning districts shown on the slide are 80 acres of commercial general in the red; 54 acres of industrial general in the purple; 69 acres of residential community in brown; and, 94 acres to remain zoned mixed use, which is in pink.

The zoning map amendment must be accomplished by an ordinance. So tonight the Commission is being asked to authorize publication of title and general summary of the ordinance to approve the requested change of zoning. If authorized, we anticipate that the ordinance would be on your March 10th agenda.

To staff's knowledge, this is the first zoning map amendment that's been heard by the County at least since the current zoning map was approved and adopted in 2015. A zoning map amendment is a quasi-judicial matter that must meet statutory requirements and the specific requirements outlined in the SLDC which are highlighted on this slide.

I'll now run through the criteria for a zoning map amendment. The first is that the request must be consistent with the Sustainable Growth Management Plan and any other adopted plans and policies. The applicant provided a detailed assessment regarding consistency with the SGMP in their application materials. Staff believe that this analysis meets the consistency requirement and there are no other applicable plans for this property.

The SLDC provides specific public policies that should guide any zoning map amendments. Not every request will meet all of these public policies, and as shown as on the last slide, no single factor is controlling. And the BCC, the Board, must weigh and balance the various factors when making your decision on this request.

As mentioned, the applicant explained how the proposed amendment is consistent with the SGMP and the adopted growth policy of Santa Fe County. While the existing zoning for the entire property is mixed use, the mixed use zone district is primarily a residential district with only 10 to 15 percent of this entire property allowed to be non-residential or commercial uses. The proposed change may decrease the certainty of residential development for a portion of the property, but it will increase the available land for economic and non-residential development with a greater certainty and variety of the allowable non-residential uses to serve the surrounding area and providing economic development opportunities, especially with the proposed industrial zoning. And you notice that economic development and those factors are in these public policy criteria.

Compared to other zoning districts, there is not much industrial, general or commercial general zoning, in Santa Fe County at this point in time. By maintaining residential and mixed use zoning for a portion of the site and the allowance of residential uses in the commercial zoning district the request continues to allow for residential development as well as the preservation of open space. Overall, staff believe the request meets the public policy criterion.

The next criterion is regarding adverse impacts on surrounding properties. The applicant has addressed how the proposed change aligns with the surrounding area and may better relate to those existing uses has been thoughtfully planned and includes appropriate buffers and separation where needed.

Lastly, the SLDC requires that the Board consider the suitability of the land as presently zoned, which ties to the statutory requirements of whether there has been a change or mistake or whether the new zoning is more advantageous to the community based on consistency with adopted policies. The applicant does not cite a clerical mistake or substantially changed conditions in the surrounding area. The applicant argues and staff concurs that the existing zoning for the entire parcel is not the most suitable as the requested change effectively implements important public policies consistent with the SGMP.

Now, moving on to the applicant's conceptual plan portion of the application. Such a plan is required for phase development in three out of the four zone districts that are proposed for the property. As the plan is based on the proposed zoning district staff is recommending a condition of approval that ties the conceptual plan to the finalization of the zoning change.

The decision criteria for a conceptual plan are conformance to the SGMP, viability of the proposed phases to function as completed developments should

subsequent phases not be completed, and conformance to the applicable ordinances required improvements in other standards of the County, particularly the SLDC.

As stated earlier, this plan helps define the boundaries of the proposed zoning districts, as well as establishes an internal road network, site access, phasing, dedicated open space, utilities, grading and initial offsite improvements. A more detailed review of the plan and SLDC compliance is included in the staff report and associated materials, and the applicant may provide additional information on their intent and design process when they speak to you.

Staff believe that the proposed plan as detailed in the report and in conjunction with the zoning map amendment, is consistent with the SGMP. The plan also includes phasing such that each one can stand on its own and the development will comply with applicable regulations with the conditions of approval identified in the memo to the Board.

The applicant sent notice of a pre-application neighborhood meeting to over a hundred surrounding property owners and five registered organizations as required by the code. Notice of the public hearings was also sent to these same individuals and staff believes that the notice complies with the applicable requirements of the SLDC and specifically for the zoning map amendment, those required under state law, which are incorporated within our code.

The SLDC Hearing Officer heard this case on October 9th and recommended approval of the zoning map amendment. The conceptual plan was not heard, but was an exhibit to that proposed change at that hearing. The Planning Commission took this case up on November 20, 2025. Also recommended approval in a unanimous vote with the conceptual plan presented for informational purpose but no action was taken. The reason no action was taken on the conceptual plan is because table 4-1, the SLDC requires that those plans only need to be heard and have a vote taken by the Board of County Commissioners and not those other entities.

Staff's recommendation is to approve the conceptual plan, with the conditions identified in the report and that you authorize publication of title and general summary of the zoning map amendment ordinance. May I enter the proposed conditions that are in the report into the record?

CHAIR GREENE: Please do.

MR. VOS: With the report and conditions and entered into the record, I will stand for any questions that you have.

CHAIR GREENE: What are the conditions for the record? Which exhibit is it?

MR. VOS: So the conditions include that the conceptual plan be recorded with the County Clerk's office. The conceptual plan shall not be recorded unless and until the associated zoning map amendment ordinance is approved and in effect. If it's not approved, the conceptual plan shall be void. The conceptual plan shall expire in five years unless it's extended by the BCC. To clearly mark the boundaries of the development, limits of disturbance, et cetera, for grading prior to starting construction in accordance with an engineered grading and drainage plan, The applicant must provide an approved stormwater pollution prevention plan for any permit application. Mass grading of the site to be prohibited and noted in special building condition on the any recorded

plat. The limits of the gradient shall be shown on final grading and drainage plan at the time of preliminary and final plat approval. Applicant must comply with all review agency comments and approval conditions at the time of final plat submittal and prior to final plat recordation, the applicant must submit for staff approval a professional engineer's cost estimate for the proposed infrastructure and landscaping and a financial guarantee will be required. Prior to final plat recommendation, the applicant shall enter into a subdivision improvement agreement for the County for completion of infrastructure requirements to be signed by the administrator recorded and referenced on the plat. Water restrictions and conservation covenants shall be filed with the County Clerk's office and referenced on the plat. All staff red lines and comments shall be addressed. And finally, that the applicant shall enter into an affordable housing agreement as approved by the BCC, which must be filed prior to, or simultaneously with a final plat for any phase of development that includes residential uses.

CHAIR GREENE: Thank you. Is the applicant here and would they like to speak? I can't imagine you wouldn't.

[Duly sworn, Jennifer Jenkins, testified as follows:]

JENNIFER JENKINS: Jennifer Jenkins, 130 Grant Avenue. And I confirm I'm under oath.

Good evening, Chair Greene, Commissioners. I'm Jennifer Jenkins with JenkinsGavin here on behalf of Bonanza Creek and the Hughes family in request for conceptual plan approval and his zoning map amendment for the Bonanza Creek project. And Michael did a very thorough presentation, so he's going to enable me to go quickly, which I think everybody will appreciate.

So I'm just going to go through my slides and then be happy to answer any questions. So, I've introduced myself, I've introduced my client and also engineering for civil and traffic engineering services provided locally by Santa Fe Engineering consultants.

So, we have two requests before you. One is to rezone the subject property and we have a collection of three rezones that we are proposing. The property is currently zoned mixed use, so we're proposing to rezone 80 acres to commercial general; 54 acres to industrial general; and, then 69 acres to residential community. And then about a third of the property will remain zoned mixed use. So we are not changing the zoning for that portion of the property.

There's also a conceptual plan before you, for the property that is just under 300 acres comprising the zoning categories that I just explained. And we do show a general roadway network to serve the property as well. As Mr. Vos mentioned, the Hearing Officer recommended approval of the zoning map amendment in October and the Planning Commission unanimously recommended approval of the zoning map amendment in November.

I think everybody knows where we are. We are north of the County's Quill Wastewater Treatment Plant and the state penitentiary west of Highway 14. And we are south of the Valle Vista community as well as just a little bit north, just off the page is the 599 highway 14 interchange.

We are in Sustainable Development Area 1, which is Santa Fe County's primary growth area. And this is the current zoning. So you can see the subject parcel outlined in

blue, as I mentioned, just under 300 acres and is currently zoned mixed use. And that zoning was established back at the end of 2015 when the SLDC zoning map was first adopted. And so what you see in kind of the lavender color is the planned development district that is the Community College District. We also have a planned development district for the Avanti Business Park to our north here. We have residential community in the existing neighborhood in the Carlson subdivision to our west. Institutional zoning to the south for these state facilities. This is the Santa Fe Studios project that's just southeast of us. And then what you see here in this little poche is the extent of the Turquoise Trail environmental overlay that is south of the project and terminates at this location.

