

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

April 8, 2025

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

SFC CLERK RECORDED 04/30/2025

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April 8, 2025

1. A. This meeting of the Santa Fe Board of County Commissioners Board was called to order at approximately 2:01 p.m. by Chair Camilla Bustamante in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. O'ga P'ogeh Owingeh Land Acknowledgement

F. Moment of Reflection

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

Commissioner Hughes requested a moment of silence for former New Mexico Senator Bill O'Neill and Dr. Rafael Benjamin, both active in the community.

G. Approval of Agenda

CHAIR BUSTAMANTE: Manager Shaffer, do we have any changes, modifications to the existing agenda as presented

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GREG SHAFFER (County Manager): Chair Bustamante, Commissioners, no recommended changes to the agenda as presented today. I would simply note that the initial agenda for today's meeting was posted on Tuesday, April 1st, and the amended agenda was posted on Friday, April 4th at approximately 2:30 pm, which is in excess of the 78 hours required by the New Mexico Open Meetings Act. Thank you, Chair.

COMMISSIONER GREENE: Move to approve as published.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. We have a motion to approve by Commissioner Greene.

COMMISSIONER HUGHES: Second.

CHAIR BUSTAMANTE: Second by Commissioner Hughes.

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

2. Approval of Meeting Minutes

A. Request Approval of March 11, 2025 Board of County Commissioners Meeting Minutes

CHAIR BUSTAMANTE: Do we have any comments, changes, to the March 11th meeting minutes as provided.

COMMISSIONER JOHNSON: Madam Chair.

CHAIR BUSTAMANTE: Yes.

COMMISSIONER JOHNSON: I'll just note that Commissioner Hughes was listed as Chair again. I found the minutes to be in tip-top shape except for that.

CHAIR BUSTAMANTE: Thank you, I appreciate that. If we can correct the minutes to ensure that previous and all future minutes since January reflect Bustamante as Chair. Thank you.

COMMISSIONER GREENE: Was that a motion? I'll second it.

COMMISSIONER JOHNSON: Move to approve.

CHAIR BUSTAMANTE: We have a motion to approve by Commissioner Johnson, a second by Commissioner Johnson.

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

4. Presentations

A. Presentation by the National Dance Institute of New Mexico (NDI NM)

CHAIR BUSTAMANTE: Are we ready? I see a resounding we're so ready and everyone in this chamber should be ready because this is so cool.

CHANELLE DELGADO (Youth Services): It is a great pleasure to present to the Board today highlighting the wonderful partnership between NDI New Mexico and Santa Fe County Youth Services. Santa Fe County has been a steadfast supporter of NDI New Mexico for many years, collaborating to provide comprehensive development for children aged third through fifth grade. This initiative promotes physical development through dance and fosters emotional and social growth, creating a well-

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rounded foundation for youth in our community.

In FY25 our partnership introduced a new curriculum, an approach tailored specifically for children aged three to five years old. This initiative equips educators with essentially concepts, engaging activities, effective strategies and practical classroom management tools. It emphasizes the importance of focusing on the whole child, supporting physical development through the artistry of dance, while also addressing emotion and social growth.

This expansion builds upon our historically funded efforts which have focused on the instruction of third to fifth graders. NDI instruction has consistently prioritized physical, social, emotional and mental health with a mission to empower these young children to develop vital life skills such as teamwork, self-discipline, self-confidence, perseverance. In this enhanced framework NDI New Mexico is dedicated to building resilience and promoting protective factors amongst our youth, laying the groundwork for lifelong positive habits and mental wellbeing.

It is my pleasure to introduce a key figure in this initiative, NDI New Mexico's artistic director, Liz Salganek. She grew up in Santa Fe where she trained exclusively in ballet, jazz and modern dance and performed in professional dance. She went to Barnard College of Columbia in New York City, however, returning back to her hometown here in Santa Fe in 2006. She has been with NDI New Mexico for 18 years, so we're very lucky to have someone like her in our community. And I'm going to pass that on to Liz.

LIZ SALGANEK: I'd like to also introduce Michael Maricle on piano, our outreach music director is here with us today, Alex Langley, our assistant artistic director, one of our great teaching artists who helps us serve children in Santa Fe County, Santa Fe and Pojoaque. And of course you can see we have a lot of exciting guest performers who are ready to perform for you today. These dancers come from our super, wonderful, advanced team. The advanced teams at the dance barn which are made up of students from schools all over Santa Fe Public School District. And these dancers are here representing hundreds of students who take classes with us at the dance barn every year and thousands across the state, so we're going to kick it off with our special guest performers. Can I have a drum roll, please? Introducing the dancers in bumps and jumps. Dancers from Carlos Gilbert Elementary, Amy Biehl Elementary. Salazar Elementary. Acequia Madre Elementary.

[A dance program followed.]

MS. SALGANEK: We're hoping you'll come back in May and see these very same dances along with 500 other dancers who will be performing that very same finale along with a whole show this year that's all about math and how it helps us in every part of our life. So you'll get to see the dancers perform again. I'm going to stick around and share a little bit more information about our programs, but for now we'll say good bye to our dancers. Thank you, Michael. Thank you, Alex.

Thank you so much for having us here. I'm so excited to also get to share with you a little bit more information about our programming here at NDI New Mexico which we are in our 31st year of programs in Santa Fe. So again, my name is Liz Salganek. I'm the artistic director of NDI. We are in our 31st year of programming here in Santa Fe and statewide, and I have been with NDI New Mexico for 18 years. Our home, of course, is here at the dance barns on Alto Street in Santa Fe where we're so excited to serve

children from as young as three years old, all the way up to age 18 in programs after school and throughout the summer.

As you know and we all know, there are a lot of challenges faced by children and youth in Santa Fe County. Sixteen percent of children are facing food insecurity. Eighty-eight percent of births are covered by Medicaid, an even higher average than the state. Eleven percent of households receive SNAP benefits. Eighteen percent of children are living in poverty and only 40 percent of children are reading at a proficient level in the Santa Fe Public School District. And we really consider our work as a non-profit to be one of partnership with members of our community to help provide as much support as possible to young people to help them overcome these challenges and support their physical health, their mental wellbeing and social/emotional learning as well as their academic achievement.

NDI New Mexico is founded with the knowledge that the arts have a unique power to engage and motivate children. The purpose of our distinctive programs is to teach children discipline, a standard of excellence and a belief in themselves that will carry over into all aspects of their lives. As you can see, we are an arts organization. We teach through dance and live music and put on incredible performances but the dance is really the vehicle to the outcomes and the outcomes are really about what you see here in our mission about helping boost self-confidence and success for our young people, and that dance and joy and music are how we achieve those outcomes.

The core four: work hard, do your best, never give up, and be healthy. That is how we teach the children our mission. These examples of some fun cartoon, almost characters with the core four come from what we call our leave-behinds. We print these out every year to give to our participating classroom teachers as a reminder that the core four goes with you back into the classroom. The core four that you learn in NDI is going to help you in the class. It's going to help you with sports after school. It's going to help you get into your jobs and get into college and that's what we're really trying to teach children and we do it through a fun and engaging methodology that we've built up over 30 years, but they know that these are the outcomes that they're focused on and this is what we believe in and hear from classroom teachers, principals and students, comes from the work that we do.

We are also a statewide organization. We started here in Santa Fe but since then have grown to be serving schools all around the state. Our year this year, this school year, we'll serve over 8,000 children all across the State of New Mexico, from as young as three to age 18. We will be participating in 90 schools in in-school programming and we'll reach 300 public school teachers and their students that way, in 29 different communities statewide. And those 8,000 children will not just receive 8,000 instructional hours, they will receive 250,000 instructional hours over the course of this school year, and that is how we really strive to have both a breadth of impact serving a lot of communities and a lot of students, but also with a really impactful program where students receive many hours of instructional time and mentorship from the NDI staff.

Since our inception in 1994 NDI New Mexico has served over 159,000 children.

There are two pathways to our programs here at the dance barns after school that allow children to access our programs throughout their childhood and adolescence. This is also one of the ways that we make sure that we are really having a deep impact on

students in Santa Fe. One pathway starts with the in-school program. All of the students who you saw performing today, their first NDI experience was as a third grader or fourth grader in our NDI class at their public school.

Then they have access to the super, wonderful advanced team, which is a free program. They come to the dance barns on weekends and receive three hours of free instructional time, and participate in the big performance at the end of the year. They can have access to our summer institute programming, a three-week summer camp. They can then keep going through middle school onto the Celebration Team. And for dancers who also really find a passion for the performing arts they can carry on with our programming all the way through high school and perform on Company Excel, which is a pre-professional training program.

The second path can be accessed through the after-school programs, the dance barns' program after school starts as young as three years old through our creative movement classes, can continue all the way through elementary school and middle school in our junior and senior divisions, and again, for those who discover a real passion for dance and might be even interested in pursuing at the college level or professionally, they can join out advanced companies apprentice and junior companies and Company Excel for middle and high school students. And those are all programs that are free to their parents, and the after-school program is on a sliding scale tuition basis to make sure that it is accessible and affordable to all Santa Fe families.

NDI New Mexico funding – we have a few graphs here to give you a high level overview of that to serve those 8,000 children in those 29 communities and two facilities in Santa Fe and Albuquerque. It costs us about \$8 million a year, a program year. 35 percent of that funding comes from government support and sources; 21 percent from individuals; smaller percentages, eight percent each from foundations as well as from earned income. That sliding scale tuition that I was mentioning, ticket sales, a small percentage from corporate sponsorships, and then we have built over time an endowment that allows us to also have a withdrawal that helps us reach that \$8 million so that we can serve as many children as possible.

And then you can see to the other side how those funds are used. 26, 27 percent each go to the programs that you've seen demonstrated today that you've heard me talk about. Our after-school programs, our advance teams and our public school programs, another nine percent for the residency work that we do statewide, and then about 14 percent of our budget goes toward our development efforts, fundraising, and 18 percent to the administrative costs of running the business and running the facilities.

Our Santa Fe programs, as I mentioned, we've been in Santa Fe now for 31 years. This year we'll serve 651 students in our in-school program, also known as our outreach program that serves Santa Fe schools, 11 of them, along with the North program, which includes Pojoaque Valley schools. Our early childhood outreach program, as Chanelle described, was a new pilot program that we started this past year. We proved that at five schools to 250 students to support early childhood learning and development. Our advanced training programs, as I've described, those are reaching about 165 students. Our summer programming to 125 or we're shooting for 150 this summer. And then our after-school program which serves well over 400 students. I think we're now at 430. We did a mid-year registration, always looking to expand that after-school programming to as

many students as we can.

Our staff, a few staff are highlighted here, we have of course a huge staff who makes this much work possible. Some of the leadership of the Santa Fe programs, both artistic and advancement are listed here and something that I would point out and share as a particular point of pride I think for us as point of pride I think for us an organization is that many of our leadership have been with the organization for anywhere from 15 to 20+ years. Our executive director has been with us 23 I think. I've been here 18 years. Our outreach director, Emily Garcia, has been here 22. There's lots of staff and leadership who really have dedicated their careers to the quality, the sustainability of this organization and really believe in it.

Our partnership with Santa Fe County began in 2016 which was the first year that NDI New Mexico received funding from Santa Fe County for the dance barns, and our current contracts incorporate both the after-school advanced training programs as well as the new early childhood outreach, also known as the pre-kindergarten program through our support from Santa Fe County.

Our advanced training program, you've heard me describe. Something to point out in addition to the age groups that this serves, that they do receive between three to four or sometimes more hours per week of free programmings throughout their school year. They have performances throughout the year. The program itself costs about \$256,000 annually to run and thanks to Santa Fe County for providing \$24,000 in support of that goal.

Our early childhood program, again, piloted pretty recently and it's something that we're hoping to grow and serve more young children through this work. This program this year in its pilot phase costs \$35,000 to conduct, completely free to families because of the support from Santa Fe County.

These are a few quotes from students of the program. We do a program evaluation every year and gather data from classroom teachers, principals, as well as students. The students who are quoted here are students who are graduating from our Celebration Team. These are students in middle school who we are asking to reflect back on their time with NDI that for them began mostly when they were in third grade and now they are 8th and 9th graders, and we asked them to tell us what did they learn from NDI? What did they take away from it? What did they take with them as they're going into high school and these are some of the quotes that they share, which you can tell are not just about how much they love dance. They talk to us about how NDI has helped them be brave. How it's helped them to learn how to work hard, how they've gotten through struggles and how they feel that they have a second home at the dance barns, and that's something that we're very proud of and hear from many of our students and their parents.

We are supporting their physical health through the high energy activities that we're doing in rehearsals. We're supporting their social and emotional health, and we also are supporting their academic success. Several years ago, one of the elements of our program evaluation was to do a partnership with the Public Education Department as well as the University of New Mexico's Prevention Research Center and we worked with UNM to be a third party researcher for us, and we asked them to partner together with PED. They gathered – I think it was around 30,000 data points and then UNM did a statistical analysis controlling for demographic factors and came out the other side of that

evaluation saying, yes, there seems to be a real effect on academic achievement for your advanced training students, those student who you've met today where they could see a change in relation to their peers on standardized assessments in writing, math, science and reading.

So, last but not least, I hope that you'll come and join us. We have our big performance, as we mentioned, at the dance barns in May. Students from public schools throughout Santa Fe. Our firefighters will be performing with them and police officers from the Santa Fe Fire Department. We have classroom teachers and parents who perform with their children. We have the tiny tots, kindergarteners, who dance with us, and it's a huge culmination of all of our work and the more community support we have at those events, the more we hear from students that they walk away from that with something that really sticks with them the rest of their life, what it felt like to work that hard for a year and have a huge public audience cheering them on in their culminating events.

So we hope that you'll come and see one of our public performances or join us at our gala. Our show this year is "Think, a Mathematical Journey." Lots of academic connections, getting into their imagination and learning how math can be fun and exciting and joyful, and is connected to music and dance.

And I think that's the end of the presentation. I thank you so much for your time today and of course I'm here if you have any questions about our programming. Thank you again.

CHAIR BUSTAMANTE: Thank you so very much. That was lots of fun. It gave us a lot of energy up here and I'll open this. I want to thank you big time but I think the Commissioners have something that they would like to share as well. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you. I'm going to apply the Four Core every day moving forward in the County office. I think it's a good life journey to apply that. I just appreciate you and the whole team and I'm really impressed with the number. And please thank all the young people for us. They were phenomenal and I feel totally motivated and inspired. Thanks.

MS. SALGANEK: Great.

CHAIR BUSTAMANTE: Commissioner Johnson.

COMMISSIONER JOHNSON: Yes. Thanks, Liz. Really wonderful performance. I applaud the kids so please give them all of our thanks for coming out. My daughter is in first grade at Acequia Madre so she has something to look forward to. It's nice to see what you all are doing with the community, so thank you.

MS. SALGANEK: Thank you.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Liz. Thank you, Madam Chair. Just a big shout-out. I've watched NDI over the years and have served on different organizations that have funded NDI, and always remark at how you use the vehicles you use to organize, but then also to make other, more deep points. It's not everybody's going to be a dancer, but dance can teach people about math. And so there's going to be a theme. Or in the past an organization I was with, I was on the board of Buckaroo Ball and we gave you all money to deal with anti-bullying technique and how you deal with that.

And it was like: how are they going to do that? And then you did it. And it was really kind of cool to hear the kids and hear how you sort of wrapped something around that and I appreciate that. I certainly need to dance more in my life, so thank you very much for getting these kids out there.

MS. SALGANEK: Thank you.

CHAIR BUSTAMANTE: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you. I enjoyed the enthusiasm of the kids. You could see it on their faces. They were very enthusiastic and I also was impressed that they scored in general a GPA point higher than everybody else. So that's cool. Thank you.

CHAIR BUSTAMANTE: Thank you very, very much. You have made the Senior presentation right after this one a little more difficult. I hope they're ready to dance. I'm hoping they're stretching. That's where they are right now, right? And I expected on the slide where you were showing them going to high school that we were going to get into – those of us who actually are seniors could really benefit from that kind of hopping around. We're really grateful. Thank you so much.

MS. SALGANEK: Thank you. I thank you for your support.

MS. DELGADO: Madam Chair and Commission, is it okay if we take a picture with the youth?

CHAIR BUSTAMANTE: I am so grateful. I was going to ask and we have certificates for the kids.

MS. DELGADO: Perfect. Thank you.

CHAIR BUSTAMANTE: They can come out, we'll stand right here.
Thank you.

[The dancers returned for a final good bye and pictures were taken.]

B. 4. Presentation on Santa Fe County's Senior Survey

CHAIR BUSTAMANTE: Continuing with our agenda. We have a presentation on Santa Fe County's Senior Survey. Mattie Byers guaranteed that we're going to have just about as much dance and hoopla so get ready. Mattie, go ahead.

MATTIE BYERS (Senior Services): Good afternoon, Madam Chair, Commissioners. Thank you for the opportunity to allow us to be here. I have Dr. Aaron Lenihan and Daniel Fresquez with us today to present to you the senior survey.

Did you know that New Mexico's population is aging faster than the national average and in Santa Fe that's especially true. As our community grows older the need for senior healthcare, personal assistance, food access and transportation is on the rise. To help prepare for the future and to well serve seniors Santa Fe County is partnering with the University of New Mexico Center for Applied Research and Analysis to conduct a comprehensive survey that will help you to determine how to best apply and leverage resources now and in the future to come.

Who can participate? Residents aged 50 and older or those aged 18 and older who are caregivers to someone 50 and old. Your voice matters so please take the time to weigh in.

How to participate in the survey: The survey will be open April 8th through the 25th and available in English and in Spanish online through the County website, or in paper form at any City or County senior center. In addition, with other opportunities throughout the county.

Why your voice matters: This survey is a vital tool to help ensure we're meeting the needs of our seniors now and in the future. Now I'll allow Dr. Aaron Lenihan to talk more about the survey.

AARON LENIHAN: Thank you. So my name is Aaron Lenihan. I'm with the Center for Applied Research and Analysis at UNM. And since we helped to design the survey and will be the ones analyzing it we thought it would be a good idea to have me give a brief explanation of the survey and how it fits into the study.

So basically, the purpose of this study is to understand the needs of seniors in Santa Fe County so that we can plan or we can inform planning efforts for the next ten years, planning services for the next ten years. And to do that, to understand the needs of seniors, we're using three sources of data. We have representative demographic data from places like the US Census. We have this survey. And we have service data from Santa Fe County.

And so basically what we're going to do is with the demographic data we can get an overall picture of the senior population in Santa Fe County. So the number of seniors – we can also see the number of different seniors by age group, by sex. We can see how many are living with different disabilities. We can see how many have Alzheimer's and dementia, or how many are caregivers to seniors with Alzheimer's and dementia, and so there's these – we get a pretty detailed look at the different sub-populations.

And then with this survey we can hear from the seniors directly about their living situation, their needs, their worries, the services they like to receive. And then so we can hear from seniors from each of those groups. For example, seniors with disabilities, what their needs are. Or seniors who are caregivers to other seniors with Alzheimer's and dementia. And then in the analysis we'll combine with the US Census data and other representative data to get an overall estimate of the level and types of senior needs throughout the county. And then based on that information we can make recommendations about service planning.

And so to accomplish this research goal it's really critical we hear from as many seniors as possible in the survey. And so Santa Fe County Senior Services Division has been doing a great job getting the word out through these flyers, through different press releases, social media, radio, newspaper, and the other thing that they're doing is making these survey very accessible. So there's a printed version that's available in all the senior centers, and then there's also this online version which you can take anywhere in the county if you have a computer or a cell phone and an internet connection. So you can find a link to the survey on the County website, or with one of the flyers, you can follow the QR code.

It will take you to this page up here. So this is live now. You can actually take this survey. And the first thing you'll notice is we have two versions of it. We have it in English and in Spanish. So Daniel, could you click the English, please? Thank you.

So the first page just gives an explanation of the survey. This page is the first question. It explains that to take the survey, to be eligible you have to be either 50 years

and older, or an adult 18 and older who is a caregiver to someone 50 and older. And it won't let you continue with the survey unless you're in one of these two categories. The reason we did 50 and older is because even though services are for 60 and older, we're planning ten years out. So we want to hear from the seniors who are going to be aging into that category.

