

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR BCC MEETING

April 28, 2026

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

SFC CLERK RECORDED 05/27/2026

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REGULAR MEETING

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

B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. O'ga P'ogeh Owingeh Land Acknowledgement

F. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Greene. He also provided the land acknowledgement, stated that this place now known as Santa Fe is also known as O'ga P'ogeh Owingeh, "White Shell Watering Place" and that we recognize that it is the ancestral land of the Tewa people and part of the larger sovereign landscape of the Jicarilla Apache, Navajo and surrounding pueblos who have cared for this land for thousands of years and continue to do so today. The Moment of Reflection was led by Gerald Mitchell of the County Treasurer's Office.

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

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G. Approval of Agenda

CHAIR GREENE: Moving on to the agenda. Manager Shaffer.

MANAGER SHAFFER: Thank you, Chair and Commissioners. The only recommended change to the agenda as presented from staff is to move presentations item 9.A forward in the agenda so that the presentation will be heard immediately after the Santa Fe County Board of Finance meeting and before Consideration of Commissioner Proclamations, Resolutions, et cetera.

Other than that, I would just note for purposes of our meeting minutes that the initial agenda for today's meeting was posted last Tuesday at about 7:19 p.m. and the amended agenda for today's meeting was posted on Friday, April 24th at approximately 2:04 p.m. which is more than 72 hours in advance of today's meeting as required by the Open Meetings Act. The only substantive changes between the two agendas were to add, in terms of additional items, add agenda item 6D, 6E and 6G, and then also add two items to 12A under matters from the County Attorney. Thank you.

CHAIR GREENE: Thank you, County Manager Shaffer. Any other recommendations on the agenda?

COMMISSIONER BUSTAMANTE: No recommendations. A motion to approve.

CHAIR GREENE: As amended to move the presentation –

COMMISSIONER BUSTAMANTE: Yes, as amended.

COMMISSIONER JOHNSON: Seconded.

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

H. Years of Service, Retirements, and New Hire Recognitions

MANAGER SHAFFER: Thank you, Chair and Commissioners. I want to start by recognizing that we had two employees who retired during the month of March. In the County Assessor's office Blake Dieters, and in the Housing Department Diana Ortiz Acosta. We wish them all the best in the next chapter of their lives.

Moving on to employees who are celebrating significant anniversaries with the county during the month of April. We have several who are recognizing and celebrating five years of continuous service. They are in the Fire Department, Andrew Baca Jr. In the Corrections Division, Alicia Blankenship. Also in the Fire Department, we have several and I'll try to do them all together: Gregory Brown, Jared Dominguez, Jeffrey Folgate, Craig Fulmer, and Cameron Krantz0Koroneos. And then we have in the Sheriff's Department, Stetson Christopherson. And in the Growth Management Department, Glenda Lujan. In the Finance Division Alicia Roybal. And finally, also in the Sheriff's Department Blaine Lattin, who is recognizing his 10th year anniversary with the County.

We also have a fairly significant crop of new employees who joined our team during the month of March. In total, there were 16. In the Administrative Services Division of the Public Works unit, Joshua Bohlman. In Community Development, Clifford Borque. In Corrections, two detention officers Kenneth Bobick and Ryan Cox.

In the County Assessor's Office, Carlos Gonzales. In the County Clerk's Office Melissa Valeta. In the County Manager's Office in the Finance Division, Anita Trujillo. In CSD, Belen Calderon and Duane Quintana. In the Public Works Department two maintenance technicians joined our team, Isaac Montoya and Ramirez Reyes Gabriel. Also in the Public Works Department, Lucas Martinez and Alondra Vargas. And then finally, in the Sheriff's Office, we have two new deputies and a deputy cadet, Nathan Apodaca, Siler Casados, and Stephen Orr.

So again, we want to celebrate with those employees recognizing significant anniversaries. Thank the employees who achieved retirement for their years of service to the County. And then finally, welcome all of the new employees joining our team. Thank you, Chair.

CHAIR GREENE: Thank you, County Manager Shaffer. I do want to say for a retiree to have been with us at the turn of the century and to still be with us in 2026 is pretty remarkable. So I want to thank them for their endurance with Santa Fe County. That's pretty remarkable. Thank you everybody for joining us and sticking with us and ending with us.

I. Employee of the Quarter, 1st Quarter 2026 Award

MANAGER SHAFFER: Thank you, Chair. We have in total I believe – 12 in total employees who were nominated for employee of the quarter by their respective departments. As I announce their name and read the reasons that led to their nomination, I'd ask them to come forward Sara will give them their certificate. Then we'll announce the winner of the award and ask all of the nominees including the winner, to have their picture taken with the Board of County Commissioners.

So we're going to start with Charles "Chip" Conner the data analyst manager for Santa Fe County. Charles worked closely with human resources to streamline and automate employee training and evaluation processes, enhancing both efficiency and compliance tracking. He was instrumental in developing reporting tools and automated notifications that assist staff and supervisors in meeting mandatory enterprise training requirements. Through clear and consistent communication Charles ensured stakeholders were well-informed, understood the new processes, and experienced a smooth rollout. His collaborative approach and technical expertise were key to the project's successful launch earlier this year. These tools have become valuable resources as the County continues to improve compliance and overall staff satisfaction. Thanks, Chip.

From the sheriff's office Cindy Vigil a records clerk, is being recognized and was nominated for consistently demonstrating a positive and professional approach in the workplace and is always willing to support her colleagues. She treats team members with respect and fosters a welcoming and collaborative environment. Cindy has made notable contributions by sharing her knowledge and helping others understand their roles and for her approachable demeanor which makes her a valued member of the team.

In addition we're recognizing Cristella Valdez from the County Attorney's Office. Cristella provides essential legal support to multiple County offices. Demonstrating strong dedication, she worked over a weekend to draft and file a motion for a temporary restraining order when a property owner blocked access needed to repair a water line. She

subsequently represented the County in two court hearings and secured a permanent injunction in the County's favor. Her efforts ensured the timely restoration of services and established long-term access for utility repairs directly benefiting the community.

In the support services group Daniel E. Fresquez, our media coordinator was nominated for being widely recognized across County departments for his reliability, professionalism, and collaborative approach. He contributes to County communications through podcast production, video and photography, and strategic messaging, enhancing public engagement and community connection. His work has supported crisis communications, public safety initiatives, and awareness campaigns, including fentanyl education ensuring residents receive accurate and timely information. Colleagues note his responsiveness, humility, and dedication and that he consistently goes above and beyond to support projects and events. Daniel's efforts have had a tangible impact on operations, communications, and the County's public presence, making him a trusted partner and ambassador for Santa Fe County.

In the elected office group, Daniel King, the chief mass appraiser in the County Assessor's Office was nominated as he exemplifies dedication and professional excellence, particularly during the County's annual valuation cycle. As chief mass appraiser, he develops and implements valuation models for the entire county, supporting the accurate and timely issuance of more than 90,00 notices of value. With over 25 years of experience, he ensures compliance with industry standards while maintaining the highest level of accuracy and integrity. Daniel is also a committed mentor, sharing his knowledge to strengthen both staff expertise and community understanding. His strong work ethic, attention to detail, and willingness to go above and beyond have a meaningful impact on County operations and foster public trust throughout Santa Fe County.

In the Public Works group there are two separate nominees. First, Eric Stratton. Eric is a highly reliable team member who consistently demonstrates punctuality, initiative, and effective leadership. He manages workloads efficiently, supports colleagues during complex assignments, and fosters a collaborative, high-performing work environment. Through clear communication and a willingness to assist wherever needed, Eric contributes to team success and smooth operations. He has also enhanced efficiency by developing reporting solutions, including an Excel tool that reduced manual data entry and improved accuracy. Eric's contributions have strengthened productivity, staff morale, and overall organizational performance.

Also from the Public Works group, Ernest Archuleta was nominated due to the fact that since assuming the foreman role he has strengthened the Open Space and Trails Program by building a cohesive crew that takes pride in their work. He leads with an open-door approach, actively listening to staff and fostering trust, providing the leadership the team needs. Ernest has improved operations by securing essential equipment, including electric and battery-powered tools, increasing efficiency in daily work. He has also contributed to enhancements at Romero Park and strengthened fiscal responsibility through improved budget management. His leadership has positively impacted both team performance and the overall success of the program.

In the Public Safety group, Heather Morrow was nominated as a communications team leader for her demonstrated exceptional professionalism and sound judgment while handling a critical 911 call. When a caller experiencing a medical emergency was largely

non-verbal, she quickly assessed the severity of the situation and took appropriate action. She remained on the line to provide guidance and reassurance while accurately directing EMS to the caller's location. Heather's calm and decisive response was instrumental in saving the individual's life. Her performance reflects the highest standards of public service and dedication.

From the Community Service Services Group, Joseph Scala, community planner, was nominated because he consistently exceeds expectations by leading complex high impact projects that require careful planning, facilitation, and technical expertise. He has successfully managed initiatives such as the La Bajada Community Plan and Overlay, as well as the Agua Fria Historic and Cultural Center, earning strong support from both the community and County leadership. He also directs the AgriGate program, actively connecting local producers with buyers through outreach and engagement. Known for his collaborative approach, Joseph effectively navigates complex community issues, builds trust among stakeholders, and pursues innovative solutions. His dedication, initiative, and professionalism have had a meaningful impact on both the planning division and the community he serves.

From the Public Works Group, Kim Baros was nominated because she has made a notable impact through her technical expertise and attention to detail in improving the department's fixed asset reporting at fiscal year-end. She has streamlined and documented processes across the department, enhancing both efficiency and accuracy. Kim's success reflects a strong commitment to excellence, teamwork, and high-quality service. Her dedication and collaborative approach have made her an invaluable asset to the team.

From the Public Safety Group, Michael Judge, stationary shift training captain from the Fire Department was nominated for demonstrating exceptional leadership and dedication in spearheading training for the fire department's new radio systems, personally providing instruction to both career and volunteer crews across the county, often on his own time. His efforts were instrumental in the successful implementation of the new communication system and have strengthened department-wide readiness. Beyond this initiative, he consistently demonstrates professionalism on complex issues, prioritizing crew and patient safety while fostering a culture of continuous training and improvement. Recognized as a respected mentor and role model, Captain Judge consistently goes above and beyond to support his team and advance the department. His commitment has had a lasting impact on operations, performance, and service to the community.

Finally, Veronica Folgate was nominated for consistently demonstrating strong organization, attention to detail, and reliability in supporting Fire Department operations. She plays a key role in maintaining accurate records, managing administrative and compliance processes, and assisting staff with daily needs. In addition to her core responsibility, she takes initiatives to support departmental efforts including improving communication and assisting with reporting and training documentation across multiple districts. Veronica's professionalism, strong work ethic, and positive attitude contribute to a collaborative and high-performing work environment making her a valued and dependable member of the team.

So what I greatly appreciate about the Employee of the Quarter program as well as the other recognition programs that we have at the County, be it for new hires,

longevity and service, what have you, is it really underscores the diversity of the work we do and of our workforce, and is a way to highlight the fact that every single person at the county makes a difference every single day, and the work of every county employee is critical to the overall success of the County as an organization and to the community that we serve.

I want to congratulate everybody who was nominated for the Employee of the Quarter, and to announce that the Employee of the Quarter countywide award goes to Daniel E. Fresquez. [Applause and light banter] So Daniel, can you take your own picture?

CHAIR GREENE: All right, Commissioners please go ahead.
Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you, Manager Shaffer. Congratulations to Daniel, and thank you to everyone who was nominated. Quarterly we get these reports and amazing nominations. It's great from our position to hear just the amazing work that you all do across the County in various different roles. We have lucky occasion to work with some of you, and others we may never cross paths except in these meetings. So I think – I'm sure I speak for all of the Commissioners in saying that we greatly appreciate your work.

And to Daniel, I can personally say that this is well deserved. You are a sort of a one-stop shop/jack of all trades, and honestly I have a hard time even compartmentalizing you and your work. But it goes noticed and your absence is definitely noticed when it's not there. But it's rare, because every time I have a question, I get a text back within five minutes. We really appreciate you, and congratulations.

CHAIR GREENE: Great, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Daniel. I remember back in many years ago, 2020, when I was first sworn in, you led me through the whole process, and I still remember you very well from that, and you've been helpful ever since in every which way. So congratulations. And congratulations to all the other people who were nominated as well.

CHAIR GREENE: Thank you, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: I, too, want to say congratulations, and how much I absolutely appreciate the vision that you guys work with to make sure you're doing the best job possible. It's amazing, and it's so great to know that it's happening throughout the County.

People want to do good work because that's what we're about. So I'm super grateful to everyone who really puts it all out there to get it done. And, Daniel, thanks for touching up every picture that I've ever been in. It's always been appreciated. Thank you.

CHAIR GREENE: Thank you, Commissioner Cacari.

COMMISSIONER CACARI STONE: Thank you, Chair Greene, and thank you, County Manager Shaffer, for setting an environment of professionalism, but also of rewarding people to make our work meaningful. When we serve our communities, it should be our most meaningful work in life. So I just want to congratulate everyone, and I'm always so impressed. I wrote down some words: collaborative, developing new tools, podcasts, community engagement, 90,000 notices. The list goes on. So this is phenomenal work. And Daniel, congratulations. You really

deserve it, your innovation. But mostly, you have a contagious, joyful way of how you do your work, and I could tell you're always having fun. I especially appreciate the podcast you did with Treasurer Manzanares and some of the Fiesta Council members and County Manager. People listen, and you make us more in-reachable and out-reachable with our communities. Thanks.

CHAIR GREENE: Thank you. Thank you, Commissioners. I too want to give a shout-out to all of the nominees. Being about three and a half years into my first term, I think I've gotten to meet a bunch of folks and worked with a bunch of folks here, but there's, as Commissioner Johnson said that we don't cross paths with and are still doing great work. Daniel gets to work with us a lot more than most, and we recognize that work because whether it's touching up our photographs or making sure that we sound good, yes you get an inside track into that. So it's thank you for making me look good.

Let's take a picture, and I really do think you should take a selfie. There should be some poetic justice to your to your picture here. So thank you, guys.

MANAGER SHAFFER: And if everyone who is present who was nominated please come forward as well. You should be included in this photo. Thank you so much.

[Photo were taken and additional applause.]

CHAIR GREENE: Once again, thank you everybody, and for the hard work and the recognition and additionally, the statements that people give to describe that your hard work are beautiful at how different the characteristics that we bring in this. And it takes a village, it takes a team, and we are all on Team Santa Fe County, and we all appreciate it. Thank you, everybody.

2. Matters of Public Concern

CHAIR GREENE: We have a list of some folks that are online. Is there anybody in the chambers that would like to speak? Excellent. Please approach the microphone identify yourself with your name and your address, although I don't think that's necessary, but you can. And please take your three minutes.

JOHN WILKES: Good afternoon, Commissioners, Manager, counsel and staff. I am John Wilkes, project manager of the Plutonium Trail Caravan. Volunteers annually conduct community outreach to educate the public along the routes taken by the nuclear and chemical waste within New Mexico to the Waste Isolation Pilot Plant, WIPP. This year, we are focusing on the route from the Los Alamos National Lab along state routes 502, 285, 599 to Highway I-25. To ensure removal of nuclear waste from Santa Fe County, the first, last, and only opportunity rests with supporting before June 9th the New Mexico Environmental Department's proposed WIPP permit modification provisions.

Since the WIPP opened in March 1999, DOE has failed to make a good faith effort to remove all above and below ground waste. The State Environmental Secretary recently claimed DOE is, quote, walking away, unquote, from nuclear waste cleanup. On April 26, Secretary Kenney proposed revisions to the state permit for the WIPP in Carlsbad.

The state set a deadline for the United States government to remediate Los Alamos National Lab sites, which have been radioactive since 1943. All 2,500 55-gallon

drums under a tent there must be removed no later than July 2028. An estimated one million cubic feet of waste underground in 32 pits, 195 shafts, and four trenches, all unlined since 1957, as well as 200,000 cubic feet of affluent waste, liquid waste.

The WIPP permit issued in 2023 mandated prioritizing Los Alamos Labs waste to the WIPP. However, DOE's non-compliance since 2023 to 2025 resulted in Idaho Lab making 992 to the WIPP, compared with Los Alamos Labs' 198. The new permit requirements contain strict incremental shipment increases through 2032.

Resolutions previously passed by both the City and the County of Santa Fe have failed to result in expeditious waste removal. The New Mexico Environmental Department is valiantly trying to protect residents, property, and the environment. The Commission should strongly report the modification proposal by filing a written comment with the Environmental Department before June 8, 2026. Thank you.

CHAIR GREENE: Thank you very much. Anybody else in the chambers, please approach.

LORRAINE TECZA: Good afternoon, Commissioners. My name is Lorraine Tecza. I live here in Santa Fe, and I'm here today to ask you to fund and direct the Santa Fe County Sheriff's Office to implement Project Lifesaver, a proven public safety program designed to protect and quickly locate at-risk individuals, adults and children, with the propensity to wander due to a cognitive condition. I've already provided you the brochure for your reference.

This is not a hypothetical program. It is already happening here in Santa Fe County. Last year, we lost two seniors diagnosed with dementia, who wandered off and passed away because they were not found in time. In January 2025, Jose Orozco Montijo, an 80-year-old man with severe dementia, wandered from his home in Eldorado. The community searched hundreds of acres in freezing temperatures. They searched for weeks, and he is yet to be found. In late June last year, Laura Bank, a woman diagnosed with dementia, went for a walk in the foothills near her home and never came back. She was found deceased weeks later by hikers after the search was called off by the New Mexico State Police due to exhausted resources.

These cases show a clear pattern. We are relying on search and rescue after someone is already lost. However, Project Lifesaver changes that. It uses a small radio frequency tracking bracelet, non-removable. It's worn by at-risk individuals. When someone goes missing, trained deputies can locate them quickly, often in minutes instead of hours or days.

This is not experimental. It is used by over 1,700 agencies across the country. Here in New Mexico, it is in use successfully in Las Cruces and Los Alamos. Instead of days, missing seniors can be found within hours. The national average recovery time is 30 minutes. Project Lifesaver reduces search costs and saves lives, and the cost to start is modest, only \$5,000 to launch the program.

So the question before you is simple: Do we wait until the next tragedy and launch another large-scale search, or do we invest in prevention now? I'm asking you to, one) approve funding to start Project Lifesaver in Santa Fe County, and two) direct the Sheriff's Office to implement it without further delay. We already know the risk. We already know the solution. What we need now is action. Thank you for your time.

CHAIR GREENE: Thank you for your advocacy. Thanks. Great. Sid

Monroe, please approach.

SID MONROE: Guess I don't have to introduce myself. Good afternoon. Hello again. My name is Sid Monroe, speaking on behalf of the residents of Area 1B. We are hopeful that the Commission will vote to approve the resolution today to terminate phase three of annexation. After 18 years and literally hundreds of City and County meetings, we are looking forward to stability and respect for our neighborhoods.

We would like to extend our deepest gratitude to this County-City working group of Commissioners Cacari Stone, and Johnson, and Councilors Feghali and Castro. From day one of his administration, Mayor Garcia engaged with us. Commissioner Cacari Stone has been a relentless advocate for her constituents, and we appreciate the Commission for always engaging with us. Thank you to the County Manager and to the countless members of County staff who have engaged with us over these years.

We look forward to working towards a new, stable future for Area 1B. Thank you.