So in looking at this, when Mr. Hughes reached out to me and said he was interested in pursuing development of the property, it occurred to me as I studied this, that the current mixed use zoning does not adequately respond in a meaningful way to this site's context. It's a large parcel, but it's also unusual in terms of what constitutes its surroundings. We have a relatively low density neighborhood to our west. Lots in that neighborhood range from about 1 acre to 5 acres. We have a business park master plan to our north. We have an, the existing Valle Vista residential community to our north that's a little higher density. I think most of those lots in there about .25 of an acre. And then there are some vacant mixed use parcels that are kind of at the southeast corner in the northeast corner there. We have the state penitentiary to our south and a wastewater treatment plant. And then we have the National Guard facility here to our southwest. And then of course we have the Community College District and those kind of dynamic mix of uses that are in that district. So in looking at this and the thing about mixed use, it says mixed use, it's primarily a residential zoning district. As you can see, it allows one dwelling per acre and the maximum amount of non-residential. The maximum amount of commercial is 15 percent. That's the absolute max. And the permissible commercial uses are pretty limited. And so in studying this, we tried to devise a collection of zoning, again that responded meaningfully to our context, provides an economic development engine for Santa Fe County, as well as providing excellent housing opportunities. So zooming in on the site, these are existing conditions. We do have a, a floodplain here that kind of runs through the northern portion of the site. The terrain is relatively gentle and quite developable. You can see Highway 14 to our east here. And this is some of the improvements for the Quill Wastewater Treatment Plant to our south.

So what is fantastic about this property being in SDA1 means we have access to infrastructure. We have access – all the blue lines you see here are County water lines. The green lines that you see are County sewer lines. So we have excellent access to public infrastructure facilities here.

So this is our proposed conceptual plan at which depicts the proposed zoning districts. I'm going to start on the east side of the property at Highway 14. This color, which is sort of peach, but it was intended to be a little redder. But, that is the commercial general area. Really, this area is intended to take advantage of the visibility and the traffic along Highway 14. That type of visibility in those kind of vehicular trips is what commercial businesses rely on in order to be economically viable and feasible. We are showing two access points to Highway 14, which I will touch on, and we have been working closely with the Department of Transportation with respect to establishing those

locations. Then looking down to the south, this area is the industrial general zoning district, again, based upon its adjacency to the penitentiary and the wastewater treatment plant that felt like the most appropriate zoning district from that respect. But it's also really important zoning that frankly there's not enough of in the county or the city that really supports economic development supports certain – and one of the things that we're really focused on here is supporting the movie industry. We got Santa Fe Studios literally down the street. We have our movie ranches in very close proximity, but there are a lot of facilities that support the film industry that are lacking. In terms of having a mill shop or a larger storage area where you can build sets and you can store materials. So we're really hoping that this industrial zoning will support that important economic driver for Santa Fe County as well.

Then sort of in the central area, that's the existing mixed use zoning. We're not proposing any changes there. And then to the west in this area, we are actually proposing what I would consider somewhat of a down zone from mixed use to residential community. Which is that zoning is one dwelling per acre and that zoning matches the zoning of the Carlson subdivision to our west. So we felt like that was appropriate in this location to kind of mirror the development pattern in the zoning of our neighbors to the west.

We've laid out kind of a primary roadway network that provides excellent connectivity among all of the various zoning districts. And so we have our two access points here. We're also proposing an access point at our northwest corner that connects to Lewis Road. That takes you right out to the I-25 frontage road. So again, really good connectivity moving to the east and moving to the west. Down in this corner, we are proposing a cul-de-sac, but the County's transportation plan does show a potential connection out to this roadway here that would also lead out to the frontage road. But these roads are currently all private, so we don't have any rights to connect to those roads, put any vehicles on those roads. And so what we are going to do on the conceptual plan is basically do what we'd call a right-of-way reservation. In the event Santa Fe County decides to take over, and my apologies, I'm blanking on the name of that road right this moment. But that we will identify a right-of-way reservation. So in the event the County decides to take over that road, convert it to a County road in order to create more connectivity, then we would have a right-of-way reservation so we could connect to that new roadway. So we really want to support any kind of future efforts to enhance connectivity in this area.

So, kind of zooming out a little bit, this is the roadway that I referenced that again takes you out to the I-25 frontage road. This is our northwest connection to Lewis Road, out to the frontage road here. And then, we have our connections to Highway 14 to the east.

And then this is our proposed zoning in the context of all of the existing zoning that surrounds us. So this provides what, like I said, what we feel is zoning that responds to our context in an appropriate way.

We're proposing four phases starting in the east and moving west. And so, this is our first step following conceptual plan approval, should that be the pleasure of the Board, we would come in with our first subdivision plat to create a batch of commercial lots, potentially a batch of industrial lots as well. We would really like to bring both of

those to market as soon as possible. Our research has demonstrated there's a fair amount of demand and so that would be our next step in the process.

Mr. Vos touched on this, but I think it bears repeating. Key element of any conceptual plan as well as any zoning map amendment is how does it comply and comport with the Sustainable Growth Management Plan, which was adopted in advance of the SLDC. And the SLDC is the document that codified the Sustainable Growth Management Plan. Policy 7.1 development and priority growth areas, which is SDA1, where we are located should include central mixed use, walkable centers, and places that include a reasonable jobs housing balance. It's really key that development should be served by adequate facilities at established levels of service, primarily for densities that are higher than the base densities established by the SLDC. One thing I would like to point out is the mixed use zoning that we retained is a receiving area for the transfer of development rights. It's the transfer of development rights that will enable us to increase our residential densities. And then again, Policy 7.4 touches on this mixed use concept and allows mixed use development in large scale commercial development to well-defined compact nodes and centers and prohibits strip commercial development or spot zoning. And as I said the proposed zoning designations for a vibrant mixed use community where services and employment are available to residents within Bonanza Creek and surrounding areas. So our goal here is you can live here, you can work here, you can shop here all within this one community. Identify appropriate locations throughout the County for economic development uses, industrial uses, large institutions and regional uses. This is what this project can provide strictly by its scale, we can have more impact in a positive way on the economy of Santa Fe County. Support connectedness and centerness in existing and new communities. Bonanza Creek exemplifies these stated objectives of mixed use development through the provision of commercial and residential land supporting a diverse mix of non-residential uses and residential densities. And then lastly, new open space and park facilities. Project will comply almost 90 acres of dedicated open space and they will have a network of parks and trails that connect all of the elements of the project together.

So we did conduct a traffic study based upon our current land use program and our land use assumptions. The intersections that we analyze starting here was 599 and Highway 14 and Avenida del Sur. Well actually these are numbered incorrectly. I'm just noticing that. So we have the 599 and Frontage Road, then we have Avenida del Sur and Highway 14 here. We have the access into the Valle Vista community here. And then over on the west side we have intersections at Lewis Road, Otto Road, Lewis and Eliza, and Eliza and Carlson here. So when we do a traffic study, traffic studies are based upon how intersections function because those are the choke points in any roadway network where delay can happen. So we go out and we count the existing cars on the road today, and then we take our projected traffic generation from the project and we layer it on top and we determine what is the impact of our traffic on these intersections. And that impact is assessed based upon what we call a level of service. And that is how much delay is experienced at that intersection. And so, the standards are slightly different for signaled intersections and unsigned intersections, but as you can see, you have minimal delay level of service A. It's like a grading system. And as the delay increases, the grade goes down. And so typically in an area that's, you know, a suburban area where you have

something like a state highway that carries a fair amount of cars you get into Cs and Ds, that's actually really good levels of service for those types of environments. But if you get to level of service F you have a failing situation. Now, sometimes an intersection overall can function fine, but dang does that left turn at five o'clock back up. So you can have an intersection that 99 percent of the time functions just fine, but then that 15 minutes at five o'clock you run into a problem. So you can have a functioning intersection, but a failing turning movement. And so it's a very granular analysis about how each of these intersections function. So these are the results. Looking up here so these are the existing conditions. So this is the cars on the road today. How do these intersections operate? So looking at the 599, 14 and Avenida del Sur, this is right by the Allsup's at that signal currently operates at a level of service C. So we count cars at the a.m. peak hour, which is the morning rush hour, and then in the late afternoon, early evening rush hours. So we're really looking at the absolute worst case scenario throughout a 24-hour period. And then over to the Railrunner access off of the frontage road. We're operating at a B. That's operating really well. So Valle Vista Boulevard, which is the community, the residence community directly north of us, they have one access point out to Highway 14. So in the morning as people are leaving for work and they're heading eastbound towards Highway 14 and they want to make that left and they want to head into town or head up to get on 599, that currently today is operating at a level of service E. In the p.m. it's operating at a D. And then if you're on Valle Vista Boulevard heading north – excuse me, if you're on Highway 14 heading north and you want to turn left into Valle Vista, that operates excellent at a level of service A. Then the balance of the intersections also operate at a level of service A.