And then, Daniel, can you pick either of those options and go one page further? So this gets into the meat of the survey. It's a series of multiple choice questions. Could you just hit "other", Daniel, and write in test/BCC, just so we don't confuse this with an actual survey.

And then let's just scroll through the whole survey. I just want to show the submit button at the end. So you can go all the way down and hit next. And do that again. I think there's two or three other pages here. So these are all multiple choice questions. And then submit. And so there it is.

Now we have your responses. You'll notice we didn't ask for a name or anything like that. We won't know who submitted it, but we have your responses recorded now. And then Daniel, could you quickly go back to the first page? We'll just show the Spanish version real quickly.

Si prefieres tomar la encuesta en español, te deja también. Si elige español, te lleva a esta página donde explica la encuesta, de que se trata, como vamos a usar los datos, y cuanto tiempo lleva.

And then can you go to the next page? *Y la primera pregunta, te explica que para participar en la encuesta tienes que ser un adulto de 50 años o más, o una persona de 18 años o más que tenga en su cuidado alguien de 50 años o más. Y no te deja seguir con la encuesta si no elige una de estas dos opciones.*

And then just one more page. So go ahead and select one of those again. *No te deja porque no eligiste. And then, sigue en el resto de la encuesta que es una serie de preguntas en multiple opción.*

Okay. So that's basically the introduction or a brief explanation of the survey. We've tried to make it as easy to take and as widely accessible as possible and we're really hoping to hear from as many seniors as possible. Thank you.

DANIEL FRESQUEZ (Media Specialist): Chair Bustamante and Commissioners, the communications team created a podcast dedicated to the senior survey, a podcast episode, highlighting its purpose and how seniors and caretakers can participate. The podcast is shared across all major podcast platforms – Apple podcasts, Amazon music, Spotify and I ♥ Radio, to name a few. It's also shared across all of our social media platforms. This variety of platforms helps us ensure that we're reaching seniors, caretakers and even family members that can just spread the word.

For the population that doesn't have social media or internet access we also shared the podcast on KDCE in the north on March 26th and on KSWV last Thursday. And now we're going to give you a quick teaser of the most recent podcast of the senior survey. Before we begin the podcast, the PSA. Santa Fe County is partnering with the UNM Center for Applied Research and Analysis to help plan the future of senior services for the next eight years. If you are 50 or older or a caregiver for somebody that's 50 years or older we want your input through a survey. This survey is going to be available online or you can pick up a hard copy at your local senior center, both in English and in Spanish.

So mark your calendars for April 8th through 25th and help form the future for senior services in our community.

[A video was shown.]

MS. BYERS: Thank you, and we stand for any questions.

CHAIR BUSTAMANTE: Thank you very much. Do we have any comments or questions for Mattie? Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Yes, thank you for your presentation, your work. I'm very excited about the survey. I've been passing in on to our community groups. It was in my newsletter. I'm taking it to community meetings and I met with one of our City Councilors today and we're going to collaborate to get the word out.

I do have a few questions on the survey itself, because we want to get the biggest bang for our buck if we're going to do this, so I'm going to ask the doctor here. Just as we look at aging research, I want to be sure that you are able to include and consider that the aging population is not monolithic, that in fact 50 and over actually includes various sub-groups and populations, and as a County we have to consider the different needs around those age groups.

So 50 to 60 or 50 to 65, 65+ and 75 or 80+ older. They're going to have different needs. I also was curious why you put the care giving age at 50 years, because many caregivers that are taking care of seniors are actually up to 60 or 70 years old in Santa Fe County. So we need to know what those needs are. I also want you to consider, if it's not too late to revamp the survey, questions around grandparents raising grandchildren because of the fentanyl epidemic that we have. We have a high number of parents who are going into the criminal justice system, become homeless, or get their children taken by the CYFD.

Therefore grandparents have very differential needs and we're seeing an increase of that. So there's a lot of different types of questions that could be asked, I think, that we could consider, particularly around the materials. I looked at the survey recruitment materials. The font is way too small. So I'm just asking that you consider accessibility and readability types of standards that are used for people with visual impairments, and you pointed out – rightly so – that the internet digital divide is among seniors. So how are we going to reach those aging, 85 years and older. So thank you for considering those in your survey.

DR. LENIHAN: Sure. There's a lot of good comments there. So a few things. We definitely are aware of difference in populations. We've designed the survey with that in mind. So for example there's questions, we ask about age and ethnicity. We also ask about income, disability. We ask if they're grandparents raising grandchildren. And then we also have US Census data about, for example, the number of grandparents raising grandchildren or the number of seniors under the poverty line. So yes, we've definitely designed it with that in mind in terms of the sub-populations.

COMMISSIONER CACARI STONE: Thank you. I didn't see those questions in the quick view of the Google survey.

DR. LENIHAN: You mean just now?

COMMISSIONER CACARI STONE: Yes. I didn't see any of those questions you just mentioned, but if they're in there I apologize. I missed it very quickly.

DR. LENIHAN: No, no. That's fine. Just for the sake of time I decided to go through it quickly. But, yes, there are questions about that.

COMMISSIONER CACARI STONE: So you are and you will consider, because we want to be sure the differential needs as we invest as a County, the differential age group category needs and if you could consider some unique questions and go to some of the aging scholars and aging research on that to consider. There's national surveys out there that you could pull some questions from. So I'm just asking you to consider that, because we want to invest wisely as a County. Thank you.

DR. LENIHAN: Okay. Thank you. Yes. Unfortunately, we can't really revise the survey at this point. It's open now. But we do have – we will have everyone's age who takes the survey and we also have demographic data by age breakdown. We even have projections out for the next ten – actually next, I believe 50 years for the population size by age group. I think it's like, by five-year increments.

COMMISSIONER CACARI STONE: Thank you. You said it's open now. How many people have taken it? When did it open?

DR. LENIHAN: It opened today. Daniel, how many people? 162 have taken it.

COMMISSIONER CACARI STONE: I just want to say I think it's unfortunate that we're not considering the sub-population needs. It's kind of a missed opportunity. So I just want to put that out there and if we could think about methodologically maybe updating the survey including very distinct questions so we consider where to invest our County funds to the needs of the growing senior population here across age groups. Thank you.

DR. LENIHAN: Okay. Respectfully, I believe we have tailored it to get at the different sub-populations. We went through all the literature ahead of time, try to understand different groups that are likely to have unique needs, such as age, economics, things like dementia and Alzheimer's, things like disability, and those are all included in the survey and we're also able to match that with US Census data. So we have planned ahead for that.

COMMISSIONER CACARI STONE: I appreciate it and I'll take a look at the survey, especially the ADLs, the activities of daily living, you're mentioning that that was included as well. Thanks.

DR. LENIHAN: Thank you.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you very much. I'm always impressed with how senior services is always trying to be dynamic and address each different population, either by geography or different group, and to support what Commissioner Cacari Stone mentioned, I haven't gotten through all the questions here. I'm going to go take it and I will put that I am a non-applicant of it and I'll make sure that you can pull me out of the number if I go through it and submit.

But the questions I have are like, there are some core services that we already do. Congregate meals and at home meals. Are we asking questions about dietary restrictions or how we can better adjust seniors' dietary needs? Was there something to further refine our food services?

DR. LENIHAN: No. There's a limited amount of space and time. We did

not go in depth into like dietary needs. It's my understanding though that Senior Services does a yearly survey where they ask about dietary needs with their meal services.

COMMISSIONER GREENE: Okay. Another one would be transportation services. I've heard this a lot from seniors in my district saying – so the question is, do you have a driver's license still? Do you have a safe and reliable vehicle? Do you need services and things like that? Just getting into the nuanced nature of this. And to Commissioner Cacari Stone's point, it would be great to have had a question that says, okay, are you a caregiver? Yes. No.

Are you – it's fine to have the 50 to 65 or 50 to 60 sort of pre-seniors sort of thing, which I can't believe that I'm saying that I'm one of them, but I guess I am. But to have that broken to then are you actually a senior. And then almost trigger – what would it take – do you take part in Santa Fe County's senior services? And then, if not, why? And to understand what that could be.

And then lastly, are we in – I know there is one doctor here in Santa Fe who's started a new clinic for gerontology. Are we at that clinic with big posters like this saying please fill this out? Because everyone that walks into that clinic is a qualified person. Many of them are probably below the radar and don't even know Santa Fe County has these services and it would be great to go – not to speak to ourselves but to speak to the people that don't know that we actually are getting out there.

DR. LENIHAN: Yes, I can speak to the first two questions. So we do ask about transportation, about their primary form of transportation now and about what services they're interested in. Also, in terms of the caregiver, I understand that this separating by 18 to 50 in a caregiver is someone 50 and over, versus someone 50 and over might seem like you're missing caregivers, but we wanted to be sure that they're answering consistently about themselves when they're taking the survey. And it says, it actually explains on there. If you select the over 50 option to answer the questions on behalf of yourself rather than the person you're caring for. However, there are additional questions in there that ask, for example, the caregiver to someone with Alzheimer's and dementia, and it also asks about service preferences in the next ten years, if you think you're likely to need, for example, respite care services, and also grandparents raising grandchildren services, things like that.

So there's always a bit of a trade-off. We have to be – we're trying to fit as much into the survey as possible but also make sure that it's valid and that our interpretations are valid. So there's certain kinds of trade-offs we have to make with that.

And then in regards to the recruitment – I don't know if Mattie or Anne, do you know about that gerontologist?

MS. BYERS: We are currently seeking permission from several medical facilities to put our survey in their offices. I don't know if that is one specific office but I'll cross reference that to make sure that we do get into that office.

COMMISSIONER GREENE: And if you need help getting into that office I know of two offices here in town that is – one that is purely a gerontology sort of specialist and a second that's a niche of their practice but I'd be happy to help get that in there.

MS. BYERS: Okay. Thank you for that.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I just had one other question. I did see a human subjects approval number on this and that's typical for an IRB with UNM and my understanding is it should be on the all the recruitment materials. Do you have a human subjects IRB approved at UNM?

DR. LENIHAN: No, because this survey actually belongs to Santa Fe County. So we helped develop it. UNM helped develop it. We will analyze it. But the actual implementation is being done by Santa Fe County Senior Services Division. So we have an IRB from our university to receive the data and do data analysis, but I cannot – I'm not involved directly in like administering the survey. That's Santa Fe County that's doing all the recruitment and the administration of the survey. So that's why you don't see an IRB number on the survey.

COMMISSIONER CACARI STONE: So because – well, I was just curious because even if someone else is administering it it's standard protocol with human subjects to have an IRB number. That's my understanding, no matter who contracts and administers it. So, thank you.

DR. LENIHAN: Again, we have IRB approval to receive the data and analyze it, but we're receiving it from Santa Fe County. So it's not our data. Santa Fe County owns it, so it's not our survey to our IRB number on, essentially. We went through the IRB process and we sought approval. Yes.

CHAIR BUSTAMANTE: Thank you. And just for clarification, IRB review and approval are required for research projects that involve human subjects including those receiving federal funding or conducted at a university or hospital and aimed to generate generalizable knowledge. So that's where that stands.

DR. LENIHAN: That's correct.

CHAIR BUSTAMANTE: We'll put that out for Legal to consider. We don't necessarily –

DR. LENIHAN: There's two – if I can real quick. There's two things there. One, this is not for generalizable knowledge. It's actually for quality improvement within an organization, so it actually does not require an IRB. But we did get one anyways. But we are receiving secondary data from Santa Fe County in the form of this survey, along with census data and service data. So we have IRB permission from our university to receive and analyze that data. And that's all we need.

CHAIR BUSTAMANTE: That makes sense and I don't think that we would need to necessarily hash that here. It makes sense to me. If there aren't any other comments or statements regarding this. It's exciting. I'm going to say my very first research projects, 18 years old, was a gerontological study with master's degree students who got this grant and they had to take a kid who showed promise in research. And learning about the quality of life of the elderly was one of the first things I got interested in. So I'm grateful for your good work and I appreciate the presentation. Thank you,

DR. LENIHAN: Thank you.

MS. BYERS: Thank you.

CHAIR BUSTAMANTE: All right. Back to our agenda. Our presentations are done. Do we have our staff from the County Clerk's Office from the Canvassing Board present?

Upon motion by Commissioner Greene and second by Commissioner Hughes the Board of County Commissioners recessed and reconvened as the County Canvassing Board from 3:07 to 3:13 p.m.

5. Consideration Proclamations, Resolutions, and/or Recognitions

A. Request Approval of Comments from the Santa Fe County Board of County Commissioners to the US Department of Energy's National Nuclear Security Administration Regarding Los Alamos National Laboratory's Draft Sitewide Environmental Impact Statement (DOE/EIS-0552) [See Page 23 for continued discussion]

CHAIR BUSTAMANTE: Commissioner Hughes.

COMMISSIONER HUGHES: Yes. So you have the letter before you. We considered this two meetings ago, I think, and we added some changes at the suggestion of Commissioner Greene regarding the effect of housing and I made a couple corrections to be clear that we're against producing plutonium pits. And I think the letter is fine the way it is but I think Commissioner Greene has an addition he wants to make.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Commissioner Hughes. The first detail that was pointed out to me by water experts was that where it states "chromium" that we should be more explicitly every time that comes up it should say "hexavalent chromium." So there's a couple places where it comes up as hexavalent chromium but there are other places where it comes up as just chromium. Those are two different substances and one is terrible and one is less terrible. So I think we should always have that listed in there.

But more specifically, one of the areas I was interested in in this letter is speaking to the economic development in our area and how a sitewide environmental impact actually does extend to socio-economic impacts as well, and that was pointed out to me by the Chair and I really appreciate her pulling that out and making that apparent. And so with that, I added the section on transportation and the section on housing, but I would also like to add a specific section on economic development and I passed out to you all a quick, little three-paragraph statement. I'm happy to read it out for the record and to discuss it with everybody if I may, Madam Chair.

CHAIR BUSTAMANTE: Please.

COMMISSIONER GREENE: Thank you. So under socio-economic aspect, economic development. Los Alamos National Laboratory is acknowledged as an economic development engine for the Santa Fe region due to its employment of thousands of people and its support for economic development programs. We encourage Los Alamos National Laboratory to double down on these efforts supporting the Regional Development Corporation, the Feynman Center for Innovation, and our local incubators and other emergent efforts to promote regional economic development.

The federal Bayh-Dole Act directs our national laboratories to support the commercialization of intellectual property that the national laboratory system creates. We encourage LANL to provide increasing support for this with additional funding and resources for these collaborative projects to be located in Santa Fe County and the Los

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Alamos area.

Additionally, when Triad, LLC took over operations in 2019 there was a commitment to invest in a long-range and significant economic development initiative. This is yet to be completed and we hope to work with Los Alamos National Laboratory, Triad, or Battelle on this commitment, be it for workforce development in STEM, STEAM programs, or other impactful projects that support the operations of LANL and the economic opportunity of our residents.

And I'm happy to discuss.

COMMISSIONER HUGHES: Well, and I rejected it at first. This came in Monday morning at the last minute, but I did not think this applied to the environmental impact of Los Alamos Lab and I think it sort of detracts from – our real concern is water contamination, which is coming from the lab. But it's up to the Board. If the Board wants to add this part, I just didn't feel that it addressed significantly enough the environmental impact. And also I think this is a whole separate subject to address with the lab that isn't really environmental impact at all. But that's my opinion.

CHAIR BUSTAMANTE: Thank you, Commissioner Hughes. Thank you, Commissioner Greene. Any other further comments? Commissioner Johnson.

COMMISSIONER JOHNSON: Yes. Reading the minutes from the meeting that we discussed this which we approved today, we had discussed writing two letters because of separating these out and so I guess I would be curious to hear Commissioner Greene's reasoning behind submitting this here in this SWEIS letter, which is, as Commissioner Hughes points out about environment.

CHAIR BUSTAMANTE: Commissioner Greene, would you like to address Commissioner Johnson's question?

COMMISSIONER GREENE: Sure. Yes. Thank you, Madam Chair. Thank you, Commissioner Johnson. My understanding is that there are things that we would consider pure environmental, water and air and things like that. And then there are other socio-economic impacts and economic development is, by definition, a socio-economic impact, and the lab has that opportunity to be impactful both to the positive side and to the negative side, and when we're given the opportunity to write a letter from all of us we should state as much as we can as many times as we can in the letter. And I would hope that this would be something that we take as important as a Board is that economic development and their place in that. I wasn't saying necessarily that they should support things that don't relate to them but I was trying to be as specific to things that are lab-based and whether that's the Bayh-Dole Act an intellectual property transfer, or the investments that they promised five years ago, six years ago, that somehow, due to COVID or whatever reasons they want to give that they have not actually put in place. And so to remind them in this letter is a good opportunity to put it out there.

CHAIR BUSTAMANTE: Commissioner Johnson.

COMMISSIONER JOHNSON: Okay, so yes. Putting a pin in that, I guess I'm interested in putting it in, in theory, and I think that it's important, but I guess I would like us to discuss that there are three proposed options that LANL has given, which is the no-action alternative, and then there's the modernized operations alternative, and then there is the expanded operations alternative. So why I wanted to put a pin in Commissioner Greene's thing for just a second is that I think that the letter says on

paragraph 3, we do not support any expansion or surge production of plutonium pits. I didn't see in the letter any sort of official stance from the Commission, a clear statement that says we support the no-action alternative, modernization, expansion.

And so I guess my question for the Commission is should we be more direct about where we stand on those range of options, considering that Commissioner Hughes added to the letter we do not support any expansion or surge production of plutonium pits. I know that in the no-action alternative they are still proposing to produce pits so we are choosing a fourth. I think that it would be at least helpful for me to know what we're all signing on to, to just clarify that position.

COMMISSIONER HUGHES: Yes, I see this as basically a fourth option, which is no expansion, what we're supporting, where we don't support any production of plutonium pits.

CHAIR BUSTAMANTE: I do understand, Commissioner Hughes, that some of the – when we say expansion of plutonium pits and the reparation or the expansion or some of them are being used for previous – to take some of those that have spent a lot of time not being maintained. It's been a question as to whether or not this takes that into account. Or have it as expansion of plutonium pits above and beyond. I think you state that in item – should we expand or surge plutonium pit production?

COMMISSIONER HUGHES: I'm not sure I understand your question.

CHAIR BUSTAMANTE: I think it was more of a statement.

Commissioner Greene.

COMMISSIONER GREENE: To that point, they kind of gave you an A, B, and C, but there were good ideas in all A, B, and C. But one thing that I think that our Board would probably agree with and we can decide this is, is that we're not really in support of the surge of and the growth of the plutonium pit production. That's probably the only thing that we could all agree on on this. I'm all for modernizing the lab to make it safer and more humane and to fit our community as best as possible. Aging facilities, the do nothing solution – aging facilities don't really serve us very well.

And then the growth of the program – there are some items within the growth of the project, of the labs, that are totally great things. There was wildfire mitigation. There were other things, and so for us to be able to, or to have to force-fit ourselves a solution into A, B, or C when we like things in A, we like things in B and we like things in C, but we don't like one thing that is in A, B, and C, I think that that's one of the aspects of this letter that I think we've threaded the needle properly but I just wanted to make clear that we like aspects of A, B, and C, it's just there's one thing in A, B, and C that we don't.

CHAIR BUSTAMANTE: Thank you. Anything else, if there is nothing else, I would like to say, and I think it's in the interest of full disclosure, I spent 17 years working for Los Alamos National Laboratory, both through the University of California and as a support contractor in the environmental area. And we used to joke that they could shut the laboratory down yesterday and we would still have a baby born yesterday that could retire cleaning the place up.

That being said, I also want to acknowledge that I'm grateful that we have noted the importance of this and it's a hard one to say that this is the economic engine in northern New Mexico that provides the most jobs. I think that if we were anywhere that we didn't need to have nuclear anything, I think that that's something that everyone

would want, and that's very, very difficult. For those who would like to see it shut down tomorrow, again, there would still be certain jobs for that but it comes with an awful lot of privilege to say we don't like the laboratory for everything the laboratory's brought, since it has brought actually good to people's lives for different uses and different ways.