CHAIR GREENE: Thank you, Sid. Excellent. Is there anybody else in the chambers that wishes to speak? Seeing none, let's go online. Daniel, who do we have?

DANIEL FRESQUE (Media Coordinator): Mr. Chair, we have Chris Mechels. Excellent.

CHAIR GREENE: Mr. Mechels, you got your three minutes.

CHRIS MECHEL: Hello, Commissioners. Have a good day to you. The first thing I would raise to you is it's interesting to hear you pat yourselves on the back, which is what you did for 22 minutes. Is this really necessary? And especially because the County Manager inserted himself in front of the public comment period when he should, as far as I can tell, had his slot down further on the agenda where he had the slot, but instead he inserts himself, an apparent violation of the rules of order to force the public commenters to listen to his tedium for 22 minutes – patting yourself on the back is depressive. Please stop doing that. Move it backward down on the – if you're gonna do that, move it back to his spot.

The other thing is that you've got, is you're continuing to violate OMA. Today you did not bring the April 14 minutes forward for approval, which you should have. So you're an OMA violation again. You're in still in continuing violation of the Public Records Act. And as I mentioned, you're all also violative of rules of order. These are the very people who tell us how wonderful you are for 22 minutes, and then on the – then you go back to your desk and you violate our laws. There's something that doesn't really work here.

The other thing that you've – the other thing that's going on here is that you've got a – the public needs to be involved on these agenda items when they come up. We have a right to be, but it's not allowed. That needs to change. We have a legal right to do that.

And one of the issues that's coming up, which you should decline is the suggestion put forward to, to do a CQI, a continuous quality improvement. You should not do that. I'm a former quality manager from Los Alamos National Laboratory, and I'm gonna tell you that if you do CQI here in Santa Fe County, all you're going to do is create more paperwork and distract your wonderful employees even further.

The other thing I would raise, I'd like to raise to your attention before my three minutes is up, is that you should take a very close look at the TLC under miscellaneous,

which is \$4.2 million. I've looked at that quite intensively and it looks very much like it's a fixed bid. I repeat, that very much looks like a fixed bid. The numbers make no sense. You should really take a hard look at it. Somebody has got their hand on the till on that one. So good luck to you.

Please clean up your act before you give yourself more awards. Thank you.

CHAIR GREENE: Thank you, Mr. Mechels. You do great at keeping it to three minutes, so I appreciate that. Anybody else online?

MR. FRESQUEZ: Mr. Chair. John Abrams.

CHAIR GREENE: Mr. Abrams, please take your three minutes.

JOHN ABRAMS: Chair Greene, Commissioners, Manager Shaffer, I just reintroduce myself again, my name is John Abrams former three-term councilor from the Town of Edgewood and former interim mayor.

I would really like to express my gratitude to the Manager and staff as well as to the Commissioners in advance for the renegotiation of the Fire and EMS JPA that is now going to be before you at your special meeting. I think that you've met the challenge of the time of this thing, and I also would like to formally for many of the people in the Town of Edgewood to extend our apologies for both our Commissioners' behaviors and actions. [connectivity issues] I found that those behaviors have been exceedingly rude. The decorum and lack of decorum seems to have overtaken a whole lot of whatever those discussions were, and I just want to offer that up to you.

I hope that the new agreement is signed by all parties and accepted by the Department of Finance at the state, and everything is concluded and works properly from here on forward. Once again thank you very much for your time. I'll give you back a whole minute.

CHAIR GREENE: We appreciate that. Thank you, Mr. Abrams. Thank you so much. Anybody else online?

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

CHAIR GREENE: Thank you, Daniel. Okay, we will close matters of public concern. We will move on to item three, approval of meeting minutes

3. Approval of Meeting Minutes

A. Request Approval of the March 31, 2026, Board of County Commissioners Regular Meeting Minutes

Upon motion by Commissioner Bustamante and second by Commissioner Hughes, the March 31, 2026 minutes were unanimously [5-0] approved as presented.

B. Request Approval of the April 7, 2026, Board of County Commissioners Special Meeting Minutes

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

4. Consent Agenda

A. Final Order for Case No. 25-5230. Grand Prix De Santa Fe LLC.,

Applicant, JenkinsGavin Inc., Agent, Requested Approval of a Conceptual Plan to Support Redevelopment of the Subject Parcel as a 130-Space RV Campground and Equestrian/Event Center to be Developed in Three Phases. The 57.086-Acre Property is Within the Planned Development District (PDD) and Located at 87 S Polo Dr., Within Section 17. Township 16 North, Range 8 East, SDA-1 (Approved 5-0 VOTE)

- B. Request (1) Approval of Amendment No. 3 to Agreement No. 2023-0190-CSD/BT with The Mountain Center, to Provide Navigation Services to Individuals, Extending the Term of the Agreement for an Additional Year and Increasing the Compensation by \$87,000 for a Total Contract Sum of \$378,000, Inclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.**
- C. Request (1) Approval of Amendment No. 8 to Agreement No. 2018-0151-HA Between Santa Fe County and the Boys & Girls Club of Santa Fe/Del Norte, Extending the Term By One Year and Increasing Compensation By \$190,000 for a Total Contract Amount Not to Exceed \$1,520,000, Inclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.**
- D. Request (1) Approval of Agreement No. 2026-0260-PW/BT Between Santa Fe County and AECOM, Inc. for a Total Contract Sum of \$281,224, Exclusive of NM GRT, for Continued Construction Phase and Design Services for the Santa Fe River Greenway Project, Section B; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s).**

Commissioner Hughes moved to approve the Consent Agenda as shown above.
Commissioner Johnson seconded and that motion passed by unanimous [5-0] voice vote.

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The Board of County Commissioners will temporarily recess and reconvene as the County Board of Finance. Upon motion and second, the Board of County. The Commission recessed this meeting at 2:44 p.m. and convened as the Santa Fe County Board of Finance. At 3:10 Commissioner Bustamante moved to reconvene as the Board of County Commissioners. Commissioner Johnson seconded and the motion passed by unanimous [5-0] voice vote.

9. Presentations

- A. Presentation on FY26 Medicaid/Medicare Feasibility Study Conducted by Via Positiva**

ANNE RYAN (Community Services Department): Chair Greene, Commissioners, thanks so much. Anne Ryan on behalf of the Community Services

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Department. Present with me is Sylvia Barela from Via Positiva, and privileged to introduce her. Also present are our partners in this potential venture the Adult Detention Facility and our colleagues at EMS.

The reason we're here before you is not an action item, but instead to present a potential opportunity for the County to consider moving forward. Specifically, there are a number of services that are, have been, currently, and will continue to be provided by the jail, the Community Services Department, and EMS that are Medicaid billable, but funded from other sources. In order for us to bill Medicaid, we would need to make the investments and develop the infrastructure in order to officially become a Medicaid provider.

So without further ado, I'm going to have Sylvia take or take over, and then we're here to ha-- we are here to answer any questions. Thank you.

SYLVIA BARELA: Thank you. Good afternoon, Chair, members of the Commission. My name is Sylvia Barela, and I am a consultant with Via Positiva. And we conducted a feasibility study to look at the opportunities involved in Santa Fe County becoming a Medicaid provider.

So essentially, the report that we submitted, to summarize, is that Santa Fe County can make investments, and if it does, is well-positioned to become a Medicaid provider with multiple Medicaid reimbursable services rendered by departments throughout the County. So assuming that those investments are made, it could generate substantial funds by billing existing services to Medicaid and could also consider expansion of the service array to address gaps and meet needs.

The County has some infrastructure, such as select staffing structures, job descriptions, and human capital that could all support a transition to billing services to Medicaid. The investments that would need to be made include investment in technology resources, adding clinical supervision staff, creating compliant Medicaid policies and procedures, workflows, and compliance structures, among other measures. And the full report that we submitted has additional information if you're interested in looking at that.

Ultimately, what we concluded is that the County currently provides an array of services that are Medicaid reimbursable. So we did a crosswalk and looked at different physical health, behavioral health, and care coordination services that the County currently provides and cross-walked those with Medicaid billable services as well as Medicare services. And we found that within behavioral health and primary care services, there's an array of services that the County already provides that are Medicaid reimbursable with the necessary investments in supervision and infrastructure.

So we found an array of services provided within the detention center including behavioral health and primary care services that are potentially billable to Medicaid. We also found an array of case management and navigation services within the Community Services Department and the Mobile Integrated Health Unit that would be billable to Medicaid. We also found mobile and community-based services, and then through the 1115 Justice-Involved Waiver, services provided to individuals who are in detention 90 days prior to release are becoming Medicaid billable.

There's some key operational steps that the County would need to go through in order to become a Medicaid provider. Those include researching, purchasing and

establishing a coordinated electronic health record system applicable to all of the departments that would be billing Medicaid. Also establishing clinical supervision for the services in compliance with Medicaid requirements and that would involve looking at adding new positions to the County's staffing structure.

There would need to be an enrollment process where the county becomes a 432 behavioral health agency within the Medicaid system, and there's some steps involved in that process. And then also continuing to participate in the 1115 Justice-Involved Waiver pilot, which the County is already doing.

In looking at the financial summary, we did two scenarios, one in which the County looks at existing Medicaid billable services with an investment in infrastructure and staffing, and what that would generate in terms of revenue for the County. And there's a range here because there's a different volume of services that is provided and some options in terms of how services are billed. But the estimated net revenue through existing services with the investment in infrastructure and staffing is between \$945,000 and \$1.35 million. And that includes revenue from case management services, which is currently called Comprehensive Community Support Services, so that's that acronym on the slide, CCSS. Also looking at detention services that are billable, behavioral health, as well as primary care. Looking at Medicaid's coverage for the first 30 days of incarceration and what could potentially be billable there. And then also taking into consideration the 1115 waiver re-entry services that will be billable to Medicaid.

The second scenario looked at adding and expanding services And what could be generated related to that. So with the second scenario, this would involve hiring new staff and providing services that the County doesn't currently provide in addition to existing services. So the net revenue is a little bit lower in this scenario because you don't have the benefit of the existing services and staff that you currently have now that you already pay for within your existing budget. But adding new services could generate revenue of \$730,000 to \$1.17 million annually. And the expansion focus and looking at recommendations for additional services, again, focused on those CCSS case management services, also looking at an expansion of peer support services, looking at some modest expansion of outpatient therapy, and increased re-entry services.

So based on this report and the work that we did, we have a few recommendations to present. The first is that the County consider investing in building a countywide Medicaid infrastructure related to electronic health records, documentation, cohesive billing structure. Also invest in strengthening clinical oversight, which is a Med-Medicaid requirement for the services. And also work towards maximizing Medicaid opportunities through becoming a Medicaid provider, looking at the 1115 justice waiver, and looking at opportunities around comprehensive community support services.

I also want to mention that we did do a Medicare assessment, and because Medicare requires independently licensed clinicians to provide the majority of services, there was a very modest benefit to becoming a Medicare provider, but we did include that in the report.

We also recommend expanding strategic partnerships with community providers and others to fully expand and take advantage of the opportunities related to becoming a Medicaid provider and increasing behavioral health and physical health outcomes for the county. So that's the end of my presentation. My contact information is here, and I'm

happy to stand for questions.

CHAIR GREENE: Thank you very much, Ms. Barela. Commissioners, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you, Ms. Barela. Thank you, Ms. Ryan. This is very interesting, and I'm very interested in pursuing this. So just to clarify from my own position. This would improve the robustness of our services if the benefits are realized, improve the robustness of our services and increase the number of people served. Do I get that right?

MS. RYAN: Chair Greene, Commissioner Johnson, thanks so much. What it would do is it would help free up dollars that are presently paying for current services that could then be used for similar services. So yes, that could be the expansion piece.

COMMISSIONER JOHNSON: Great. So an example of this I was just trying to think of an example, so I'm going to give a scenario, but please correct me if I'm wrong. If a justice-involved individual was released from the adult detention facility and on release went to the Recovery Center or something like that individual stayed 90 days, that would be Medicaid reimbursable.

MS. RYAN: For the services that the County would be providing. For the services that the Recovery Center would be providing would be within their own budget.

COMMISSIONER JOHNSON: Okay. Billed through, but perhaps Medicaid as well. So how is the County currently paying for those services?

MS. RYAN: Sure. So it's through a variety of different sources, and I won't belabor the detail, but for example, the opioid settlement funds are largely supporting the jail with a number of these services. The County general fund is also largely supporting a number of these services. Within the Community Services Department, we have a whole host of grants that also support these services that could, to your point, then be freed up to expand some of the opportunities within that grant.

COMMISSIONER JOHNSON: Great. So general fund, CSD funds that we currently take out of our own coffers would be Medicaid reimbursed, and that money could be spread elsewhere or reinvested into those services.

MS. RYAN: That's correct. If it's restricted funding that's currently being applied, we would still need to stay within those boundaries, but if it's the general fund certainly there's more versatility.

COMMISSIONER JOHNSON: Excellent. Thank you for your presentation. Appreciate it.

MS. RYAN: Wonderful. Thank you, Commissioner Johnson. Chair, do you mind, can I just add a couple of postscripts to the presentation?

CHAIR GREENE: Absolutely.

MS. RYAN: I just want to make sure that the Board is well aware that this would not be without a significant lift operationally, as well as, a financial investment. And we just want to ensure that's not lost on the Board. I liken it to a light switch. I am one of those who likes to flip it on and let there be light when there is so much behind the scenes that needs to happen in order for that to occur.

That is what we are seeking some guidance from the Board to begin to pursue in a phased way. And for example, in FY27, we would likely be looking at an approximately

\$400,000 initial investment for pursuit of an EMR that would help break down some of the silos, and among those three departments, a consultant contract. And then the clinical supervision piece that you heard Ms. Barela describe as an FTE, we would actually look to see if we could expand some of the existing capacity of existing FTEs for that piece or otherwise contract that out.

And then the last thing that I will share with the Board is that this is something that not just our local government is considering, but other local governments are considering in light of the economic climate federally, which we recognize also largely funds the Medicaid program here in New Mexico. At the same time, on balance, we do believe it is in the best interest of the taxpayer for us to pursue this for the sake of sustainability in the future, especially for our successors. So Rio Arriba County, for example, they presently do bill Medicaid. Bernalillo County was the first and was a pioneer in this venture many, many moons ago. It went by the wayside, and they're looking to resurrect this. So if you do give the indication for us to move forward it would be in good company. Thank you.

CHAIR GREENE: Thank you, Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. Thank you, Ms. Ryan and Ms. Barela. This is so important because a large proportion of our state's on Medicaid. I've been through three Medicaid reforms in New Mexico, and we know we're overly dependent on it. And I guess my reaction and comment is kudos, let's move forward with exploring this.

But I think as a County, we should think about outcomes. What outcomes do we want to see? I like and favor your option door number two. Even though there's less net revenues, it really focuses on long-term supportive housing, something I know Commissioner Hughes is really champion and I've been jumping on board with him on that. I think that we should have some, in the next steps, look at potential outcomes regarding the homeless, persons with substance use, behavioral health, behavioral health, behavioral health. I think that we should look at those outcomes, how much money we're going to be saving on the long end. If we only focus on the detention facility, we're going to be creating – backing ourselves in a corner where that's the only thing we're doing, right? So I think it's both. It's a nice balance, and again, I just want to emphasize if we could look at some estimates of outcomes we want to achieve. And then also some numbers of who are Medicaid-eligible in Santa Fe County and our potential users, our current users, those people who would be using our system, those people we're not capturing.

So thank you very much, and kudos. Thank you for thinking about this.

CHAIR GREENE: Commissioner Hughes.

COMMISSIONER HUGHES: Yeah. Thank you for the presentation, and I'm obviously in support of moving in this direction. But I was wondering how it works with the jail because I remember many years ago, there was so much trouble getting people in jail on Medicaid even before they got out and so how is that going to work?

MS. RYAN: Chair Greene, Commissioner Hughes, thanks so much for the question. So you are 100 percent correct, and the state has made some great gains with actually tracking over the last 15 years. And again, not to belabor too much detail, but the New Mexico Administrative Code previously defined an inmate as an individual

incarcerated for 60 or more days. But they were not coordinating with the local detention centers who was coming in and who was coming out. And so a number of providers would continue to bill and get reimbursed until the state recognized that was not going to be a sustainable model. And with the commencement of Centennial Care in 2016, 2017, it's now up to 30 days. And so that is one avenue to potentially consider. But as you heard Sylvia mention, there is now the Just Health Plus Program, which refers to the recent state Medicaid 1115 waiver that allows jails and prisons to bill Medicaid for select services up to 90 days prior to release. And the Board will be pleased to learn, and it's full credit to our colleagues at the Adult Detention Facility that they are one of the pilot sites within the state for that because of their robust behavioral health and related services. So that track is happening irrespective of your decision but would obviously blend and integrate very well with what we're trying to accomplish.

COMMISSIONER HUGHES: Okay, so you you're saying that our people in the jail currently receive Medicaid?

MS. RYAN: They lose their Medicaid automatically if they are there 30 days or more. And then it will get turned back on through the Just Health Program 90 days prior to release. So obviously that's trickier in detention facilities where they might be there for three days, four days, 32 days, as opposed to in the prison setting when they can really plan it. But the jail is actively involved and at the front of the table with that pilot that is officially I think going to launch next year.

COMMISSIONER HUGHES: I look forward to learning more, but thank you.

CHAIR GREENE: Thank you, Commissioner Hughes. Commissioner Bustamante or Commissioner Johnson? Good. Okay, thanks.

I got a couple questions. Once we have this program set up, are we in a position through- throughout our Community Services Department and CONNECT and everything to start proactively approaching folks and offering services that we wouldn't want to offer because it would come out of our pocket, but because we would have a bucket of opportunities with Medicaid to provide a broader set of services out there?

MS. BARELA: Well, yes, thank you, Commissioner. I would say that absolutely you would have many options as a Medicaid provider, a 432 BH behavioral health provider, you would have a, an array of services that you could provide, and there would be a lot of opportunities for expansion to provide additional services or to partner with other behavioral health providers in the community. To the extent that I understood the question, that would be my response.

MS. RYAN: Chair, just to what I think your point is there a ceiling, right? As opposed to your fixed budget.

CHAIR GREENE: Maybe, maybe that is definitely in there, but I'm wondering, like for instance if we have folks in our housing developments, and if we went to each of them and said, What are your healthcare needs? You're all Medicaid qualified. Can we help you? With additional services that they wouldn't otherwise seek, and we can come with better outcomes because people are like, I didn't know this was available. But now we can be more proactive and say, We've got a doctor that's going to come visit our housing authority once a month to make sure that people are healthy in our senior centers.

And I'm just thinking out loud of being more proactive as opposed to just the folk that are in our system already.

MS. RYAN: Chair, that you are 100 percent correct, and that same statement is true for any Medicaid provider and to do the exact same.

CHAIR GREENE: I just think maybe they have incentive too, but I would say that we have an outcome at incentive more for our public health. And then what kind of reporting would we have in terms of the progress of standing this up, our expenditures, getting it stood up, and then starting to see results in terms of our cost savings in these spaces?

MS. BARELA: Yes, absolutely. So the recommendation would be to include reporting as a component of the process and certainly any consulting contracts so that you could track that information. There would also be a process of choosing an electronic medical record system that could be used countywide or in conjunction with existing systems to be able to provide reporting on number of individuals who are seen, revenue generation, percent of claims that were denied, you would have an array of reporting opportunities through that electronic health record system. So through consulting contracts and electronic medical records.

CHAIR GREENE: Is that something we should specify when we authorize this, like quarterly reporting or monthly reporting or annual reporting?