So then we look at the build condition. So we project forward. We have a large project for phases, four phases. We made some educated assumptions about timing. So we project out to 2040, approximately 14 years from now, could happen sooner, could happen a little later. But, we project out. And so not only do we add the traffic that is assumed to be produced by the project, we also add a background growth rate. So we don't assume the population remains static. So we add 1 percent every year, which becomes an exponential growth rate. So we have, in this analysis, actually it's probably more like 15 years because we did the traffic study last year, 15 years of making an assumption that the background traffic increases and then we add our traffic on top. So it is a quite conservative/a conservative assessment. So what we see at the Avenida del Sur, what's interesting about this in the a.m. we maintain the C level of service, but in the p.m. it gets better. It gets better because we're connecting Avenida del Sur and we're creating more road roadway connectivity. So I think you had an item on your agenda this evening regarding right of way acquisition for the Avenida del Sur extension Project. So that's why connectivity matters and it, because it improves traffic flow and it improves levels of service. And then, we maintain levels of service B at the frontage road and then at Valle Vista that kind of problematic eastbound left that we talked about that does in 2040 degrade to an F in the a.m. and p.m. But here's what's interesting. Whether or not this – if this project doesn't happen, it's completely abandoned, it's still going to degrade to an F in 2040. So that is the key thing where these traffic studies that get generated by these multiple projects, they become really important long-range planning tools for the jurisdiction to understand. This project, if this nothing happened, we have a document in

front of us that tells us we got to plan for something here. So we have had discussions with the Department of Transportation about this. They're aware of the issue at Valle Vista. This is was not news to anybody. So now it's on their radar so they can make some appropriate measures about how on their facility, which is Highway 14, how do they think it is best to address that? And then, as you can see again, the, the balance of levels of service are, are quite excellent.

So our access points, so our road A, which is our southernmost access point, that's the one we really consider our front door, our main access into the community. It'll be full access. We'll be constructing a dedicated southbound right turn lane into the project, and a dedicated left turn lane into the project. And this access will likely be signaled as soon as those signal warrants are met. And a signal is approved by the DOT. That is likely going to be a signaled intersection in, in relatively near term. The north access will be limited. That will be limited to right in, right out only. So there'll be no left turn movements at our north connection to Highway 14. So that's just right in, right out only. And this is a really important point. We have a multiple phased project and within each of those phases, we're likely going to have some smaller sub phases. Like are we going to subdivide all of phase one right out of the gate? Maybe not. We might subdivide maybe half or a third of phase one. But with each subdivision, whether it's a commercial subdivision, a residential subdivision that we bring into Santa Fe County, we will be updating the traffic study. And this is a really important point because we're making some assumptions here because we're trying just to get a conceptual plan approved, get our zoning approved so then we can move forward with marketing the project and doing all those next steps so we can get infrastructure in the ground. So those traffic study updates with every phase of development are really important. Because then we come in, we say we know how many dwelling units we're proposing in this space. We know how many commercial lots we're proposing in this space. So then the traffic study can be updated and we can look at fresh traffic counts and say, do our recommendations still stand? Does everything still work as, as we predicted in this study? Or do we need to make some adjustments? Do we need to do something a little different with how we're connecting to the roadway network?

So in addition to vehicular connectivity, it's also important to think about a multimodal connectivity and our trail connectivity. So what this is depicting what you see in the, the little orange dashed lines here is the trail network in the Community College District. So the great thing about our future signaled intersection, it's going to create a safe way for pedestrians to cross Highway 14. And that is really, really important. We want that connectivity. We want our residents to be able to get over and enjoy that trail network and other residents to come over into our community and enjoy our trail network. And that type of connectivity is important, especially when you're dealing with a highway which can sometimes feel like a somewhat of an insurmountable barrier, but there are ways to improve that. And then in addition, what is reflected here is the County is planning a trail along the east side of Highway 14, starting at the County detention center going north up to the, essentially up to the Allsup's that will also connect into the community college trail network. And so we have an opportunity from Bonanza Creek at our signalize intersection to create safe pedestrian passage across Highway 14 to also access that new trail.

So that concludes my presentation. I appreciate your attention and I'm happy to stand for any questions. Thank you.

CHAIR GREENE: Thank you Jennifer and Michael for the presentation. Early questions from the Commission? Yes, Commissioner Hughes.

COMMISSIONER HUGHES: Yeah. Have you given any consideration to having a buffer between anything you have and the Quill Plant and the penitentiary? I mean, I noticed it's industrial there.

MS. JENKINS: Let me, let me go back a little bit and show you kind of our thought process on this. So yes, an answer to your question, Chair Greene and Commissioner Hughes. So, as, for example, first of all I want to point out, it's kind of hard to see, but this is a drainage right here. It's not a FEMA flood plain like we have up here, but this right here is a drainage way. So the drainage way creates a natural buffer. So you can see it, the kind of the hatched area right here, and it goes up and it connects into here. And so this all actually creates a really natural buffer. So when we're doing the planning and we're really laying this out, we are going to be obviously protecting that the County requires a setback from that. This might serve as a future trail connection that would, would move throughout the project. So also this area here, yes, we're zoning it because we need to create zoning. We can't leave things unzoned essentially. But this is going to be open space in this area here. The, the natural landscape is really serving, serving that intention for a buffer. And then it's also just the types of uses here are sort of a natural sort of companion, if you will to, being near the plant.

COMMISSIONER HUGHES: Thank you. Yes, thank you.

MS. JENKINS: Thank you.

COMMISSIONER HUGHES: That's my question.

CHAIR GREENE: Any others? Yes.

COMMISSIONER BUSTAMANTE: Yes. Thank you, Chair Greene. I don't see, under the conditions for water service, it says that it will be on the developer to connect with the County waterline. And I don't see anything in the six conditions that unless it's assumed under the SLDC that connecting to the County water means shutting down any wells that are on that property.

MS. JENKINS: Thank you. That is an excellent question, Chair Greene, Chair Greene, that is a typical condition of service. Yes.

COMMISSIONER BUSTAMANTE: So it will be –

MS. JENKINS: Yes, there will be – if there are any wells, and I actually don't think there are actually any wells on this property, if I'm remembering that correctly. But any existing wells do need to be capped in accordance with OSE regulations.

COMMISSIONER BUSTAMANTE: Do we know, if anyone has already done that survey to see if there are any wells on that?

MS. JENKINS: You know, my client is here. I could ask him. He probably knows.

COMMISSIONER BUSTAMANTE: I'm grateful. Thank you.

CHAIR GREENE: Thank you. Anybody else? Okay. After public or now? Okay, great. This is a public hearing. We welcome the public to come up and speak in person or online. There are a number of people that appear to be here online, but

we'll take the people in the room right now. So come on up. You're going to get sworn in.

[Duly sworn, Tai Bixby, testified as follows:]

TAI BIXBY: Tai Bixby, 1227 Paseo de Peralta, Santa Fe. And I understand that I'm under oath.

Mr. Chair, Commissioner Greene, and members of the Commission, my name is Tai Bixby. I'm a commercial real estate broker here in Santa Fe. And I work every day with developers, business owners and residents, working to navigate what actually works on the ground in this market as far as real estate development, commercial, residential. I want to speak in support of the Bonanza Creek Ranch Project. And what I find compelling about this project is that it's thoughtfully mixed use, but not over commercialized. There's a good amount of green space here and really only, as was stated before by the land use administrator, only 15 percent of the project is commercial, which I would find to be exactly right in terms of the balance for this location. And the design creates a clear and logical urban transect or a new urban transect, which I know is one of the stated goals of the Community College District moving from Highway 14 with higher density, more intensity use through a small commercial zone, then into mixed use and finally into residential neighborhoods. And I think that transition matters because it puts the most intense uses where access and visibility already exists, and it protects residential areas from incompatible impacts.