I speak personally as this was the case in my family and numerous family members who have benefited from the existence of Los Alamos National Laboratory. That being said, the environmental protection is critical. I'm grateful that this letter is very clear and that's the reason for the SWEIS in the first place. On top of all of those impacts that we have to the employees as they're working with these,

I'm going to, in the interest of full disclosure, admit that it is personal and I do have a craw that my father after 21 years of work at Los Alamos did get leukemia and through a dose reconstruction died at 56. And they did a dose reconstruction and it was determined that it was part of his work at Los Alamos and there isn't any amount of DOE money that takes care of that. And quite frankly in the letter it was quite insulting. \$35,000 in the compensation for – it was my dad's name. And I say that sincerely so when we put these letters together, and being in a position where I'm going to vote on this letter as well, and to recognize that nothing can be taken lightly about what happens at Los Alamos National Laboratory.

Yes, people are annihilated somewhere where we don't know, and I think most people think about that work that way. But protecting where we live, knowing our groundwater is consumable, that the air we breathe after a regular fire is not contained with all of the analytes that came down after the Cerro Grande. If we could prove and assure that all of that is going to happen, that's something that the laboratory would say we guarantee that's not going to be the case. But on top of that acknowledging that this is both a dark and a light for the people of northern New Mexico. So with that I'd like to entertain a motion to approve the letter, either with the amendments that have been provided by Commissioner Greene, or as written. Do we have a motion?

COMMISSIONER GREENE: I'd make the motion to include the edits but we can discuss. I think the edits have two parts, the hexavalent, to add that, which should just be a minor edit and then I would say that the more substantive –

COMMISSIONER HUGHES: Well, it says hexavalent chromium right in number 2.

COMMISSIONER GREENE: It was somewhere else in the letter. I can find it. But just to make sure it was in there. But maybe it got edited already.

COMMISSIONER HUGHES: I think it's pretty clear in the letter that it's hexavalent chromium.

CHAIR BUSTAMANTE: Okay. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I don't want to go out of order here but I wasn't ready to go towards a motion. I just thought – I wanted to make an extra comment.

CHAIR BUSTAMANTE: We can make comments between motions. That's fine.

COMMISSIONER CACARI STONE: Great. What I hear, and I appreciate Commissioner Johnson kind of laying out the options is that we're actually asking for consideration of no action, meaning continued legacy cleanup, environmental

remediation, with no expansion. That is what I hear. The second thing, in listening to Commissioner Bustamante, which I think is real for a lot of our communities, is number 10. If we're dealing in social, economic impact we could have a human impact statement here.

This is a very comprehensive letter. It doesn't need to be extensive. And I think it recognizes the legacy while it creates jobs that LANL has had on intergenerational health, death and wellness of our communities. So that's what I hear. So I'm hearing the need for clarification, that we're going for the no-action modification with no expansion as a conclusion, and we're having a human impact statement. That's what I'm proposing.

CHAIR BUSTAMANTE: Thank you, Commissioner Cacari Stone. Do you see where that would be included in the letter? Commissioner Hughes.

COMMISSIONER HUGHES: Well, I suppose we need a separate paragraph at the end, right, that says –

CHAIR BUSTAMANTE: So we would have a separate paragraph at the end, paragraph 10, that makes the recommendation as brought forth by Commissioner Johnson and Commissioner Cacari Stone?

COMMISSIONER CACARI STONE: That could clarify – ten would be a human impact statement, and 11 would be the conclusion that sums up what we're really asking for again.

COMMISSIONER HUGHES: We have to add that tonight, so what words are we adding? Because this is due Thursday, right? To the Commission.

CHAIR BUSTAMANTE: Commissioner Johnson.

COMMISSIONER JOHNSON: Can we say something in the conclusion that has the effect of a human impact statement? What I took you to say, Chair Bustamante, is that this is complicated. It's not just black and white. Los Alamos National Laboratory produces bombs and so we are concerned about that. But they also are an economic engine and they do medical research and they do technology. So maybe the human impact statement could be brief, given the time, and say something like acknowledging the complicated legacy of Los Alamos National Laboratory on the residents of northern New Mexico, including the economic benefits of the laboratory and its advancement of science while also understanding that there are environmental consequences to its actions historically and moving forward. We urge caution in any expansion of the laboratory and do not condone pit production and Los Alamos National Laboratory and – I may have lost steam with my stream of consciousness.

CHAIR BUSTAMANTE: Beyond the – because their recommendation is beyond what is currently happening, right?

COMMISSIONER JOHNSON: Yes. Well, I think we should acknowledge future environmental impacts.

CHAIR BUSTAMANTE: When will we get this information into this letter?

COMMISSIONER HUGHES: Does Commissioner Cacari Stone have written down something that we can add to the letter? Very simple?

MANAGER SHAFFER: Chair Bustamante, I was going to suggest we're sort of at our normal breaking point, so perhaps we could take a break and we could wordsmith with some language to come back so the Board can look at it. That might be a

way forward.

COMMISSIONER HUGHES: That's a good idea.

MANAGER SHAFFER: Right. I saw Commissioner Cacari Stone raise her hand and volunteered to work during the break. And then we can come back and wrap it up.

CHAIR BUSTAMANTE: Manager Shaffer, thank you for managing the meeting. We're grateful. I would like to take a break now. We will be back at a quarter till for public comment.

[See Page 23 for continued discussion and action.]
[The Commission recessed from 3:33 to 3:45.]

9. Matters of Public Concern

CHAIR BUSTAMANTE: The time reserved for Matters of Public Concern. I am going to allow for three minutes for all those who are here to speak. With a show of hands, how many from the public are here to speak under public concern? Okay, so we have three internal and how many do we have online?

MR. FRESQUEZ: Chair Bustamante, we have one person online.

CHAIR BUSTAMANTE: Okay, for those in the chambers, could you please come up to the microphone and you'll have three minutes to speak. We cannot respond to your case but we will be listening. Thank you very much. And if you'll state your name we appreciate it.

MARJORIE KNUTSON: Good afternoon. My name is Marjorie Knutson. I live in the Rancho Alegre neighborhood of Santa Fe County, Commissioner Bustamante's district, and I'm here to request consideration for changes to be made to the Noise Ordinance, 2009-11. We have a situation in our neighborhood where one of our neighbors is making quite a bit of noise which is disruptive to many people in our neighborhood as far as a mile or further away, and the way that the noise ordinance is written, between the hours of 7:00 a.m. and 10:00 p.m., the reading of 75 decibels from certain feet from their house is acceptable. However, where I live, which is .4 of a mile away from the neighbor's property, anything above 45 decibels means that I really can't enjoy my back patio. Sometimes I can't enjoy my back patio, and sometimes I can hear it inside my house because the volume goes up and down repeatedly throughout the day.

This neighbor is well aware of the requirements of the ordinance and so the music starts at 7:01 and then if someone calls the non-emergency number, then the sheriff comes down our street and it's very visible. They can see the sheriff come in and then the music stops or goes down.

So we're kind of in a cat and mouse situation, and one of the things that is especially disturbing is recently he has started screaming obscenities at the top of his voice, which I'm sure are audible probably a mile away because I have a friend that lives on Copper Trail at .8 of a mile away and they can hear it. The people that live right next to him have a young child. I'm sure it's not ideal for them to be hearing this. He's a military veteran from the Iraq war and I understand that it's also an issue for the noise for him.

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So at this point I'm not really sure what should be done next. When I spoke with the Sheriff and I understand his position when he comes out, they kind of have their hands tied. The ordinance is written in such a way. They come and they try to execute the requirements of the ordinance but by then the music has changed. The videos that I take are not admissible as evidence. This morning I just ordered a new decibel meter and I measured a maximum of 59 decibels, which is just under the limit. But it is definitely disruptive to me.

So I would request that changes be made to the ordinance. I'm not really sure where to start, who to go to, or I'm happy to participate in any way you think would be beneficial.

CHAIR BUSTAMANTE: Thank you sincerely.

MS. KNUTSON: Do you have any questions?

CHAIR BUSTAMANTE: We can't – thank you very much for bringing that information forth and to our attention. Appreciate it. Next.

JULIE BENNETT: Hi. I'm Julie Bennett. Thanks for welcoming me here again. My intent remains the same. My husband and I hope to motivate this Board and County staff to quickly implement a robust TRD program before more irrigated land is lost to development. You've heard about our efforts to preserve our land and we can't ignore the fact that we just lost a large development that would have housed hundreds of families.

Each participant in a TDR transaction – the landowner, the developer, and the County Planning and Legal – are affected by and dependent on each other. Therefore implementation of this program must be comprehensive and strategic. Successful TDR programs exist in many states and municipalities. We should study them and we should seek counsel from someone who can steer us to success. Scott and I persist in pushing for the creation of a TDR bank as our highest priority because it's the cornerstone of successful programs.

These are a few things I've gleaned from the research available. A TDR bank serves as the administering body for TDR programs. It can generate funds so the program becomes self-sustaining. Funds from the bank can be used for infrastructure improvements and higher density receiving areas providing an incentive to communities to accept extra density. A TDR bank can promote the program, facilitate transactions, and provide parties with information about the dollar value of the rights. The real value of the rights helps support the legitimacy of the program.

TDR banks fill a critical timing gap into which we fell that could be the downfall of the TDR program. With a TDR bank the County will have skin in the game and clout in its pocket. Staff will be incentivized to support developers and landowners in seeing their projects through. Perhaps this body will find that TDRs should be required for more projects than currently required. Fund the bank with cash from public or private sources. Don't compete with landowners with County land that will make it dependent on a sale to fill its mission.

As a final note, out failed sale of 22 TDRs were valued each at \$25,000 for a total of \$500,000. That's a small investment that would kick off this program. Even though it's too late to protect our land, we will persist in fighting for this program. It's that important. Will this body champion the TDR program by throwing the full weight of

your power into its coherent implementation? We hope so. And please take up our invitation to come visit so you see why we're motivated to fight for this project.

CHAIR BUSTAMANTE: Thank you sincerely. Thank you. Next.

GREG MELLO: My name is Greg Mello. I'm the director of the Los Alamos Study Group in Albuquerque. I lived here in Santa Fe for between 20 and 25 years depending on how you count it. Thank you very much for your hard work on the letter before you commenting on the draft LANL Sitewide Environmental Impact Statement. This letter and the County's views really do matter on a national level and what you do here has effects far away and for us.

The NNSA hasn't made it easy because they did not provide a genuine no-action alternative. They put the biggest environmental impact generating activity, which is not yet in place, in the no-action alternative as if it was actually not happening. Because they made the decision already, not because it has already happened. So a genuine no-action alternative that opposes pit production is a kind of fourth option.

I wanted to say that the NNSA is not going to pick one of these three options. That's not the way they've set this up and that's not what they're going to do. They're going to take elements from these options as NNSA and congressional priorities change. So they are creating a palette from which they can do what they would like to do and what they're instructed to do. So I wouldn't be too attached to these specific alternatives because they have also salted the larger, most expansive alternatives with some of the more attractive environmental options, such as cleanup, solar generation and prevention of forest fires.

LANL at the moment has no actual deployable pit production capacity, so to say expansion of pit production is a bit of a misnomer but the simple way to resolve that is just to say that one opposes pit production per se. It will be until 2032 that LANL has reliable pit production according to NNSA. This pit production is not for maintaining existing weapons; it's to provide pits for a new warhead being designed in Livermore, California. And meanwhile, a larger pit production facility is under construction in South Carolina and just recently, on the 4th of April, there was a presentation about progress there with some pictures and it's underway as we speak. The reason LANL has this mission in the meantime before that begins production in 2035, is to provide pits for the new warhead. Thank you very much.

CHAIR BUSTAMANTE: Thank you, Mr. Mello. Next. Do we have anyone else in chambers who is here for public comment? If not, we will go online.

MR. FRESQUEZ: Chair Bustamante, our first speaker is Chris Mechels.

CHRIS MECHELS (virtually): Hello. I'm Chris Mechels. I've testified before you a number of times. The subject today is IPRA requests and the problem with them, which is we continue to struggle with the fact that Santa Fe County has an illegal IPRA process. There is some good news in that your new County Attorney, Mr. Boyd, and I have spoken and because of his interest, we did get a response finally from the County Clerk, who has been dug in and not doing anything for about four months. So we got a response; that's the good news. The bad news is the response is mostly rubbish and also illegal.

The question with the County Clerk of course is why she's responding in the first place. Listen closely. This is probably news. The records that the Clerk claims to have

aren't hers. That's the basis of all the problems. The records belong to you and to me. They're public records; they are not the Clerk's records. Those records should be coming from your records custodian. I repeat. Those records belong to you.

If I have to sue the County to get those records I will have to sue you, not the Clerk, because they aren't her records. That's the fraud she's been perpetrating on you or just confusion because she seems quite confused. So anyway, from the Clerk we got some records, heavily redacted, for no good reason, and not even the correct records. So basically it's fraud. She's producing a record claiming to be responsive which it's not; it's a completely different record. What she did is she produced a record for a primary – I'm sorry. Requested records for the general election in November. She produced a record claiming to be responsive which is from the primary.

It's like this Clerk basically does not understand anything about IPRA things. That's no mystery. So what I would suggest going forward is first off, we have got to get a response to my IPRA request, which has been lingering now since November. This is because you are not doing your job. Because these are your records and you are responsive to the public. The Clerk is not. Do your job. Wake up.

The other thing I'm going to say is this is probably very healthy because of the long term confusion, put this on your agenda. Put it on a BCC agenda and let's have an open meeting to let the public know what's going on with IPRA because right now you haven't been complying with IPRA for years, it looks like, and certainly not for the last four months. We're getting about to the point where there's going to have to be a lawsuit unless we can get some progress. So please, for a change, pay attention. This is your job. Wake up, and let's get some [inaudible]. And again, your new Attorney seems to be a step in the right direction. Thanks for your attention. Bye.

CHAIR BUSTAMANTE: Thank you, Mr. Mechels.

MR. FRESQUEZ: Chair Bustamante, there are no other users on line. If there are no other individuals here for public comment we will close public comment. Thank you.

A. Request Approval of Comments from the Santa Fe County Board of County Commissioners to the US Department of Energy's National Nuclear Security Administration Regarding Los Alamos National Laboratory's Draft Sitewide Environmental Impact Statement (DOE/EIS-0552) (continued)

CHAIR BUSTAMANTE: We are going to go back to our first item on the DOE/EIS. We broke with the opportunity to refine some language. Commissioner Johnson.

COMMISSIONER JOHNSON: Chair, should I make this a motion and then include all of the sections? Is that how I should do this?

CHAIR BUSTAMANTE: We currently have a motion on the table, and we haven't had a second as I understand it. So it would be an amendment to the existing – I'd like to see if there is a second.

COMMISSIONER JOHNSON: Who made the second?

COMMISSIONER GREENE: I did, but I will withdraw my motion just to

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have conversation.

CHAIR BUSTAMANTE: The motion is withdrawn and we will continue to discuss the letter. Thank you, Commissioner Greene and Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Should I make a motion or should I read into the record what we've written?

CHAIR BUSTAMANTE: State the language that you've developed for consideration by the Board.

COMMISSIONER JOHNSON: So I would propose that we take the language that Commissioner Greene has provided, specifically the middle paragraph which I will read into the record in just a moment, and then add an additional second. So adding to Section X, Conclusion, I would propose: "The federal Bayh-Dole Act directs our national laboratories to support the commercialization of the intellectual property, IP, that the national lab system creates. We encourage LANL to provide increasing support for this with additional funding and resources for these collaborative projects to be located in the Santa Fe County and the Los Alamos area." And then a second paragraph that reads, "While we appreciate the economic growth and scientific advancements produced by Los Alamos National Laboratory, we must also recognize the environmental harms and negative effects on intergenerational health and human suffering in New Mexico, historically and into the future. We firmly oppose any expansion of Los Alamos National Laboratory that continues to produce plutonium pits."

CHAIR BUSTAMANTE: Discussion.

COMMISSIONER HUGHES: How about I make a motion that we approve the letter with the additions proposed by Commissioner Johnson?

CHAIR BUSTAMANTE: We have a motion to accept the language provided by Commissioner Johnson with the letter that has been provided by Commissioner Hughes. Do we have a second?

COMMISSIONER GREENE: I'll second it and thank you for organizing all of that.

CHAIR BUSTAMANTE: We have a second from Commissioner Greene.

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

COMMISSIONER HUGHES: And just to be clear, is Sara going to redo the letter today for that?

COMMISSIONER JOHNSON: Thank you, Chair. I did send her the text for both.

COMMISSIONER HUGHES: Okay.

COMMISSIONER JOHNSON: So I would imagine it will come.

COMMISSIONER HUGHES: Okay. We need to finish that tonight.

CHAIR BUSTAMANTE: Thank you, Commissioner Hughes. Manager Shaffer, any assistance in assuring that that goes out today that would be wonderful.

WALKER BOYD (County Attorney): I will make sure that this letter goes out. Thanks.

CHAIR BUSTAMANTE: Thank you, Attorney Boyd.

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5. B. Request Approval of a Proclamation Proclaiming April 22, 2025, as “Earth Day”

CHAIR BUSTAMANTE: I would like to ask Commissioner Johnson to read the proclamation for us and the acknowledgement. We’ve all heard every day is Earth Day and we do know that there are some dramatic things happening to our environment. So thank you, Commissioner Johnson for co-sponsoring this.

COMMISSIONER JOHNSON: Thank you, Chair. I’ll read the Santa Fe County proclamation proclaiming April 22, 2025 as Earth Day. It is introduced by Commissioner and Chair Camilla Bustamante and Commissioner Adam F. Johnson.

Whereas, the first Earth Day was celebrated on April 22, 1970, in the United States and is commemorated annually to celebrate the beauty of our planet, recommit to actions that promote a healthy environment, and to maintain a peaceful, just and sustainable world; and

Whereas, all people of this Earth no matter their race, gender, age, income, sexual orientation, or national origin, have a right to a healthy environment; and

Whereas, humankind is facing tremendous global challenges affecting every community, including degradation of ecosystems, mass extinction of species, and climate change; and

Whereas, the people of Santa Fe County are empowered to act locally to effect global change; and

Whereas, Santa Fe County and our citizens, organizations, and businesses have shown dedicated leadership on environmental concerns by addressing issues such as energy production and use, greenhouse gas emissions reduction, low emission transportation, water conservation, farmland conservation, urban forest and habitat protection, waste prevention, and environmental equity; and

Whereas, successful Earth Day celebrations were held from 2021-2024, culminating in the installation of a green stormwater infrastructure at the Hondo Fire Station# 2 on April 20, 2024; and

Whereas, the County will be coordinating the giveaway of 165 trees for students K through 12 to plant in honor of this year's celebration and initiate the roll out of a Nature-Based Climate Solutions, NBCS, Program to include healthy flora and fauna habitat resource/educational tools and certification opportunities for registered community members participating in Earth Day celebrations; and

Whereas, we acknowledge that, to meet the goals of Earth Day to raise awareness, trigger positive action to protect our environment, and help guide local decision-making, the Board of County Commissioners of Santa Fe County will provide leadership, employ the expertise and talent of our community, and engage the hearts and minds of our citizens.

CHAIR BUSTAMANTE: Thank you very much, Commissioner Johnson. Comments, statements regarding Earth Day? Commissioner Greene.

COMMISSIONER GREENE: Just thank you for organizing this. This is a

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great tradition that we uphold here.

CHAIR BUSTAMANTE: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Well, I would maybe I would want to make a motion. I think we need a motion to pass the proclamation. I appreciate the proclamation.

CHAIR BUSTAMANTE: Thank you. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I make a motion to pass the proclamation on proclaiming April 22, 2025 as Earth Day.

COMMISSIONER HUGHES: I'll second it.