MS. RYAN: Chair, we're happy to present at any time regarding the status.

CHAIR GREENE: Just something regular. But yeah, whatever you recommend in the progress.

MS. RYAN: Wonderful. And again, this is not an action item. It is intentionally before you before budget time. But it seems as though folks are generally leaning in the direction to pursue.

CHAIR GREENE: Okay. All right. Leaning that way. Excellent. Commissioners, anything else? Hearing none. Thank you very much. Love the idea. Cheers. Fabulous. So thank you.

[The Commission took a break from 3:35 – 3:49]

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

A. Request Approval of a Proclamation Proclaiming May 2026 as “Amyotrophic Lateral Sclerosis (ALS) Awareness Month.”

CHAIR GREENE: We will come back into session with the consideration of commissioner's proclamations, resolutions, recognitions, and other items. Starting off with item A, a request approval of a proclamation proclaiming May 2026 as ALS Awareness Month. Myself and Commissioner Johnson are the proponents of this, and please, Commissioner Johnson, take it away.

COMMISSIONER JOHNSON: Thank you, Chair. And thank you to the Chair for offering to pull me in on this one. ALS is a very intense degenerative disease that a friend of mine in college had. So I was happy to jump at the opportunity to work on

this. It's important to just recognize that there are people, especially in early stages who may be suffering from ALS who we have in our community, who we don't know, but they have received a pretty critical diagnosis, a disease that is incurable and gradually degenerative. And it's important just to bring awareness to this and we're doing so through this proclamation. So I ask for your support on it. Thank you.

CHAIR GREENE: Thank you, Commissioner Johnson. For my part, I've known some folks who've either a few that have suffered from this, but mostly people whose family have suffered from this. And it is one of the most heartbreaking situations that anybody can live through is watching somebody become more and more unable to care for themselves and different mental and physical functions just deteriorate in a point neurologically where it is just painful to watch. And so I was honored to be a part of this and wanted to help bring awareness to ALS and how it impacts families across our area.

Thank you, Commissioner Johnson, for working on this together with me. And I really want everybody to be as aware of this as possible. Additionally, some of the diagnostic tools that are coming out have actually emerged from New Mexico and from this area. And so I'm honored that one of the diagnostic tools that I think originated out of Los Alamos as a biomarker is pretty, pretty amazing that it came from here. And so it's an honor to know that there are people in New Mexico working on early symptoms and diagnosis of this.

Commissioners, anybody else want to say something? Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Yeah, I just want to thank you for bringing this forward. It is a devastating condition and it's important for people to recognize that it's here and get science to work on a cure because there's not. So thank you very much.

CHAIR GREENE: You're welcome. Commissioner Hughes?

COMMISSIONER HUGHES: Yeah. Equally I fortunately or unfortunately never knew anybody who had ALS, but it's certainly worth spending a month thinking about it and working for, toward a solution.

CHAIR GREENE: Thank you.

COMMISSIONER CACARI STONE: I just appreciate that you guys brought up for awareness and health is wealth and when people suffer so much, it just takes away not just their quality of life, right, the family and friends. But hopefully we can get the federal government to continue to support research on this. We can always write a letter supporting that because not enough research is being done right now and a lot's being cut around rare diseases and these types of conditions.

CHAIR GREENE: Thank you, Commissioner Johnson.

COMMISSIONER JOHNSON: So with that I'd like to request approval for a proclamation proclaiming May 2026 as Amyotrophic Lateral Sclerosis ALS Awareness Month.

CHAIR GREENE: And I will second that.

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

CHAIR GREENE: we have a proclamation proclaiming May 2026 is Amyotrophic Lateral Sclerosis Awareness Month. Thank you.

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

B. Resolution No. 2026-051, a Resolution Opposing Legal Immunity for Fossil Fuel Companies.

COMMISSIONER JOHNSON: This is a resolution just to oppose Congress or the state giving le- legal immunity for fossil fuel companies. They should be held accountable or at least be able to held accountable for the harm they cause. And we're starting to experience that harm in Santa Fe County with rising insurance rates for our houses because of fire danger. And really it's very simple. We don't want them to have immunity. Thank you.

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

COMMISSIONER BUSTAMANTE: Yes, thank you. Thank you, Chair, and thank you Commissioner Hughes for co-sponsoring this. Legal immunity for fossil fuels is that serious? And I think that we have to actually think back, go pick up a movie from the 1960s, even the '70s, and look at LA's air quality, look at New York, and the air quality was absurd.

The whole thing seemed somewhat absurd, but let's just talk logically here.

The biggest issue that we have in New Mexico is it's, yes, there's a problem with air quality, but we also have natural gas. And we also have very vulnerable aquifers. So air quality is one thing. Our water quality and the toxins that are released from fracking or getting the natural gas is really, it says enough.

So I really am grateful for us putting something forward because it's actually on the docket. It's something that this country is considering, and I think it's really important for us to acknowledge that lives have actually been extended. Public health documentation from the effects of regulation on the fossil fuel industry has improved and that is documentable science.

So thank you very much, and I hope for your support in this.

CHAIR GREENE: Thank you, Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Commissioner Hughes and Commissioner Bustamante for bringing this forward. At all levels at the federal level, what they're doing away with protections of any land and giving a green light and a carte blanche for all of this. So I think we need to keep bringing it to the table, bringing it to the table and opposing as much as we can. And yeah, we need to protect our mother earth and our people that live here. So thanks for bringing it forward.

CHAIR GREENE: Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you Commissioners Bustamante and Hughes. This is a single-page resolution, and brevity is the soul of what it really strikes at the heart, and I appreciate that. The API announcing that they're stopping climate lawsuits, they're stopping climate super fund laws as legislative priorities is despicable. That they are contemplated a liability shield against big oil, despicable. That the courts, which are supposed to be there for checks and balances, may just give carte blanche to oil companies and those who benefit from them

is outrageous.

In addition to the notes that Commissioner Hughes made about climate change, this is an important resistance tactic to state our position clearly, and I'm in full support of it. Thank you.

CHAIR GREENE: Thank you very much. I support this 100 percent. Nobody should be getting off scot-free liability on those things is giving somebody a way to get out of that liability is going to make the air look like LA again, and really give people the excuse to have all the worst behavior possible. So it's the way our justice system works. These people are in business, money talks, this is what we need to give them both financial liability and honestly, criminal liability if they're doing something criminal as well.

Thank you very much, and yeah, take it away.

COMMISSIONER HUGHES: I make a motion for approve the resolution opposing legal immunity for fossil fuel companies.

COMMISSIONER BUSTAMANTE: I'll second.

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

CHAIR GREENE: Excellent. We have a resolution.

C. Resolution No. 2026-052, a Resolution Establishing the Santa Fe County Quality Assurance/Continuous Quality Improvement Process, Clarifying the Role of Customer Service Task Force, Addressing Transparency and Effective Delivery of County Services; Repealing and Replacing Resolution Nos. 2024-001 and 2025-067

CHAIR GREENE: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you. Thank you, Chair, and thank you for the opportunity to present this new iteration of what started as a customer service resolution. As our most recent, the last strategic planning session, the question came up as to how do we measure this? How is this going to be carried out? And the group that was actually working the customer service task force was saying, What are we doing? Like, how do we do this? So I have to absolutely thank Stephanie Stancil, who is a Six Sigma black belt – no, no, she is just a Six Sigma rock star, and understands quality service. And the answer was, how do we get to something that's measurable like a quality assurance program with quality with continuous quality improvement with, and as Stephanie's words is, We have KPIs. How do we know how we're meeting those KPIs? And every single department in this County, to address any concerns over what it really means to have customer interface and know that we're doing our best jobs, every department addresses the needs of County residents. We address it through water quality issues. We lead in the development of CONNECT and provide resources for people in need, responding to physical emergencies such as fires, floods, and crime, assuring roads are passable and responding when they're damaged, financial oversight to ensure that taxpayers/the public's money meets all procurement laws in the interest of protecting public interest, establishing and maintaining community facilities for public use, such as

family gatherings, activities at senior centers, et cetera, et cetera, et cetera. evaluating and presenting development of plans to assure alignment with laws and ordinances and provide enforcement of code, running elections, maintaining records for all county and federal elections, et cetera, et cetera, et cetera.

Every single one of those, everyone who works for the County is forward facing to the community members and they do a brilliant job. And this essentially establishes a mechanism by which anyone who has any question whether or not people are on their best behavior, if you will, that's not a good one. That's on their best. Working at their very best, really putting it all out there I think it's really too important and lucky that we have someone like Stephanie to help us bring a measurable capability of how well are we really doing as we interface with our community.

This has now been written, authorizes feedback to the Board because the last one said, do a customer service three year plan, but how would we ever know how things are going? And we don't hear how often things are done right. We tend to hear how often things are done wrong. And this is a real opportunity to say, These are our KPIs, this is how we addressed it, and this is how we're going to improve where it didn't show up the way we thought it would. So it's really putting the ball in the hands of the professionals who do this work every single day instead of the critics who will log in and tell people they don't know how to do their jobs.

I will ask for your support and if there are any questions, thoughts or interest in how we can support our staff, I'm grateful to hear it.

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

COMMISSIONER CACARI STONE: I just appreciate your leadership on this, and of course, all of the County staff who really do their best to provide quality services. So thank you, Commissioner Bustamante.

CHAIR GREENE: Excellent. Commissioner Hughes, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you, Commissioner Bustamante. I think that this is helpful especially for a newer commissioner like myself just to understand. The good work that we hear about in presentations like the quarterly reports on employees of the quarter nominations, we want to support all of our staff, and this is a way to do there's a little bit of oversight and tweaking in various roles by supervisors, but it's important because that builds the capacity of the County to serve the public in the best way possible and establishes clear guidelines.

I guess my only question is in number 6 for Exhibit A reporting to the Board periodically means biannually or annually, six is the County Manager may periodically provide updates to the Board of County Commissioners. Because that's the sort of evidence that we would see. What's the schedule contemplated?

COMMISSIONER BUSTAMANTE: I appreciate that, Commissioner Johnson. And actually it didn't really catch me until I read it when it came back out to us and we worked right through it and didn't actually put that in. And I think we could suggest a timeframe here. We did say every three years. So if we were assured that management would follow that three year, then we know it's coming up for review or

every year if people wanted to see how things were going since it's part of the strategic planning. Quite frankly, we didn't put a timeframe on it.

MANAGER SHAFFER: If I could add to that to Commissioner, Chair Greene, to Commissioner Bustamante's, point. This was developed in collaboration with Stephanie as part of the strategic planning process. It will be folded into the strategic plan once adopted by the Board, and we do regularly provide updates both to the public as well as to the Board through the strategic planning framework. That would be happening as a matter of course, but if there was a formal presentation that the Board wanted separate and apart from that, then obviously we'd provide that as well. So it's built into that to that regular reporting.

COMMISSIONER BUSTAMANTE: Thank you, Chair. Thank you, Manager Shaffer. I think annually is great, but onward ho.

COMMISSIONER JOHNSON: Annually seems appropriate to me and probably that correct length of time.

CHAIR GREENE: Thank you.

CHAIR GREENE: But I'll get to you in a second, but I just want to go. I actually like the idea, especially because this is growing and it's happening, evolving, a year is a long time. I actually like the idea of quarterly in terms of it doesn't have to be a comprehensive presentation, but here's the new KPIs that we're just adopting. And in three months, you're going to see progress because we've been measuring and now we're going to see progress on that. And we plan on developing these new things in the next three months. And so this quarterly sort of update allows for, again, if we're talking about quality improvement, nothing's better than a quarterly report, right? Other than a monthly report, right?

So if we wait a year, it's so back of mind, but if we have a quarterly thing, if you're – again, I don't want to say that might be too much work, but I think that there's so many different little incremental things that we could hear about quarterly in that. But I'll leave that there and go to Commissioner Hughes for more.

COMMISSIONER HUGHES: And mine is just a much more general comment that I really like the idea of continuous quality improvement, and so I support this.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: Great.

COMMISSIONER BUSTAMANTE: I guess I would leave it up to the will or interest of the Board, and I don't know if Stephanie wanted to chime in on quarterly versus annual but if someone wants to make a friendly amendment I'm open to what the will of the Board is.

COMMISSIONER JOHNSON: Why don't we split the difference and say six. Quarterly seems a little too frequent. Sounds like I don't want to know data, and I do, but I want that to be substantive and have time for departments to adapt without also creating more work. So what about six?

CHAIR GREENE: That's fine. Yeah, great.

COMMISSIONER CACARI STONE: I agree. I don't want to put too much burden on the staff. And I think quality improvement is led by the staff and management team all the time, probably every day of every week. So we don't want to

micromanage and have them have to report too much. So I think you struck a good balance with yearly.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: So I'm all for six months. I think years is a long time, but –

COMMISSIONER BUSTAMANTE: So I'm hearing six months. So a friendly amendment to the resolution to state every six months rather than whenever.

CHAIR GREENE: Periodically.

COMMISSIONER BUSTAMANTE: Yes.

CHAIR GREENE: And one of the things that I brought up at an earlier version of this, and I really want to make sure that we work towards this is that, I really love working externally, right? Our constituents, our residents, everybody that deals with Santa Fe County really depends on good customer service. But the other side of that is, again, back to internal, right? It's the collaboration between divisions and departments and how we make sure that this is a great place to work and that the frustration doesn't start at an internal thing.

I don't quite know quite know – I lost where I was going to recommend that we have an internal customer service standards or periodic evaluation of service delivery processes to include internal communications and collaboration. And just to make sure that we make each department feel like they can turn to Legal, right? Because you're sitting there and I can see you there, Walker, just not to pick on you. But or for Public Works to go to Growth Management or for to just across the platforms that we offer here at Santa Fe County to feel like we're collaborating and that we're open to not only constituents, but even when we're talking about working with the City or Española, the City of Española or different organizations and the tribes that we make sure that customer service doesn't stop at just individual constituents, but our partners at all levels, internal and external.

COMMISSIONER BUSTAMANTE: So in the fourth, whereas if it said to promote consistent internal and external customer consistent customer service standards, support innovation in internal collaboration and public service delivery – and that would cover both of those?

CHAIR GREENE: Yeah, that takes all of the attachment Exhibit A, and then, but puts it in the resolution to say, let's make sure it's internal and external. So I love it. Thank you.

COMMISSIONER BUSTAMANTE: Thank you. And then on the six month under the now therefore be it resolved it is under number three no, it's not. Where is it? Where does it say that in the resolution –

CHAIR GREENE: It was in the Exhibit A that I saw the periodic portion, reporting to the Board.

COMMISSIONER JOHNSON: Part 6.

COMMISSIONER BUSTAMANTE: Exhibit A, part 6, identifies that every six months it would be a part of the reporting to the Commission. Is that what I'm hearing?

COMMISSIONER JOHNSON: Yes.

COMMISSIONER BUSTAMANTE: So I have those two. I'll make a

motion and accept those two amendments.

COMMISSIONER JOHNSON: Second.

CHAIR GREENE: Thank you. Is that clear for everybody who will document this? Yes.

SARA SMITH (Operations Officer): Chair Greene and Commissioner Bustamante, if you could just repeat the change that you asked for in the resolution. I believe it was to the fourth whereas.

COMMISSIONER BUSTAMANTE: The fourth whereas it says, Improvement program to promote internal and external consistent service standards, support innovation and internal collaboration and public service delivery. So internal collaboration and public service delivery, and that's the fourth whereas.

And then on the attachment, instead of periodically, it is every six months.

MS. SMITH: Thank you. Got it.

CHAIR GREENE: Thank you. Thank you. We have a motion from Commissioner Bustamante. Do I hear a second? Second. We got a second from Commissioner Johnson.

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

CHAIR GREENE: Excellent, we have a resolution.

- D. Resolution No. 2026-053, a Joint Resolution Directing Staff to Bring Forward an Amendment to the Settlement and Annexation Phasing Agreements to Terminate Phase Three of Annexation, to Waive The City's Right to Challenge Santa Fe County's Designation of a Traditional Historic Community of Agua Fria, and to Convene, With Santa Fe County, the Extraterritorial Land Use Authority to Make Any Necessary Extraterritorial Land-Use Ordinance Changes to Effectuate the City and County's Decision to Terminate Phase Three of Annexation.**

CHAIR GREENE: Commissioner Cacari Stone and Commissioner Johnson.

COMMISSIONER CACARI STONE: We're here finally. Thank you, Chair Greene. I'll make a few comments and Commissioner Johnson also wants to share a few comments. But first, I want to recognize Mr. Sid Monroe who's here with us today and everyone who has stand with you, beside you, behind you and in front of you along the way, I know you come with a lot of community members. Thanks for your tenacity, your patience. I think in the conversations we've had, you've quoted over a thousand meetings plus some and more. It's been a long road. I'd like to recognize Mr. William Mee and Mrs. Lois Mee here from Agua Fria Village. You've been amazing community partners really standing with and by Area 1B residents because they are your neighbors and for your phenomenal leadership and many of the leaders of Agua Fria Village.

Basically, this annexation represents, and I'll just say it for the record, it had been introduced already here, it was introduced on the City side. But for the record, we've

moved very quickly. It's a new day and time for leadership between the City and the County, and if this marks a benchmark of collaboration, not of the egos, but of placing people first in our communities first. I don't want to recognize Commissioner Johnson, Councilor Faghali and Councilor Castro for being part of the working group. We moved quickly, and Mayor Garcia, of course, for really supporting this effort. And we talked about this way back in November when he was elected. We met in January 16th, January 27th the appointees were made to the working groups when in February 16th we went on a living lands tour. Thank you, Mr. Mee, for going out with us in the senior van to really center the peoplescape and the landscape. We had our second working group March 12th with our County Manager and Deputy City Manager. County Manager Shaffer has been phenomenal in this process. Even before I came on he's been leading it. Also, legal counsel, Walker Boyd, and many others with the County who have stepped up to help out. We had another working group on the March 12th and then March 19th we had a community forum with 80 participants. We looked at the options one and B. And what we have in front of us today is what the community favored, which is dropping annexation April 1st. It wasn't April Fools at all. It was a serious working group with management on both sides of the City and County and both legal counsels. A joint resolution was put forth April 6th. April 14th it was put forth to the City Council. And also here on the County side, it was put forth again, and we are voting today and tomorrow the City's voting.

So this resolution basically terminates phase three of annexation for Area 1B, directs amendments to the City that they will waive its right to challenge the County's designation of a traditional historic community related to Agua Fria. In other words, they are not going to sue us, and it also reconvenes the Extraterritorial Land Use Authority to make any needed land use changes. It also preserves the right of existing land and property owners to go to the City to ask to be into the City if they so choose.

So here we are, and I thank each of you, County Commissioners, because you have been very supportive every step in the way, and I think we are a united voice, but Commissioner Johnson, thank you for your service.

COMMISSIONER JOHNSON: Thank you, Commissioner Cacari Stone. Thank you for your leadership on this. Without you, we wouldn't have come this far this quickly. Thank you to the citizens, especially those in the audience. Mr. Monroe, the Mees. I saw Hilario Romero here earlier, anyone I'm missing – I don't have my glasses on, but we want to thank you for your advocacy and diligence in this matter.

I'll be brief. I just want to, note this as a resetting mechanism in part, a resetting of relations between the City and County. As Commissioner Cacari Stone mentioned, we worked extremely well with Councilors Castro and Faghali, with the new mayor Garcia and with the community at our forum. So we are resetting the table back in time rejecting the annexation. And I think this is a balanced approach that it takes into account the different perspectives on annexation. It allows for the traditional villages expansion, but it also allows for homeowners who choose to, who are desirous of moving into the City through an annexation process to have those rights preserved.