There's certainly demonstrated demand in Santa Fe County for light industrial space and for well-designed mixed use space. And, in fact, of the 24 lots that were available on the Avanti subdivision to the north, 22 of those are already spoken for. They're either under contract or under letter of intent. There's only two that are left. And if you look at other industrial land that's available, you're seeing similar types of absorption and availability.

And then most urgently, I think, for this project is housing. I know that's on everyone's minds in terms of policy, in terms of politics, in terms of budgeting and water. And I think that it's one of the biggest challenges that we face as a community. And this project directly addresses that need in a responsible way, in so much as it aligns with the goals of the Sustainable Development Land Use Code, which I think is, is a responsibly written with that respect. And it aligns with real market demand. With good planning it moves us towards solutions rather than continuing the status quo. And so for these reasons, I believe it's a well conceived project and I encourage your support. Thank you.

CHAIR GREENE: Thank you, Mr. Bixby. Anybody else in the chambers want to speak for or against? All right, let's go online.

MR. FRESQUEZ: Mr. Chair, we have four people online. Our first speaker is Kiera Quinn.

CHAIR GREENE: Excellent. Can we set up a two minutes? We can do three. It's only four people.

[Duly sworn, Kiera Quinn, testified as follows:]

KIERA QUINN: My name is Kiera Quinn. I live at 07 Back Road in Madrid. And yes, I understand that.

CHAIR GREENE: You may need to get closer to your microphone please, because we can just barely hear you.

MS. QUINN: Sorry about that. Is that better?

CHAIR GREENE: Marginally.

MS. QUINN: Okay, then you're going to be looking straight at my eyes here.

CHAIR GREENE: That's better. We turned your volume up here, so you're good. You can probably Pull away if you want.

MS. QUINN: So, listening to this project, I think that this project is probably better designed than many of the ones that have already gone up in the area. However, I do have some concerns. That area is already getting very built up and quite for a rural area it's already getting quite dense.

I live in Madrid. My livelihood, my business relies on people coming this way because it's pretty and because it's scenic. It's one of the only, if not the only nationally recognized scenic byways in the state of New Mexico. And we need it to stay that way to get business out here. That is why people come here.

I agree that we need more housing, we need more walkability. All of those things are vitally important, but they don't work outside of the city. The city boundaries exist for a reason. There are other examples in the area of neighborhoods that have tried to do this mixed use, walkable thing outside of the city, and there's one up on 599. There's a whole bunch of business spaces. No one's in them. No one is walking around that community. It's not walkable when you have properties that large, it's not going to work. What works is density, and this isn't a NIMBY thing. I would rather have people here in my backyard and in Santa Fe rather than having more of our open spaces taken up by this.

The most expensive areas in Santa Fe are the densest. That speaks to the popularity of density and being able to have that walkable space. Out here, it ends up as like, well, I could walk but only here. I can't walk to where I need to get in town. It's kind of a superficially walkable space, not really walkable.

I also have concerns about like drainage. Okay, that's great that you're going to keep the drainage space, but if you have the water running off from an asphalt surface, it runs faster, it does more damage, and it doesn't get absorbed into our aquifer. We need that space to preserve our water. There's a lot of other developments around there. Like I said, they're already encroaching. When I was a kid, I used to joke that Madrid is going to be become downtown Quirk-a-Fe and it is happening so rapidly. The value of this place, the reason that people move here is for the rural open spaces. Without that, people move away. Thank you very much.

CHAIR GREENE: Thank you very much. Next up.

MR. FRESQUEZ: Mr. Chair, our next speaker is J. McVickar.

[Duly sworn, Janet McVickar, testified as follows:]

JANET MCVICKAR: Janet McVickar. 17 Vista Alondra, Santa Fe, 87508 . And I understand I'm under oath.

So I too appreciate the very well thought out presentation that Ms. JenkinsGavin gave. I've heard presentations by you for many years. This is probably one of the best. My main concern may touch slightly on the same issues that the previous speaker brought up. But I'll confine it to one area.

I have very serious concerns still about the access egress issues onto 14 and up into the 599-14 intersection. I'm certain that your project you developed prior to the construction of the new two back-to-back projects that are being developed just to the

north, which will already create a significant traffic increase onto that intersection because that's where a lot of people will, these people will all get onto I-25 in this location. I appreciate that you've made accommodation for changes, but I remain very seriously concerned and skeptical that this heavy increase in traffic in this one to two mile area is going to be a successful arrangement. In fact, I think it's going to be a nightmare to be honest. And, I don't know what to ask you to change, but I'm very uncomfortable with that. I'd much rather see you have a very major access out to I-25 or 599. I know you have one onto a very small road. I think it was, Lewis Road or Eliza I've forgotten, which now, and I'd like to see this problem addressed more currently than was planned. Thank you.

CHAIR GREENE: Thank you very much. Next up.

MR. FRESQUEZ: Mr. Chair. Our next speaker is Camila Brom.

[Duly sworn, Camila Brom, testified as follows:]

CAMILA BROM: My name is Camila Brom. My address is 181 San Marcos Loop, Santa Fe, New Mexico, 87508. And I understand I'm under oath.

Okay, I wanted to make some comments. I live out off of Highway 14 and I'm very concerned about the Bonanza Creek request to change the zoning to include industrial general industrial use. As you've all heard, this is a mixed use zone that was decided on just about 10 years ago. And if you go back to when all of the discussion was about zoning for the SLDC, it was really important to County staff as well, that no industrial zoning should be off of Highway 14, the Turquoise Trail National Scenic Byway.

There's an over 300 page document of public comments and staff comments as to keeping this area more rural. And they decided against even industrial light. But the developer wants you to approve an industrial, general industrial zone now. So at the Planning Commission hearing. I read over the entire thing, and other than Ms. Jenkins's presentation, I didn't even hear anything from the Planning Commission about that area being in the Turquoise Trail Scenic byway. But I encourage you Commissioners to read the minutes of the Planning Commission hearing, especially on page 20 when a commissioner asked Ms. Jenkins as to why it needed to be general industrial use versus light industrial use. And I'm saying, this isn't verbatim, but there wasn't a specific reason in front of her. She didn't have a list, but there were a few key uses that were not on an industrial light zoning that they really wanted to allow for. And then on page 22 to 23, they were asked about water and who's in charge of it. And Ms. Ladd said that, Alexandra Ladd with the County said, she would just get back to the commissioners later on. all of those details. There were many questions the commissioners asked at that hearing that were, that needed to be followed up on but at the end of that hearing, the Planning Commission just went ahead and approved it without the answers.

So I want to quickly, because I'm almost out of time now, say this mixed use has, it's currently zoned isn't just for residential, it's also can include restaurant, stores, auto repairs, office banks, post offices, et cetera. To remind you all, in case you don't know, Santa Fe Studios has been up for sale since a year ago. So, the industrial use to benefit Santa Fe Studios doesn't make sense to me.

If you approve general industrial use in this area, you're going to be – the developer can build an industrial park, warehouses, a cremation facility, a hazardous

waste facility, and many other things if it's approved to this zoning. So please do not do that and honor what they intended it to be a year ago when they zoned it mixed use. Thank you.

CHAIR GREENE: Thank you, Ms. Brom. And do we have one more or two?

MR. FRESQUEZ: Mr. Chair, Our next speaker is Doug Speer.

[Duly sworn, Doug Speer, testified as follows:]

DOUG SPEER: My name is Doug Speer. I live at 100 Pine West in Santa Fe, 87508. I'm under oath. Okay, I think I got all of it.

So I am in agreement specifically with the concerns that, that Janet McVickar brought before you. I think that the traffic concerns are serious and I believe that, unfortunately as much planning has gone into this, I believe that there's probably some oversight as to what's coming very quickly down the road -- not to be an intended pun.

The concern I have is the access to 14, it's going to put a lot of traffic onto 14 and 14 is getting busier and busier all the time. But if you account for the traffic that exists today, you're missing the mark a little bit because the traffic that's going to be on 14 is only going to grow. And I think that the word exponential is probably a good word to use. There is a huge development that this body has approved, earlier in, in 2025 that's going to be developed off of Avenida del Sur, that route is going to be extended to Richards Avenue. That alone could increase a great deal of traffic coming from Richards from the Rancho Viejo developments and all the way into 599. That intersection does not have that traffic right now. But when those developments, which have been approved, begin to use Avenida del Sur over to 14 and onto 599. And then this area, if it is approved, it's generating traffic onto 14. And then you are going to be addressing another project immediately after this. I'm not sure where it is on your agenda, but it's, it's just north of this particular project that you're going to be voting on for approval that will also add a great deal of traffic.