CHAIR BUSTAMANTE: As a point of discussion, when I hear about 165 trees given to students K through 12, I picture them rolling to the front of the bus on the floor, rolling back, with napkins around them on the bottom that they have kept them moist. So when we see that part that says coordinating the give-away, I hope it's not at school and somewhere close to a little hole that these kids can put it in right away or we're going to have 12 trees planted. No disrespect to the young people, but I think handing a kid a tree with a wet napkin has proven to not necessarily thicken our forests.

COMMISSIONER JOHNSON: Madam Chair.

CHAIR BUSTAMANTE: Yes.

COMMISSIONER JOHNSON: I just wanted to thank you for including me in this tradition and for spearheading it.

CHAIR BUSTAMANTE: Thank you sincerely for taking the lead on sharing this with our community.

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

6. Consent Agenda

- A. Resolution No. 2025-040, a Resolution Requesting a Budget Increase to the Fire Protection Fund (209) in the Amount of \$789,572.**
- B. Resolution No. 2025-041, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$214,669.**

CHAIR BUSTAMANTE: Do we have any questions, comments, concerns from the Consent Agenda that anyone would like to pull? Or do I hear a motion to accept the Consent Agenda as presented?

COMMISSIONER JOHNSON: Move to approve the Consent Agenda as presented.

COMMISSIONER GREENE: Second.

CHAIR BUSTAMANTE: We have a motion to approve the Consent Agenda as presented by Commissioner Johnson. A second by Commissioner Greene.

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

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

5. Appointments/Reappointments - None were brought forward

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8. **Miscellaneous Action Items**

- A. **Resolution No. 2025-042, a Resolution to Authorize the Santa Fe County Manager or Designee to Sign and Submit Applications for New Mexico Department of Transportation Permits to Install Utility Facilities Within the Public Right of Way for Water and Wastewater Line Extensions for the Cresta Ranch Development and Sign Any and All Documents Necessary or Proper to Obtain Such Permits**

TRAVIS SODERQUIST (Public Works): Good afternoon, Chair. Good afternoon, Commissioners.

CHAIR BUSTAMANTE: Hi, Travis. Thank you for being here. S

MR. SODERQUIST: This resolution is to authorize the County Manager or a designee to sign the application for a permit or any other relevant documents for the permit to install utility infrastructure within the right-of-way of NMDOT. So this specific resolution is tied to the current Cresta Ranch development where a portion of their infrastructure is going to be along the NM14 and NMDOT has decided that the permit application has to come from Santa Fe County because we will eventually be the owners of that infrastructure.

Through discussions with NMDOT and our Legal we reached a conclusion where we would submit the application for the permit and then the developer and the contractors would submit their own construction permits, and then once the construction is complete and the dedication process is complete they would push the permit for Santa Fe County to hold the easement within the right-of-way for our infrastructure.

So it's a pretty basic resolution. It's going to have to go forward in order for us to get this infrastructure installed and for the development to proceed. I stand for any questions.

CHAIR BUSTAMANTE: Thank you, Travis. Are there any questions?
Commissioner Hughes.

COMMISSIONER HUGHES: Yes. I just wondered where did Cresta Ridge get the water rights.

MR. SODERQUIST: So I actually don't know that off the top of my head. That's something I should know. Through the ULEDA process I'm not sure if they brought their own water rights or if they paid through the fee in lieu process.

LEANDRO CORDOVA (Deputy County Manager): Madam Chair, Commissioner Hughes, I'm pretty sure they paid us a payment in lieu of, and I think they were one of the last ones under the previous price before it was adjusted, so that's my recollection.

COMMISSIONER HUGHES: Okay.

CHAIR BUSTAMANTE: Thank you. Anyone else? Do I hear a motion to approve or deny?

COMMISSIONER JOHNSON: I'll move to approve a resolution to authorize the Santa Fe County Manager or designee to sign and submit applications for New Mexico Department of Transportation permits to install utility facilities within the public right of way for water and wastewater line extensions for the Cresta Ranch

development and sign any and all documents necessary or proper to obtain such permits.

COMMISSIONER HUGHES: And I second that.

CHAIR BUSTAMANTE: We have a motion by Commissioner Johnson, a second by Commissioner Hughes.

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

8. B. Resolution No. 2025-043, a Resolution to Repeal and Replace Policies for Community Centers

CHRIS CHAPPELL (Public Works): Good afternoon, Chair Bustamante, members of the Board. In the last meeting I presented on March 11th we discussed Public Works' proposal for a resolution to repeal and replace the current policies behind the rental of community centers. Some of the changes discussed were to implement a change to the rate structure and an increase to the current deposit amount, a requirement for third party insurance use and a photo ID requirement. With input from the Commissioners, there were several good inputs that we took to heart. We talked internally. We had some back and forth with the County Manager, so I'd like to discuss a few briefly and just go into detail as to what we changed and what we did not.

First and foremost, implementing the premium pricing for advanced rentals and holiday rentals. We felt that this needed no change due to the fact that we wanted to have consistencies with the benefit to the community regardless of location or timelines of their events.

Another topic of discussion was to rent facilities on holidays and weekends. Internally we further discussed this and felt that no change was needed. We would like to preserve holidays for employees and keeping on-call staff to a minimum, making sure not too much time is spent during holidays having to look after the community centers.

Furthermore there was discussion regarding the topic of the government issue photo idea. The verbiage wasn't necessarily clear that all kinds of different government entity IDs should be accepted. We did make a change on this. We updated the verbiage to reflect various types of IDs which do not exclude any type of county resident.

Another topic at hand was to give priority to regular meetings of community organizations. This is one we expanded the most on. The change included definitions for the organizations and we felt that organizations that we give a reasonable opportunity to renew their regularly scheduled meetings before the dates are offered to others for rental. This currently does codify – I may have misspoken last time – but this does codify what we currently do. We always try to give priority to the organizations making sure that they have their first come first served basis. With this proposed resolution change we'd like to make it concrete and insert that verbiage into there. Additionally, the County shall give preference to community organizations and registered organizations and the County Manager or designee may approve a reasonable number of week and day regular meetings.

I'll note that a lot of work went into all of this, the resolution change, the proposed resolution change. I personally want to thank County Manager Shaffer for all your input along with your team, the Legal team, all of Public Works. We had a lot of

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input. The community reached out to us, the organizations, and with that I stand for any questions.

CHAIR BUSTAMANTE: Thank you. Do we have any questions?
Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you for putting this together. We are here to protect the community assets, the assets of the County and to make them as available as possible. And I'm disappointed that we couldn't figure out how to make premium pricing because I know that people are going to swap things and book up things ahead of time. And if somebody wants to book something a year in advance and to take it off of our inventory, they should pay a premium for that. Period. That is our asset that we should be protecting and making it as available as possible to people that maybe three months in advance have to think about it and shouldn't have to say, oh my god, all of these prime dates are already booked a year in advance.

So I'm pretty disappointed that we couldn't figure out how to put premium pricing in for people who can think that far in advance. If I need something a year in advance for Mother's Day, I should pay for it, and I think that that's a disappointment there.

I also think that we should pay a premium for being on a holiday and we should make this asset that is on the ground and available 365 days of the year should be available and people should pay for it. If it's going to be the Fourth of July, so be it. If that's an important day for somebody to have that facility we can pay our staff overtime or whatever's appropriate to make people keep these things clean. That is our fiduciary responsibility with our assets here. And so I find that this is a good first step but incomplete in this and so I'm disappointed in those two aspects not being able to be figured out for lack of a better word there.

But thank you for putting this together. We need to update this, but those two things sort of make it a little less than complete in my book. Thank you.

CHAIR BUSTAMANTE: Any further? Commissioner Johnson.

COMMISSIONER JOHNSON: Yes. Thanks, Chair. Thank you for putting this together. Remind me how often this policy manual is revised?

MR. CHAPPELL: So up to date, Chair Bustamante, Commissioner Johnson, it has not been updated since 2015. We're proposing to update the rates on an annual basis, dependent upon the CPI changes.

COMMISSIONER JOHNSON: And would those be subject to the approval by the County Commission?

MR. CHAPPELL: They would not. We're putting the verbiage in here to specify that from this point forward, dependent upon the rate increase or decrease we would adjust accordingly.

COMMISSIONER JOHNSON: Is there a future date, ten years from now, five years from that we will see these again, or is this just set for now?

MR. CHAPPELL: So we did leave specific verbiage in there stating that these policies can be amended if they need to be.

COMMISSIONER JOHNSON: Thank you for those answers. And I ask that just to see – I appreciate the change to preference for community organizations but I

would like to see data after a year or two as far as is that working? Does that feel equitable or does it feel unfair of some situation that I can't imagine that's arising. So I'm just sort of interested in seeing this again not in a year but in five.

MR. CHAPPELL: I'd like to personally say that the metrics are an important figure that I like to turn back to, not only on this but all other areas of my professional life, so that's a good point. I'd like to also see at a year's point. So maybe with the construction of the Cerrillos Community Center we're going to see things change. Obviously, with this coming to light I hope that there's more opportunities for more individuals to understand that there is a need or a desire for these centers to be used and if so, let's see.

COMMISSIONER JOHNSON: Absolutely.

MR. CHAPPELL: Thank you.

COMMISSIONER JOHNSON: Thanks, Chris.

CHAIR BUSTAMANTE: Other discussion? So the conversation about the ROs and COs and having that year-out is very important. The difference between the registered organizations and the community organizations, in my opinion, and as I read it is that the community organizations, and I've witnessed through at least one community and now do more since I've been Commissioner is that those community organizations do a lot of work on behalf of the County in some respect. They have meetings. They have brought people to the PFAS conversation and have been very active on things that we would otherwise rely on staff for, as well as when we get into Galisteo and all the other areas that have community planning, those facilities, when they have their meetings and they know they're going to meet on the first Monday of every month or whatever the case may be, we need to, in my opinion, for those organizations that do quite a bit of work respectfully with the County, it's questionable why we – I don't want to say why we charge them at all but the point is giving them preference for sure.

Registered organizations can be a mutual domestic or an acequia association and their work is usually for the work of their organization. It's not necessarily – so I don't necessarily see these two – the ROs and COs being commensurate in their privilege of access. I think it's important that the mutual domestics and the acequia associated folks are able to have that location close to where they are, but I do see it as a different need and access.

That being said, I don't think I would recommend any change but I do want us to recognize the importance of that distinction. The other issue would be the access and I hope we get here some day. People who have – and I'm saying something and I know it's never as easy as what we think we're saying at the moment but people with Airbnbs have a swipe card or a locked key and it's that easy. When we think of people being on call during the weekend or during a holiday, what would they need to do? Plunge a toilet? I don't mean to minimize it but I'm wondering what the immediate be on call 24/7 when somebody's using it on a day could possibly be.

That being said, I don't have any recommendations to the changes and I do sincerely appreciate the effort that you've put into this. Do we have a motion to approve, any changes or any modifications as provided?

COMMISSIONER JOHNSON: I'll move to approve a resolution to repeal and replace policies for community centers.

CHAIR BUSTAMANTE: We have a motion to approve by Commissioner Johnson. Do we have a second?

COMMISSIONER HUGHES: I'll second.

CHAIR BUSTAMANTE: Second by Commissioner Hughes.

The motion passed by majority [4-1] voice vote with Commissioner Greene voting against the motion.

8. C. **Request (1) Approval of the Project Assignment No. 1 for Agreement No. 2025-0101-M-CMO Between Santa Fe County and Wilson & Company, Inc. in the Amount of \$425,604.40, Exclusive of NM GRT, to Provide the Design Services for the La Joya Road Improvement Project; and (2) Delegation of Authority to the County Manager to Sign the Project Assignment and the Purchase Order(s)**

CHAIR BUSTAMANTE: Thank you, Erin Feehily.

ERIN FEEHILY (Public Works): Good afternoon, Commissioners, Madam Chair. The La Joya Road improvement project is located between New Mexico 50 and Old Denver Highway in Glorieta and was included in the approved fiscal year 2025 capital budget. It is in poor pavement condition and drainage issues have been observed in this segment. As brought by Ryan Ward of Public Works, the County does have a pavement conditions assessment in place with a goal of a score of 70 or above. La Joya Road during the last assessment that was conducted received an area average score of 48, indicating the need for significant engineering design and reconstruction.

There are also constrained shoulders and steep grades between the pavements and adjacent properties that are contributed to stormwater runoff that deteriorate the pavement further. The County utilized the new on-call engineering services agreement that was approved by the Board of Commissioners on December 9th of last year for this project and Wilson & Company is one of the 13 firms that entered into agreements with the County. They responded to a request for quote that was sent in January of this year.

The scope of the work of the project assignment includes preliminary engineering study and report phase to assess the road conditions and develop strategies to improve both the roadway and stormwater management on this segment of La Joya Road.

And then it will be followed by the development of design plans for construction. After reviewing the detailed scope of work and cost proposal that was provided by Wilson & Company we've determined it to be fair and reasonable and based on the qualifications we are requesting the approval of project assignment #1 of the on-call agreement #2025-0101-M-CMO with Wilson & Company to provide design services for the La Joya Road improvement project in the amount of \$425,604.40, exclusive of GRT, and also the delegation of authority to the County Manager to sign the project assignment and purchase order. I'll stand for any questions.

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

COMMISSIONER HUGHES: I have an unrelated question. I approve this project but I wonder, do we have a similar system for dirt roads as we have for – I know

we have this complicated system to evaluate paved roads. Are they falling apart and do we need to repair them? But do we have a similar system for dirt roads?

RYAN WARD (Public Works): Madam Chair, Commissioner Hughes, there's not a current system with any scoring within the County. However, there are ways to score those roads, so there are means and methods to do that. We don't have any scoring on any of our dirt roads.

COMMISSIONER HUGHES: Well, I suggest we look at that. I live on one of the County-maintained dirt roads and while it's fine, some of the dirt roads are falling apart.

MR. WARD: We can definitely do that, and I know some of the Commissioners are familiar with the PASER rating, kind of how we used to manage scoring of the actual asphalt. The dirt road system is very similar to that. It's putting eyes on it, so it's a little subjective but we can definitely look into that, Commissioner.

COMMISSIONER HUGHES: Yes, well, if you're driving down a dirt road and you get stuck and you can't get out, that's probably an indication it needs improvement.

MR. WARD: I would agree.

COMMISSIONER HUGHES: Or you need a new car. That's all.

COMMISSIONER BUSTAMANTE: Thank you. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. This is a question for Ryan. I think I have a good track record so far but I am about to ask a stupid question, so apologies. When someone like Wilson & Company repaves the road, improves it, do the improve it to a score of 100?

MR. WARD: That's actually a great question. Madam Chair, Commissioner Johnson, it depends on what the actual maintenance or the rehabilitation of that road is as to how that score changes. So if you do a full rehab – so if it's a roadway that we're going to rebuild and it's going to be up to our standards – new pavement, drainage, all those things are being addressed, then it is moved back to 100. So it will score 100. Seal coat projects that are doing maintenance improvements of the surface bring up the score typically around 85, 90. So it moves it to that. So it's not 100 percent. It just depends on what the actual project is.

COMMISSIONER JOHNSON: Thank you.

MR. WARD: You're welcome.

CHAIR BUSTAMANTE: Thank you, Commissioner Johnson. Anyone else? I have one quick question. To what extent do the residents on any road that's being improved have any input when we plan on making any modifications? Are they notified in advance? Are they asked if this is what they want?

MS. FEEHILY: Thank you for the question, Madam Chair. We actually do have public engagement as part of the scope of work. So they will be meeting with the property owners along La Joya Road on this segment and discussing the project with them and getting feedback. It's a very constrained area so that's a really important part of that. So that will be part of the project.

CHAIR BUSTAMANTE: Thank you very much. That's precisely why I was asking. It's, okay, we're about to take all these trucks and they're going to be doing their stuff so I appreciate that. If there is no further discussion I'll entertain a motion to

approve or deny the project assignment.

COMMISSIONER JOHNSON: I'll make a motion. This is my district. Move to approve project assignment No. 1 for Agreement No. 2025-0101-M-CMO between Santa Fe County and Wilson & Company, Inc. in the amount of \$425,604.40, exclusive of NM GRT, to provide the design services for the La Joya Road Improvement Project; and delegate authority to the County Manager to sign the project assignment and the purchase orders.

CHAIR BUSTAMANTE: Do we have a second?

COMMISSIONER CACARI STONE: I'll second it.

CHAIR BUSTAMANTE: We have a motion by Commissioner Johnson, a second by Commissioner Cacari Stone.

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

- 8. D. Request (1) Approval of Amendment No. 6 to Agreement No. 2022-0153-CSD with Las Cumbres Community Services, Increasing Compensation by \$200,000 to Provide Navigation and Flexible Funds to Low-Income Individuals for a Total Contract Sum of \$798,400, Inclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s)**

CHAIR BUSTAMANTE: Hi, Jennifer.

JENNIFER ROMERO (Deputy Community Services Director): Good afternoon, Chair Bustamante and Commissioners. The Community Services Department is requesting approval of amendment #6 with Las Cumbres Community Services to continue navigation services for low income individuals, addressing the needs of county residents related to their social determinants of health, including assistance with food, housing, utilities, and transportation. Our contractor wanted to be here with us today to highlight their program. Unfortunately, she and her backup have fallen ill but I will highlight their program for you.

Las Cumbres Community Services has been a long-term provider within the CONNECT network and actually one of our first gate organizations with the CONNECT network. We work primarily with them for their Que Cute Healthy Baby program. This program supports pregnant women and new moms by coordinating prenatal and birthing classes, providing nutrition support, assisting with substance use treatment, addressing basic needs, and more. Their Santuario del Corazon, which will be newly funded through this contract, is designed to offer trauma-informed mental health services and family navigation support to immigrant children and their families. Since February of 2022 when we started this contract and including this contract year La Cumbres has served 360 clients in the Que Cute Healthy Baby program. That is unduplicated individuals. If you add their families that is many more who benefit from the program.

Over 200 of those individuals were served directly utilizing the Santa Fe County funds. The Santuario del Corazon program, which again we have not funded in the past but hopefully through this contract after today will. Just last year they had 42 enrolled children, plus their 63 family members, so just last year they served about 105

individuals. Wraparound services are provided to include comprehensive navigation and case management, legal and mental health services. This contract will support expansion of our services at their welcome center, which is located at 1911 St. Michael's Drive through the addition of the new welcome center coordinator, and that individual will be stationed full-time onsite to receive walk-in clients, coordinate co-facilitate center-based activities, enroll new clients into CONNECT and link families to community resources. And I will stand for questions.

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

COMMISSIONER HUGHES: It's a wonderful program. Thank you.
That's all.

CHAIR BUSTAMANTE: Anyone else? Very good. Thank you for this information. The recommended action, you don't really have to read the whole paragraph. You can read just the recommended action or even part of it because we have that information for those who might wonder. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I make a motion to approve
Amendment #6 to Agreement #2022-0153.

COMMISSIONER HUGHES: Second.

CHAIR BUSTAMANTE: We have a motion by Commissioner Cacari Stone, a second by Commissioner Hughes.

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

8. E. Resolution No. 2025-044, a Resolution Requesting a Budget Increase to the Road Projects Fund (311) in the Amount of \$100,000

YVONNE HERRERA (Finance Director): Madam Chair, Commissioners, Joseph Scala from the Growth Management Department is here to present this budget adjustment for a grant from the Department of Transportation, and I'll pass it over to Joseph to talk about the grant itself.

JOSEPH SCALA (Growth Management): Good afternoon, Chair Bustamante and members of the Board. Glad to be here. So in January of 2024 the Growth Management Department received one grant from NMDOT to develop a transportation safety and emergency access route study and report on major County-maintained roads including Double Arrow Road and La Barbaria Road. This appropriation will be used to contract an engineering firm to develop a transportation safety and wildfire emergency access route study on major County-maintained roads in the Santa Fe foothills, Cañada de los Alamos and Cañoncito communities, including Double Arrow Road, La Barbaria Road, County Road 67, which is Old Santa Fe Trail, County Road 67A which is Cañada de los Alamos.