I thank you all for your patience in this matter and it, it's a long time coming and I ask for the support of my fellow Commissioners. Thank you.

CHAIR GREENE: Thank you, Commissioner Johnson, Commissioner

Cacari Stone, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you for working on this. I remember several years ago with Commissioner Hansen, we worked on it and it was such a discouraging process we went through with the City. I'm glad the City's attitude has really changed and they're willing to listen to what the people want in this area. So that's great. And I'm glad to hear that we'll do something maybe similar to the compromise we came up with where some land goes to the city or development and some stays in the Agua Fria area or goes to the Agua Fria Historic Village. Thank you very much for bringing this forward.

CHAIR GREENE: Thank you, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: I can only echo what's been said. I think it's really impressive. I'm grateful that you brought this forward. Thank you for your leadership. And I also echo what Commissioner Hughes said, and it didn't seem like this was passable, and I mean the issue at large, how can we ever get beyond this? And listening to the public and working with them has been really important. So thank you sincerely. And thank you for the community that showed up every time.

CHAIR GREENE: Great. Thank you. When I became a commissioner three and a half years ago, this was a hot topic and we went through basically a year of stress and you all had gone through 18 years of stress and it's amazing what can happen when a new regime comes in at the City and with some leadership here at the County.

Congratulations. It's amazing. Wasn't that easy? No, but thank you. It wasn't that easy. But it was. At the end of the day, when you have people that want to collaborate and want to work together, this is not that difficult. And it shows what new leadership can bring. So congratulations, Commissioners, I think, let's see how we get this vote going, but I'm pretty sure where it's going. Take it away.

COMMISSIONER CACARI STONE: I make a motion to approve and vote yes to a joint resolution directing staff to bring forward an amendment to the settlement and annexation phasing agreement to terminate phase three and accession, et cetera.

COMMISSIONER JOHNSON: Second.

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

CHAIR GREENE: Congratulations. Welcome back to the County. Excellent. Okay. We don't want to hear any more about this for years to come.

COMMISSIONER CACARI STONE: Tomorrow night, City Hall.

CHAIR GREENE: That's right. There we go. Folks over in Area 1B, you can post this on everybody's doorstep and celebrate as you go. So thanks for coming out guys and being persistent with this. Excellent.

E. Recognition of the Life and Legacy of Kathleen Jimenez - This will be heard at a future meeting.

2. Appointments and Reappointments

A. Reappointment of District 4 Member to the County Open Lands,

Trails and Parks Advisory Committee (COLTPAC).

ADELINE MURTHY (Planner): Good afternoon, commissioners. My name is Adeline Murthy and I'm joined by Paige Grant here. We are requesting consideration of the reappointment of Paige Grant as the District 4 representative for the County Open Lands Trails and Parks Advisory Committee or COLTPAC. Ms. Grant's first term expires at the end of this month, and she has expressed interest in continuing to serve as a member of COLTPAC.

Committee members serve three-year terms subject to reappointment for one additional term. Ms. Grant has represented District 4 since April 2023, so this reappointment would be for a second and final three-year term. Ms. Grant is actively engaged with the committee and currently serves on the Forest Resiliency Working Group.

Staff recommends the appointment of Paige Grant as the COLTPAC District 4 representative. And I'd also like to note that if you look at the membership roster, there's a second member whose term expires at the end of this month, Dan Potter. He's an at-large member, and he has decided not to seek a second term, so I'll be coming back hopefully at the next meeting to fill that vacancy.

Thank you, and we stand for any questions.

CHAIR GREENE: Thank you, Adeline. Thank you, Paige. Commissioner.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you, Adeline.

Thank you, Ms. Grant. I'm the representative of District 4. We've never met, but I was impressed by your letter and your resume. I want to note that your leadership on the Santa Fe River Trail is also greatly appreciated in addition to everything that Adeline has said.

I heartily support your reappointment. Thank you. Thank you for your service too. We very much appreciate it.

CHAIR GREENE: Thanks, Commissioner Hughes.

COMMISSIONER HUGHES: Unlike Commissioner Johnson, I've known Paige Grant for almost forever, and you worked with my wife, and my wife is an environmentalist, you're an environmentalist, and you've spent your whole life working on improving our environment. I'm very glad to have you on the COLTPAC and can continue.

CHAIR GREENE: Thank you, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: I can only echo exactly what Commissioner Hughes said. You've done some great work, you'll continue to do great work, so thank you.

COMMISSIONER CACARI STONE: I support you being on the COLTPAC.

CHAIR GREENE: So I don't think I've met you, but I do somehow think I've met you.

I haven't quite figured out where we've run across each other, and great, keep doing great work. Thank you for your contribution to our community. COLTPAC is really important, and I think your perspective is unique on there, so I think you offer a great resource. Commissioner.

COMMISSIONER JOHNSON: With that, I'd like to move to approve the reappointment of District 4 member of Paige Grant to the County Open Lands Trails and Parks Advisory Committee, also known as COLTPAC.

COMMISSIONER HUGHES: And I second.

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

CHAIR GREENE: Great. Welcome back. Thank you, Adeline. Cheers.

MS. MURTHY: Thank you.

6. Miscellaneous Action Items

- A. Final Order for Case No. 25-5081. Pierre Amestoy and Assignees & Hakes Brothers, Applicant, NM Land Solutions LLC, Agent, Requested Approval of a Final Plat for Phase 2 of the Tierra Pintada Major Subdivision, Consisting of 60 Lots Within the Overall 138-Lot Subdivision on Approximately 32.143 Acres. The Applicant Also Requested Approval of the Affordable Housing Agreement with 11 Affordable Lots in Phase 1 and 10 Affordable Lots in Phase 2. The Subject Property is Located at 4475 NM 14, Parcel No. 64256256, Within the Mixed Use (MU) Zoning District (Commission District 5). (Approved; 4-1 VOTE)**

CHAIR GREENE: Kenneth [Quintana] is here, but maybe this doesn't even need that.

MANAGER SHAFFER: Chair and commissioners we placed this on miscellaneous action items, not because there's anything controversial about it, but because the vote to approve the case was four to one, and so we didn't want to put it on Consent so that a Commissioner who voted against the approval would be in a position of voting in favor of the order. So nothing really to present from staff. If you have questions we'll be in sure to get staff to answer them, but again, that's the procedural reason why it was on miscellaneous action items as opposed to Consent.

CHAIR GREENE: Excellent. Commissioner Hughes.

COMMISSIONER HUGHES: I'll make a motion to approve the final order number for case number 25-5081.

COMMISSIONER JOHNSON: Second.

COMMISSIONER CACARI STONE: Second it.

CHAIR GREENE: Fight it out. Who was that first?

COMMISSIONER JOHNSON: Cacari Stone.

CHAIR GREENE: Okay, great. We've got a motion from Commissioner Hughes, a second from Cacari Stone. I was the vote against it. I still am going to vote against it because I wish we were more comprehensively looking at this area. The folks in the Valle Vista area need a relief route to get out especially with the failing intersections. So that's just explaining my vote. Sorry, Nate.

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

CHAIR GREENE: And I'm opposed. Thank you. It still goes four to one. You've got a plan. Thank you, guys.

B. Request (1) Approval to Utilize the Sourcewell Cooperative Agreement with Atlantic Diving Supply Inc. to Purchase One 42-Foot Gooseneck Trailer in the Amount of \$483,001.11, Inclusive of NM GRT; (2) Approval to Utilize the New Mexico Statewide Price Agreement with New Mexico Emergency Products to Purchase Equipment, Parts, and Labor in the Amount of \$31,330.22; and (3) Delegation of Authority to the County Manager to Sign the Purchase Order(s)

CHAIR GREENE: Chief Black.

FIRE CHIEF JACOB BLACK: Good afternoon, Chair, Commissioners.

We are here today to request your approval to procure a mobile command unit to support Santa Fe County's emergency response and incident management capabilities. This unit is a trailer designed to serve as a mobile incident command post, allowing unified command and coordination during large scale emergencies, disasters, and planned events.

Santa Fe County continues to experience and prepare for complex incidents ranging from wildfires, law enforcement events, extended duration events to large public gatherings and regional emergencies. Currently, our ability to establish a fully functional, field-based, unified command post is limited.

Santa Fe County Public Safety Departments use an apparatus called the Farber to establish a unified command post as of now. The Farber was purchased in 2004 and has become unreliable and mechanically is greatly outdated. There are numerous mechanical problems with the Farber that prevent it from reliably serving as a deployable command post. The Farber is an all-in-one unit similar to a large RV. This presents numerous problems. When mechanical problems arise with the drive train the whole unit is rendered out of service. Currently, numerous mechanical parts on the Farber are beyond repair and are difficult to source. The current condition of the Farber has limited the unit's deployment and the use during emergency and non-emergency incidents resulting in public safety departments relying on ad hoc systems that can delay coordination and reduce operational efficiency.

For the past year, the Fire Department, Sheriff's Office, and the RECC have collaborated to identify and develop the specifications before you today for a new mobile command unit. The proposed command unit is a trailer that can be deployed from a current public safety vehicle, and in the event of a mechanical issue, other County vehicles such as public works vehicles can be used to tow and deploy that unit. The mobile command unit serves as a resource that will, while not deployed weekly, will be deployed to high consequence events requiring multi-jurisdictional collaboration and coordination. The new mobile command unit would allow for emergency responders to conduct on-scene command and control, support multi-agency coordination, including fire, emergency management, law enforcement, and enhance our ability to manage extended operational periods, especially in rural communities within the County. It'll also

improve communications, situational awareness, and decision-making in real time.

This mobile command unit is a vital investment in the County's emergency preparedness and our capabilities moving forward. We respectfully request your approval to move forward with this purchase, and I stand before you for any questions.

CHAIR GREENE: Thank you, Chief Black. Commissioners? Go ahead, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chief Black and Thank you, Chair Green. Just because I'm unfamiliar with this it is a sort of an enclosed RV structure, but it hooks onto a big truck of whatever sort any sort of hitch that can take that load.

CHIEF BLACK: Chair Greene, Commissioner Johnson. Correct. So it is essentially a similar to a large fifth wheel trailer. It has a number of slide outs that will expand for our ability to operate from it, and then it is a standalone unit that it can be taken to an emergency scene or a large event dropped off there, and then the tow vehicle can be redeployed as necessary.

COMMISSIONER JOHNSON: Interesting. Thank you. Thank you, Chief Black. Someday, I think we'd like to see that just out of curiosity, but when it's convenient. Thanks.

CHAIR GREENE: I've seen it. I've seen the old one at least. It deploys to Chimayo and every time during the pilgrimage, I've been invited in to see. Seems to work fine, but I got it. I understand the mechanical issues there, so thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Just for my information, how often do you use this per year, for example?

CHIEF BLACK: Mr. Chair, Commissioner Hughes, we do use it two to three times a year. However, the current unit also is used by the City of Santa Fe as well, so they use it occasionally as well. With this resource being more modern and capable we do anticipate to use it more often as it will be a more capable unit.

COMMISSIONER HUGHES: Thank you.

CHAIR GREENE: Commissioners?

COMMISSIONER CACARI STONE: I just support you and your team's work. It's so important, and clearly everything that happened with Edgewood even emphasize that more, so I support the purchase of this. I was curious, too, so I was googling for images of a gooseneck trailer. So we'll get to see it hopefully in the future. Thanks.

CHAIR GREENE: Commissioner.

COMMISSIONER BUSTAMANTE: I'm all about gooseneck trailers.

CHAIR GREENE: Gooseneck trailers are a different duck to use the duck, the avian, but we do have you or Public Works or somebody, the Sheriff's Department has a trailer that can take a gooseneck because it's not just a regular trailer hitch.

CHIEF BLACK: Chair Greene, yes. We currently do have an apparatus that the Fire Department that hauls our technical rescue trailer, and so it is an apparatus that can hook up and take that unit as well.

CHAIR GREENE: And we have redundancy with that piece of equipment because if you have a problem with one piece of equipment, you're trying to avoid that.

CHIEF BLACK: Chair Greene, yes. So the redundancy that we are, would be relying on right now is collaboration with Public Works. So the, if we do have an issue with the trailer or the tractor portion of that, we would rely on our partners and Public Works to aid in deploying that resource.

CHAIR GREENE: Perfect. And what do we plan on doing with the old piece?

CHIEF BLACK: Chair Greene, that is to be determined. We will collaborate with the City on that as that was purchased through a grant back in 2004.

CHAIR GREENE: So the city might decide that they want to try to fix it. It's, doesn't have to travel nearly as far if it's going to be a command post here in the city and so on.

CHIEF BLACK: Yes, sir.

CHAIR GREENE: Wonderful. Thank you. What's the pleasure of the Board?

COMMISSIONER BUSTAMANTE: I move to approve the acquisition of the gooseneck.

COMMISSIONER HUGHES: And I'll second.

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

CHAIR GREENE: Great, you've got a gooseneck. Thank you.

- C. Request (1) Approval of Amendment No. 3 to Agreement No. 2024-0265-PW/BT with Intera, Inc. Regarding PFAS Contamination, Increasing Compensation by \$886,817.52 for a Total Contract Sum of \$1,378,159.18, Exclusive of NM GRT, and Extending the Term of the Contract for an Additional Year; and (2) Delegate Authority to the County Manager to Sign the Purchase Order**

TRAVIS SODERQUIST (Public Works): Thank you. Hello. My name is Travis Soderquist. I'm the Utilities Division Director. I'm going to keep this pretty short and sweet. On March 31st Intera, the consultant that's been working with Santa Fe County to characterize the PFAS contamination in La Cienega and La Cieneguilla came and gave a presentation about what the potential next steps would be. And so they put together a scope of work that has seven tasks, eight tasks specifically, but one of the tasks is project management for the remainder of the tasks. So included in your packet is a more detailed scope of work for what they presented on at the March 31st BCC meeting. It primarily revolves around additional sampling but I want to point to task 2, which is where the majority of the money is going to be spent, which is the installation of the monitoring wells and some of the areas where we have limited access through private existing groundwater wells. And so that's going to be the majority of the funds expended, but it's going to be some of the most critical information for us to go forward.

Another task that I would like to point to is task 5, which is the ecological risk assessment. It has zero dollars tied to it right now, and that's because we were prioritizing the task number 2 making sure that we had enough funding in that one in

order to facilitate the installation of the monitoring wells. We were uncertain as to how much it was going to cost for the 18 monitoring wells, but we have since the presentation gotten more information and it looks like we're going to be able to achieve all of those under what it was expected to cost. And so with that, we might be able to take on task 5 as well. And if we do have funds remaining, we'll come back and get approval for that as well. But with that, I'll stand for any questions.

CHAIR GREENE: Thank you, Travis. Yes, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Chair. Thank you, Travis. I've heard from constituents who oversee the mutual domestic and the La Cienega side, and with regard to the amount of money and specifically what tasks specifically questions like why hasn't the former gas station been sampled and things that we have relatively easy answers to, I would ask that for the front facing information and then have this document available that the last page with the breakout of the tasks, that very simply it has what each task is and the dollar amount, and then a person can go back and refer to that. And that way, if there are any questions how or why something's being expensed at the level that it is, they can dig deeper and find it. And if they still have a question, then maybe then we can answer it at that point. But I would like to see just see the front facing of that just spelled out a little bit more for the community.

MR. SODERQUIST: Of course.

CHAIR GREENE: Great. Commissioners? So were going to move it on or you were going to –

COMMISSIONER JOHNSON: No, but I'm in favor of this though.

CHAIR GREENE: Yes, I'm in favor of this as well. I just want to, one of the things that I brought up in, in a little bit of my concern was when phase two of an agreement is significantly larger than phase one and the extension seems like it should be sourced again, but it's been explained to me that this was foretold, and so it makes a lot of sense, but just as a future thing that when a second, an extension of an agreement turns out to be bigger than the original agreement, I think that there should be some very clear explanation as to why. It was explained to me offline, but just to make sure that my MO is explained in this conversation. Did you have something?

COMMISSIONER CACARI STONE: Thank you for the work, Travis. And I know this is in Commissioner Bustamante's district, but it's so important. I guess my concern remains and we'll get, a lot of research needs to be done, sometimes I think the causes of the PFAS, we've identified particular players. I know Commissioner Bustamante led a town hall at the community college before I came in as county commissioner and the federal representatives were there, our congressional members, staff, and state. And, I wonder why is the County the only one picking up the tab or trying to find out, the root causes of this? It's a question I don't expect you to answer, but maybe Commissioner Bustamante has insights and how do we promote as electeds the obligation and accountability of those who cost it, right? How do we push that a little bit more as an agenda on behalf of the community?

COMMISSIONER BUSTAMANTE: Thank you, Commissioner. Thank you, Chair, and thank you, Travis. If I may just answer from my understanding. The money is provided by the state, and I do believe, and I think we all have to hold it to it, is that those accountable for the contamination/responsible for the contamination will be

held accountable. But the state has provided those dollars. It impacted the County. I'm grateful for the work that everyone did to stand this up immediately because there wasn't any other recourse and they've done a great job, but that's where that came from. And if you had anything further to add from that, I appreciate it.

MR. SODERQUIST: Yes, I do, chair. Thank you, Commissioner Bustamante, Commissioner Cacari Stone. There has been pretty extensive collaboration from a lot of different parties that are interested in characterizing the contamination of the communities. And so while we are leading the charge in our own way, we are communicating and we are working with a bunch of stakeholders that are in the area.

COMMISSIONER CACARI STONE: Thank you so much. And I don't know how through our communications efforts we get the word out on all this positive work and how much collaboration. It seems like the community gets inundated with so much information and how we can maybe have a podcast or an update or I don't know what, an ad in the paper, just so that people know we're making progress because I was very impressed with the study, the work you've done, all that's being done.

COMMISSIONER BUSTAMANTE: Chair, Commissioner Cacari Stone, the community is very active. There are regular meetings that include community members and thank you, Travis, for reminding me of the good work that the state is doing in that collaborative fashion particularly people who stepped right off of the Clovis issue and started working in La Cieneguilla and La Cienega. They have monthly, as we do, PFAS meetings and it's always a topic on the on the Saturday breakfasts. So the community that's impacted right now is aware. And then *The Santa Fe New Mexican* has captured big points and it will continue to do so for that purpose. But community members who are affected and there's signs all over the area. Thanks.

COMMISSIONER CACARI STONE: Thank you, Chair. Thank you, Commissioner Bustamante. I was I think the town hall at the community college was one of the best I've been to. So I appreciate your efforts, the one that Rosemary Romero led. Thank you. Thank you, Travis.

CHAIR GREENE: Commissioner Hughes.

COMMISSIONER HUGHES: Yeah, I just wanted to add, I think this is a great way to continue. We should definitely pass this, but I learned recently that there's PFAS in one of the wells in Eldorado. Now, it's below the federal standard, so it's not really the same level of concern as La Cienega and La Cieneguilla but PFAS is almost everywhere because there's no airport upgrade from us. It's coming from something else. And even that town hall that Rosemary Romero led, we learned that, people are subject to PFAS in a lot of other ways besides drinking water. And it's going to be an issue we have to deal with on a lot of levels. Thank you.