My biggest concern is this, you are a County development process in the midst of state roads. The applicant talked about working with DOT. I am really concerned about the process between the county and the state. I am not convinced that this is a two-way conversation and that the state is responsive and will be responsive when this gets put into place. And I think there's a great burden to be, think about this more globally than just the two access points on the 14 that the map indicates. Thank you.

CHAIR GREENE: Thank you very much. Anybody else?

MR. FRESQUEZ: Mr. Chair, there are no other speakers online.

CHAIR GREENE: All right. So some questions from the Board here, Commissioner Hughes.

COMMISSIONER HUGHES: Yeah. I have another question. Is there allowance in your plan to make Route 14 four lane when that becomes necessary? I mean, this, it seems like this has just become an extension of Cerrillos Road, and I realize we're only doing development in SDA 1 and so that's been approved before. But I think it's also important we keep SDA 2 sacred so that we do protect the scenic entry into Santa Fe and keep the land around Cerrillos and Madrid very rural. But is there any plan to make it or allowance to make it four lane?

MS. JENKINS: Chair Greene, Commissioner Hughes and Board of

County Commissioners. So, that did not come up in our review of the traffic study either with the County Public Works Department or the Department of Transportation. I can tell you there is adequate right-of-way that should any widening projects be desired we are in the sense widening because we are building turn lanes. So when you build turn lanes, you get those turning vehicles out of the through lanes. And so in a sense you are widening the facility and creating more capacity in the facility through the construction of the turn lanes. And so there is plenty of right-of-way to accommodate that. But the concept of four lanes has not been broached. But as I mentioned, we're there's going to be many iterations of this traffic study going forward. And so, if there ever comes a time where that is something that needs to be explored with the Department of Transportation, we're we are at the table to do that.

COMMISSIONER HUGHES: Okay. And do you have any, I heard you talk about getting to the, the frontage road. Are you going to work on that? Is there any plans to somehow get access to those private roads if people can get out that way?

MS. JENKINS: So right now our, and if we could pull up the presentation. I don't see this, Daniel isn't with us.

Okay. So our access to the frontage road at our northwest corner is via Lewis Road, which is a County road. So it is a public facility. It is a County road. So that is our access point. The balance of the roads in that neighborhood are private and we are respectful of that. And so we did study intersections in that neighborhood, of course, as was directed by the Public Works Department. But, what we can do is again, is create a situation where should that road connection, you know, the one I showed kind of at our southwest corner, should the County pursue that, we were in a situation where we can create connectivity to that. And so that is, and as we progress, and that's probably one of our later phases, but at such time we come in with that subdivision for that residential subdivision in our southwest corner, if we have a County road right at our back door, we're going to connect to it because that's an important connectivity opportunities there.

COMMISSIONER HUGHES: Okay. Thank you.

MS. JENKINS: Thank you.

COMMISSIONER HUGHES: I have a question for Alexandra, if that's okay. So how much space is there between this, not this project, SDA 1 totaled between that and Madrid and Cerrillos? In other words, are Cerrillos and Madrid fairly well buffered from development given these plans we have?

[Duly sworn, Alexandra Ladd, testified as follows:]

ALEXANDRA LADD: Alexandra Ladd, 240 Grant Avenue. And I understand I'm under oath.

Chair Greene. Commissioner Hughes, let me make sure I understand the question. You're asking how once you leave SDA 1 how far away are you still from Cerrillos and Madrid? We could measure that for you using a tool. So why don't we do that and then we'll tell you approximately what that distance is.

COMMISSIONER HUGHES: Okay.

COMMISSIONER JOHNSON: In the meantime, Commissioner Hughes. I just measured Bonanza Creek to Madrid and it's approximately 15, we'll say 12 miles of open space between Bonanza Creek Road and the Village of Madrid.

COMMISSIONER HUGHES: And how much between Cerrillos?

CHAIR GREENE: So I did from Cerrillos to the Adult Corrections Facility, which is just a little south of this is 19 kilometers. So doing the math is 12 miles. I don't know why my computer's giving me kilometers, but whatever; 12.3 miles. Actually it's recomputing, so I was close.

COMMISSIONER HUGHES: Okay. But that doesn't quite answer my question because where does SDA 1 end?

CHAIR GREENE: Oh, that I don't know.

MR. VOS: Chair Greene, Commissioner Hughes, SDA1 extends along New Mexico 14 approximately 2.5 miles south of the project site.

COMMISSIONER HUGHES: Okay, so take 2.5 miles off your distance and it's 10 miles to Cerrillos and how many miles to Madrid?

CHAIR GREENE: Twelve, 12.3.

COMMISSIONER HUGHES: Okay. So I just think if we approve this zoning change and the conceptual plan, we ought to also protect that other land. Thank you.

CHAIR GREENE: Great. Commissioner Johnson?

COMMISSIONER JOHNSON: Thank you. Chair Greene. I want to underscore what Commissioner Hughes is pointing at. SDA1 is already zoned. SDA1 is our designated growth area. I agree that SDA2 can act as a buffer and then. The zones beyond that are also certainly worth protecting. And they're very rural and that aspect should be absolutely maintained.

I did have a couple questions in addition. So Ms. Brom mentioned the minutes, which I was able to review while she was finishing up. Do you have an update on light industrial Ms. Jenkins?

MS. JENKINS: Yes, we actually did. Maybe the minutes weren't really clear, Commissioner Johnson. But there were a few key elements. We studied this actually very carefully when we were devising the zoning plan. One thing that I thought was unusual that is not permissible in light industrial is like a mill shop, somebody who makes cabinets or if you wanted to build movie sets. Another one that is not is an industrial park, what we're kind of proposing an industrial park. And so there were just some odd limitations there that just were like, well, it's kind of defeating in terms of what our understanding is of where the demand is because it's really about something that is financially and economically viable. And that's we're focused on. So we've really tried to educate ourselves about where the demand is and how can we craft something that meets that demand. That was really what drove that decision around the industrial general and the light industrial distinction.

COMMISSIONER JOHNSON: Okay. Yeah, thank you. First of all, just like the public comment said, I thought your presentation was well done in the conceptual plan is good. And it's really interesting when we look at this area, you zoom out, you look at Google Maps, you look at the county maps, there are, you know, it's sort of a pocket between the state penitentiary and an already established neighborhood. And then as you, as you mentioned, the National Guard is in the area. There's the Santa Fe Studios. So there already is some mixed uses for sure. And so I think these patterns of use are things that we should encourage in pockets rather than in sprawl situations. So I think it's well placed.

I think the, the traffic issue is certainly to pause, a moment of concern because, you know, this is an area where people have to travel in a single lane for the most part, state highway and make their way to and from, and so I certainly hear the concerns of residents that way. Are there, did you evaluate different sort of orientations of roads to think about how to most efficiently circulate traffic? Or are the constraints of the site such that you're kind of limited to these two entry points onto 14?

MS. JENKINS: Chair Greene, Commissioner Johnson? So we did evaluate it. We have access to two public roads. We have access to Highway 14 and we have access to a County road at our northwest corner. So those are – that is a constraint, that is a limiting factor. And then where those roadways access Highway 14 was very carefully analyzed relative to site distance, separation between those particular intersections and we work closely with the DOT because at the end of the day, it's their facility. They have to issue access permits and have to be comfortable with what we're showing there. So there was a lot of interaction there. And those three access points is what we have available to us now. But again, as we discuss, we're hopeful in the future there'll be more and as the County seeks to implement some of their roadway improvements and desires for more connectivity. And then our internal roadway network is designed to, again, we're not looking at a bunch of cul-de-sacs and dead end roads. We really want to maximize connectivity internally. And so if you're over on the east side of the project, but you're heading to Albuquerque, you're going to go over to the frontage road, you're not going to go to Highway 14. So we want the internal network to facilitate that kind of distribute. There's a concept we call traffic distribution. You don't want to create a network where everybody goes this way. We want to create a network where it feels, even if it's maybe technically a little further, it maybe feels more direct. So I'm going to up to the frontage road and head into town that way. And so that was really what was intentional about how we laid out the internal network.