The completion of this study is the first step in addressing the need for additional access in the Santa Fe foothills, Cañada de los Alamos and Cañoncito communities. The Santa Fe County Hazard Mitigation Plan of 2016 identified these communities as areas of high risk so additional access routes are critical for enhancing emergency access and evacuation capabilities. These additional routes would allow for quicker response times

and more efficient management of wildfires as well as bolstering community resilience by ensuring more efficient and orderly evacuations.

Furthermore, developing this route is in line with the strategic planning and risk assessment directives of the National Fire Protection Association standards, which advocate for improved infrastructure to effectively reduce wildfire hazards. These additional access routes are necessary to protecting the wellbeing of these Santa Fe County communities. Additionally, the Santa Fe County community wildfire protection plan specifically identifies La Barbaria Road and Old Santa Fe Trail as high risk roads, emphasizing the danger of having only a single entry and exit point. I stand for any questions you may have.

CHAIR BUSTAMANTE: Do we have any questions? Commissioner Greene.

COMMISSIONER GREENE: Thank you very much. I agree that there are a lot of single-lane or two-lane roads in neighborhoods that only have one access point. I'm wondering, was New Mexico 475 and New Mexico 592 not put into this because those are state roads and we're only concerned in County roads?

MR. SCALA: I imagine that is the case. This report and study will identify other roads to consider. These were just four. The appropriation itself called out La Barbaria and Double Arrow roads specifically. We included the other two roads because they are major County-maintained roads that should be considered, but it's not limited to just those four roads.

COMMISSIONER GREENE: Okay. I would hope that in the study that we do look at 592 and 475.

MR. SCALA: Okay. I'll note it.

COMMISSIONER GREENE: Great. Thank you.

CHAIR BUSTAMANTE: Thank you. Further questions? Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you for bringing this forward and for the grant. It's good to see the support for these communities. These are extremely – they're located in rough terrain, these neighborhoods, and increased access is essential to fire evacuation and preparedness. So when the time comes I'd like to make a motion.

CHAIR BUSTAMANTE: If there are no further comments? Are they any further comments?

COMMISSIONER JOHNSON: Move to approve a resolution requesting budget increases to the road projects fund, 311, in the amount of \$100,000.

COMMISSIONER GREENE: And I second it.

CHAIR BUSTAMANTE: We have a motion by Commissioner Johnson, a second by Commissioner Greene.

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

10. Matters from the County Manager

A. Miscellaneous Updates

MANAGER SHAFFER: Thank you, Chair Bustamante and

Commissioners. First, I want to comment on and thank everybody who helped put together the March 29th wildfire mitigation and preparedness event. Unfortunately I wasn't able to personally be there but I believe that the event was well attended and generally received positive feedback from constituents.

I wanted to also acknowledge those from outside the County who participated in making the event a positive experience. We are trying to organize at least four additional events of that sort in our four fire regions. Chief Black is leading those coordination efforts and so we'll be trying to identify dates that work for Commissioners through your liaisons so we can get those additional dates scheduled and start moving forward with the robust public outreach necessary to have folks engaged and making the time to attend.

I wanted to acknowledge that we'll be bringing at a future BCC meeting, most likely in May, a presentation concerning Water 2100. That's our ongoing planning efforts with the City of Santa Fe concerning the water needs and future of the County and City of Santa Fe, and in addition, as part of that, we'll be providing an update to the Board concerning the County's conjunctive water use management plan, which is to rely on surface water sources whenever possible while having backup supply of water available in the event those surface sources are not available. To put a more fine point on it, explaining how groundwater rights fit within the County's overall conjunctive use plan and resiliency planning.

We'll also be bringing forward over the next couple of meetings, the documents necessary to effectuate the public sale of a portion of the general obligation bonds that were approved by the voters last November. Moving those items forward wouldn't ultimately commit the County to selling those general obligation bonds if the market conditions prove to be extremely unfavorable. We're bringing it forward now because while there is obviously a lot of uncertainty in the global financial markets, at the same time that uncertainty is creating a strong demand for high quality debt instruments issued by governmental entities that are tax advantaged, and certainly County general obligation bonds which last time we sold them they were rated AAA by Standard & Poors would check those boxes.

And finally, the Probate Judge, Cordelia Montoya, wanted me to bring to the Board's attention and the public's attention that last Wednesday she did officiate a memorable ceremony for five same-sex couples at the Administrative Complex at 240 Grant. As I understand it those couples had relocated to New Mexico and had their marriage reaffirmed in front of Judge Montoya because of New Mexico's welcoming status and continued legal protections at the state level for same-sex marriages. So they also expressed their deep gratitude for the judge's role in making their special day possible.

So I bring this up for two reasons. Number one, I wanted to acknowledge the work of Judge Montoya and the service she provides to citizens in terms of providing them with marriage services. And secondly, it underscores that what we do as a state, what we do as a local government matters in terms of broadcasting and codifying our values and folks from outside of the state and outside of our community take notice. Those are my miscellaneous updates. Thank you, Chair Bustamante.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer.

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

CHAIR BUSTAMANTE: Hvtce.

HVTCE MILLER (County Manager's Office): Good afternoon, Chair Bustamante, Commissioners. So what I'm reporting on here is this item here, this report which is in BoardDocs and it's a 17-page report. Within the report there is the list of all the items which have passed the legislature and have been signed into law, and those are pages 1 thorough 14. And the remaining pages, pages 15 through 17 are a list of everything that has passed and hasn't been signed into law yet. And included in that list there's the two items which have been vetoed as well. That's House Bill 65 and Senate Bill 17.

With that, there was a large group of bills that was signed into law yesterday. This has been the largest since the end of the legislature. Another 60 bills signed yesterday. There are 84 bills signed total and there are 110 bills and resolutions needing to be acted on yet. So that's that list on the latter pages of the report.

And I just wanted to highlight some of the items – before I go on to that, so there had been two batches of bills that were signed since the last Commission meeting and there were two bills signed on March 28th. And then like I said, yesterday there were 60 bills signed on April 7th.

So notable bills that were signed into law yesterday – and I have them highlighted within the report; they're in yellow. And there's House Bill 71, the early childhood education and care fund transfers. It's on page 1 of the report, and that essentially created or allowed for more funding for early childhood education to come forward. House Bill 192, the digital trunk radio communication system. That's on page 2, and that is a – that would be a benefit to counties and municipalities statewide that picks up the subscription cost for the new digital radio system that the state has been transitioning towards, and so my understanding is that there's an actual subscription fee for each radio that the government has. So if you have, for instance 500 radios for your Fire Department and Police Department, that now is going to be covered within the state budget. It's going to be picked up in the Department of Information and Technology budget of the state.

Next is House Bill 458, which is on page 4 of the report, the Carbon Dioxide Storage Stewardship Act. And this is an act which allows – sets up some funding to look at carbon sequestration and see – not have it fully implemented, but right now this bill allows it to be studied and put some funding to see where and how and if this is a feasible practice for the state.

Next is Senate Bill 16, non-major party voters in primary elections, which is on page 5, and this now allows in primary elections for what are commonly referred to as independent but in the election world what they're knows as is declined-to-state voters. So if you don't have a party this frees up the staff in clerks' offices not to have to go ahead and same day registration, all those voters wanting to participate in the primary election, they can go ahead and vote for the major party of choice and they can still remain a decline-to-state voter.

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Next is Senate Bill 33, Wildfire Prepared Act. There's some funding tied to this and this is basically a program to get your defensible spaces ready around your residences and knowing that there has been a major impact to many parts of the state due to wildfires this should be able to help out in a lot of areas throughout the state that have I would say high risk potentials for wildfires.

Senate Bill 36, the strategic water reserve fund, that's on page 5, and this creates the strategic water reserve fund to be administered by the Interstate Stream Commission, adds a new purpose of the strategic water reserve to assist the state and water users with water management and conservation efforts for groundwater recharge, but it limits how funds may be spent for that purpose and how to achieve it, mandates that when acquiring water or storage rights the Interstate Stream Commission prioritizes acquisitions that will also provide one or more supplementary benefits such as supporting traditional cultural practices, habitat improvement, and recreational opportunities. So this is just another protection that is in line with looking at monitoring the state's water resources.

Senate Bill 353, that's on page 9, search and rescue emergency responses, what this bill does is requires emergency response entities to basically get organized with one another so that they know what's happening between the responding entities and responding departments when there is a search and rescue event that is occurring.

Senate Bill 364, law enforcement qualifications, page 9. This allows for non-US citizens to be able to be law enforcement officers now within the state. This has the potential to add to the pool of potential law enforcement officers that the state has to draw from now. In the testimony that was provided during the debate of the bill in its many steps it was shown that throughout different states there's where they have similar laws in place that there is a lot of non-citizens to be law enforcement officers, and they don't have that ability. And now that with the signage of this law that is a possibility within the state.

What I wanted to move on next is the notable items yet to be signed that are still on the table. We have the deadline of Friday, April 11th for the Governor to act on bills or otherwise have them not acted on and then they would just be pocket vetoed. The big ones are still there and they probably will come down to Friday to be enacted upon and that's House Bill 2, the General Appropriations Act, the state budget. House Bill 14, which is labeled at the earned income tax credit, but that is the tax package that includes all the new tax rates or tax cuts or tax credits that the state will be imposing. House Bill 450, the capital outlay bill, and Senate Bill 425, which is the capital reauthorization bill.

And with that, just to let you know, I'm still waiting on the final act of everything that has the potential to be signed or not signed to complete the entire summary and tie it all together and provide that to the County Commission so that you can see how the pieces of legislation are working with appropriations as well that have been provided. With that, that concludes my report and I'm happy to answer any questions that you have.

CHAIR BUSTAMANTE: Do we have any questions? Commissioner Greene.

COMMISSIONER GREENE: Thank you for the report, Hvtce. The one item that was signed this afternoon or this morning that didn't get into your report was Senate Bill 21 which was creating an opportunity for New Mexico to take over from the EPA. So that was signed and that is good news for us. It will help us with the Santa Fe

River and with the Tesuque, Pojoaque, Nambe rivers, maybe the Galisteo River. Who knows? There are a number of rivers in Santa Fe County, Pecos River probably included in there as well. So that was really good news.

I was happy to see that Senate Bill 364 and 401 have also been signed. Those are great things in there. I wonder, do we have any reason to maybe put in a letter of support for the two remaining bills that I see on here that are of interest to me and my constituents. The first one is Senate Bill 47, which would be Santa Cruz de la Cañada Land Grant that is in the Santa Cruz area, Chimayo, Española area. It's a large land grant that has been working diligently to get recertified within New Mexico. They've done a lot of work in past and I think we should encourage the Governor to sign that so that they can return to their *herencia* and some of the aspects of that.

Secondly, Senate Bill 159 was a change in the liquor laws to allow small, independent theaters to have a beer and wine license without having to buy a very expensive liquor license. So that has some small theaters, maybe not so much in Santa Fe County but you never know, but there are definitely ones within Santa Fe County and all over the state. Senator Jaramillo was one of the champions for that and some of the folks that work in and around Santa Fe County asked us to support that.

So I'd be happy to discuss those bills if anybody had some questions, but I'd love to encourage the Governor to support those two bills.

CHAIR BUSTAMANTE: Thank you. Additional comments? Do we want to move forward to ask the Governor to support those two bills?

COMMISSIONER GREENE: Does anybody have any questions for me about those?

CHAIR BUSTAMANTE: Questions regarding that particular issue?

COMMISSIONER GREENE: With that I will make a motion that if we can draft a letter signed by the Chair or all of us in support of – individual letters, so there can be one in support of Senate Bill 47, which is the Santa Cruz Land Grant, and the other one which is Senate Bill 159, which is the small theaters liquor license expansion.

CHAIR BUSTAMANTE: Do we have a second? I'll second that.

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

CHAIR BUSTAMANTE: Any other discussion? Letters of support?
Thank you very much, Hvtce.

MR. MILLER: Thank you.

CHAIR BUSTAMANTE: And thank you for all your good work during the session.

MR. MILLER: You're very welcome.

11. Matters from 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 BUSTAMANTE: All right. Let's go ahead and start from

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Commissioner Greene.

COMMISSIONER GREENE: Thank you for starting from the other side. It's been a busy couple weeks here and so let me go over my list. As the current interim chair of REDI-Net, we had our first meeting with myself as chair. We are working diligently with our local ISPs to encourage investment as you heard here. I think we heard somewhere out there that two of the matching funds that we put out there for Plateau and for TruNet, they did not apply for BEAD grants, so that was pretty disappointing, considering we put \$4.5 million towards these and if they couldn't do it we need to figure out why and how we can encourage other ISPs to apply for these grants, with or without our money. But it would be great to see some more investment in broadband in our area.

I attended a City event for the Midtown project. It was very well attended. There was optimism that maybe there's going to be some progress at Midtown. Some of the management folks up there mentioned they would be coming to Santa Fe County to discuss something soon, but they were very cryptic about it so I look forward to talking to them about it when the time comes.

Buckman Direct Diversion, as I mentioned, I'm the chair this year and in our last meeting last week we passed the draft budget which will come before us in the next few weeks and we responded to the SWEIS very specifically focused on water quality, because that's what Buckman Direct Does.

Next, I also took part in a City housing information and resource session. It was organized by the City's Affordable Housing, Land Use and Economic Development departments. It was very well attended with folks from all walks of life – realtors, developers, city, state, county. Denise Benavidez, our very own Denise Benavidez, impressed the group and after a three-hour presentation she took the stage and spoke about what Santa Fe County was doing and everyone in the room looked and said, wow. Santa Fe County is really on it. And it was really – compared to what the City – the City sat there talking about the resources and talking about all the things that they're trying to do, and Denise stood p and said, screw that. I'm doing it. And it was really beautiful. It was like afterwards people came up to Denise and myself and the folks of Santa Fe County and said, wow. Great job. And so a little pat on the back in acknowledgement for Denise and her work and our work all collectively. It was beautiful.

I also had a meeting with the Regional Development Corporation to talk about economic development infrastructure and housing. Specifically, a lot of the stuff was up in the north that they're working on. They also wanted me to make you all aware of the next Ready Summit, which will be happening on April 15th. It will be happening at the Santa Fe Airport. It is pretty much a full early morning to early afternoon discussion of economic development. It is a little lab-centric generally, but it's also – it's run by the RDC and it covers all sorts of things, whether it's housing, it's broadband, general quality of life things and economic development things and so once again, that's April 15th over at the Jet Center at the Santa Fe Airport.

We are working on an animal welfare summit that is getting nailed down to be held July 25th, 26th and 27th. Please feel free to reach out to me if you have any suggestions as to what you think the content should be. Currently we're working on a three-part program. Part 1 will be on the Friday, Saturday and Sunday and that will be a

spay, neuter and adoption clinic. And so there will be resources for spay and neuter, either low or no cost, depending on how we can work the numbers on that, and it's been very successful in the past when we did it at Tesuque and Nambe pueblos.

On the Friday we're looking at doing a stakeholder summit. Stakeholder summit will be with all of the aspects of our community that have to do with animal welfare. So there will probably be these breakout sessions for 30, 40, 50 people in a room. We have the potential to have four breakout rooms going at any given time. I'd be happy if we had two going at any given time. And that will be like animal welfare and the adoption space. Animal welfare in the healthcare space and veterinarian care. Animal welfare with our homeless population. Animal welfare for our farm animals. Animal welfare for our wildlife, and all of these areas have potential for breakout sessions and I'd be happy to include anybody here that wants to give a suggestion, who we should talk to to bring in to be a part of these breakout sessions and how we can bring these issues to the forefront and solutions that we can get behind here.

And then lastly, on the Saturday and Sunday we're going to have a conference space that will be a provider showcase for all of the vets, the adoption agencies, the pet stores, the wildlife centers. We hope to have 4-H come up. 4-H is very strong in southern Santa Fe County, but less strong in northern Santa Fe County. So we hope to have some of the 4-H group come up and showcase their animals and get kids that are up in the north interested in 4-H so this can be a countywide thing.

So please feel free to reach out to myself or my liaison, Ambra Baca, to discuss anything regarded to the animal welfare summit.

Two last things here that are more future based. One, we've got Good Friday coming up on April 20th and Easter on April 22nd. We will in our district up in the north we will have the pilgrimage. If anyone would like to come walk with me or to organize any of that I'd be happy to do that. I think this year I'm going to walk from the Española side of things on 76 but we haven't fully figured that one out, but I would love to walk with anybody who wants to. And if it's more than two of you we will notice it.

Lastly, this is a request for the County Manager. In the past few weeks we've spoken about a greenwaste drop-off free days in the next few weeks when we have this sort of early fire season but before fire season catches up to us I'm wondering if it's possible that we get in the next week or two those dates definitively defined so that we can have folks in our communities clean their yards and then have a free way to dispose of it conveniently, affordably, and more importantly, before any fires make it too late. And with that, thank you for your time.

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

COMMISSIONER HUGHES: Yes, a couple things. One is a lot of constituents have been very concerned about the use of Rancho Viejo well as transfer of water rights to it, accusing me of colluding with the land developers. So I think there is a misunderstanding about that. I'm glad we're going to have some presentations. I hope people will attend that. And some of the concerns are legitimate. The well may indeed have impact on local wells. Not necessarily, but hydrology studies should determine that. So I hope people will come to that, but also that we will somehow distinguish between development and a backup system for water. So hope to bring that in.

I have an Hour with Hank scheduled for April 24th which I will address it then as well and other things. 5:30 p.m., April 24th. I think we may need to consider in our budget a TDR bank. We don't have money for purchasing TDRs but people are concerned about that. It was proposed way back in my first couple years that we do create a TDR bank so we can purchase TDRs when they're for sale and then sell them to developers when they're ready to buy. So I think we haven't quite set up that system yet.

And finally I attended the rally on the Saturday opposing Trump's policies. I think we need to make vocal our concerns about Trump's policies. Obviously the treatment of people less privileged needs to be very important to us, but also everything he's doing is terrible. So I think we're going to need to say that more vocally as we move forward. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner Hughes.
Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I'll keep it short. I'm going to be doing Cafecito con Lisa, and I want to put a shout-out to Denise Benavidez and Adrianna Vasquez with the Santa Fe Housing Authority. We're going to be at the Camino de Jacobo this Thursday from 6:00 to 7:00. They've been collaborating with Kim Vigil and I and I understand it's the first time in this district in a very long time or at all that we've actually – a Commissioner has met with that community so I'm very excited about meeting them and looking at what type of needs and improvements they're experiencing.

On May 15th I am working with Councilor Jamie Cassutt and we'll be co-sponsoring the Las Acequias Neighborhood Association meeting at the Southside Library from 6:00 to 7:00, and I think I'll stop there. Thursday, Kim and I are going to be touring for the first time on my end the Buckman Direct Diversion facility and I really look forward to that. Thank you.

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

COMMISSIONER JOHNSON: Thank you, Madam Chair. I had a meeting with the Forest Service in regards to some issues surrounding mountain bike trails in Cañada de los Alamos and I think they have a genuine intention to broker positive community relations with that community and I look forward to participating in them. I also spoke with them about the potential for early warning fire detection systems. I've mentioned this before but I think that it's something that we should investigate further as a Commission, especially as budget comes up and with regard to water, I'm grateful to the County Manager's Office and the Utilities and future strategic planning around water, both in the county and the city. I look forward to seeing that.

I want to reiterate what Commissioner Hughes said. I've also received some constituent concerns about groundwater backup and I think there is a persistent misunderstanding about dense development, especially in our identifiable growth areas wherein there's an assumption that groundwater is being used to quench the thirst of those developments and that's not the case. So hopefully this presentation will give a little clarity, and we should continue to reiterate that.

I also think that we should discuss the TDR bank going forward. So I just want to put in with that. I also attended the rally. I thought it was an amazing showing. It was snowing. It was kind of a beautiful morning for Santa Fe. I say this in the best way – I

didn't see very many people that I know and that's because there were so many people there that I couldn't see them all. And I walked around and I heard some really interesting speakers and I saw pictures and evidence that many people were there and I didn't see them. So that's great, because there were so many folks out. So that was a heartening note in the shadow of a sort of bleak picture at the federal government.