CHAIR GREENE: Absolutely. Thank you, Travis. Thank you, Bill, for keeping this moving in the right direction. Commissioner Bustamante as well. PFAS, we've got a stack of stickies, post-its, right? It's PFAS coated. It's terrible. It's like it's everywhere. Just a reminder to everybody that it's not only water that we get exposed to it, but in terms of water, a simple charcoal filter is actually a great solution. So sadly, that's the reality of where life is now, but a charcoal filter is not a bad idea for everybody. Anyway, thank you, Commissioner, take it away.

COMMISSIONER BUSTAMANTE: I'd like to make a motion to approve and utilize amendment for the Intera compensation as provided.

COMMISSIONER CACARI STONE: I second it.

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

CHAIR GREENE: Thank you.

D. Request (1) Approval of Agreement No. 2026-0327-PW with Road Runner Drywall & Plaster, LLC for Renovation of the District Attorney Building for a Total Contract Sum of \$1,780,372.03, Exclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s).

ROBERT LAMBERT (Public Works): Good afternoon, Chair Greene, members of the Commission. I'm here to seek your approval of agreement 2026-037, and I'll give you a little bit of background. Public Works purchased the building at 435 St. Michaels Drive on July 31, 2025. This was with the intention of moving very quickly to get the District Attorney's Office out of their current substandard location and get them into a new location that offers them larger square footage, but also more amenities and just less stress on them. The inspection report from the building indicated that we, it required deferred maintenance and some design upgrades. So we immediately in order to move quickly engaged Studio Southwest as the architect in September of 2025 and worked with the District Attorney Office with the agreement that we were going to be moving very quickly through three formal design iterations. And during those iterations, we were also doing window replacements, which wasn't necessarily like we pulled it out of the order of the program so that we can get work done before we needed to fully get the renovation underway. And we started some preliminary demolition work on the building per the recommendations of the architect at the time.

The final design drawings were submitted in the first week of April of this year with the agreement of the District Attorney's Office. We submitted the request for a quote for Road Runner, which has been the – they did the window replacement. They've also been doing the demolition of phase two, so they're familiar with the projects, they're familiar with the architects. There's been a really good working relationship, so we've managed to work seamlessly with them. So in the interest of moving the project forward more efficiently and with less confusion, they were the obvious choice.

So we did a request for a quote that was due April 10th and thanks to Bill and his office in Procurement they helped us hustle this through so that we don't break the rhythm of the site and we can move forward with renovation as soon as possible. And with that, I stand for questions.

CHAIR GREENE: Thank you, Rob. Commissioners. When will they be able to take – when is it expected that they would be moving in?

MR. LAMBERT: I'm hoping October. I think PJ's expecting July or August, but I'm expecting October.

CHAIR GREENE: Okay. It's we'll put a friendly little in-house bet on that

and somebody gets a beer at the end of it. Great. Commissioners?

COMMISSIONER CACARI STONE: If there's no discussion. I'd like to make a motion. Chair.

CHAIR GREENE: Please do.

COMMISSIONER CACARI STONE: Okay. I make a motion to request approval of agreement number 2026-0327-PW with Road Runner Drywall and Plaster, LLC for renovation of the district attorney building for the total sum of 1,780,372.03.

COMMISSIONER HUGHES. 1 second.

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

CHAIR GREENE: Excellent.

- E. Request (1) Approval of Agreement No. 2026-0198-PW/TJ with TLC Company, LLC in the Amount of \$4,242,799.80, Exclusive of NM GRT, for Construction of the Arroyo Hondo SR-14 Sewer Interceptor; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.**

CHAIR GREENE: Mike. Welcome.

MIKE HART (Public Works): Chairman. Commissioners. Public Works is looking for approval for to award the contract to the lowest responsible bidder for the Arroyo Honda's SR-14 sewer interceptor. This project actually extends a sewer system from Richards down to Colibra approximately 4.5 miles. This bid process actually incorporated eight bidders actually bid on this project and was well within our budget. This is actually one of three projects that are tied to this system. The first being this project, the second being the Abajo Lift Station, which was approved last meeting. And then the third will be the expansion of the Quill Wastewater Treatment Plant, which is scheduled for phase two of the bid process, procurement process to double the size of the system. I stand for any questions.

CHAIR GREENE: Fabulous. Thank you. Mike. Commissioners?

COMMISSIONER HUGHES: Since we already approved all the developments out there, I guess we better approve the sewer.

MR. HART: It's definitely needed.

CHAIR GREENE: Excellent. Okay. Commissioners?

MANAGER SHAFFER: If I could, Chair, before you take action. I just want to emphasize, as Mr. Hart mentioned this is part of an overall project to increase flows to in the treatment capacity of the water reclamation facility on the state penitentiary grounds. We did seek and have received notice of an award from the Water Trust Board via the Water Project Fund, to support this project. Ultimately, as we receive the formal documents we'll be adding to the budget and potentially supplanting some county resources with that grant funding and in the interim to the extent necessary to comply with internal controls and anticipation of that award we may ultimately budget funds for other projects so that we do have all the money in place at one time. And then

again, as money comes in from the Water Project Fund we'll make everything whole.

We've been working to time things in this way, both with regard to state capital outlay grants, but as well as these projects because we want to ensure that as soon as money is available we can get the projects underway, get the money spent, avoid cost overruns, and then also show to the legislators and to the Water Trust Board, that we are in fact good partners and are able to timely spend down money. So that tight timing is intentional so that again, we get the money spent as soon as possible. Thank you.

CHAIR GREENE: Thank you, County Manager. Any other questions, comments otherwise? What is the pleasure of the Board?

COMMISSIONER HUGHES: I'll make a request approval of agreement number 2026-0198-PW/TJ with TLC Company, LLC, et cetera, et cetera.

COMMISSIONER JOHNSON: And I'll second.

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

CHAIR GREENE: Great, go build a sewer. Thank you.

- F. Request (1) Approval of a Memorandum of Agreement with the City of Santa Fe Regarding the Construction of Improvements to Henry Lynch Road; and (2) Approval of Resolution No. 2026-055, a Resolution Directing Staff to Submit a Transportation Project Fund Grant Application to the New Mexico Department of Transportation for Fiscal Year 2027 for the Reconstruction of Henry Lynch Road (Phase A), From La Paz Lane to Agua Fria Street, for the Amount of \$5,000,000, and Acknowledging the Availability of County Funds for the Local Match of \$250,000.**

COMMISSIONER CACARI STONE: Thank you, Chair Greene. I'll pass it over to our fabulous staff.

BRETT CLAVIO (Planner): Thank you, Commissioner Stone, Commissioner Greene. I will make a quick summary of the project and ask if we can have a presentation rolled up. Marvelous will present a brief PowerPoint presentation on the project, and then we'll follow up with the recommended action and questions.

The Growth Management Department requests, number one, approval of a memorandum of agreement with the City of Santa Fe for the construction of improvements to Henry Lynch Road, and two, approval of a resolution, authorizing County staff to submit grant applications and collaboration with the City for the reconstruction of Henry Lynch Road from Rufina Street to Agua Fria Street, including a commitment to local match funding requirements.

The project will improve safety, mobility, and multimodal access along a key arterial corridor serving both the City and the County residents. Approval of these items will allow the County to partner with the City to construct improvements to Henry Lynch Road and pursue grant funding with an anticipated County local match of \$250,000. The County's local match would come from the budgetary set aside for grant matching requirements, which currently has \$8.7 million in funds available. This allocation would thus utilize approximately 2.9 percent in available matching funds. As a part of the

project, the County may be required to acquire minimum real property interests to accommodate the improvements on the County's portion of the road.

And with that, I'll turn it to Marvelous to make a presentation.

MARVELOUS ECHENG (Planner): Good evening and thank you, Mr. Chair and Commissioners. [waiting for presentation]

COMMISSIONER CACARI STONE: Chair Greene, if while we're waiting for the presentation I don't know if Mr. Clavio wants to talk about the public forum Thursday night related to this.

MR. CLAVIO: Thank you, Commissioner. There'll be a public open house meeting at the Nancy Rodriguez Center on Thursday evening from 4:30 to 7:30 p.m. Our engineers will be there to talk about the project as well as our partners at the City of Santa Fe. We'll have staff from Public Works and staff from Growth Management at the meeting also. This project, as you guys may know, is a multidisciplinary effort requiring transportation, planning, engineering, stormwater management, real estate and so on. I want to thank everybody for their help in this project and particularly Commissioner Cacari Stone for her leadership in moving this along.

And if we are not able to pull up the presentation, I can just go ahead and speak about the background.

COMMISSIONER BUSTAMANTE: If that's the case, we do have it in our packets, Chair. We can follow along.

MR. ECHENG: All right, we have success. Mr. Chair and Commissioners, this presentation before you, in terms of the body of this memorandum, this presentation before you is an update on the Henry Lynch Road reconstruction project. Moving on to the next slide.

Henry Lynch Road is an important major collector within the Agua Fria community, and it's undergoing a planning design for reconstruction. That was the background. Next slide, please. Currently, the County staff is seeking TPF funding to complete this first phase of construction. The consultant estimates that this will be approximately \$15 million for the project to be phased within the two different sections, the Sections A and B. And the staff is requesting a grant of \$5 million to cover the first phase. The state match will be the 95 percent which is the \$4,750,000 and then the local match will be the \$250,000, which in total will be the \$5 million. Next slide, please.

Previously, I'm going to 20 years back, the Agua Fria community has raised concerns about traveling through the Henry Lynch and Agua Fria intersection. So they reached a consensus that a roundabout should be developed at this intersection which is noted in their community plan. Next slide, please.

Secondly, the County Sustainable Growth Management Plan, the SGMP, implemented in 2015, lists the Henry Lynch Road as the top of their recommended list of road improvements. The next slide, please. Also, the Santa Fe Metropolitan Organization, the MPO, lists Henry Lynch as the number four and five in terms of road improvements which is listed under updated transportation plan. Next slide, please.

Henry Lynch is supported by the County's Infrastructure Capital Improvements Plan, the ICIP, which is also as number 47 as part of the list of capital improvement projects. Next slide, please. So this is the entire road profile of the Henry Lynch Road improvements, which covers Phase A, which is the County's right-of-way which is

roughly around 30 percent of the county's limits, and then 70 percent will be determined as Phase B, which starts from La Paz Lane to Rufina Street. So we have the Phase A, which is Agua Fria to La Paz, and then Phase B, La Paz to Rufina. Next slide, please.

This is a map layout which analyzes the entire road profile from phase A to B with County and City jurisdictions. We have a few stop signs, sidewalks, and some turning, turning lanes, which are in existence. Next slide, please.

And so going more in depth of the intersection within the Agua Fria, we have the existing three-way stop in which there has been issues concerning the level of service within this intersection due to rush hour traffic. So we have in the morning with the average level of service of C, and then usually around the evening time, it usually downgrades the level of service of E. And with that level of service and with the increase in traffic, this kind of discourages biking and pedestrianism and also can cause increased risk of for collisions. Next slide, please. The County and City have worked with a consultant to propose a roundabout that will address the traffic flow, level of service, and other safety features. And next slide, please.

This is the updated roundabout design with added speed limits, pedestrian crossing signs, medians, and pavement improved pavement textures. Next slide, please. And so the roundabout will – in terms of more description of the roundabout this is developed in a way to accommodate supporting truck, truck aprons, school buses, fire trucks, and also other large semi-trailers crossing within this intersection. And so this is a proposed roundabout that sort of alleviates the traffic overflow.

These next couple of slides will discuss landscaping alternatives that we will bring forth for future community meetings for the consideration. And so we do have several landscaping alternatives which include plant and other proposed sculptures and other alternatives of landscaping that will be selected from the community as part of their design for the roundabout.

The previous slide was to pretty much address the drainage solutions, and so we do have the profile for the phase A which is going to be completed in addition to the 90 percent design that is currently completed. This proposed drainage solutions will then lead into the Santa Fe River, and then with some other drainage within the phase B of the City which will be improved on and will mitigate many of those stormwater overflows. And in coordination, the County will continue to work with MPO, City Santa Fe, Agua Fria, NMDOT in terms of completing other environmental clearances, NEPA clearances, as well as other state and federal requirements. And we will ensure that we have these clearances before the construction is set to begin which is roughly around 2027.

In terms of economic impact we expect that the roundabout will promote many businesses in the area as well as improve traffic, improve level of service, safe pedestrian environment for the many jobs up there and from many residences out there. Next slide, please.

This is more like a section of the proposal right-of-way for the intersection leading from the Agua Fria all the way down to Rufina. This is pretty much consistent throughout the entire road profile. So we do have a center left turn lane and also with the added driving lanes, which will be further reduced to 10 feet. And we have sidewalk and buffers and bike lanes and also the proposed drainage channels, which will also be consistent throughout the entire corridor and they will also have their improvements as

well. Next slide, please.

And this pretty much summarizes the timeline for the right-of-way acquisition and just from the beginning of when the project started, which is roughly back in 2006 when the Agua Fria had their community plan developed and the proposition was to bring the roundabout for the Henry Lynch Agua Fria intersection. And that pretty much continued until April 2022, which would then have our preliminary design which was then completed in June 2023. And we're now in the final stage of the design, which is last year in March 2025, and we're about to be completed. We're in the nearing stages of completion in the design aspect and construction is expected to start in 2027. Next slide, please.

Finally, in terms of the right-of-way acquisitions we expect a small slivers of right-of-way to be taken from the nearby development. We do have a business development and we have a residence development as well as Plants of the Southwest, which will be minimally impacted. Next slide, please.

Finally, putting everything together, we can expect Henry Lynch to benefit the transportation corridor to address traffic concerns, drainage concerns, provide multimodal opportunities and strengthen the City and County relationships with the community. Thank you.

MR. CLAVIO: Thank you, Marvelous. So with that, Commissioners the recommended action is to approve one, the memorandum of agreement with the City of Santa Fe for the construction of improvements to Henry Lynch Road, and secondly, the resolution authorizing submission of grant applications in collaboration with the City for the reconstruction of Henry Lynch Road and committing to local match funding requirements. And we stand for any questions.

CHAIR GREENE: Thank you, Marvelous and Brett. Commissioners? Nothing? Sorry, design guy here and delivery driver. You've got two complex curves going into this with a pedestrian, so when you're coming into the curve on Agua Fria, you've got an S. So you have to make a right, left, right, left – straighten that out. It's already got enough curves in it. Same thing when you're coming eastbound into this, you've got a left, right, left, potentially. It makes for distraction, especially when you've got a pedestrian crossing, so you've got pedestrians and complex curves. I bet you a traffic engineer says there's a better way to do it, but other than that, this is great.

I drive that intersection all the time and sit and wait for five or six cars.

COMMISSIONER CACARI STONE: Thank you, Chair. Thank you Mr. Clavio and Mr. Echeng for your work and definitely all the collaboration you're doing with the City. I think it's an important project we're working on with them. I'm glad we can apply for DOT funds. I'll be there Thursday night. I think that we need to expect how do we make amendments or modifications based on the feedback from the community. I've gotten like a video of a big semi-truck going by saying, This isn't going to make the roundabout. I want to send that video to you. But how do we, together, and I'm offering also to go out there and talk to Gail from Plants at the Southwest personally, because she's being impacted by the River Trail, plus this roundabout, that's a lot. And she's a long-term respected community giver, resident, protector of the water and the land. So I'm offering to go with you to meet with her personally and anyone else in that area.

It's also an area where there's a prairie dog colony. And I know we don't, I don't

think we have an ordinance protecting prairie dogs, but the city does. But those little guys, they're being so displaced and they're really important to the ecology of our land. So you'll hear all kinds of things. And so you have my commitment to follow up and do whatever we need to do to make sure the community needs are being addressed in the planning. So count me in and just check with Olivia. I'll show up anywhere, anytime, weekend, evenings, mornings. Okay? Thank you.

CHAIR GREENE: Thank you, Commissioner. Anybody else?

COMMISSIONER BUSTAMANTE: No, but I think it's sorely needed, so good work. Thank you.

CHAIR GREENE: Great. Go for it, Commissioner. Take it away. It's your district.

COMMISSIONER CACARI STONE: For item F, I move that we vote to request approval of the MOA with the City of Santa Fe regarding the construction improvements to Henry Lynch Road and approving the staff to submit a transportation project grant fund to DOT.

COMMISSIONER HUGHES: And I'll second that.

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

CHAIR GREENE: You've got a roundabout to build. Go do it. Thanks.

G. Request (1) Approval of the Price for Open Space Transfer of Development Rights (TDRs) Certificates and the TDR Development Transfer Charge; (2) a Decision on Whether to List Open Space TDR Certificates for Sale on the TDR Marketplace; and (3) Nonbinding Direction on Whether to Pursue Amendments to the Sustainable Land Development Code (SLDC) to Increase Demand for TDR Certificates Consistent with Other Development Goals of the SLDC.

CHAIR GREENE: Now, for the more complex thing of the day. Herbert, welcome.

HERBERT FOSTER (Planner): Thank you so much, Mr. Chairman and Commissioners. We have four items for your consideration this afternoon. I'll give a update on the current status of the TDR program. I have a recommendation for setting the price of a TDR certificate and the development transfer charge. I have some recommendations for you to be presented to you at a later date in more detail on how to improve the program. And then I'll be moving forward in creating the policies and the procedures for the TDR Bank. I'll explain a little bit about what that is and what that means to the TDR program.

Just as a brief background, the TDR program is a voluntary program. Basically, landowners in certain areas of the County voluntarily sever their development rights on their property to permanently preserve it in exchange for TDR certificates. For every house that they agree voluntarily to not build on their property, we give them a piece of paper, a TDR certificate.

It's a market-based program, so the idea is, they would sell these certificates to

developers on the open market. The value of a TDR certificate is whatever a developer or buyers is willing to pay for them. In exchange for purchasing the TDR certificates the developer gets to build five additional homes or 10 rental units or bigger non-residential, in other words, commercial or industrial buildings on their project.

It's basically two goals of the Transfer Development Rights Program. One is to preserve land that has cultural or environmental or historic value, and to encourage and incentivize higher density developments where growth is more likely and more appropriate. So it's an exchange from the sending areas to the receiving areas and landowners receive certificates. They sell them on the open market and the buyers get to build higher density elsewhere in the County.

The criteria for what we call the sending area. The property has to have riparian habitat, endangered or threatened species habitat, archaeological sites, has to be farming, ranching, open space, scenic vistas, or areas of special character, and it's also possible for a community to identify sending areas in their overlay through their community plan process.

It doesn't mean that a landowner can't do anything ever on their property. They can make certain improvements on the property after the development rights have been severed. So for example, if the purpose of the TDR is for agriculture, they can build a barn. They can build accessory structures that support the use of the property as agriculture. Similarly, if the property is eligible as open space the owner can build a kiosk or a trail, or a trailhead that would support the use of the property for why it was created in the first place.

The criteria on the receiving side is the areas where we're trying to target higher density development is limited to a handful of zoning districts the mixed use district, planned development, the industrial general zone, industrial light, and the commercial general zone. Any of these properties in these zoning districts have to have access to community water, community sewer and a public road. Basically, the development approval process is the same with or without TDR certificates.

The process for getting approval on the sending area side: they apply, staff will do a site visit and finds the property eligible that it meets one of those criteria as a sending area. We draw up a non-binding agreement called a qualification report that the landowner and the land use administrator sign. It's non- non-binding non-committal. It basically sets out the intent of the landowner, the estimated number of TDR certificates, and other parameters of what the agreement would be looking like. And then it would go to Legal for the TDR agreement. We create – the landowner submits a sending area plat, which you saw with a Rancho Viejo application, and it would be certified by the Board. And then I issue the certificates to the landowner, and they would sell them, or keep them, or put them under their mattress, or donate them, do whatever they want. The intention is that they would sell them to developers at a market price, whatever they can get for them.