COMMISSIONER JOHNSON: Okay. Thank you. So I think relative to the idea of, you know, the sort of scenic corridor, I understand that there's no replacing open space. But, and we're not there yet, but how are the commercial lots fronting Highway 14 sort of imagined? Because if it is, if there are big lots that are encouraging a big box store or something like that, that's a different aspect than just to the south we have the feed store. Much kind of a classic look. I think there's a big difference between those two things. And they're both commercial entities. So what's conceived?

MS. JENKINS: So we are developing, so the County code is kind of the baseline in terms of parking and lot coverage and landscaping and all of these types of elements, right? But we are also developing design standards for Bonanza Creek because we're going to be working with multiple developers, right? We're going to be working with commercial developers, residential developers, potentially multi-family developers. And we need to have consistency within the community in terms of pedestrian circulation trails, open space, parks and landscaping setbacks, all of these things that create a beautiful, a beautiful, connected community. We don't want homogeny, but everything needs to feel harmonious in terms of the feel and how it functions. So looking at our Highway 14 frontage, yes. Do we want commercial businesses to have the benefit of that great visibility and really easy access? Absolutely. But one of the things that we're looking at is we want the buildings to actually be more oriented toward Highway 14. It

creates a better feel than just stick your parking lot against Highway 14. So we think a built environment with appropriate landscaping improvements actually creates a better experience. And it also slows traffic down. It has a really interesting, positive kind of, consequence that when buildings are associated with the road that's in front of them, it has the effect of slowing down cars. And so we want to create something that is aesthetic and attractive because we want to attract customers, we want to attract residents into the community. So those design details are going to be really important and we'll be able to drill down on that a little bit more as we come in with our first subdivision and talk about those design standards and how those buildings will relate to the highway.

COMMISSIONER JOHNSON: So subdivision platting, were this to be approved down the road, subdivision platting when it comes to us might have design standards.

MS. JENKINS: Yeah, exactly.

COMMISSIONER JOHNSON: Okay. Thank you. Super quick question, into the northwest corner, is there currently a house there?

MS. JENKINS: Yes. Thank you for bringing that up. So, in response to Commissioner Bustamante's question. We do have one residential well on the property because we have one existing residence. It's a manufactured home in the northwest corner. And that's the well just for that home. So they will remain on that until, you know, the development moves into that direction and we have water in that area, then we will be able to cap that well. But that is the only well on the property.

COMMISSIONER JOHNSON: Okay. I have other ones; I might have more, but I'll let the other Commissioners go. I just want to point out that I do appreciate staff adding the condition that there will not be the sort of mass grading of the site because I think preserving the natural contours of the landscape and not having a big scraped lot is really important.

MS. JENKINS: That's really important, yes.

CHAIR GREENE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. Thank you for your presentation. I'll just keep it short here. The Fire Marshal approved with conditions and I just wanted to ask Mr. Vos and Ms. Ladd which one of those conditions of the 12 or 13 was required by the Fire Marshal. And this is all about fire safety and emergency.

MR. VOS: Chair Greene, Commissioner Cacari Stone, it's condition #8, which is pretty general. It just says that the applicant shall comply with all of the review agency requirements. So that condition is global and includes the Fire Marshal's requirements in it.

COMMISSIONER CACARI STONE: So, we discussed fire emergencies out on Highway 14. We discussed it when we talked about the solar application. Were there any specific concerns from the Fire Marshal?

MR. VOS: I do not believe so.

COMMISSIONER CACARI STONE: Okay. All right. Thank you so much. My question, I want to echo the sentiments of some of the testimonies in the public comment, but also respond to your traffic impact report and this isn't necessarily a reflection of this particular application, but a pattern that I've seen established in just over

a year that I've been here is that our traffic impact reports focus primarily at, one project at a time, rather multiple projects and build out. And I struggle with that because ultimately our job as BCC members is make sure that the public's safe. The other concerns is the emergency response history, pedestrian and cyclists. We know also people from the detention center have been hit and killed off that road. We're working on doing connectivity with trails on the County's end. The other one is school routes and bus delays and emergency crash history, access to the hospital, towards Cerrillos Road and these are really important. And I never see in our traffic impact reports that developers are required to pay for any of this in there. And I guess I'm asking both our Growth Management and you, since you do a lot of these projects, how can we think more proactively around this? Because it's not one project. We also have the Turquoise Trail going out there.

The other issue is intergovernmental oversight, which isn't necessarily consolidated. We have the City who does traffic impact, we have the County, we have the State Transportation Department. So there's a mismatch of oversight and monitoring, which actually just kind of leaves us as a checkerboard of a variety of practices. And I think as a BCC, I'm looking at ways to minimize that. So we're actually thinking about the increased safety of our public. So any thoughts on your end?

MS. JENKINS: Yes, thank you. Chair Greene and Commissioner Cacari Stone and Commissioners, so a couple of things with respect to the traffic study and the methodology. It's really important to point out that our traffic study assumed that Esencia is built out. All those cars are on the road, all 700 homes. We assume and we looked at Avenida del Sur is now connected. So we are not just looking at the traffic to be generated by this project. We are looking at what, what's the other approved project down the road. And then as we update the traffic study, there's going to be more stuff coming along the line. The next phase of Rancho Viejo, we're going to have to include that traffic generation. And, so any other developments within the vicinity all have to be considered. And that is a requirement. And it's not something we get to pick and choose. We don't get to cherry pick, well, we're not going to include that project because that thing's huge. We include these projects and that is monitored by your Public Works Department as well as by the Department of Transportation. And sometimes there might be a project that we don't know about. And then through the review process, they're like, you know, there's a project up the road. It's like, we didn't know about that. So we get the data and we revise the report. And I think that that's an important factor. So there is, I would say, a little more of a global element to that.

And so traffic studies are based upon methodology established by the Institute of Transportation Engineers. It is a national institution.

COMMISSIONER CACARI STONE: I saw that.

MS. JENKINS: And so what the scope of the studies we do, do crash data. So we do crash history at the report. So we can look at are there areas that are at certain intersections are subject and have high rates of crash and what is causing that? And you know, so crash history is actually included in the studies as well. So there's more to it than I think sometimes what meets the eye.

I could spend an entire hearing just going over all the bits and pieces, you know, of a traffic study. But it is pretty comprehensive.

COMMISSIONER CACARI STONE: And what exhibit is the full traffic study in? Because I didn't see it.

MS. JENKINS: I do not know, but I bet staff knows.

COMMISSIONER CACARI STONE: Okay. I have here TAC follow up letter studies, reports, assessment, Exhibit H.

MS. JENKINS: Yes, the SRAs all those various reports.

COMMISSIONER CACARI STONE: I'll take a look at that. What I'm leaning towards, and I know my colleague Commissioner Bustamante needs her time as well, is possibly putting in a condition since was such was a robust and common issue discussed across Commissioners and with public comment, a condition around, provisions around, traffic safety and mitigation and phasing measures as we think about this.

MS. JENKINS: Okay, great.

COMMISSIONER CACARI STONE: But, I'll pause.

CHAIR GREENE: Great. Thank you. Thank you, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: No, I'm fine. Commissioner. I've heard what I'm interested in hearing. Thank you.

CHAIR GREENE: Okay, well, I'll take my time here. You know, Ms. Jenkins, you know, this really changes the character of this road. Yes, you have zoning in place to do mixed use. But mixed use is not light industrial, isn't general industrial and certainly isn't commercial right up on Highway 14. And Highway 14 at this point right now, and even if it was going to be mixed use housing, really, you said it was basically housing. So, even if it was dense, right, and you transferred a whole bunch of TDRs in there it would be relatively small scale and wouldn't be bright, right. And so the general commercial that you're proposing here could be a five car lots with unbelievably bright lights. It's allowed. It could be a Costco and I know lots of people want a Costco here, but probably not there. Right?

MS. JENKINS: Right.

CHAIR GREENE: It could be a 60 -, 80,000 square foot supermarket. Again, bright lights, big city, rural development, rural location. Not befitting the scenic byway with a national designation. So, you know, we don't have the details to come. And yet we only have this crack at the apple right now. You know, you talk about this coming months, years, years, years to come. It's different people up here who might – you know, we need to protect the future from our position right here.

So what I'm going to throw out here for discussion as part of this is significant, significant buffers on Highway 14.

MS. JENKINS: Okay.