I attended the NCRTD, the North Central Regional Transit District. I have a couple just brief notes. They are hoping for capital outlay on the order of \$500,00+ for electric bus purchases, and \$150,000 for workforce housing. It looks like they will get it as long as that bill is signed. And that's really encouraging. The NCRTD is an extremely impressive organization and they have done very holistic planning including workforce housing directly behind their facility. It's super impressive. I feel honored to be part of that board. They're also applying for a grant for a solar array at the Jim West Transit Center, which is the sort of hub where this workforce housing would also be. It will help with powering electric vehicles. We unanimously approved that as we do almost all things at the NCRTD and they really have forward thinking leadership and planners and staff supporting the organization as well as bus drivers who keep the blue bus running.

Some congressionally directed spending approved them to apply for congressionally directed spending for solar with a 20 percent match by the NCRTD. I'll keep this Santa Fe County specific. There was a really important presentation at the very beginning of an award to a bus driver whose name I did right down, Juan Vargas, who was ending his shift and cleaning his bus and saw something in the back that he couldn't make out at first. It turned out to be a young man who was passed out who seemed sort of totally unresponsive. The driver administered Narcan and the man woke up and his life was saved. This is all to say that the NCRTD provides Narcan for their bus drivers. They have thought about the potential of people who have a substance use disorder riding their bus and being in danger, and they have acted accordingly. So I wanted to applaud the driver and the NCRTD for thinking of that.

Finally, I attended a presentation by the Innovation Law Center. They work in Torrance County, which is an ICE detention center, and they gave an interesting holistic presentation. They work directly with people who are facing deportation and are held in ICE detention centers. They also have sort of come to the realization that providing job training and workforce support for people who live in that community who rely on prisons for their jobs to feed their families creates a – it is an opportunity to sort of break a cycle whereby communities have to have the prisons maintained because they have no other opportunities. So when we enter the budget and when we enter future policy making opportunities, workforce training, Edgewood is a major center for employees for the Torrance County facility. So I just wanted to point that out. I was really impressed with their work and just wanted to give them a shout-out. So thank you, Chair.

CHAIR BUSTAMANTE: Thank you, Commissioner Johnson. So a few things. We have the WPAC meeting this Thursday at 4:00 and the County Attorney will be providing information, a letter to the WPAC specifically informing the group as to what exactly would have to happen in order to effect a common utility for water, so a water authority separate from the City and the County. And we did have a presentation last time and I've already reported on that but now the group will be hearing more about what that would actually entail.

The other meeting that we had that is important to this Board would be a request from the La Cienega Mutual Domestic to have the County transfer a waterline that is currently the County's but not necessarily serving as many people as it could if it was under the mutual domestic, and the mutual domestic has been maintaining portions of that line and a fire hydrant that is associated with it. So their understanding is that it would definitely provide better fire protection in the area and specifically on Teresa Lane and it would bring the water system – just newer lines because literally they're working within the mutual domestic with parallel lines and the mutual domestic lines are dated and will need to be changed. And they have money for those lines. Their preference would be to assume the lines of the County and then transfer those over.

There is some assurance, though we never know what the future holds, is that ultimately or eventually that mutual domestic would become part of the countywide water utility. So it would provide people more water and access for emergency support. So that is on the – I'd call that on the agenda, but it's something for us to consider as it'll come up.

And then the other big issue is the request from Los Alamos National Laboratory to be a consulting body on an MOU. And I'm going to read something to you. It is specifically for the National Historic Preservation portion of Section 106 in the NEPA process. We have not – well, what we have done as a Board is we did extend support for the Caja del Rio National Monument. There is concern that this power line is going to go right through that and it has adverse effects. What I'm about to read to you, and I apologize or appreciate your allowing me to do so. Without a shawl and a rocking chair I don't read very well, but that being said.

"Portions of the proposed route were altered multiple times to avoid direct physical impacts to culturally sensitive areas and traditional cultural properties. And the proposed route would avoid ground disturbance within historic property boundaries. However, the project was unable to design a route that would completely avoid impacts due to visual, atmospheric and audible elements that diminish the integrity to some sites that the TCPs – the traditional cultural properties – within the SFNF, that's the Santa Fe National Forest, manage portions of the Caja del Rio Plateau.

"Therefore the NNSA in consultation with the Santa Fe National Forest determined that the EPCU would have adverse effect to historic properties which requires under Section 106 NMSA to resolve those effects through the development of a memorandum of agreement, an MOA, pursuant to that determination."

So what they have done is there is a requirement that they would have this MOA and they have already spoken with 27 tribes and pueblos that would be affected by this adverse impact and they have approached me and I met with them in a power point presentation that I have requested and have not yet received but I hope to and will provide that for your consideration. The 27 tribes again are regional pueblos and they have asked us to be a consulting body for that MOA. And we would be able to look at the recommendations, the concerns that the consulting bodies, being the tribes, have already provided, and then give our own input.

So I'm mentioning it now and ask now and actually direct the County Manager to please put this on the agenda for April 29th. That this be on the agenda so we could consider being a consulting body for the purpose of this MOA. And it is a relatively short

turnaround but we will be given comprehensive information from those entities, again, the tribal who have already provided input as well as those who have had concern over the stewardship of the Caja del Rio and what it will mean to preserve that site.

And then lastly, the La Bajada community conducted a joint City Water Utility open space tour in La Bajada and they have gained support for the return flow credit along the natural course of the lower Santa Fe River to promote the water going from the Santa Fe River to the Rio Grande as it did before, instead of depleting the Santa Fe River as it was planned to do as a result of whatever they're going to do with the sewer plant. So that will be discussed at the WPAC as well on this Thursday, which I will be attending virtually because I will be going to an energy meeting with the solar energy folks who have a big solar energy project. That's what they do. Electrify New Mexico. I attended it, probably in December in Colorado and this one is going to be in Albuquerque. And I will continue to advocate for any opportunities that we have for micro-grid capability. And that's all I have.

11. B. Elected Officials' Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations

CHAIR BUSTAMANTE: So at this point do we have any other elected officials online?

MR. FRESQUEZ: Chair Bustamante, we do have Treasurer Manzanares online but she is not indicating that she'd like to comment.

CHAIR BUSTAMANTE: Okay.

12. 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. *Peters v. Regents of the University of New Mexico* for its Public Operation Known as the Office of the Medical Investigator, State of New Mexico, First Judicial District Court, Case No. D-101-CV-2025-00612**

2. **Threatened Litigation Pursuant to the Open Meetings Act and Inspection of Public Records Act**
- 3) **Acquisition of Real Property Interests for the Pojoaque Basin Regional Water System**

CHAIR BUSTAMANTE: Matters from the County Attorney.

MR. BOYD: Good afternoon, Chair Bustamante, Commissioners. I'm seeking a motion to enter the executive session to discuss threatened or pending litigation in which Santa Fe County is or may become a participant, as allowed by Section 10-15-1 (H)(7) of the Open Meetings Act, and discussion of the purchase, acquisition or disposal of real property or water rights as allowed by Section 10-15-1 (H)(8) of the Open Meetings Act, and the matters to discuss are specifically described in item 12. A of the agenda you've approved. Thank you.

CHAIR BUSTAMANTE: Thank you, Attorney Boyd. Do we hear a motion?

COMMISSIONER HUGHES: I make a motion that we go to executive session to discuss the items mentioned by the Attorney.

CHAIR BUSTAMANTE: Do I have a second?

COMMISSIONER GREENE: Second.

CHAIR BUSTAMANTE: Second Commissioner Greene. Roll call.

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

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

[The BCC met in Executive Session from 5:29 – 6:38]

COMMISSIONER GREENE: Madam Chair, I'd like to make a motion requesting that we come out of executive session, stating that we made no decisions and only discussed the items that were discussed as the reasons to go into executive session.

CHAIR BUSTAMANTE: We have a motion to come out of executive session from Commissioner Greene.

COMMISSIONER JOHNSON: Second.

CHAIR BUSTAMANTE: We have a second from Commissioner Johnson.

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

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13. Public Hearings

A. Case No. 25-5030. Homewise Inc., Applicant, JenkinsGavin, Inc., Agent, Request Approval for Conceptual Plan, Preliminary Plat, and Final Plat for a 30-Lot Residential Major Subdivision Known as En Vuelo Subdivision with a Total of 10.60+ Acres, Within the Traditional Community Zoning District Within the Village of Agua Fria Community Overlay District, Which Allows for One Single-Family Residence per 0.33 Acres if Serviced by Public Water and Sewer. The Applicant Also Requests Approval of the Affordable Housing Agreement. The Subject Property is Located at 3983 Rufina Street, SDA-2, (Commission District 2)

CHAIR BUSTAMANTE: Hello, Mr. Qunitana.

KENNETH QUINTANA (Case Manager): Good afternoon, Madam Chair. Thank you for having us this afternoon. Case 25-5030, En Vuelo Subdivision Conceptual Plan preliminary and final plat. Homewise, Inc., applicant, through JenkinsGavin, Inc. requests conceptual plan, preliminary and final subdivision plat approval to create a 30-lot residential subdivision consisting of 10.6 acres of land within the Traditional Community Zoning District within the Village of Agua Fria Overlay district, which allows for one single-family residence per .33 of an acres so long as the development is served by public water and sewer.

The proposed subdivision is a Type-Three-Major, which consists of 6-24 parcels, where any parcel is less than ten acres in size. The applicant also requests approval of the Affordable Housing Agreement.

The Applicant is requesting approval of a conceptual plan, preliminary plat approval and final subdivision plat approval to create 30 residential lots and five acres of private open space, of which 1.15 acres will be improved as developed open space. The property is within the Traditional Community zoning district within the Village of Agua Fria Community Overlay District, which allows for one dwelling per .33 acre when connected to public water and sewer.

The applicant acquired the property by warranty deed recorded as Instrument No. 2027105 in the Santa Fe County Clerk's Office on January 24, 2024. The parcel of land was created by an approved survey plat recorded in Plat Book 739, page 19 in the Santa Fe County Clerk's Office on November 18, 2011.

This application has been reviewed for compliance with the applicable standards set forth in Chapter 7 of the SLDC as follows: access and roads, fire protection, landscape and buffering, lighting, signs, parking and loading, water supply, wastewater and water conservation, open space, protection of historic and archaeological resources, terrain management, flood prevention and flood control, solid waste, and affordable housing.

Staff's recommendation: Staff has determined that the application for Conceptual Plan, Preliminary Plat and Final Plat for En Vuelo Subdivision is in compliance with the subdivision and design standards set forth in the SLDC. Staff recommends approval for

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Conceptual Plan, Preliminary Plat and Final Plat, subject to the following conditions.
Madam Chair, may I enter these conditions into the record?

CHAIR BUSTAMANTE: Yes. Thank you.

The conditions are as follows:

1. The Conceptual Plan shall be recorded with the County Clerk's Office.
2. The Conceptual Plan shall expire in 5 years unless extended by the BCC.
3. The boundaries of the development area shall be clearly marked on site with limits of disturbance (LOD) and fencing or construction barriers to be approved by Staff prior to any grading or clearing and before starting construction in accordance with submitted engineered Grading & Drainage Plan.
4. Applicant must provide an approved Storm Water Pollution Prevention Plan (SWPPP) with the permit application for infrastructure construction.
5. Mass grading of the site will be prohibited and noted as a "Special Building Condition" on the recorded Final Plat and transferred to any other plats associated with En Vuelo.
6. Limits of grading shall be shown on Final Grading & Drainage Plan.
7. Applicant must comply with all Review Agencies' Comments and Approval Conditions.
8. Applicant shall build roads within En Vuelo to SDA-2 "Cul-de-sac" standard.
9. Final Plat shall be recorded within twenty-four (24) months after its approval or conditional approval; otherwise, the Plat shall expire. Prior to the expiration of the Final Plat, Applicant may request from the Board an extension for Final Plat recording for a period of time not exceeding thirty-six (36) months.
10. Applicant must submit for staff approval i) a cost estimate for all public and private infrastructure and landscaping and ii) a Financial Guaranty prior to Final Plat recordation.
11. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site. The agreement shall be signed by the Administrator, recorded and referenced on the plat.
12. Water restrictions and conservation covenants shall be filed in the County Clerk's office and referenced on the plat.
13. All staff redlines and comments shall be addressed prior to plat recordation.
14. All roads/easements being created with the subdivision plat shall be named and rural addresses shall be obtained prior to plat recordation.
15. Affordable housing requirements shall be in accordance with the Affordable Housing Agreement, which must be filed prior to, or simultaneously with, the final plat.
16. All dwellings, including all affordable homes, shall conform to the energy efficiency standards of the SLDC.

MR. QUINTANA: Thank you. I stand for any questions.

CHAIR BUSTAMANTE: Questions for Mr. Quintana?

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COMMISSIONER CACARI STONE: I have quite a few.

CHAIR BUSTAMANTE: Okay. We'll go ahead and start with Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Hello, Mr. Quintana. I'm going to go a little slowly because I really read through everything and I appreciate all the exhibits. So I have one question. You cite quite a bit of the code, the Santa Fe County Sustainable Land Development Code, and I looked through these again. I have a question regarding the traditional communities, and that you said the New Mexico Historic State Preservation approved this. How could they approve this if this is a traditional community? When I read the codes it states that all traditional communities should be preserved and ultimately while the State Historic Preservation Division can review it it's really up to the BCC and the County to make approvals on traditional communities and historical villages. So this is within the jurisdiction of a historical village and traditional community; correct?

MR. QUINTANA: Madam Chair, you're correct, and if I may. The historic preservation review is for archaeological resources. It's for archaeological resources. It has nothing to do with the actual development itself, but for archaeological resources.

COMMISSIONER CACARI STONE: That's not what I read. It says – it's not just archaeological resources, but if I go to Chapter 7, it's also for historical villages and preservation of villages as well. Did you get a full report from them and they said they approve this?

MR. QUINTANA: Madam Chair, correct. Commissioner, as in one of the exhibits listed and identified through SHPO they have approved the project as there's no – let me pull that so I can read it directly as to what they're approval was.

COMMISSIONER CACARI STONE: Okay.

MR. QUINTANA: Madam Chair, Commissioners, Exhibit 7, the very last page of that exhibit, Mr. Richard Reycraft provided –

COMMISSIONER CACARI STONE: What number or letter?

MR. QUINTANA: Exhibit 7, Review Agency Comments. I'm sorry. Exhibit G. According to the state it does not contain any historic property. This project will have no effect on historic properties.

COMMISSIONER CACARI STONE: So to me that's an oxymoron. If it's a traditional village in a historic property, how could they determine it doesn't have any historic relevance on this land? It's part of the Agua Fria Historical Community. So that was one of my questions and I think from the exhibits and the documentation I see this seems a little bit of a gray area and it's actually very clear that it is a historic village so I'm not certain how the state determined that. That's my main question to start with.

MR. QUINTANA: Madam Chair, Commissioner, I do not have an answer for that as I am not the state who reviewed it.

COMMISSIONER CACARI STONE: Okay. Thank you. The other question I had is according to, when you cite the codes, it said that reports had been done. Was there a transportation, traffic safety reported completed as part of reviewing this development?

MR. QUINTANA: Madam Chair, Commissioner, that is correct. The applicants have submitted a TIA which was sent over to the City for their review and approval, as Rufina Street is a City-maintained road.

COMMISSIONER CACARI STONE: I just want to say, this is in District 2, my district, and this is one of the priority issues, on top of about three others, but traffic safety in Agua Fria Village, and not having the infrastructure for new development yet, with only having one road as the artery. When I look at that map I'm not certain how the City approved it and that we can say that we have a viable traffic safety report. There is no real plan.

What I see here in the documents provided for assuring a traffic flowing infrastructure.

MR. QUINTANA: Madam Chair, Commissioner, if I may defer to the applicant. When she gives her presentation she may be able to give you a little more detail as to that, but the City did go through and give approval. There will be a right in, right out, and also a left turn designation done.

COMMISSIONER CACARI STONE: Okay. Well, I'll look at that, but again, I want to ask that and I don't see conclusive or anything showing that. We do have a viable traffic and an artery to allow for both safety for Agua Fria Village area as well as all of the residents of Agua Fria Street.

The other question I have here has to do with community organizations. As the Board of County Commissioners in the county we have the Sustainable Land Development Codes, right? And they've been updated in 2016 and you cite those. But we also have a process in which we recognize Agua Fria Village as one of eight community organizations affiliated or approved with the County. Based on that, the County requests and considers the community plans. I have just as thick a binder as the codes from the Agua Fria Village that I've been trying to wade through, which really identifies the critical priority of considering the community and the traditional contours of the land, people, place and culture that's important for the County to consider in land development.

So as a Commissioner Board I want to say that I wanted to ask the Growth Management and your unit and shop, had you considered the Agua Fria Village Community Plan in looking at this development? I want to say in preface I'm totally for affordable housing. This is critical. But we have to do it smart. So I want to know how the community organization's plan was considered in this development.

MR. QUINTANA: Madam Chair, Commissioner, thank you for your question. Yes. This was sent over to our Planning Department as part of the SGMP and the SLDC. This project fits within that development plan that the County has.

COMMISSIONER CACARI STONE: That's the County plan, but as a community organization, the Agua Fria Village submitted to the BCC and the County for review of this, the Village of Agua Fria Community Plan in 2006, July, which stands, and I just want to know how does our County, when considering development, you're coming forward and saying it's approved. How we consider organization's plans – does the County Sustainable Land Development Code succeed and supersede the community's plans, or do we just totally disregard the community plans? Because according to the

community plan, this development, based on what you've submitted doesn't align with that at all.

So I need to ask my due diligence, was this considered?

JORDAN YUTZY (Land Use Administrator): Chair, Commissioners, yes, the plan would be submitted, but that would be through Planning. Planning is a different division inside Growth Management. Growth Management will look at the plans that are adopted by BCC. A community, they create the plan. It goes through the community planning process. It comes before BCC as an ordinance change and is voted on. And then when these projects come in they go to the Planning Division, at which point in time they review the SGMP and an overlay if it's the site of an overlay, to make sure that it fits with what's needed.

And so the report back from Planning was that it did meet the current adopted plans.

COMMISSIONER CACARI STONE: Okay. So take me back again. So you're saying that the Division of Growth Management doesn't look at this, but the Planning Division looks at the community organization's community plans?

MR. YUTZY: Correct. Planning is a division of Growth Management, but it is not Building & Development Services.

COMMISSIONER CACARI STONE: And do we have a review here in the documentation we've provided that they approved it? And do they refer to where in the community organization's plan does this growth management plan and what's being proposed – being asked us to vote on tonight, align with the community organization's plan for the traditional village?

MR. QUINTANA: Madam Chair, Commissioner, same exhibit, page –

COMMISSIONER CACARI STONE: H, water and wastewater?

MR. QUINTANA: No, ma'am. G. We have two reviews from our Planning Department, one dated March 14, 2025, the other dated March 3rd from our Planning Department, both each stating that the design and the application submitted meets both of those criteria.

COMMISSIONER CACARI STONE: Both of what criteria?

MR. QUINTANA: That is the ones that were discussed as the Agua Fria Community Plan through the SGMP and SLDC.

COMMISSIONER CACARI STONE: I would have to defer. I'm not certain, having met with community partners, not particularly around this issue, but I'm not convinced based on what I see here. I'm just seeing they approve it but I'd like to have seen a review on how it was approved and how – I would like to see bullet points of how it aligns, or even a side-by-side, the Sustainable Land Development Code and what you've approved, with the community organization's plan. Because again, this is a traditional village, so we're saying that the State Office said, well, we're not violating anything culturally or traditionally according to Chapter 7 of our Sustainable Land Development Codes, but yet it's still a traditional village.

In reading everything you've provided, my conclusion today, and I know we're not going to vote yet, is that we don't have enough information. At least I don't as a Commissioner, and the Commissioner for District 2. I don't have substantiated information to make the informed decision.

MR. QUINTANA: Madam Chair, Commissioner, if I may, in making that determination tonight we do have from County staff Nathaniel Crail on line that could potentially assist in answering that question you have.

COMMISSIONER CACARI STONE: I don't have any further questions right now but I will defer to my other Commissioners. Thanks.