One thing about the sending area agreements is that they cannot be rescinded. This is a permanent agreement. And not all development rights must be severed. You saw in the Rancho Viejo example they retained the right to build nine more homes if they wanted to, so that's not a requirement.

On the receiving area, the process basically is a developer would submit their

development application just like they normally would depending on what their project is and what the SLDC requires. In the same process, the staff does a report. Depending on the kind of project, it goes through its required approval process. And then prior to recording their approval documents, the developer has to have purchased the TDR certificates and bring them to the County when they record all of those documents together at the Clerk. This is an error here where it says, Record sending area plat TDR agreement. That's a mistake. It's that shouldn't be there, my apologies. Just as I said, after they get their development approved, they submit all their documents to be recorded at the Clerk, and at that moment, they have to have the certificates in hand which we will redeem. And let's see, that asterisk shouldn't be there.

Affordable housing is exempt. So the developer doesn't have to buy TDR certificates if that portion of their project is for affordable housing.

Since I've been here, I've created some what I call tools to help promote the program and clarify the process and so on. There's frequently asked questions. I think there's like 47 of them. There's a lot of questions involved in the TDR program. I drafted some program guidelines. It's a document mostly for internal staff on how to interpret the code, how to apply the code, how to do the various calculations, how to determine what is eligible and what isn't, and just clarify a lot of the details that have come up in the last couple of years in exploring the TDR program itself.

I created a website called the TDR Marketplace. I'll talk about that in a few more slides. I created several documents that outline the specific process on both sides on the sending area and the receiving area on what applicants have to do to clarify the specific process that is required. With the help of the Legal Department put together essentially an application on what a landowner on the sending area side would have to submit in order to retain their water rights. And then finally I made a brochure. So all of this is hopefully making the program more accessible, more understandable, and more popular.

A summary of the market as it is right now, this is a snapshot of where we are at today. Three different landowners have voluntarily severed their development rights on five different properties. You can see them mapped out here. Four TDR certificates were sold in 2022 for \$22,000. They have not yet been redeemed for a development project. In total, there are 6.996 acres that have been permanently protected from development because of the TDR program. You can see a vast amount of those acreages from the one property. There's a supply on the marketplace right now of 337 TDR certificates and a demand of 22. So you can see there's a problem in the disconnect between the supply and the demand in the TDR marketplace.

In 2025, we hired an economist/a consultant to analyze the program, mostly on the receiving side, on the demand side, and recognizing that imbalance there. So the question was, how can we further incentivize the program and make it more attractive because without a strong demand for high density development, the TDR program just simply does not function. It relies on the purchase and the demand of the TDR certificates, otherwise there's no real incentive for landowners to sever their development rights, and it really doesn't create a viable market. And what we found was a number of things on several of the zoning districts in the receiving area the mixed use, there's a large area of mixed use north of the airport, for example, that is one of the eligible receiving sites, but there's no infrastructure there. So it's much more expensive to build, and so

there's very little incentive to buy your way into added density when the costs are already relatively high for lack of infrastructure. The Community College District, you can see it right there, and it's one of the planned developments right there south of the highway. It's a very large area. That's where most of the development has been occurring in the County, and that also, that's not eligible to receive TDR added density from the TDR program. Right there is a big disincentive, a big pitfall, if you will, in the TDR market. The commercial general zone, higher density development multi-family housing, which is one of the best ways to achieve higher density, it requires a conditional use permit, which just by itself is a disincentive, requiring public hearings and additional studies and so on. The commercial general, which is a likely candidate for receiving higher density development because of where it is, that's not eligible as a receiving area. So there's a number of things working against the TDR program on the demand side. I think helps explain the imbalance and the supply and the demand there.

There are some unclear requirements in our current code for multi-housing, multi-family housing, and it just creates another barrier, another disincentive to buy your way into added density. We want to be able to stack these incentives for affordable housing and TDRs and make sure that they're not competing with one another.

Water rights, acquiring water rights are expensive and complex, which usually comes along with higher density development. And there's no standard value of what a TDR certificate really is worth. It creates a lot of uncertainty in the market. In other words, different people have different values for what it means to build a house on their property. So depending on where you are, has a much different value to you. The value of building a house in Tesuque is much different than in Cañada de los Alamos. Different developers have different proformas and different models that they follow, and so trying to find one single uniform price is very can be very difficult. Creates a lot of uncertainty in the TDR market; we'll just go with our status quo. In other words, we won't add any more complexity or expense to our project by using TDRs.

More specifically on the, a market analysis, the consultants looked at the real estate development market and we found a number of things that a vast majority, more than 90, 95 percent of all the building permits in the County over the last many years have been majority in low density, single family residential. There just isn't a whole lot of demand for higher density development in the County.

The number one factor that determines the success of TDR programs above all else is demand, strong demand for higher density development, and we just don't quite have that. And there's a number of reasons for that. Similarly, there's been a limited amount of commercial and industrial development over the last many years. I mentioned the barriers to multifamily and higher density multifamily development really reduce the feasibility of projects. So why would a developer add more cost to their project in an uncertain market for their project?

Our consultants ran a financial model and looked at – basically their conclusion was the SLDC, as it is right now, makes high density development very inefficient. And so the higher density you try to go, your costs per unit decreased to the point that they even become negative. So it's very inefficient under current conditions with our SLDC to get higher density development, let alone buy your way into added density through the TDR program.

Bottom line is there's a very limited willingness to buy TDR certificates in the market, generally speaking. So it's designed to be an incentivized program, and the incentives aren't just strong enough right now.

We're recommending a number of improvements to the program. I'm not asking you to approve these recommendations tonight. I like if you give direction. I'll come back at a later date and give more specific details on what all of these improvements mean. A lot of them are on the SLDC side. For example, we should be able to permit multifamily by right, not require a conditional use permit in multifamily in the eligible zoning districts. Increase the base density to make it easier and more profitable, to more incentivize to have higher density. Flexing parking standards for mixed use and multifamily, basically SLDC requires so much parking, it's just not efficient to do higher density. To permit what we call a diverse housing type, what you may have heard missing middle housing, that would open up the market for a different type of housing development and make it easier for developers to build missing middle housing by right.

One thing I'm asking for your approval tonight is a recommendation on setting the development transfer charge. It's basically an in lieu of fee if the County doesn't have TDR certificates for sale. It's a fee, so a developer will know for certainty that they can get TDR certificates, and if there aren't any on the market, they can come to the County and pay a fee, so they know what number to put in their proforma. One idea is to decouple the TDR price from the development transfer charge, and I can talk about that at a later date. There's reasons for possibly doing that.

And there are a lot of other improvements that we can make in the TDR program outside of the SLDC that will help increase demand for a higher density development. One is open up the City of Santa Fe as an MOU or some other legal instrument with the City, and that's very common in jurisdictions who have TDR programs. They have an MOU or joint powers – don't know what it would be called to make the municipality participate and want to direct higher density there. And there's land that wants to be conserved in the City of Santa Fe, so that would open up the market.

Also creating a tiered system based on the conservation values. Different land may have different values for conservation. Irrigated agriculture may get two certificates per acre, something like that. A tiered system based on dwelling units, we can have right now one TDR certificate you can build five houses. Why not a TDR credit or a different type of TDR certificate that you could allow to build one house? So we can tier that a little differently to make it the market more available to different developers who may not always have the money or capacity or the land to build five extra houses. Maybe they have the capacity or the wherewithal or the interest in building just one. So why make them buy a certificate that's worth five when we can tier that the program? On that note we call it a TDR program a credit program. So if someone wants to use a TDR program and incentivize it for discussing this in further detail later to put solar panels. If someone wants to put solar panels on their roof, we give them a TDR certificate, and they can sell that TDR certificate for someone who wants to put a second ADU on their property. So we look at a very different market but the same mechanism for transferring density and getting what we want, what the County's goals are, being solar panels and more affordable housing.

Another option is leveraging funds and purchasing conservation easements, talk

about that a little bit more. And one thing that I admit I have not done a whole lot of and intend to do in full force is promote the program. I have a brochure. We had a focus group meeting. I go to meetings and talk to developers. I can get on the radio. There's a lot of things I can do and need to do to just make sure that developers, architects, engineers, real estate agents, that they actually know about the TDR program. So I think that'll go a long way.

The County has decided to participate in the TDR market. The County now owns 43 certificates. The County decided to sever the development rights on 16 pieces of open space property. We've done that with three. One is the Santa Fe River Greenway and the other two are what we call Los Potros one and two. So right now, you go and visit the Sanctuario de Chimayo and you see the landscape right behind the Sanctuario that will never be developed with anything at all whatsoever. So like I said the County now owns 43 certificates. So the question before you is what would the price be to list them and should we list them and at what price within an attempt to sell them?

So there's one item, the TDR Bank. The TDR Bank is basically a virtual bank that facilitates the selling and buying of TDR certificates. That's basically a budget line item. There's zero dollars in the budget line item. The intent of the TDR, one of the intentions of the TDR program is for the County to sever the development rights from open space, get the TDR certificates, put them in the bank, list them for sale, hopefully sell them, and the revenues that are generated go in the bank, and that's a fund for the Board to decide to go buy development rights from private owners thereby stimulating the market, establishing the market, and preserving more land. But again, without a demand for TDR certificates, they won't be sold. And so without selling them, there's no money in the bank, and if there's no money in the bank, there's really no TDR program to speak of. So we need to think about increasing the incentives of the TDR program to generate a stronger demand for higher density development, and we have lots of ways I was suggesting to do that.

The TDR bank is different than the TDR marketplace. The marketplace is a website, essentially. If you think of the New York Stock Exchange, the ticker board there, that's essentially what it is. Who's selling what on the TDR market? So the TDR marketplace, again, is a website where a buyer can go to say, Hey what's for sale? And click on the email and say, Hey, I'll give you so much money for your TDR certificates.

Our consultants and our recommendation is to set the price for a TDR certificate at \$22,000. So the primary source of that information is from those four certificates that sold three years ago for \$22,000. The comparable sales method is the most easily understood, most accessible. There are some downsides to it. Only four have sold. It's not a strong market. So for the sale of four TDR certificates in itself doesn't really make a market, but nonetheless, that's the market data that we do have as a basis for the recommendation tonight to set the price. The code also says that the list of price has to be the same as the development charge. Again, the development transfer charges like in lieu of fee, if there aren't any available for sale in the bank and then, for example, if the County didn't have any TDR certificates, you'd still have the fee. So a developer will know, Okay, if I can't find certificates anywhere, I will go to the bank and pay the fee. So it gives them some certainty, like I said, they know what number to put in their

proforma.

And we're recommending like annual updates to the price and the development transfer charge, perhaps more, more frequent if necessary. If the price is really fluctuating, we want to be able to get the greatest value for the County's certificates as we can. So we don't want to sell them at much a lower price. However, the recommendation at this point is to set the price at \$22,000, set the charge at \$22,000, and come back to the Board every year, if not more often, to adjust using some, one of the three methods, the comparable sales method, what's called the assessed value differential method. We basically look at the County Assessor's Valuation of say, there's a subdivision that has a one acre of open space that's permanently protected in a one acre lot that you can build a house to look at the difference of the two values to give us an idea of what the differential in value might be with or without a house. And then what's called the appraiser or residual land value. That's the method that the consultant used to determine that what the potential price of a TDR certificate could be and fine the bottom line, there's very little willingness to buy because of the SLDC making it pretty inefficient. There's not a lot of incentives out there to buy TDR certificates.

Again, the recommendation is to set a price for the TDR certificates at \$22,000. Again, the code requires that the development transfer charge is the same. Annual updates using those three methods, and then at a later date, come back to the Commission with more specific, more properly vetted ideas on how to improve the program, either amending the SLDC and other program improvements that I mentioned that are outside of the SLDC, which will take some time and some consideration by staff and Legal Department and conversations with the City, for example.

And then a resolution approved years ago from the Board that directs the staff to prepare the TDR bank policies and procedures, which are basically the housekeeping measures of how the County will buy and sell the certificates and who does what and so on. So that is the presentation.

I'll just reiterate. We're asking for the Board to set the price and the development transfer charge, and then to move ahead with further recommendations on how to improve the program and increase the demand for higher density development, and then also comeback later with recommendations for the TDR bank policies and procedures. I'd be happy to take your questions.

CHAIR GREENE: Great. Herbert, thank you very much. Commissioner Hughes.

COMMISSIONER HUGHES: Yeah. For one thing, could you describe what's the difference between the TDR certificate price and development transfer charge?

MR. FOSTER: Sure. The price of a TDR certificate is the price that the county would sell for one of those certificates. The County owns 43 certificates from severing the development rights from those open space properties so that the price is the value of what we would sell the certificate for. We would sell those, we would list them on the TDR marketplace for sale, no guarantee that anyone will buy them, but the idea is to list them for sale on the website at \$22,000 each.

The development transfer charge is there as an in lieu of fee. If there aren't certificates for sale, then the developer can come in and pay a fee if there are no certificates for sale.

COMMISSIONER HUGHES: Okay. So that's really not going to come into play right now because there's dozens –

MR. FOSTER: Not likely, no. There's, many many for sale.

COMMISSIONER HUGHES: It's hundreds.

MR. FOSTER: Yes, exactly. It's important to have that there. The code says it has to be the same. So let's make it the same and we'll publish that on the website. But exactly, it's not likely to come into play anytime soon.

COMMISSIONER HUGHES: Okay. And then if we do put our 43 TDRs up for sale and we do sell them, then we could use that money to buy up other TDRs. For example, from people who've only put one or two for sale, we could perhaps facilitate that by having a bank.

MR. FOSTER: That's correct.

COMMISSIONER HUGHES: That's my questions for now.

CHAIR GREENE: Okay. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you, Herbert. This was very interesting, great images. Just remind me, if a TDR is offered but never bought, can someone take it back later and then develop the property if they so choose?

MR. FOSTER: I want to make sure I understand the question. If a landowner voluntarily agrees through a TDR agreement that the Board approves to sever their development rights, that agreement cannot be rescinded. It's a permanent agreement.

COMMISSIONER JOHNSON: So a property owner's taking a risk, there's an expectation that the TDR will be bought sometime in the future. But they agree to list this on the marketplace. Once it is listed, you can't take it back. It could never sell, but that land is still preserved. So for instance, the Los Potreros spaces, right? They're County owned, but just for a hypothetical. If say that they were privately owned the person couldn't come back and say these never sold, so I'm actually going to do, housing here, or something like that.

MR. FOSTER: That's correct, they cannot do that. They can call me and say, Herbert, take them off the marketplace because I'm going to give them away.

COMMISSIONER JOHNSON: Right, but they've lost the right to develop.

MR. FOSTER: Correct.

COMMISSIONER JOHNSON: Okay. So right now there is a mechanism where the TDRs are preserving space, the financial benefit of that listing has not been realized by people who'd done so, the 300 and change that are listed.

MR. FOSTER: There were four that were sold three years ago.

COMMISSIONER JOHNSON: So one person, and those are bought and never used, which is interesting, but we don't have to get into the details of that.

So you're asking for recommendations. I'm obviously interested in hearing from my colleagues. I am presently interested in setting a price and listing them. I think that we need to stimulate this and just inject some life into the system. And I don't know the legality around this. We might even go with 20 instead of 22. I'm just spitballing, but go with 20 and 20 instead of 22, just to see what happens if we are reevaluating each year and there's a larger demand, we're going to incrementally increase that. So I'm just going to throw that out there for everyone else.

As far as adjustments to the SLDC. I won't address every single one and I'll try to be quick, but multifamily by right. I'm in favor of that, but I guess I would wonder the scale. Is that like sort of – what would be a single-family home would otherwise be a three-unit triplex or are we talking about by right at a larger scale?

MR. FOSTER: I'm sorry, I keep on forgetting the protocol, Mr. Chairman and Commissioners, both.

COMMISSIONER JOHNSON: Okay. I'm generally in favor of that. Flexing parking recommendations 100 percent in favor of that. I think missing middle by right, we don't know what missing middle is. I know you'd come back to us with these recommendations, but I think specifying that. I'm in favor of it in theory, but I would like to know. I'd like to have a stricter definition of what missing middle is. I have a kind of I know it when I see it but I don't actually know what we are talking about in terms of code.

I think if we agree – for charge we should have the ability, if there comes a time where we decide that we should not incentivize development for whatever reason to be able to retract that without onerous changes but otherwise I'm in favor of that.

I guess I would want to know more about the tiered systems. I'm interested in them. Conservation values, how does that determine? Is it something that, I don't know, something that COLTPAC recommends or is it something, how do we establish criteria for that? But I do think the type of dwelling unit, again, more detail, but I think that's probably a good way to go is my hunch.

Those are my, without taking up too much time, those are just my thoughts on it. I think this is interesting. Obviously, we've been trying to figure out this and I feel like I'm seeing the light. So congratulations. You've taken a step and I know you work really hard on this. Thank you, I appreciate it.

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

COMMISSIONER CACARI STONE: Thank you, Chair Greene. Thank you. I just want to commend you because you've been, you keep the enthusiasm going, and I think that finding something new takes time, it's proof of concept, but I also appreciate the tools that you've developed. I've made a note, your program tools, the marketplace, you've really been working hard on this, so I just want to commend you on that.

The other piece is, I'm not quite sure on pricing. Is that a 22,000, that number, is it a formula? Is it something that you came up with looking at other TDR communities and counties? How do we get at that price?

MR. FOSTER: Yeah. Thank you, Mr. Chairman and Commissioner. That price is based on the comparable sales of those four certificates that were sold for \$22,000 three years ago.

COMMISSIONER CACARI STONE: Okay. So that's what the market is paying. How do we compare to other communities and counties with pricing? Is it all over the place? There's so much variance. What's your expert insights on that?

MR. FOSTER: Thank you Mr. Chairman and Commissioner. Yes, there are hundreds of TDR programs on, around the country. Most of them, frankly, are on paper. There's maybe, I would guess, 40 or 50 that have proven the concept in their

particular market. King County is by far the most successful program of all the land that has been conserved nationwide. 40 percent of it is in King County. So one community is responsible for the vast majority. There's a number of others that are a close second. But there really isn't – there are many TDR programs in Maryland and Oregon but in King County they have Seattle. We don't. And developers can buy TDR certificates to build apartment buildings in downtown Seattle. So there really isn't a fair apples to apples comparison because of the demand and the supply and the way they've set up their programs.

COMMISSIONER CACARI STONE: So tonight we could start with where we're at and always amend as we go, correct?

MR. FOSTER: That's correct.

COMMISSIONER CACARI STONE: And the other question, and I might have missed this. If people transfer the development rights, in the way that you're proposing to amend the Sustainable Land Development Codes, does it allow for data centers to buy development rights?

MR. FOSTER: Mr. Chairman, Commissioner, it is possible that a data center developer could use TDR certificates to build a bigger building. They would have to meet all of the other current requirements of the SLDC, go through the same procedure that they would otherwise. The TDRs doesn't necessarily make it easier. They'd have to buy the certificates and still get approval from the commission with or without the certificates.

COMMISSIONER CACARI STONE: Okay. So I just want to be sure we're not setting something up. I've been looking at data centers and what's involved and this is a hot item across the country with counties. I want to be sure we don't back ourselves into promoting something that would not be in the best interest of the peoplescape/landscape of Santa Fe County. Based on your recommendations tonight, are you saying that we would have leverage to assure that we have some guardrails with what you're proposing tonight, or do we need to consider that more?