CHAIR GREENE: Right? It's not about having 15 fast food restaurants and a supermarket and three bank branches with bright lights in big city. It is about having a rural feel on a scenic byway that when people look over towards the sunset, don't see a 60,000 square-foot supermarket or Costco. Right? You could make an argument to us that that's a great idea for that location, which you're trying to do, but certainly not up against Highway 14. We have GPS, nobody needs street frontage like they used to. This is not a place that's going to be walkable at its true level. This is a high

speed highway. That people are going to seek this as a destination. And this is big enough to be a city, right; 200 acres is a city, 300 acres is, you know, downtown Santa Fe is only 68 acres. So this is very, very large.

So I want to see a buffer preserved to make sure that whether it's a trail, whether it's a park, whether it's just open space of something that makes it where you're driving down Highway 14 and you don't look off to the west and go, oh my, what did they do there?

In terms of parks and rec facilities like that, open space is not a park. Open space and a park is not rec facilities. And again, this is large enough to have all of those both open space with the floodplains and things like that, but also to have dedicated parks as a part of the master plan and a part of this. You can design it into the roads, into areas that you reserve in the plan to say, we're going to put, you know, I mean 200 acres, you can put a very large park and a central space where people come together in an open space, in a lush, beautiful place with commercial and residential and even industrial on one side of it. You can use that as a central gathering space of this. That sort of allows for all sorts of park sort of things.

MS. JENKINS: We are actually envisioning a combination of like sort of a central park, if you will, as well as some smaller, just because of the size of the project. You know, we don't want the primary outdoor amenity to not be so far. So we want there to be smaller kind of pocket park areas so everybody has easy access, whether it's near a commercial area, so somebody can go sit and have their lunch, on break if they're working there or resident can access that. So we're really looking at a combination of more centralized as well as decentralized amenities.

CHAIR GREENE: I appreciate that. I think at this master plan sort of or upper level conceptual plan level, that can be laid out here. You can lay out where the park is going to be. Right?

MS. JENKINS: I'm a little uncomfortable laying out a park on the fly in the middle of a, BCC hearing.

CHAIR GREENE: I'm not, I'm not asking for it right now.

MS. JENKINS: Okay.

CHAIR GREENE: I mean you have to come back with that; right?

MS. JENKINS: We have for every subdivision. You're going to see every project.

CHAIR GREENE: No, no. I mean, you're coming back again. This is just publishing title. I mean, all of this is, to me, I don't think this site plan is ready yet because of what it does to Highway 14. Its lack of really rich open space. These other conditions. Little things like, you know, the issues for Valle Vista. We just put two weeks of misery on the Valle Vista neighborhood and I don't think they even had a chance to look at this plan coming up because they were literally trying to, you know, figure out how to flush their toilet.

MS. JENKINS: Yes, sure.

CHAIR GREENE: And to have a traffic study that even regardless of whether it's your fault or it's Santa Fe County has an F coming for their getting home and getting to work every day. So, we need to look at the traffic along this corridor basically from north and you're not going to help them there with this. Right. Because you're going

to add hundreds of cars potentially coming out and making a left turn on Highway 14 and making it more difficult for them to make a left turn onto Highway 14 every morning when they're going to work. So it's not ready there either.

The little details, the rain gardens, you could do massive, this is huge, you could do massive detention ponds. But that's not a best practice, right. One of the things that we love here at the County are nice little rain gardens.

MS. JENKINS: Absolutely, decentralized approach.

CHAIR GREENE: Decentralized, that's right. And so having those upfront talked about, we're not going to tell you where to put them now, but just saying we are going to require those of everybody's design unless there is a better technology, for lack of a better term, that comes in the future. But that seems to be the best practice for pollinators for water detention and slowing it down. It's just to me it's not quite ready.

And lastly, the traffic studies. You have one of these showing things getting better in 10 years at Avenida Vista Grande, I guess. – Avenida del Sur, thank you. Getting better after this. You know, you're going to have 700 homes in Esencia and it's not going to get better. It's only going to get worse. And we've approved another project across the way from there. There's a lot of things already in the pipeline there. So I'm a little skeptical of that math, right. And so, you know, my conditions would be, you know, really look at the scenic byway and create 150-, 250- foot buffer from the highway. Maybe it's 200, maybe it's 175. Whatever it seems like is appropriate. But it's not 50 feet, right? It's not even a 100 feet. It's probably significant. Some height restrictions on all of the buildings that face the street there. So that you're not of, you know, 40 foot tall, big box store. Set those back even further. You know, a central park in the master plan so that people can sort of see how that, you know, their imagination will get excited about it. And connections to the neighboring property. Whether it's Valle Vista, they need some access, whether it's a trail, because that may be what they feel is the best. But also, like you said, a reserved easement so someday maybe they say, you know what, that's the best way to get out of our neighborhood because we have a failing F grade there. But I'm going to go around the long way to the light where I can safely get out of Highway 14, unless you're offering to build a light at their intersection, which you can do too.

I just, you know, I don't know that I'm ready to accept the site plan. I think the willingness to start the process of rezoning, you've done a bunch of work, I'm not like a 100 percent against it. I'm not quite sure that I agree with the light industrial versus general industrial, and I'd like to study that some more. That's kind of where I'm at. Like, this is not quite there. This is a great first presentation and I get it. I just I'm going to – I'd love to hear some more from folks. Yes, go ahead.

COMMISSIONER BUSTAMANTE: I appreciate what you're saying, Commissioner, and the concerns that I have exactly the traffic. But I also have the sense that, and I'm hearing you that we want more planning on that, but if we're to approve this change in that area, those details, and please correct me anyone if I'm wrong, but those details would be in the next phase. I sincerely, if we're creating wish lists, yes, I absolutely love the idea of hopping onto the frontage road and getting on I-25 and going home. Things that protect the aquifer there. And the other thing, you know, considering more density in the housing components. I'm a huge fan of plazas. We've got a friend over here who's done his master's degree thesis on plazas, and nobody's put another plaza

here, and that was 20 some years ago that he did that. But things like that, that create community.

But I see that as the next phase. I'm completely and I couldn't possibly, and I think Commissioner Hughes would agree with me on this is, we've sat at a number of meetings because of the traffic on Highway 14 and how that's going to continue to come out.

I think you're aware, and you gave a great presentation on these are all the elements that would address it and how it would be. But again, I look at staff and again, correct me if I'm wrong, those elements, if we were to approve the particular site plan, tighter elements such as those can still be built in. And I'm looking to staff for those.

CHAIR GREENE: So we can, we can build those in. To give you an example, if we don't say and be specific now the minutes will show that we weren't specific and – but if we said on a 300 acre thing that there should be six plazas, one large park and five medium parks, we don't care where they are, figure it out, then they go home and try to figure out how those are organized into a plan. But if we say we'd like to have this and figure it out later, but we don't be specific, we will never get it.

COMMISSIONER BUSTAMANTE: I hear you. I hear you. I understand that and six plazas is too many.

CHAIR GREENE: Go ahead, Alex. Sorry.

MS. LADD: Chair Greene, Commissioner Bustamante, I think you're both right to some extent. Because at this stage we're just looking at colored blobs and it's just opening up a realm of opportunities for those, those parcels. So we're sort of in the expansive phase. And I appreciate bringing these concerns to the, to the table now and talking specifically about them because as the developer goes back to the drawing board to bring, actually finalize those details and bring those details forward in the subdivision plats, which will be down the road, they can build those in. And then when it comes in front of this body, it will be reflected that you had this conversation.

CHAIR GREENE: Yeah, go ahead.

COMMISSIONER BUSTAMANTE: Chair Greene and Alexandra, I appreciate that very much. And the only reason I do want to say and I'm sorry, this doesn't have much to address what you just said, but the reason I bring up things like plazas is when we're talking mixed use and we're talking about commercial and the types of opportunities that a plaza, it's not just about having that, but when you talk about the walking space and people being able to see each other and procure goods, that is a really precious model that just isn't exploited enough. And I rarely like to use the word exploited when I talk about development. In fact, I never like to say the word exploited, but it's about that walkability.

Again, when we talk about big box, I happen to know that there is a big plan closer proximity to that. So when we look at those types of things, that's in that next thing is what I'm hearing you say. So I'm with you. And you and them and whomever else wants to with me.