CHAIR BUSTAMANTE: Any other questions for Mr. Quintana at this time? Questions for the applicant? The presentation.

COMMISSIONER CACARI STONE: I just want to thank you, Mr. Quintana. I know you're doing your job, but so am I so I hope you forgive me for asking tough questions.

MR. QUINTANA: Madam Chair, Commissioner, not at all. Bring them all forward.

COMMISSIONER CACARI STONE: I appreciate it. Thanks.

JENNIFER JENKINS: Good evening, Madam Chair, Commissioners. I'm Jennifer Jenkins with JenkinsGavin here this evening on behalf of Homewise in a request for conceptual plan and subdivision plat approval for the En Vuelo Subdivision and I'm ready to be sworn in.

[Duly sworn, Jennifer Jenkins testified as follows:]

MS. JENKINS: My name is Jennifer Jenkins, 130 Grant Avenue, and I can confirm that I am under oath. So I have a presentation that I'm going walk through and just discuss some of the details of the project, and then I will be happy to stand for questions.

So I've already introduced Homewise and myself and also I want to introduce our consultant team with Tierra West Engineering. They are joining the meeting virtually, so if there are any questions for the engineering team they are available.

So we are here regarding this 10.16-acre parcel that is located in the traditional community of the Agua Fria Village. We are north of Rufina Street. We are just east of Lopez Lane and we are west of the Zafarano roundabout, so kind of tucked in there and the site is undeveloped. We're also directly east of the Camino Vista Aurora neighborhood.

So this is our zoning map. As you can see, everything in orange is the Village of Agua Fria. Everything you see there in gray is the City of Santa Fe jurisdiction. So zooming in on the property, you see the existing conditions. The red lines that you see here are topographic contours, so what this is showing is that the site has very gentle grades. It's essentially flat, and so it is imminently developable with no issues with any sort of steep terrain. We are directly north of the Rufina right-of-way so that will be our access point.

So this is the subdivision plan. We're going to zoom in on it momentarily, but for now this just shows it in the context of the neighborhood. We are proposing 30 residential lots and we have our access drive coming towards the southeast corner of the property here, and we have some open space and landscaping here at the entry, and then the road comes down and it terminates in what we would call a hammerhead emergency turnaround to accommodate emergency vehicles, and then we have the lots on either side of the roadway. And then to the north we have the balance of our open space area. We are providing five acres of open space when a little over three acres is required by the City

code, and providing landscaping and walking paths and seating areas and some passive outdoor recreational space for the residents.

So now I've rotated this so we can zoom in on this just a little bit. And so Rufina, the south end of the project is there to the right. Again, you can see the landscaped areas and we're creating little seating areas here among the plantings, and then we have our roadway, Calle Colmena, and then it terminates here, and then we have a walking path and trail system throughout the open space and some additional plantings.

So, as I mentioned, the site is 10.6 acres and in Agua Fria Village, if we are going to be served by City water and City sewer, which we are – we already have agreements from the City of Santa Fe to serve the project with water and sewer, the density goes from one dwelling per .75 acres to one dwelling per .33 acres. So essentially, the density is three dwellings per acre. And so this is how we arrive at – this is basically the math. So there would be 32 dwelling units permissible, and under the Sustainable Land Development Code there's also a density bonus for the affordable units that are provided. So that would result in a total of 36 dwelling units permissible on the property.

We are only proposing 30 lots because we only have one point of access. And under the SLDC, if you have only one point of access you are limited to 30 dwelling units, so that is why we are proposing that today. And as you know, we are required to provide 15 percent affordable housing; we're actually going to provide 20 percent, so there is going to be an extra affordable home provided. And you have that affordable housing agreement for approval this evening in your packet.

And we talked about the open space. There's a little under 3.2 acres is required and what is proposed is five acres. As part of that five acres we have a little over an acre of what is developed open space, because the SLDC does require at least an acre of developed open space.

So we did conduct a traffic study as Mr. Quintana mentioned. Rufina is a City street. It is a City right-of-way, so the City owns and maintains that, so we were required to engage with the City of Santa Fe Public Works Department with respect to the traffic study. And based upon the amount of traffic anticipated to be generated by the project, we were required to analyze our access point at Rufina to ensure that that access point was going to function properly and whether or not we had any turn lane warrants, and that we were not going to have any issues at our access to Rufina.

So when we talk about traffic studies we talk about levels of service, and this is also documented in the SLDC. We look at intersections and how do those intersections function. Level of service is based upon delay. How much delay does a vehicle experience moving through an intersection, whether it's a signalized intersection, unsignalized, or a situation like this where we have a stop sign exiting the community on to Rufina Street.

And so it's a grading system. So level of service A means there is minimal delay, and it goes B, C, D, all the way to F. And F means this intersection is failing, that the delay is excessive and there needs to be some sort of mitigation for that intersection. So once all of these homes are constructed and occupied, this access has a level of service A on Rufina Street. So really minimal delay.

We will be constructing an eastbound left turn lane into our driveway. That was warranted. So the traffic study did assess what turn lanes would be required, and so I'm

going to show you on the next slide – so zooming in, so this is the existing condition. So there's an existing median right here. And then our driveway is coming in at this sort of southeast corner, and so this actually works really well, because we are able to construct our turn lane within this existing space here where the median is located. So that will create safe turning movements. So as cars are east bound they will be able to get out of the travel lane and get into the turn lane to wait to make a safe left-hand turn.

And with respect to community outreach, we did meet with the Agua Fria Village Community Association. We reached out to them actually back in November and they kindly invited us to attend their December 5th meeting where we had an opportunity to present the project to them well in advance of submitting their application and got a chance to answer their questions. And then subsequently we had our formal pre-application neighborhood meeting where we also had neighbors in attendance and got to present the project and address any questions.

And that concludes my presentation. I'd be happy to stand for any questions.
Thank you.

CHAIR BUSTAMANTE: Thank you, Jennifer. Do we have questions for Jennifer? Commissioner Hughes.

COMMISSIONER HUGHES: I'm wondering, since Homewise is the developer, and I know they're doing 20 percent affordable, but how are the other homes affordable? They're market rate but they're going to keep them affordable somehow?

MS. JENKINS: So Homewise's program, there's always the designated affordable units, whatever that percentage might be, which differs on a project by project basis. And then the market rate homes are always below market. That is their practice and that is how they do that throughout the communities in Santa Fe.

COMMISSIONER HUGHES: And are they doing anything in particular to keep them below market?

MS. JENKINS: Well, it's just the way they price them. So on the below market homes there will not be any sort of affordable housing lien on those homes that would kind of run with the property like there is on the 20 percent affordable homes. If that was your question, Commissioner Hughes. But on the initial sales those homes are prices below market.

COMMISSIONER HUGHES: Okay. You don't know what below market is, I suppose.

MS. JENKINS: We have a little bit of time between now and when these homes are actually on the market, so it's a little hard to predict. What I can tell you is that they have some current communities where they're currently selling homes, and the below market homes are in that \$300,000 to \$400,000 range, but it just kind of depends on – it has a lot to do with where construction costs go in our current, unpredictable environment. We have a fair amount of work to do before we're ready to start building homes.

COMMISSIONER HUGHES: Okay. Thank you.

CHAIR BUSTAMANTE: Thank you. Anyone else? Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. Thank you, Ms. Jenkins. I may have missed this in the packet, and this is just approval of a site plan. Is there any idea of how large the homes are on .33 acres?

MS. JENKINS: So the homes are going to range in size, typically from around 1,200 square feet up to about 2,000 square feet.

COMMISSIONER JOHNSON: Okay, so one bedroom to three bedroom?

MS. JENKINS: Usually three-bedroom homes, typically. Yes.

COMMISSIONER JOHNSON: Thank you very much. I see that on the site plan there are four lots that are a little larger. Is that right?

MS. JENKINS: There are. At the north end. That's correct.

COMMISSIONER JOHNSON: And the other lots appear to be evenly divided at .33, correct?

MS. JENKINS: No. I'm really glad you brought this up, Commissioner Johnson. So the SLDC does not actually regulate lot size; it regulates density. So in order to determine what your permissible density is it's a calculation of taking the 10.6, divided by .33, because you can only have one dwelling unit per .33, and that is how you achieve what your permissible density is. So our lot sizes range from about 5,400 square feet up to about 6,500 square feet, and then we decided to do some larger lots at the top just to accommodate some larger kind of family homes, and those up there are around 10,000 square feet.

COMMISSIONER JOHNSON: So on these – back to this image. I know that the units were listed. It appears that the market rate homes – well, the four larger lots will likely be market rate, but there will be market rate among these smaller parcels as well?

MS. JENKINS: Yes. Correct.

COMMISSIONER JOHNSON: So would – I think a concern for people who perceive affordable housing to be – they have a certain conception as to what goes into that house, the one that's designated for affordable versus one that is market rate. Can you speak to what the difference between those units would be?

MS. JENKINS: There are no differences. They use the same construction methodology. Now, with the interior finishes, in terms of somebody maybe buying a market rate home may decide to do some upgrades in terms of their countertops of certain fixtures in the home they would maybe have an opportunity to do some upgrades. And even the affordable buyers have opportunities to do that. But this is the same – when you drive down the street you will not know –

COMMISSIONER JOHNSON: You will not know –

MS. JENKINS: You will not know which are the affordable homes and which are the market rate homes.

COMMISSIONER JOHNSON: Okay. That's helpful. So a consumer wouldn't be able to tell.

MS. JENKINS: No, sir.

COMMISSIONER JOHNSON: Thank you. Do you know the adjacent density? I can kind of look on this map but these lot sizes are slightly larger than the properties –

MS. JENKINS: They're pretty – some of them were. They're pretty similar. The density of the Camino Vista Aurora is comparable. It's actually quite a bit more dense. If you look at it you can see here that the lot sizes are comparable but most of their project is filled with lots. And so the density is closer to 4.5, five per acre.

COMMISSIONER JOHNSON: And would these include a backyard feature? It's hard to tell.

MS. JENKINS: Absolutely. So these are going to be – these are pretty traditional. Everybody's going to have a two-car garage. They're going to have a front yard. They're going to have a backyard and their homes and side yard setbacks and so, yes. These will be kind of traditional family homes in that regard.

COMMISSIONER JOHNSON: Okay. I'm going to put an end to it there and I may have another question as we go forward. Thank you, Ms. Jenkins.

MS. JENKINS: Thank you.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Jennifer. So first, this is a long, deep lot, and if you look at the development directly to the west there's a long, deep lot there, but they connected through to Lopez Lane. Any reason why you couldn't connect to your neighbors, or are you in any way?

MS. JENKINS: There aren't any roadways to connect to.

COMMISSIONER GREENE: Or pedestrian? Is there a walkway connecting to your neighbor, or is there a road connecting to your neighbor?

MS. JENKINS: We do not have any roadway connections, Commissioner Greene, and we do not currently – the pedestrian connectivity to our neighbor is going to be via the sidewalk on Rufina Street.

COMMISSIONER GREENE: So you'd have to go all the way down to Rufina to go to your backdoor neighbor.

MS. JENKINS: That's correct. Absolutely. And part of the challenge with that is that, for example, with Camino Vista Aurora as is true in most of the county, the streets are private. The parks are private. The open space is private. And so neighborhoods in my experience tend to be reticent about – because they have the obligation and financial burden of caring for those spaces. And to create kind of an open door, if you will, that allows – I love the idea of that kind of porosity between neighborhoods. I think it's really important, but it becomes really challenging when there could be a perception that it's going to somehow increase a neighborhood's maintenance obligations with respect to opening those spaces to the surrounding area.

COMMISSIONER GREENE: Okay. So it looks like in that neighboring development directly to the west that there's a park in there.

MS. JENKINS: Yes.

COMMISSIONER GREENE: That's a private park?

MS. JENKINS: Absolutely. It's a private park.

COMMISSIONER GREENE: Okay. If I'm trying to stitch my neighborhoods together – you have so much open space in this project that if you shifted those lots away from that park to a point where you mirrored the park on to your side, you'd start to stitch the communities together, even if it's a fence and a volleyball net and they can just play over the fence. You're at least communicating some way, park to park,

that someday you could start to stitch these things together instead of just having it as the back wall of somebody's house with graffiti on it.

MS. JENKINS: Sure.

COMMISSIONER GREENE: And the same thing, like one of those lots connecting through with a wide enough walkway so that people can start to live with their neighbors. We're here to building houses but we're here to build communities. And if you don't connect through or leave a way to connect through you're sort of just dooming us to suburban dead-ends.

MS. JENKINS: So we are happy to explore that. We've actually talked about that internally, and we are happy to do that and I just – it could end up as a pathway to nowhere. Because we don't have any rights to that park.

COMMISSIONER GREENE: But you do have plenty of space. Like if you shifted everything – you have so much open space in the back. You're maxed out on density. If I had this property I would be trying to figure out a second way out so I could build more and stitch it to my neighborhood so I could be friends with my neighbors.

MS. JENKINS: Sure. And a couple of points I would like to make on that, if I may, Commissioner Greene. So we're connecting our waterline into Rufina. The waterline comes up and then we have to loop the waterline back into Camino Vista Aurora. This is designed very intentionally relative to the infrastructure needs. If we took these lots and slid everything further north, we're going to end up with a dead-end waterline that the City of Santa Fe will not approve.

COMMISSIONER GREENE: They allow some dead-ends, right? And so what's the magic number? Eight lots?

MS. JENKINS: There is no magic number. Back in the day I could point to a lot of dead-end water lines around the City of Santa Fe. I live on one of them in my cul-de-sac, but under the current administration and the current staff in the water division, they are not – they have really tightened those regulations around those dead-ends. And it's also really important to recognize that we have significant infrastructure under – for example, in the city, this community and the infrastructure being required here would be spread over 50 or 60 lots, we're spreading over 30 lots. So the further north we go, the more expensive it gets. We go further north we don't get more lots. And that impacts the affordability of the community.

And so concentrating this and clustering these homes creates really critical efficiency in the design.

COMMISSIONER GREENE: So there's a trade-off between cost and livability. So having a park that mirrors your neighbors so that someday maybe there can be a community park. The people can walk between the two developments and say, I like my neighbors. They're not just those people; they're us. That's something that we should be encouraging here as Commissioners. Understanding land patterns, growth patterns and how to do that. So let me tack to that back open space. Who's going to maintain that?

MS. JENKINS: The homeowners association.

COMMISSIONER GREENE: Okay. So that's expensive. That's an expensive – and you could easily make all the lots a little bit larger and you could shift those lots and mirror the park there, and it would be less of a maintenance burden for all of those lots. All those homeowners.

MS. JENKINS: In terms of reducing the amount of open space?

COMMISSIONER GREENE: Yes. Everybody could have a more generous lot for themselves. Is this going to be private open space?

MS. JENKINS: Yes.

COMMISSIONER GREENE: Right. So it's private open space, but it's maintained by everybody.

MS. JENKINS: Correct.

COMMISSIONER GREENE: So there's that cost burden. So do the affordable homes have that cost burden or are they –

MS. JENKINS: It's minimized. The amount of homeowner association fees is government by the SLDC and there's a ceiling on that. So the affordable homeowners do contribute something but the bulk of the burden would be on the market rate homes.

COMMISSIONER GREENE: Have you done an analysis of what it would cost to maintain that open space?

MS. JENKINS: Not yet.

COMMISSIONER GREENE: Is the amount of money allowed by the SLDC sufficient to cover that?

MS. JENKINS: No.

COMMISSIONER GREENE: So who covers it?

MS. JENKINS: No, so the SLDC limits the amount of HOA fees just the affordable homes can pay. There's not – the SLDC does not regulate HOA fees for the market rate homes.

COMMISSIONER GREENE: And there's no parking in the back for that open space in the back.

MS. JENKINS: No.

COMMISSIONER GREENE: Again, it seems like there should be some community parking, at least one parking section, maybe at the beginning of the development, maybe in the middle, maybe at the end, that allows for people to visit their neighbors, not piss off their neighbors at the same time, and just cram the street with on-street parking and have that visitor parking requirement.

MS. JENKINS: It would be really easy to construct some visitor parking at the top of the hammerhead. We would be willing to do that.

COMMISSIONER GREENE: And any way to at least preserve, shift those down 15 feet so that someday, some sort of access to that park there in preserved so it isn't just somebody's blank wall. So to give you a reference. I drive down Maes Road all the time and one of the great things that Homewise did –

MS. JENKINS: Was the trail.

COMMISSIONER GREENE: They connected that trail through. That should be their MO everywhere and I believe that is their MO but they just avoided it here for some sort of efficiency sake but I can see how you can –

MS. JENKINS: I think it's a big difference when we're talking about the public realm and the private realm. We're talking about the private realm here. We're talking about a neighborhood to our west. Santa Fe County even in these types of neighborhoods with affordable housing. We're not talking about Tano Road here. Santa Fe County won't maintain these streets. So the burden on these communities is

significant. It's significant. And so we are respectful of our neighbors and their space and I completely agree with you. And it would be really nice if we were talking about connecting two public realms instead of connecting two private realms.

COMMISSIONER GREENE: So if you build the way you're planning here you don't preserve that possibility.

MS. JENKINS: So what I would like to offer if I may, Madam Chair and Commissioner Greene, is on the west side we can create an opening and a potential open space kind of trail, whatever that might look like opening there to align with the park to the west. That is something – I'm very cautious about getting into the water infrastructure because I have no power there. So we have a water plan that has been approved by the City of Santa Fe and the dead ends are problematic. So doing any kind of significant shift here is going to create an ability where I'm not going to be able to serve this property with water.

COMMISSIONER GREENE: Just don't make it less than ten feet wide. Make it wide enough to be enough for a trail and a tree wide. So it isn't just like – there's nothing worse than a single wide alley that you don't feel safe.

MS. JENKINS: No, absolutely.

COMMISSIONER GREENE: You want to have something generous --

MS. JENKINS: Sure. It should be inviting.

COMMISSIONER GREENE: It should be. And honestly, my idea would be that it matches the park. And you work with those neighbors and say, we're going to give you space. You have so much space here. It's not like you're fighting for space.

MS. JENKINS: No, not at all.

COMMISSIONER GREENE: Or giving up density.

MS. JENKINS: Right.

COMMISSIONER GREENE: You could double that park and say, but here's the quid pro quo. It's a private park for our two neighborhoods.

MS. JENKINS: Yes. So we're happy to facilitate a connection there.

COMMISSIONER GREENE: Thank you.

MS. JENKINS: Thank you.

CHAIR BUSTAMANTE: Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair and thanks, Jennifer. I'm heartened by that. I think if there were a ribbon to the park midway down Camino Vista Aurora. Excuse me. Pointing towards Camino Vista Aurora and that park in the middle. I also note through a little bit of putting myself in a map, that there is a park on Camino Vista Aurora at the north end. There's a 90 degree angle, sort of – I'm forgetting my geometry terms. But I can imagine a connection point there. Hypothetically, would it be possible for the HOA to negotiate access to that in the future?

MS. JENKINS: I think we could absolutely have the conversation and we're happy to open up the dialogue. And we've communicated with them. We had residents from this community attend our neighborhood meetings. We have visibility with the neighborhood and as we start construction we're going to obviously be working with them a lot to mitigate, because it's going to be annoying and noisy as it is. So we're happy to explore what those opportunities might look like.

COMMISSIONER JOHNSON: Because that might give them trail access

where as in – I think both access points would be ideal in an ideal world because there's increased access to sort of green space/open space. But that might actually benefit the adjacent community as well because there's access to this trail system. So just speaking hypothetically about that.

I think – I agree with Commissioner Greene that when we are thinking about planning we do it oftentimes in these long strips and it is – even gesturing towards that sort of connectivity is something that we should always be mindful of. So maybe there could be one on the right, to the east. Just as an idea. Because these are places that have future – someday something will go there. I'm not sure what, but it is open land in the middle of the ring around the city. I know this is in the county limits. So I just want to underscore that and I think I am heartened by your willingness to sort of consider that connection.

MS. JENKINS: Sure.

COMMISSIONER JOHNSON: And the north one as well would be great.