MR. FOSTER: Mr. Chairman, Commissioner, I believe the guardrails that you're discussing are already in the SLDC. Developers in the receiving areas can only buy so many certificates to get so much of a building height and so much of a lot coverage. So those guardrails are there to establish a maximum size of the building, depending on the zone.

COMMISSIONER CACARI STONE: Okay. I think I'm going to put some more thought into it because I've been having discussions with other counties in New Mexico, and we can always bring it back to the table. I don't think we need to address that tonight. Thank you.

CHAIR GREENE: Thanks, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Yes, thank you. This is good. I will have a hard time not reckoning remembering when the TDR program was proposed maybe now 30 some years ago. I don't know.

MR. FOSTER: 2001.

COMMISSIONER BUSTAMANTE: And, yeah, and it was actually in the 1900s was the first time – I'd have to look at the first La Cienega plan and when it came up and we could look at this, but maybe it was formalized in 2001. So it hasn't

moved. And I really like the ideas about working with the City and trying to get the density that way. I definitely have strong belief that preserving the agricultural capability is more critical than even a great view, and some of those are, lovely views or whatever. And when it comes down to just playing survivability whatever we can do in that regard, and I think that would come up later in your SLDC work. But I think you've done some really nice pulling together of these concepts in a way that's really understandable and where we have to go to get here from there.

Like I remember when you first started and you said, I will. And I was like, Good luck, brother. And you are. You legitimately are. I'm not sure that the TDR program is the tool for preservation of agricultural sites/locations. It may be, it may not be. It's going to have to be the will of the County and how we would be able to move forward to assure that agriculture is preserved in the County.

One thing that is very apparent to me as of about 7:30 this morning was a flyover of our Sangre de Cristos over the Pecos and over on this side, and it is unbelievable how dry things are out there. And when we talk about water use, and I'm already looking at, what kind of prohibitions have been put for more development. We've been on this wheel for a while, thinking more development's the way we're going to get all of our economic prosperity. And if we're going to soak up more water, then we can assure people in the future, density can happen within the City, but I don't know that density within the County is something that we're going to necessarily be able to do unless we can actually verify that the water will be there after a certain amount of time, and we're not there yet in that level of consideration.

So everything that you've done, they're great steps, I think that you've done some good work here, and I really appreciate that. And my only big flag was every time I saw the list of reasons for selling a TDR, farming and ranching were buried in there. And I'm like, If we don't have food, we have nothing because we're going to have water, we're going to have food, and we don't know what's, what the future holds. That's my only thought about it. I totally with the price that you've provided, makes sense, and I don't think anybody's flinched since the ones that were sold. So good work, my friend. But thank you. Yeah.

MR. FOSTER: Thank you. I want to acknowledge Brett Clavio, Alexander Ladd, the manager, Roger Prucino everyone else has put the guardrails on Herbert to guide me to this point.

COMMISSIONER BUSTAMANTE: Good, good, thank you, everybody wh0 – Brett Clavio, Alexandra Ladd, Manager Shaffer, everyone who put the guardrails for Herbert Foster. But I know Herbert Foster's a really smart guy, so I'm sure you did a lot. Thank you.

CHAIR GREENE: Thanks. Thank you, Commissioner Bustamante. To continue a little bit of what Commissioner Bustamante was saying, we've had this interest here from a bunch of us on preserving certain land more than other land, right? So agricultural land with water rights, super important, biodiverse land that has some sensitivity to that, escarpment land that's visually important in the ridges and stuff, and places that have cultural properties, but massive range land that we have lots of lots in Santa Fe County seems to be what we approved a couple weeks ago, right? That was commodity land. It's valuable. It definitely has something to it, but we suddenly created

hundreds of or dozens, I forget how many it was, but lots of TDRs.

I think we should be focusing on those priority places that I mentioned before we start making it easy for people to just do just range land.

I think really at the end of the day, before we start talking about incentives to create more, we need to really focus on incentives to, to use them. The demand side of this, not the supply side. So paying people to make more, no, sorry, not there today. Maybe we can get there, but my goal for you would be to find ways to get the SLDC or SGMP to create new receiving areas with incentives to get those that are already created into play. The four that have been sold, let's find out how to get those planned. The 300 plus that are already created, who owns them? What do they want to do with them? Are they just frustrated that nobody wants to buy them? Let's find a way to get them some condition or situation where somebody wants to buy them, right?

So that, to me, means looking at that map and looking at what could be potentially easy receiving areas, but are not receiving areas and creating new opportunities in those areas. There's plenty of them out there, so there's no excuse except there's no good place to use them, so let's create places to use them.

I do have Commissioner Bustamante's concern about water, so we have to look, at ways to make sure that we have the water tied to that. And I think that there's a way to, we've got other things to do on our SLDC and SGMP to incentivize missing middle housing. And as we looked at earlier today with the affordable housing numbers, we need a thousand one bedroom units. That's an ADU. That's 1,000 ADUs. How do we get 1,000 ADUs built that are one or two bedroom units by right and not penalized for their water and septic use, right? Everywhere in the community college district, we should be requiring ADUs or at least 25 percent of all development every unit should have an ADU built at the time of development. The costs come down, there's smaller units, maybe that's a way to give people an added kicker to buy these TDR certificates. Find a use for them before we start making a marketplace to start buying them and not have a use for them, because I think that we'd be wasting money or wasting people's good energy when there's no use for them.

Anyway, I'm interested in making this a success, but I see it as the demand side of this equation as being the most important side. You get 50 of them used and put into place, that'll start greasing the wheel for the other 250. And then we have a conversation up here going, Hey, look, they're going to, we're going to need more of these soon. What do we do to start pushing that part of the equation?

MR. FOSTER: Mr. Chairman, there are some jurisdictions where if a developer wants to build below the maximum density, they make them buy TDR certificates to compensate. So they're trying to encourage maximum density. So if they're allowed to build 25 and they'll only build 20, they have to buy five certificates.

CHAIR GREENE: So the incentive is to down zone? Do you have to buy them to downzone?

MR. FOSTER: The disincentive is to not meet the maximum density. If they don't meet the maximum density, they have to pay. How they encourage a higher density in those areas so they can get more ADUs and so on.

CHAIR GREENE: I would love to see those things discussed in this, right? Las Soleras in the City is a great example that when it was originally under the

general plan was zoned for 12 units per acre and effectively Pulte built three units an acre, right? Completely missed the opportunity to build the density that Santa Fe needs, but they saw a bunch of senior citizens that wanted second homes in Santa Fe, and they said, Let's build for that.

MR. FOSTER: Go where the market is.

CHAIR GREENE: Go where the market is. And so we need to look at our – I would put our resources into the revisions to the SGMP and the SLDC with an eye to we have this TDR program, let's build that program into solving our housing needs and our preservation needs.

MR. FOSTER: That is the hope, yes. And you nailed it, as others did, is without a strong demand for higher density development and TDRs, then the TDR program will languish continually. And I can tell you the landowners that I've been talking to who are considering severing their development rights are tapping the brakes until they can see the market develop. And that just makes perfect sense.

And so just to reiterate and summarize, on that note, to get the market going, to establish and send a signal to the market what the price may be as we're suggesting –

CHAIR GREENE: I think you're throwing money at that, right? You're asking us to throw money that we could be using for developer, right? Right?

MR. FOSTER: I'm not suggesting that you buy TDR. I'm suggesting that the recommendation tonight is to set the price and the development transfer charge and to list them and with the expectation, the hope that they would eventually get sold.

CHAIR GREENE: And have you spoken to the owners of these to know what they would take for one of these?

MR. FOSTER: Oh, I'm suggesting and maybe I'm not being clear that the recommendation tonight is for the 43 certificates that the County owns is to list them at that price, the \$22,000.

CHAIR GREENE: Okay.

MR. FOSTER: And there's no guarantee at all that the County would buy certificates in the future at that price. It's all negotiable on the open market.

CHAIR GREENE: Yeah, I guess that's okay to me. I don't know if people don't have a use for them. I do think the value of five units on one thing is unbelievably valuable, and yet nobody uses them. So there's something broken in the receiving area map.

MR. FOSTER: Correct.

CHAIR GREENE: And that would be my focus.

COMMISSIONER HUGHES: Mr. Chair, if I may.

CHAIR GREENE: Of course.

COMMISSIONER HUGHES: I asked a few questions before, but I am in favor of putting the 43 up for \$22,000 as you suggest. I don't know whether they're going to sell right away, but like I said before, hopefully we can then use the money that we make from selling them to buy others so that, the market moves along a little bit.

And also, I think you should look at all those things you saw just changing the SLDC. I particularly like the idea of looking at the City because the City may be a much more appropriate place for high density development. There are a few areas in the County, but not everywhere in the County. And there might be some mutual, mutually

beneficial program we can develop with the City.

CHAIR GREENE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. I'm very concerned that we're putting our county land out and we don't have any guardrails for data centers to come and buy those development rights. And I'd like to add a modification here to what you're proposing for the BCC to consider tonight, that we exclude the transfer of rights to data centers, to corporations that are running data centers. That's just until we can get a handle on what's happening with data centers. I think we need to put a plug on it. And everything I've researched, other counties we've talked, I've talked to, this is a big concern, and if we have water as an issue, this is a, it's a huge water guzzler. Thank you.

CHAIR GREENE: So if I can say, anytime somebody comes to us for an increase in density, why aren't we brokering a deal for our 43 rights, right? Anybody wants a variance from us? Say, By the way, you want to buy the variance. It may not be a receiving area, but it's a variance. It's good. Let's make the market.

ALEXANDRA LADD (Growth Management Director) Mr. Chair, that is something that we're trying to be creative about that, but right now, that's not what the ordinance says.

But I wanted to, if I may, just respond to the data center proposal. A data center would be considered manufacturing, so it would have to go very limited places where it could go, but it would have to go through all the normal permitting processes. And one part of that is to get a ready, willing, and able letter from our utilities folks for water, and I'm 100 percent sure they're not going to say that it's ready, willing, or able. So really, the lack of water is the biggest guardrail against data centers.

CHAIR GREENE: So I want to be careful about that because data centers are using the somewhere between 90 percent and 95 percent less water than they used to. They recycle a lot of water. The real emergent issue with that is actually solid waste, because they recycle, recycle, recycle the water. Every time they clean it, there's heavy metals that come out of it, and our solid waste plans don't actually accommodate a chunk of really nasty stuff coming out of data centers, even though they figured out the water side of it. So that's another issue in this. Yes, sir.

COMMISSIONER JOHNSON: Thank you, Chair. To respond to Commissioner Cacari Stone's suggestion I'm absolutely in favor of that. I do when I think when I think through that the data center in this hypothetical situation could just go and buy the other TDRs for a thousand less than the ones that we're selling. I think we should work on something that is a little bit more impactful, and I'm happy to do that I would be happy to do that. And so I just wanted to make, respond to that.

COMMISSIONER HUGHES: Yeah. And I know three of us all can't work on this together, but one of my constituents suggested, and it was a good idea, that we make data centers a development of countywide impact at DCI, which we've done for other things that we basically don't want here. And so we could easily add that to the SLDC, in addition to like maybe hard rock mining and fracking for oil is also data centers.

COMMISSIONER CACARI STONE: Thank you. Thank you. Commissioners and Chair Green. I'll be visiting Bernalillo County next week. If two of

us could work on it. I've done a lot of research. I spent some time with Olivia at NACo, so I want to invite one of you, maybe you guys could decide let's put something forward or maybe we would do a two-step process, so let me know.

CHAIR GREENE: Yes.

COMMISSIONER JOHNSON: In the interest of moving this on I think I need a little bit of clarification as to what we're approving or motioning towards. I see that there's a request for an approval, there's a request for a decision and a non-binding direction, which I think you probably received through this commentary. I'm happy to make a motion. Commissioner Hughes mentioned 22. I'm happy to go with that.

So I'm going to make a motion to list the County-owned transfer of development rights certificates on our marketplace at a price of \$22,000 each and set a price for the development transfer charge to be tagged to that at \$22,000. Is there something else that I need to approve? Okay. So moved.

CHAIR GREENE: Can I get some clarity on that? If we buy them, is there a trigger that says we buy them or are we basically saying that if somebody wants to sever, we would buy them for \$22,000?

COMMISSIONER JOHNSON: No, we're selling them and we're not buying more.

CHAIR GREENE: No, but the other condition of the 22,000 is if somebody was buy – there's currently a lot of them on the market. They're not actively marketed and nobody really has a solution for them, but we're talking about us potentially putting 40 something on the market. There's another 300 out there.

COMMISSIONER JOHNSON: How about this, just to anticipate what you're saying the transfer of development, the development transfer charge shall be the highest last sold TDR shall be tagged to that. Is that –

CHAIR GREENE: My concern is that I don't want to get in the market of buying them before we have a reason to start buying them.

MANAGER SHAFFER: If I could. There's nothing in front of the Board that would authorize staff to go out and buy TDRs.

CHAIR GREENE: Okay. But setting a price, theoretically –

MANAGER SHAFFER: It's two distinct issues, if I could, and I'm sorry to interject. This would establish the price as Commissioner Johnson's motion said for the County open space TDRs, they would be listed at that price.

The SLDC currently requires that the development transfer charge be the same. Again, here it's a technical issue because we have TDRs that would be for sale, so they would have to purchase our certificates before they could pay the development transfer charge. I think that's a non-issue. If in fact we did sell any of the County certificates, then there would be money in the bank for potential future purchases of TDRs. We would come back to the Board and seek direction as to what sorts of things you wanted us to try and acquire and we would negotiate potential prices. So that's a whole different discussion for another day. There is nothing here that is going to authorize us to go purchase TDRs, just to be clear.

COMMISSIONER JOHNSON: So Manager Shaffer, it sounds like I – we would not recommend a sort of second, the change that I made to my motion to tag it to the last sold highest price, because currently on the market, there's only this price. And

that's going to set that in motion and that will establish the sort of marketplace for that where people could also potentially sell them for less if they so chose and then our prices set at 22 already.

MANAGER SHAFFER: That's correct Chair and Commissioner Johnson, and also the SLDC right now requires it to be linked to the price of our certificates that are in the bank.

And so I think you are in effect, to put it in simple terms, you're establishing the highest price. So any transaction that likely is going to be made would be for less than what we're offering.

COMMISSIONER JOHNSON: Okay. Thank you, Manager Shaffer. So I'll return to my previous motion.

COMMISSIONER HUGHES: And I'll second it.

CHAIR GREENE: Great. Any further discussion? Okay. We have a motion to approve all three items in this. Please go work on the demand side of this because that seems to be ultimately what really matters. A motion from Commissioner Johnson, a second from Commissioner Hughes.

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

CHAIR GREENE: You got some TDRs to figure out or some mapping. Good luck.

MR. FOSTER: Thank you. Appreciate it.

CHAIR GREENE: Yes. Fabulous. Thank you for the presentation there a complex issue.

9. Presentations [See Page 11]

10. Matters from the County Manager

A. Miscellaneous Updates

MANAGER SHAFFER: Thank you Chair and Commissioners. First, I wanted to acknowledge the support provided by the Santa Fe County Fire Department to the City of Española in response to a large bosque fire along the Rio Grande identified as the Riverside Fire. Santa Fe County Fire Department resources were mobilized from across the northern region in both district and paid staff that responded included nine district volunteers, four regional career personnel, three administrative officers, two members of the wildland team, and one administrative support staff member. They responded with a combination of fire engines, brush trucks, water tenders, and incident rehabilitation to support the fire suppression efforts. Ultimately approximately 44 acres were burnt and four structures were lost, but fortunately there were no reported injuries. In addition to the Santa Fe County response that I just mentioned the initial attack and suppression efforts involved nearly 200 responders from multiple jurisdictions demonstrating a very strong coordinated regional response. So it just underscores the importance of interagency collaboration and mutual aid and effectively managing large scale wildfire incidents and protecting our communities.

Secondly, I did want to remind the Board that we do have scheduled for this Friday, a special meeting to consider a new joint powers agreement with the Town of Edgewood for fire and EMS services. We have been diligently working with council for the town as well as the State Department of Finance and Administration to translate the principles of agreement into a draft joint powers agreement. I think we've reached the point where there is a consensus draft for consideration by both the Town Commission as well as the Board of County Commissioners.

We posted the initial draft of the Joint Powers Agreement on the County's website last Friday. So it's been in the public domain for some time in light of the, what I consider, the final working draft being finalized, we will post an updated version on the County's website likely this evening. In addition the Town Commission has posted that draft on its own website and has called for a special meeting this Friday at 4:00 p.m. to consider and potentially take action on that joint powers agreement.

So again, we did, as we were instructed to do prioritize the negotiation of a principled agreement and then have prioritized putting that into actual joint powers agreement form so that the Town Commission and the Board of County Commissioners can consider that for action at special meetings called later this week.

And those in addition, we have budget study sessions that have now been scheduled for Thursday, May 14th, Tuesday the 19th, and Wednesday the 20th and we also scheduled a final special meeting on May 28th just in case there are final changes that need to be made. So those are my miscellaneous updates. Thank you, Chair.

CHAIR GREENE: Thank you, Manager Shaffer.

11. Matters from the County Commissioners and Other Elected Officials

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

CHAIR GREENE: Commissioner Hughes, we're starting over there.

COMMISSIONER HUGHES: All right. I'll be quick. I'm always quick. I have only happy news to report from District 5. One is we had a meeting about the paving of Encantada Road and everybody was pleased that it's happening. A few questions, but no real concerns. I thought they'd been waiting six years for this. They told me they'd been waiting 26 years from when they first heard the County say, We're going to pave it to then they're actually going to pave it.

Secondly Saturday, I had the privilege of going on a hike led by Rose Masters, our ranger in the Bobcat Crossing Ranch and had a wonderful time. She did a treasure hunt for cactus types, all of which we found and even better were they had pinon jays up there, which are very rare species. I don't know if they're endangered, but there were lots of those pinon jays we passed while we were hiking in the mountain. And of course, since it was not windy that day, we saw the view and it was beautiful unlike the first time we went up there and the wind was blowing like crazy, you couldn't see a thing. But anyway, I enjoyed the hike and that's it.

CHAIR GREENE: Thank you, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. I will also be brief. I

just wanted to make a quick note that because of something that Commissioner Cacari Stone said about prairie dogs. Commissioner Hughes and I actually have next session coming a prairie dog preservation resolution. So just look forward to that. Since this is public, we can announce that.

Commissioner Bustamante, who has stepped out and I went on the Richard Eeds Show last Friday to talk about the public power resolution. Here she is. And we were joined by Commissioner former Commissioner Paul Compos and Alicia Shaw. So I encourage everyone to check out that radio interview. I think it's on santafe.com. I believe it's the website, and that is all that I have.

CHAIR GREENE: Thank you, Commissioner Johnson, Commissioner Cacari Stone, please.

C: Thank you, Chair Greene. I just want to recognize as a person that's a Taurus recognize that County Manager Shaffer had a birthday, April 23rd, happy birthday, and to Chair Greene here, who had a birthday April 24th, and I know that Walker had his and mine will be coming up, so let's celebrate the Tauruses. Is there anyone else? I thought I'd make it light.