COMMISSIONER JOHNSON: So it seems like you're proposing that we add additional conditions if we are to approve this tonight. And in order to frame the discussion going forward, and I guess maybe clarification on what comes next? This is the publish, the title and general summary of an ordinance. How malleable, I think it'd be helpful to have clarification about how malleable that is down the pike.

CHAIR GREENE: So I guess to answer that question, so we're potentially approving two different things today. One is publishing title to do the zoning change, just zoning change. But this conceptual master plan, or the right wording for it, is approved today and that's it. We're done.

MR. VOS: If, Chair and Commissioners, if you vote to approve with conditions the conceptual plan, that would be the last time that you see that this conceptual plan. When they revise it to meet the conditions, staff reviews that prior to recordation with the County Clerk. The next thing you would see would be, you know, subdivision plats and sort of those final development plans.

CHAIR GREENE: I don't think that we're ready for a conceptual plan. I mean, you guys have all your voices and votes. But to me, I think conceptual plan right now, before we get the zoning, we don't have enough time to put our laundry list and we could be here all night to really discuss all the details that we think are of concern. But we've heard them, right? We've heard it's a scenic byway. We've heard access and traffic. We've heard parks and plazas and public spaces. And I think that we got a month at least until our next meeting, and I would just myself again, recommend tabling the site plan and buying some time because we have time before the ordinance and the rezoning happens, and then we can have the two come before us together. And we can either, you know, you can take this to them and work together on a plan that you think adopts it. You can do it on your own, but plazas, parks, scenic byways, making sure that we preserve a bunch of this issues of what the industrial would look like. Does that mean it could be a data center?

Right, right? It could be, right? I mean, yeah, it's small for a data center, but they could buy the whole thing, right? Is it going to be a big giant warehouse? Is it going to be an Amazon warehouse? I was in Albuquerque the other day, and you can see it from across town. It is unbelievable. And that's not what we want to do there. And that's probably perfectly okay with their zoning regulations in Bernalillo County, not even in the city of Albuquerque. So you see it all every day?

MR. VOS: Chair and Commissioners, I see that building a lot. And the, height regulations in the Santa Fe County zoning regulations would not allow a building that all.

CHAIR GREENE: Okay, okay, great.

COMMISSIONER HUGHES: Are we ready to do just the zoning change? I mean, just the publish title and general summary?

I'll make a motion that we approve publishing title and general summary for the zoning change.

COMMISSIONER BUSTAMANTE: Second.

CHAIR GREENE: We have a motion from Commissioner Hughes and a second from Commissioner Bustamante.

COMMISSIONER JOHNSON: Discussion.

CHAIR GREENE: Discussion, please.

COMMISSIONER JOHNSON: Just a point of clarification, that means that in a sense, the conceptual plan changes the zoning in different sectors of the property. And are we approving that general configuration if we do the motion that Commissioner Hughes has proposed?

MR. VOS: Chair and Commissioners, I may need some support from the County Attorney on this, but approving the publication of title and general summary currently the zoning that's proposed is based on the layout in this conceptual plan. But depending on when that gets published and if there's an exhibit attached to the ordinance, the applicant were to adjust it slightly, if they modified their plan prior to our timeline for publication – what I'm saying is, I'm not sure you're totally locked into these exact boundaries tonight.

ATTORNEY BOYD: Chair Greene and Commissioner Johnson, in general, publication of your intent to adopt the ordinance is giving notice to the public that you're going to consider the proposed amendments. And so there is some restrictions in terms of being able to just go wholly off piece with where you're going with this and considering something totally different. But you could consider amendments to the ordinance on the same subject. And I think that there is some fairly substantial leeway in terms of considering amendments going forward. And I think that to the extent the applicant is going to present a different conceptual plan, you would need to make the ordinance consistent with the presented conceptual plan.

CHAIR GREENE: It has to be consistent. It can't be whole cloth changed. But if it changes in terms of 10, 20, 30 acres here or there on a 300 acre thing, that's adjustments based on our comments, or they need to, should come back and –

ATTORNEY BOYD: Chair Greene and Commissioner Johnson, I think I can work with Growth Management to have some language in the publication of intent that ensures that the public is aware that the Board is considering amendments that could be, you know, I don't want to get into a debate about what is substantial or not. I think the public needs to be aware that you all are considering significant amendments to what was proposed.

COMMISSIONER JOHNSON: Could I ask Ms. Jenkins a question? So I think just for our consideration, we've given a lot of feedback and there's much to consider. Would it significantly delay the project to do this sort of piecemeal approval of the zoning map but not the conceptual plan? Or is there some notion that you may warp the conceptual plan based on the feedback that you've received and therefore it might be better to table this to a date certain?

MS. JENKINS: Thank you, Chair Greene and Commissioner Johnson. If the conceptual plan was approved this evening, it is going to be conditional upon approval of the zoning map amendment. The zoning map amendment is not approved then the conceptual plan basically becomes void. So if both items were back on the agenda in 30 days, that doesn't create a significant delay for us. And we are – if that is the pleasure of – I mean, I'd love to walk out of here with an approved conceptual plan, of course I would.

COMMISSIONER JOHNSON: Of course.

MS. JENKINS: But I'm happy to bring another iteration. I don't see necessarily big changes on zoning boundaries because I think those zoning boundaries make a massive amount of sense and were very carefully considered, but incorporating how a, a central park element and where ideally that would that be located? Happy to bring some additional information in that regard.

COMMISSIONER JOHNSON: Okay, thank you for that. My preference

is that we table both of the items contained within B until the next BCC meeting, which is effectively 30 days from now.

MS. JENKINS: Just to clarify, we would very much like title and general summary to be published. So then we can, at the next meeting, both the conceptual plan and the zoning map amendment can be approved. So we could approve just the publication tonight, table the conceptual plan, and then both items get heard in 30 days.

COMMISSIONER JOHNSON: Okay. Thank you.

CHAIR GREENE: So just as long as there's some flexibility, because I don't want you to go publish and feel constrained or us to feel constrained because we just allowed you to publish. So the question is for the attorney to work with you to find out enough wiggle room to allow that this isn't just a wasted thing and we should have just tabled.

ATTORNEY BOYD: Chair Greene, I think that there can be language put in the notice of intent if it's not already in there that will reflect the Board's intent to not just be limited to whatever the zoning proposal was presented at today's meeting. But, we'll consider potentially substantial changes to it.

CHAIR GREENE: Okay. So we have a motion from Commissioner Hughes. We have a second from Commissioner Bustamante, that is to approve the publishing of title and general summary for the zoning change. On that motion, are we ready? Any other comments?

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

CHAIR GREENE: So you've got your first step here. You're on your way now.

ATTORNEY BOYD: Chair, I believe we are still on 13B. And I think the anticipated motion is a motion to table the approval of the conceptual plan.

CHAIR GREENE: Right, that's what I thought we were supposed to.

COMMISSIONER JOHNSON: Okay, move to table the remainder of 13 B until the next Board of County Commissioners meeting.

CHAIR GREENE: Which is the conceptual plan.

COMMISSIONER CACARI STONE: I second it.

CHAIR GREENE: We have a motion from Commissioner Johnson, a second from Commissioner Cacari Stone.

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

CHAIR GREENE: Okay, thank you. You've got some work to do. Thank you very much.

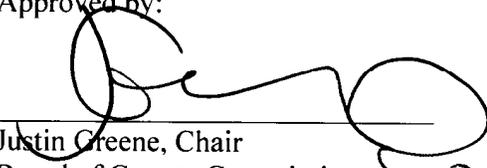
14. Concluding Business

- A. Announcements** – None were offered.
- B. Adjournment**

Upon motion to adjourn by Commissioner Cacari Stone and second by

Commissioner Johnson and with no further business to come before this body, Chair Greene declared this meeting adjourned at 7:55 p.m.

Approved by:


Justin Greene, Chair
Board of County Commissioners

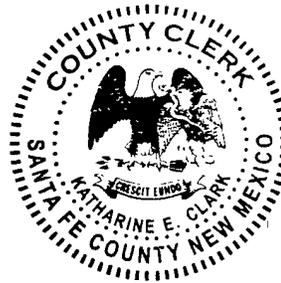
ATTEST TO:



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: 79

I Hereby Certify That This Instrument Was Filed for
Record On The 17TH Day Of March, 2026 at 01:23:07 PM
And Was Duly Recorded as Instrument # 2079134
In The Records Of Santa Fe County

deputy  _____
Witness My Hand And Seal Of Office
Katharine E. Clark
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 03/17/2026