CHAIR BUSTAMANTE: Thank you. Thank you, Commissioner Johnson. I have a question for Commissioner Cacari Stone and possibly for Manager Shaffer. Did the Agua Fria Community Association approach either of you regarding a request for tabling, given a lack of understanding of what overrides the SLDC and what the role is of the community organizations, and specifically the traditional village roles? Was there ever a request that was provided to us as a County for a tabling of this particular subject?

MANAGER SHAFFER: Chair Bustamante, Commissioners, I believe that was submitted today and I believe what I hope was reported back was that that was a request that would appropriately be made by the community organization to the Board in that Growth Management Department staff did not think that the tabling was appropriate. It wouldn't be a request that would be advocated by them but that the community organization itself was free to make that request directly to the Board.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Due to the nature of the vote tonight I recuse myself from these conversations. However, I do understand that the Agua Fria Village Association – I went back to my emails prior to tonight's vote, had requested from the County and our Growth Management some explanatory procedural and processes regarding the community organization's community plan, how that interfaces with Growth Management and the Sustainable Land Development Code. And to date they have not received any clarification. Therefore, Agua Fria Village, separate from tonight's vote but related to this, as a community – and if we look at our four goals here, Chairperson Bustamante, sustainable, healthy, safe, and transparent.

It is in the opinion of Agua Fria Village that this hasn't been quite transparent because they're not certain on what trumps what and they don't, as a community, experience being included in this plan. And even with Commissioner Greene's question, as well as Commissioner Johnson's questions, it's clear that this is a segregated plan that has a development that's very isolated, even visually, and has very limited access. You may as well put a gate at the front of it, in my opinion, based on what I heard was limited planning. So I just think the planning is still unbaked here and if there is a possibility to consider tabling – I don't know if this is properly the time – I would move for that so that there could be more inclusive, transparent and clear planning that meets our four goals

that we have – the sustainable, healthy, safe, and transparent, and consider some of the questions being asked here tonight.

CHAIR BUSTAMANTE: Thank you, Commissioner Cacari Stone. It's your district and you could absolutely make a motion to do that. I'm not sure that you would necessarily have support from the entire Board, but I am going to express a sincere concern. I have spent historic time doing traditional historic villages and it is a lot of work. And it isn't clear to me, and I did ask for some clarification but what troubles me more is that the constituents asked for information specifically to this. Mine's specifically a whole other community that's a traditional historic community. And basically what I've seen is sort of this dismantling, now over a period of time, and I'm looking at new people who are here who were not working in what was called Land Use. I apologize, because that's always my default and I can't recall. It's Planning Department, and now I understand that there are two different arms, and I apologize because I'm about to sound frustrated so I guess I might be.

If you do talk to each other, the traditional historic community plans matter. And I apologize, Jennifer, but I hope that you'll take this. When you're asked to go to their meetings and they have a number of people, that holds more weight than seven people going to your meeting. That is a community meeting. And what I understand, the problem that I see is .33 is what they have in density as far as what you have per lot.

So what Commissioner Greene has stated is instead of having that big back lot and a few houses, because if there's anything that's going to demonstrate inequity is you got a lot that these folks didn't. And they have two steps to the curb and a rock to throw out back. So that's my opinion so it's not worth anything. What's not my opinion is that I know that the community is concerned about traditional historic and the SLDC was supposed to – what we were promised in the development of our traditional historic communities was that that planning for the traditional historic communities would be put into to the SLDC. So essentially it's a chapter, if you will. Or whatever. I've seen them; they look like chapters.

So to say it overrides it isn't correct. If it's the SLDC that is doing this then why do we even have planning in these communities? I understand that there was a request for this to be tabled and I learned it way too late. Again, not really knowing the details except it didn't necessarily match up with the density, I don't have a whole lot more information. But I already did hear the Commissioner whose district this is in ask for this to be tabled and frankly, I apologize to you, Jennifer. It's not on your end. It's on the County's end on understanding what the role is of traditional historic communities and what they mean within the Sustainable Land Development Code. And if our Attorney here today said they're weaker than the Sustainable Land Development Code, then we have a bigger problem, because those traditional historic communities took a whole other level of effort to get that jurisdiction. Does that make sense? Or is that understandable? It doesn't have to make sense. Is it understandable that they worked, that these communities actually took effort to get recognized as traditional historic communities and for the SHPO to look at and say this isn't traditional. If they look at the length of that lot, these were old farming lots. But whatever.

The point is I really would like to see the community's request, and again, I'm going to leave this to the Commissioner who's in her district answer to. What is the role

of the traditional historic planning within the SLDC? It makes no sense to me that they do this but we're going to do something to override that. And that's what I'm hearing. So to that end I absolutely – I love the idea that there's going to be more affordable housing. Nobody's against affordable housing. Respectfully, I am not in favor of overriding, trampling on a community that has had its traditional historic designation like stomped on, spun around and filled this room more than once last year. Let's recognize that traditional historic community and pull some stuff together within the County that understands that role.

At one point there used to be their own planning review committee for the traditional historic communities and those got washed. And we do have a request in to get the details of that. And I don't really need a detailed answer at this point. What I'm understanding is not only do they not have a traditional historic review committee, but we also just kind of put whatever plan they have aside and go for whatever density is going to be more prolific in getting more houses in but with the exception of a few larger lots.

So I'm going to stop talking but if anyone has anymore questions, I might just leave this to the Commissioner to make a point. Commissioner Hughes.

COMMISSIONER HUGHES: Well, I'm just wondering if we should move to public hearing to hear what other people have to say. And I don't know if anybody's online or in the room.

CHAIR BUSTAMANTE: Do we have anyone online?

MR. FRESQUEZ: Chair Bustamante, we have one person raising their hand, William Mee.

CHAIR BUSTAMANTE: Okay. Thank you.

COMMISSIONER HUGHES: Anybody in the room? I didn't think so.

CHAIR BUSTAMANTE: Please, Mr. Mee.

[Duly sworn, William Mee testified as follows:]

WILLIAM MEE (virtually): I'm William Mee, 2073 Camino Samuel Montoya, Santa Fe, New Mexico, 87507, and I understand I'm under oath. Okay. We wanted to ask for a tabling of this case. Well, I should say I'm president of the Agua Fria Village Association and of the community organization. So we want to ask for a tabling because County staff did not fully answer our questions at the March 17th Webex meeting with Alexandra Ladd and staff, or follow up with information as promised. We were unable to present a case for against the applicant.

Further, staff came late to that meeting, to the 1:00 pm meeting and wanted to cut off the scheduled one-hour meeting at 1:35 pm. So we don't think that we have the full information about Case 25-5130 [sic]. We feel that this case has been improperly noticed. The notice of the April 8th meeting by the applicant implies that the proposed development complies with the Agua Fria Community Plan by having lots that are 0.33 of an acre in size, or 14,520 square feet. Yet the lots actually vary in size and we feel that this should be presented as a variance in the application to the BCC.

In an April 1st email from Jordan Yutzy, Land Use Administrator, they should have notified us that the date for the last day for getting information into the packet for the BCC. In his email Mr. Yutzy mentions that the packet has been posted. Yet when we went to the BCC website the agenda is posted but not the packet. We asked Mr. Yutzy for it which he has yet to provide. We did not find the posting of the BoardDocs until April

7th, the date of our Agua Fria Village Association meeting, which we decided that we need to ask for a tabling until we were provided more information.

Plus we, also at the March 17th meeting, asked for a copy of the affordable housing plan that enables Homewise to manipulate the SLDC in the way it did. Nate Crail said he would send it to us and never did. The first thing I did on the 18th is look at County ordinances and resolutions and found Resolution No. 2023-83, Resolution 2021-50, Resolution 2023-7, Resolution 2019-35, and Ordinance No. 2011-6, Ordinance 2006-02, Ordinance No. 2023-05, and Ordinance No. 2012-1. All of these resolutions and ordinances all referred to the affordable housing plan but it's never attached to them.

So I looked online at the Community Development Department and got this dead link under the term affordable housing. So I called Leila Shabadi, the Economic Development Specialist, and left a message. I called back again in a couple of days later since they were at a conference and finally was transferred and Sarah Meadows answered and said that was a simple request and she'd send me the plan, which she never did.

So we really need help from the County on these issues that we raised in the March 17th meeting with the County, and we sent a letter to the County Manager and the Commission on April 3rd. We feel that tabling this case can put the pressure on the County to solve some of those problems. We risk the over-development of our THC area based on our limited services, like road capacity, school capacity, healthcare, library. We're in a food desert, etc. For instance, on this development and another two on Rufina Street in the THC the City has determined there is no traffic impact and required remediation for traffic control. But at some point the straw will break the camel's back.

Other traditional historic communities and traditional communities with their community plans and community organizations are also at risk if we don't clarify where they stand, because otherwise their plans are just worthless. Thank you very much.

CHAIR BUSTAMANTE: Thank you, Mr. Mee. Anyone else?

MR. FRESQUEZ: Chair Bustamante, there are no other users raising their hand.

CHAIR BUSTAMANTE: Okay. All right. Are there any other comments? Commissioner Greene.

COMMISSIONER GREENE: Thank you. Just a question for Jennifer. That back lot that is the open space, is that going to be deed restricted? Or is that going to have potential development in the future?

MS. JENKINS: Madam Chair, Commissioners, the subdivision plat will designate that property as open space and identify that it will be dedicated to the homeowners association in perpetuity for ownership and maintenance, and then there will be a deed to the homeowners association itself. So it's really the subdivision plat that really functions as that deed restriction because that would be the lot of record plat. And so if it's designated and identified as open space it's open space.

COMMISSIONER GREENE: I just want to make sure that that is deed restricted in a way that if this gets approved you can come to us, maybe four years from now when we're all different and reapply for another 30 lots in the back there.

MS. JENKINS: So one thing that's important to keep in mind, and I think this is also a little bit of level setting about this question about the .33 acres. The SLDC mandates 30 percent open space. Thirty percent dedicated open space. So with every lot

there's a third of an acre. So you're taking up 100 percent of your 10 acres with third-acre lots. So you have to have room for your drainage, which is going to have to be on somebody's lot. The road is going through people's lots with an easement. And there's no communal open space. So everybody's going to have to dedicate 30 percent of their lot as open space that they can never touch or develop.

So it's really important – this is so critical, that the SLDC – the community plans are critically important. Those community plans informed the County's Sustainable Growth Management Plan. But then you have to codify it. That next step if you have to codify, and that's what the SLDC did. And the SLDC abandoned wholesale the concept of minimum lot size in the interest of open space preservation, clustering homes. So we don't have a sea of 2.5-acre lots throughout Santa Fe County and urban sprawl and all the challenges that come with that.

The goal was to encourage smaller lots so we can have open space preservation. Because you look at older county subdivisions, everybody's sitting on 2.5 acres, there's no common open space. There's none. They weren't allowed to do it. And so it's really an important context. This is a math exercise, and it is a pivot from how traditionally things were done. So I get that it can feel confusing. It's like wait a minute. But we can't do both. Thirty percent open space and third-acre lots cannot occupy the same space.

So we are – you have a project before you this evening that is 100 percent compliant with the Sustainable Growth Management Plan and the Sustainable Land Development Code. We are requesting no variances. We have recommendations for approval from every single individual and agency that reviewed this application. So we would ask for the opportunity for this case to be voted on this evening in recognition of the fact that we're complying with your code in every possible way.

So thank you, and I'd be happy to stand for any more questions.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you. I do have questions.

Thanks for your presentation. I want to ask you, you're so knowledgeable on the Sustainable Land Development Code. How did you learn that? How many years have you been working with it?

MS. JENKINS: Commissioner Cacari Stone, it's a pleasure to meet you, Commissioner Cacari Stone. I have been doing land use planning and development and project management in Santa Fe – you're going to make me say it. It's been over 30 years. I think this is my 31st year, so I was – it's my job to know the code. And so I was involved as the code was being written and once it was adopted it was my job to learn it.

COMMISSIONER CACARI STONE: You've had both the experience and the privilege to know the code in depth. That's impressive because I'm still trying. I've got it here.

MS. JENKINS: Yes, it's a lot. It's a lot.

COMMISSIONER CACARI STONE: So my other question is did you read the Agua Fria Village Community Plan?

MS. JENKINS: It has been a while. I have had some visibility and exposure to the plan but it was back around the time the plan was being developed and adopted.

COMMISSIONER CACARI STONE: Back in 2006.

MS. JENKINS: Yes.

COMMISSIONER CACARI STONE: Okay. So it's been about 20 years.

MS. JENKINS: I've referred to it periodically over the years, depending on what I'm working on, but I haven't been as exposed to it since that time.

COMMISSIONER CACARI STONE: So the reason why I'm asking this, based on the evidence presented tonight, both from our County staff, from you, and what came out in the public hearing, and the fact that I wasn't aware that the Agua Fria Village asked that this be tabled and it went to the County Manager, the village also has established the disconnect. We've created an unequal playing field – and this isn't on you. But clearly you know a lot so you have a leg up. So our community traditional villages, similar to Aurora Vista, I live in the area. I go up and down Rufina every single day. I know the little – not the groundhogs but the prairie dogs that come back. I know who lives where. I know where Aurora Vista is. I talk to the community there. I asked them why don't you have a park for the kids? All you have is a dirt lot. That park you saw on your map? It's a dirt lot and it's the same situation where there was a development that came in, and I'm just forecasting. They set it up. It's part of the traditional village, but the County doesn't have any – it's the homeowners association that the developers left it to to take care of that park and that whole community, and it's not happening.

Because I thought, why isn't the County taking care of the park? So there's questions my colleagues have around where's the park? Where's that? What I'm hearing tonight is a few things. Number one, the plan is not completely baked. You have permission from every government entity and code, but I don't hear you having permission and approval from the traditional Village of Agua Fria, and that means something. If you're going to build community and do a plan, that is the ultimate authority. As a County Commissioner, government doesn't run their lives.

MS. JENKINS: Commissioner, I have utmost respect for the village and that is why I reached out to them, and I went to their meeting and I presented the project to them, and I answered questions. I welcomed that opportunity and William Mee will tell you, when I'm working on a project in the village, he's my first phone call. And I went to that meeting and I shared the project. We had a dialogue and questions. Following, I had my formal pre-application neighborhood meeting. Since that time Mr. Mee has not reached out to me with any additional questions or concerns. He knows my door is open and so I was unaware that the village had additional concerns, so I was not given the opportunity to potentially work with them to address their concerns.

COMMISSIONER CACARI STONE: I appreciate your response, and this isn't on you, but also what I've heard as a District 2 Commissioner is that the realtor has been asking clarification of what the codes are and asking clarification on the Sustainable Growth Management Plan, and our County team, it seems like we need to do some more due diligence to assure that we don't create an unequal playing field between traditional villages and communities, the community organizations that are part of the county, and those who are experts who've done thirty-plus years in knowing the codes. We have an unequal playing field here and so I would say I'm hoping to table this, not because you haven't done your work and crossed your t's with the codes, because what is that saying? Don't plan for us without us.

And it seems like even though we've met the minimum, it's okay to take the extra step in a traditional village and in our county to get further input to make sure that the traditional village association and the Board have access to the information they requested from our County team, that we give it due time, and that we have a full-baked conceptual plan and plat that includes them. So my – I'm motioning not because I appreciate your due diligence. I'm 200 percent for six affordable housing units out of the 30 that you have. I'm totally supportive of planning with the community.

But I think we need to table this until there's some due diligence on the County's part and there's clarity and a level playing field. A little bit more. Thank you.

CHAIR BUSTAMANTE: Commissioner Cacari Stone, did I hear a motion?

COMMISSIONER CACARI STONE: Sorry about that.

COMMISSIONER HUGHES: Can I make a comment first?

CHAIR BUSTAMANTE: We have two. We have Commissioner Hughes.

COMMISSIONER HUGHES: I just want to say I'll support your motion to table, but I think that the plan is pretty well – Homewise has done a good job of making affordable housing by keeping the lots small and positioned well, so I don't expect there's going to be large changes to their plan, even if we do table it, but I can see the need to include the community.

CHAIR BUSTAMANTE: Am I hearing that as a second?

COMMISSIONER HUGHES: If she moved, yes, I'll second it.

COMMISSIONER CACARI STONE: I'll make a motion to table this.

COMMISSIONER HUGHES: And I'll second it.

CHAIR BUSTAMANTE: We have a second by Commissioner Hughes.

COMMISSIONER GREENE: Under discussion.

CHAIR BUSTAMANTE: Under discussion.

COMMISSIONER GREENE: Thank you, Madam Chair. Finding the ways to, as Commissioner Cacari Stone said, not shoot for the bare minimum. Yes, I get it. There is a minimum. But you have so much extra space to work with that if you connect it to your neighbors and provided to the east an access road that may never come to fruition but you don't preclude it by cutting it off. And you say that there is an easement to the east and there is a park that connect you to the west, it looks like you're integrating yourself more into this community, and so I'll defer on this tabling and support that, but I would hope that in the conversations with the neighborhood over there and the community organization and the traditional village, that you would find a way to show that you're bringing more to the village and not just to your neighborhood. To your neighbors adjacent as well as the future growth patterns in the area so that there's a second roadway, that maybe there's a U that if somebody buys the property to the east, and that you're stitching the fabric together instead of designing in a vacuum.

MS. JENKINS: Thank you, Commissioner Greene, and also, if I may, Madam Chair, I would like to respectfully request that if we're going to be tabled we're tabled to a date certain.

COMMISSIONER JOHNSON: And I was actually, Madam Chair, about to ask what sort of timeline are we looking at, what the table – what is typically done in these situations. I think a little guidance would be helpful for knowing what we're voting for. If we're voting for three weeks or if we're voting for three months.

CHAIR BUSTAMANTE: I don't think we need three months. Our next meeting includes the Housing on April 29th and I would ask that staff is going to be able to work with the community. I think the other opportunity, Jennifer, is also in helping the community understand that there is a precedent for some of that density. I'm just obviously concerned that they just weren't communicated with the level that they felt they could be to be supportive. And I'll just say for a traditional community, be supportive of new developments.

But that being said, there's clear lack of communication, not on your part at all. So I don't know how you would feel about the first meeting in – not the 29th but the following meeting on May 13th.

MS. JENKINS: The 29th would be preferable but if that is not an option then May 13th would be fine.

CHAIR BUSTAMANTE: I would ask the Commissioner whose district it is and staff to know that we would be able to provide sufficient information to the community. I'm going to actually just override that and say that we will go to May 13th, simply because if there is anything that would delay that and the community was unable to get together to understand but they will turn up. If they don't turn up then it's on them and we've done our due diligence on this end. Is that – I see nods. I have a first, I have a motion by Commissioner Cacari Stone, I have a second from Commissioner Hughes. Do you accept the friendly amendment that this is tabled until the first meeting in May on May 13th?

COMMISSIONER CACARI STONE: Yes.

COMMISSIONER HUGHES: Yes. That seems reasonable.

CHAIR BUSTAMANTE: Okay.

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

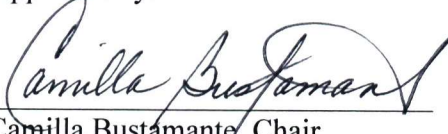
13. B. Resolution No. 2025-____, Public Nuisance Abatement Pursuant to Ordinance No. 2023-04 Nuisance Abatement Section 11. Case No. 24-8064 Randy Ray Tapia **TABLED**

14. **Concluding Business**

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

Upon motion to adjourn by Commissioner Greene and second by Commissioner Hughes and with no further business to come before this body, Chair Bustamante declared this meeting adjourned at 7:56 p.m.

Approved by:


Camilla Bustamante, Chair
Board of County Commissioners

SFC CLERK RECORDED 04/30/2025

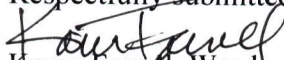
ATTEST TO:



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
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I Hereby Certify That This Instrument Was Filed for
Record On The 30TH Day Of April, 2025 at 02:06:51 PM
And Was Duly Recorded as Instrument # 2057943
Of The Records Of Santa Fe County

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

SFC CLERK RECORDED 04/30/2025