Yeah, look forward to the Henry Lynch Road Town Hall. On Thursday, I went up to Taos with Benavides and Olivia Padilla, and this has been a project Carencia by Design, Love of Land and People and Culture. We're trying to change it up and look for alternative building. And we met through the Northern Rio Grande Heritage Area, some scientists and builders, and they built for Pine Ridge. They've put a mock up for us, and we're exploring how to do this in the traditional village of Agua Fria, so I'm super excited we can make this happen if we can get some county land.

Also was for the first time was able to meet the indivisible group. There was about 40 women online and in person at Aldea. Phenomenal group of leaders. I just have to say they're very involved, a perfect example of civic engagement.

We had the quarterly meeting. Thank you. The Growth Management, I think it, it's really helpful, and I want to appreciate your leadership on that and all of those because it's just a lot of collaboration, things happening. I think having these quarterly meetings are really helpful.

Friday is May Day, I'll be coming out to support workers' rights and the citizenship with Marcela Diaz and Somos un Pueblo. Last Saturday was a great run with the Children's Museums. Thank you, Santa Fe County for contributing and being road runners. I took a picture of us on the sign. I think we had one or two Santa Fe County employees that were volunteers, and that will be about it. I think I'll stop there.

CHAIR GREENE: Excellent. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you. A few things. We had a test landing strip next door at Ojo Santa Fe that most of you heard about. And I'm glad we can actually laugh because it was really close to people and the pilot and the student were able to get up and walk out. I was literally sitting on my couch and we heard a big boom, which I understand was the parachute leaving the plane, like catching the plane, and then we saw the shadow thing go down. But the folks that I want to recognize Julian Gonzales III, Everett Leon and Thomas Baker, were three employees at Ojo Santa Fe who saw the plane starting to – the wind blew it over the field they were going to attempt to land in. And these three young men ran over and were the first on site and told them,

Stay in. And then helped them get out of the plane. So I want to recognize those three gentlemen for their quick response and ability to guide people to a calmer a calmer place. The worst thing that happened were a lot of people were standing around in their robes and a light fixture was broken off. That's good news.

The other big deal that I spent this morning on a flight over the Pecos and the Santa Fe watershed. And the Pecos side of the watershed where they have the mineral rights and the holdings that has now been lifted has huge threat to our watershed, even though it's on the other side of a very distinct mountain, carving into that completely impacts the opposite side where we already have a basin that the trees are dry and dead and it's sad. And that's where we get our water, but we also get it from the Rio Grande, which the Rio Grande, the San Juan-Chama gets its water from. I'm going to read this from the Rocky Mountains in Colorado, which between 1991 and 2020 is 38 percent, the 1991, 2020 average, 38 percent of it. Not 38 percent below, 38 percent of what we've been getting from 1991 to 2020 that was 54 percent below average.

The San Juan-Chama, that's where they get their water from, and then we have the Rio Grande. There wasn't much more water, as we know, off of our Sangre de Cristos and the Southern Colorado mountains. So it's really hitting home in some serious way. And we've known it, and a lot of people have been saying it, and we just keep moving on like it's not really happening. And we've had these conversations about how much of a future do we want to assure Santa Fe has water for. So I'm just putting that out there for some serious consideration, and the cleanup day, we already talked about that one. That's all I have. Thank you.

CHAIR GREENE: Thank you, Commissioner Bustamante. Out of order that I was planning on talking about, but you brought up water and some regional issues on Rio Grande water. I regularly take part in the Northern Pueblos Tributary Water Rights Association meetings, which are the meetings that are between really the four Pueblo partners of the Lamodt and Pojoaque Basin Regional Water System. They have an organizing group there, and they invite Santa Fe County and the Bureau of Reclamation to present into that. And I go to those regularly. And over the last few years we've made ourselves it appears we're more welcome. When we first started, when I first started going to these meetings, we were invited in for our presentation, 20, 30 minutes, and then asked to leave. Now we go and we are there for the duration of the meeting. They have some private time beforehand, and then they invite us in, we talk about some mutual things, and then the conversation continues. This most recent time, they invited the City of Santa Fe to talk about the Plan 2100 water program that we're partners with, but this was the first time that they had really spoken to the Pueblo members up in the north.

A concept that came up in this was really something that I think we're going to talk about more and more here, which is really the carrying capacity of our community based on water. And I hope that we start to talk about that in the terms of what do we have and what can we depend on for generations to come? And it was a powerful presentation and conversation with the Pueblo members and the City of Santa Fe and the County members all discussing this and scratching our heads and going, What is that true number that this community can carry in terms of people, development and the future?

Additionally, so the thing that was the most important on my list here, I received a

-- I went up as we've heard, this fire in the bosque in Española, it was pretty amazing how this all played out. I do want to read, sorry, I'm going to look for it, a thank you note that I received from Mayor Dennis Tim Salazar. I received this yesterday and promised I would read it here which was: Commissioner Greene, hoping you are well, sir. I wanted to follow up with you. I just want you to ensure that a huge thank you is relayed from myself on behalf of Chief Wickersham and the City of Española to the Santa Fe County Fire and Santa Fe County as a whole. You have been beyond amazing. We sincerely appreciate you all. We are a grateful city. Thank you as well, sir. You checked in with me the night of the fire and came down personally to see how you can assist. Thank you.

The look of appreciation on both the mayor and Chief Wickersham and everybody that I ran into up there was amazing. Santa Fe frequently gets chastised for making Española feel like they're the forgotten community, and we went above and beyond to show that we're standing side by side with them. As the County Manager mentioned, we were in there probably with more firefighters representing Santa Fe County than Española has, right? We were there in full force, and I appreciate the hard work of our firefighters and everybody in this conversation to make sure that Española was safe and that Santa Clara was safe and all of the communities around there. It was really amazing. If you get a chance to see how close this came to hundreds of homes, you will be shocked. Literally the flames came right up to the side of houses and the firefighters were under the portals and the front doors of these houses spraying down the area right around these houses. It literally came within feet of these houses, and we were very lucky that there were only four structures that were that were burnt. Anyway, let me finish that. Thank you very much to everybody involved. It was a big group effort. So many communities pitched a hand in there.

Also, Saturday, I went to the Pojoaque Little League opening day that was great to see the kids aspiring to be ball players. I do want to bring up a capital project for the Pojoaque ball fields and it's an issue of equity and it's an issue of safety. We've built turf on the boys' fields, but the girls' field is a bunch of gopher holes. And a young lady had broke her ankle last season. That's not fair, right? That's the girls' field. We need to make sure that we turf that field, 100 percent That's a capital project that we need to do. It's not that much money. That field needs to get done to prevent injuries and just to show a little bit of equity to our girls, right? They're playing up there in gopher holes. It's an embarrassment.

I would love to see somebody collaborate with me on a letter to in opposition to the uranium mining up in Chama. I will be preparing that in the next couple weeks and would like that to be on our agenda for two weeks from now. If anybody would like to join me on that, I would like to do it in the same way that we did for the Pecos mining, where everybody downstream will re- receive it. So everybody from here down to Brownsville, Texas, who drinks Chama River water somewhere down the Rio Grande will understand what the threat of this is. And a lot of Republicans that live in Texas that drink that water will understand that it's the Democratic communities of New Mexico that are actually looking out for them and it's a bipartisan issue. So I hope to work in collaboration with somebody on that. I'm going to leave it at that. Thank you very much, and really thank you to everybody and for contributing to help Española on this. It was a group effort.

We have two things left, and it's after 5:00 p.m. So why don't we have, invite Adeline up here to finish what she's working on, and we will get that done, and then we'll go to executive session, and then we can release everybody if we have to.

B. Other Elected Officials Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations - None were presented.

13. **Public Hearing(s) on Proposed Ordinance(s)**

A. Ordinance No. 2026-03, an Ordinance to Establish a Procedure for the Disposition or Change of Use of Real Property Under the Open Space, Trails and Parks Program.

CHAIR GREENE: Adeline, take it away.

ADELINE MURTHY: Thank you. Good evening, Commissioners. Today before you is an ordinance to establish a procedure for the disposition or change of use of real property under the Open Space Trails and Parks Program. And this ordinance is before you today for your consideration and potential adoption following a public hearing.

The purpose is to establish a transparent public process to guide decision making when a proposal of that nature is brought before the Board. And it was drafted by COLTPAC, the County Open Lands, Trails and Parks Advisory Committee in coordination with County staff. COLTPAC voted in December to recommend this ordinance to the Board.

Then we brought it before you as a presentation on March 10th to seek guidance whether this should be brought forward as an ordinance or a resolution, and Board directed staff to bring this forward as an ordinance. And then on March 31st the Board approved the publication of title and general summary for this ordinance.

Staff subsequently revised Section 4C, which pertains to the COLTPAC review portion of the ordinance based on the Board's suggestions to specify that all County initiated proposals will be reviewed by COLTPAC prior to Board consideration and that COLTPAC will transmit its recommendation to the Board for all proposals, whether or not the proposal receives a formal review by COLTPAC.

After conducting the public hearing, staff recommends that the Board adopt the proposed ordinance with or without changes, and to establish a procedure for the disposition or change of use of county-owned real estate within the Open Space Trails and Parks Program. Thank you, and I stand for any questions, or if there are any members of the public.

COMMISSIONER HUGHES: I just want to say I appreciate you bringing this forward and all the work COLTPAC did on it. It creates a very logical way we consider the disposition or change of use of property, it's open space, so thank you.

CHAIR GREENE: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you. The only thing, and it was the same question that I had when we heard this before, is any person can bring a issue to a reason. I want to see something built there, it could be anyone, and I guess

that's the only thing that just feels intangible, who would it be, what kind of criteria, but I'm guessing that, or I'm understanding, that once that proposal's made, that would be evaluated. So whoever that entity is the reasoning and all of that would be part of that factoring in of the moving forward, right?

MS. MURTHY: Yes, Commissioner Bustamante, that's correct. So the reason it's anybody, it's to align with proposals for acquisitions that can be brought forward by County staff, a COLTPAC member, a member of the public. The only thing we specify in here is that they need to declare any conflict of interests.

COMMISSIONER BUSTAMANTE: The thing that concerns me again, and I said this last time, are the folks who were on COLTPAC they really thought they were preserving something that they could assure would not be disrupted. But if someone comes in and said that, I know the County bought that, but that would be a great place for this. Then the former COLTPAC people who really thought they were preserving something, it would just all be moot, right?

MS. MURTHY: Commissioner Bustamante, potentially. However, one of the parts of the COLTPAC review is to understand the reasons for the acquisition, and we keep those files. So ideally, there'd be a historical reference to why this property was acquired.

COMMISSIONER BUSTAMANTE: Thank you. Thank you.

CHAIR GREENE: Thank you, Commissioner Bustamante. Any other pre-questions from the Commission? Seeing none, this is a public hearing. Is there anybody here or online that would like to speak about this? Please, sir, please approach.

BRYAN BIRD: Mr. Chairman, Commissioners, my name is Bryan Bird. I'm a member at-large of COLTPAC, and I appreciate all the work you do and all the consideration of the proposals that we bring before you. This one was especially interesting to work on and it, we did put a lot of deliberation into this particular proposal and the language, we went around and around on a lot of that language.

[Duly sworn, Bryan Bird, testified as follows:]

MR. BIRD: My name is Bryan Bird. My address is 1218 Escalante Street in the city and I understand that I am under oath.

I'll just – well, you heard what I said before. One of the things we did put into the proposal was that we would look, if a proposal came before COLTPAC and then eventually your body, we would consider the history of that acquisition. We would look at all of the, especially the community groups or community members that were involved in that acquisition. So we tried to ensure that there was a really good layer of due process. So anyway, thank you for considering it.

CHAIR GREENE: You're welcome. Thank you. Is there anybody else online that might want to speak? Seeing none, fabulous. Any other questions from Board members?

COMMISSIONER BUSTAMANTE: No, but I do want to commend you on the effort that you put in. Thank you.

COMMISSIONER CACARI STONE: Chair Green. I also want to thank both of you and the COLTPAC committee and all the work you've been pulling forward. Appreciate it.

CHAIR GREENE: Yes, sir.

COMMISSIONER HUGHES: I'd like to make a motion to adopt the ordinance.

CHAIR GREENE: All right. I'll second it, but I'm going to say thank you. And this is a learning body, right? And so this is really a reaction to things that have come up, call them mistakes or other things that have happened over the past. And thank you for adopting our ordinances now to address these things.

The motion passed by unanimous roll call vote as follows:

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

CHAIR GREENE: You have an ordinance. Thank you.

MS. MURTHY: Thank you.

12. Matters from the County Attorney

During the course of an open meeting, the Board of County Commissioners (BCC) may go into Executive Session at any time to discuss any item on the agenda that falls within the enumerated exceptions to the open meetings requirement of the Open Meetings Act, upon a motion stating the authority and reason for closure (with reasonable specificity) and approval by a majority vote of a BCC quorum. NMSA 1978, §10-15-1(l) While the BCC has a practice of listing on its agendas for its open meetings specific items to be discussed during for Executive Session, the Open Meeting Act does not require executive sessions be listed on the agenda at all or that executive sessions be listed on the agenda multiple times for multiple executive sessions to occur (so long as the subject to be discussed in executive session is on the agenda). If a closed meeting is called when the BCC is not in an open meeting, the BCC will provide public notice stating the specific provision of the law authorizing the closed meeting and stating with reasonable specificity the subject to be discussed

- 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) Margery Albillar v. Athena Martinez, D-101-CV-2024-01768.; (2) Margery Albillar v. Francine Salazar, D-101-CV-2026-00971; and (3) Breach of Contract Action Concerning Agreement No.**

2022-0201-CDD-KE. (Item Nos. 2 and 3 Added)

CHAIR GREENE: Okay. So we have some items from the County Attorney. And I got some bad news. I can't, we can't, let y'all go. We got stuff we got to do afterwards. Please prepare to come back in 45 minutes, you think? 35 minutes? What do you need?

ATTORNEY BOYD: Fifteen minutes. We can do it quick.

CHAIR GREENE: All right. All right. We'll try our best. County Attorney, will you walk us in?

ATTORNEY BOYD: Yes, thank you, Chair. I'm looking for a motion from the Board of County Commissioners to enter into executive session to discuss three items. First, Marjorie Albillar versus Athena Martinez D-101-CV-2024-1768. Second, Marjorie Albillar versus Francine Salazar, D-101-CV-2026-00971. And three, a breach of contract action concerning agreement number 2022-01-CDD-KE. All three of those items the discussion of those items will concern threatened or pending litigation in which Santa Fe County is or may become a participant and therefore, closed executive session discussion would be allowed under section 10.15.1 (H)(7) of the Open Meetings Act. Thank you.

COMMISSIONER BUSTAMANTE: Thank you, County Attorney Boyd. Anybody want to make that motion?

COMMISSIONER JOHNSON: So moved.

COMMISSIONER CACARI STONE: Second.

CHAIR GREENE: Okay. We got a motion from Commissioner Johnson, a second from Commissioner Cacari Stone. Roll call vote to go into executive session.

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

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

[The Commission met in executive session from 6:50 – 7:25.]

CHAIR GREENE: Yes. And we're back.

COMMISSIONER HUGHES: I move we come out of executive session.

COMMISSIONER JOHNSON: Second.

CHAIR GREENE: Stating that the only things that were meant to be discussed were discussed and no decisions were made.

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

CHAIR GREENE: County Attorney Boyd.

C. Potential Action on Item Discussed in Executive Session

ATTORNEY BOYD: Chair Greene and Commissioners. I'm hoping that one of you will make a motion to authorize the County Attorney to send a notice of default and make demand upon Bella Luz Apartments LLLC.

COMMISSIONER CACARI STONE: I make a motion.

COMMISSIONER HUGHES: Second.

CHAIR GREENE: Okay, we have a motion from Commissioner Cacari Stone a second from Commissioner Hughes.

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

CHAIR GREENE: Is there any other business we need to do?

B. Resolution No. 2026-054, a Resolution Authorizing Santa Fe County to Enter Into Settlement Agreements with Morris & Dickson Co., LLC, United Natural Foods, Inc., Louisiana Wholesale Drug Company, Inc., J M Smith Corporation, Associated Pharmacies, Inc., American Associated Pharmacies, and North Carolina Mutual Wholesale Drug Company, Inc. Currently Pending in the Northern District of Ohio, In Re: Opioid Litigation, MDL 2804, and Authorizing the County Manager to Execute on Behalf of the County All Documents Necessary or Proper to Effectuate the County's Participation in the Settlement Agreements

ATTORNEY BOYD: There is one last resolution and this was not identified for closed session discussion because we discussed it at last regular meeting.

This is a resolution authorizing the County to enter into settlement agreements with Morrison Dixon Company LLC, United Natural Foods Inc., Louisiana Wholesale Drug Company Inc., JM Smith Corporation, Associated Pharmacies Inc., American Associated Pharmacies, and North Carolina Mutual Wholesale Drug Company Inc., currently pending in the Northern District of Ohio in re opioid litigation MDL 2804.

I have before you a draft resolution which contains links to the settlement documents. I would, again, this is the latest in a series of smallish settlement agreements that the County is being asked to approve in order to receive distributions from a large common fund that has been created by the settling defendants. The County, if it approves these settlements, would receive a distribution. I don't want you to hold me to this, but the back of the envelope math that I conducted it works out to about \$28,000 - \$30,000. So it's not nothing, but it's a settlement agreement to resolve a small portion of the opioids dispute, and it would be very much helpful for the County's efforts to fight the scourge of opiate addiction.

I'm looking for and I'm happy to answer any other questions you all have, but I'm looking to get approval of this resolution that would give the County Manager authority

to sign the necessary documents so that the county can get that settlement distribution.

COMMISSIONER BUSTAMANTE: So moved.

COMMISSIONER JOHNSON: Second.

CHAIR GREENE: We have a motion from Commissioner Bustamante, a second from Commissioner Johnson. And just for the record, do we need to make a note for the record that we did not make this decision or whatever we needed to do at the last meeting? Was there something that we needed to include at that last meeting?

ATTORNEY BOYD: Commissioner Greene, I don't think so, because at the last meeting, there was you all adjourned following executive session, and there were no decisions made. So again, this was identified as a potential for discussion at the last meeting. No action was taken. We're now before you on the action item.

CHAIR GREENE: Okay. Thank you for clarifying. So once again, a motion by Commissioner Bustamante, second by Commissioner Johnson.

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

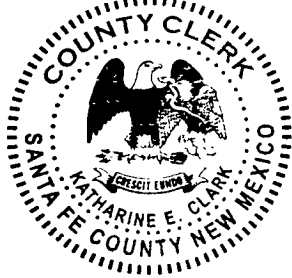
14. Informational Items/Reports - No questions

15. Concluding Business

A. Announcements – There were none.

B. Adjournment

Upon motion to adjourn by Commissioner Johnson and second by Commissioner Hughes, and with no further business to come before this body, Chair Greene declared this meeting adjourned at 7:30 p.m.



Approved by:

[Handwritten Signature]
Justin Greene, Chair
Board of County Commissioners

ATTEST TO:

[Handwritten Signature]
KATHARINE E. CLARK
SANTA FE COUNTY CLERK

Respectfully submitted:

Karen Farrell, Wordswork

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 66

Hereby Certify That This Instrument Was Filed for
Record On The 27TH Day Of May, 2026 at 02:14:09 PM
and Was Duly Recorded as Instrument # 2084337
If The Records Of Santa Fe County

deputy *[Handwritten Signature]* Witness My Hand And Seal Of Office
Katharine E. Clark
County Clerk, Santa Fe, NM

SFC CLERK RECORDED 05/27/2026