

SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR BCC MEETING

May 12, 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

SEC CLERK RECORDED 06/10/2026

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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. Birthday wishes were extended to Commissioner Cacari Stone.

B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. O'ga P'ogeh Owingeh Land Acknowledgement

F. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Greene. He 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 Tracy Baca of the County Treasurer's Office.

Chair Greene expressed condolences to the Gomez family of El Rancho. Stella Gomez, the foundation of the family, passed away a little over a week ago.

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

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G. Approval of Agenda

CHAIR GREENE: Manager Shaffer, any notes or changes to the agenda?

GREG SHAFFER (County Manager): Thank you, Chair Greene. There's no recommended changes by staff to the agenda as presented. I would note for purposes of our meeting that the initial agenda for today's meeting was posted on Tuesday, May 5th and the amended agenda was posted on Friday May 8th at approximately 2:07 p.m. which is more than 72 hours in advance of today's meeting and is required by the Open Meetings Act.

The only substantive changes between the initial and amended agenda were the addition of consent agenda item 4J, and the addition of one item to the executive session agenda item #1 under matters from the County Attorney. Thank you, Chair.

CHAIR GREENE: Thank you, County Manager Shaffer. Commissioners, any other changes that want to be put in at this point?

Commissioner Johnson moved to approve the agenda. Commissioner Bustamante seconded and the motion passed by unanimous [5-0] voice vote.

CHAIR GREENE: We have an agenda. Thank you so much.

2. Matters of Public Concern

CHAIR GREENE: I have some people in the audience, and we have some people online. We're going to start with the folks that are in the audience, if we may. Please approach the mic. You can identify yourself or not, but please address, take your three minutes to address a topic, self-organize, take your time, and thank you so much for being here.

NEIL WILLIAMS: Hi. Thanks. My name is Neil Williams, and I'm a retired civil engineer, environmental engineer, river restoration engineer and I've worked on the Santa Fe River including on the greenways project for the County as a member of a design team that did the conceptual design plan for the Section B project, which is now under construction.

My first message is what a great project. It's really important, and it ties in with real good work done by the County before and the City as well.

The reason I'm here is because I've noticed that there's a problem with the materials that the project is being built with. And, to put it bluntly, the rocks are just too small. They are, they're much smaller than have been installed on projects upstream and downstream, including the County's own project on the San Isidro River Park section immediately below this.

So I just wanted to highlight to the Commission that we had a conversation with folks from the Public Works Department about a month ago, and I asked some questions and haven't heard back from them after a couple of inquiries. But I think the questions about the size of the rocks merit contacting your consulting engineer, who I think for this is AECOM, and saying, Does this meet the specifications that you wrote for us? And or,

what's the explanation for the large distinction, discrepancy between the size of the rocks as drawn? And I provide a illustration to scale showing the plans that I had reviewed about last year sometime. [Exhibit 1] And then when I saw what was in place, it was obviously quite a bit different. So I think it would be illustrative for the county to look into that. Thanks for your attention.

CHAIR GREENE: Thank you for your attention to detail. Appreciate your work on the past and present.

MORI HENSLEY: Good afternoon, Commissioners. My name is Mori Hensley. I'm the executive director of the Santa Fe Watershed Association and a resident of District 2. I'm also here to voice my concerns about the river greenway connection between Siler and San Isidro Crossing. SFWA is one of the County's oldest partners on the greenway initiative, going back to the first section between San Isidro Crossing and Romero Park, completed in the early 2000s.

We are deeply invested in the current project being a success, both in terms of continuing the legacy of the greenway and aligning with our mission to build a thriving, resilient watershed. As the project has progressed, SFWA and other stakeholders have voiced growing concerns about the durability of the construction and compliance with stormwater pollution prevention regulations.

Over the past few months, as Neil mentioned, we have met with several county staff, experts, and community members to gather more information. Given that this is a multi-million dollar voted v- voter and taxpayer-supported project in the traditional village of Agua Fria, we respectfully urge you to seriously consider the concerns and missed opportunities highlighted today, and the potential risks associated with the construction failing in the coming years or even months given the El Nino projections.

There is a wealth of knowledge and expertise in the community ready for you and County staff to tap into. We would be glad to convene a small discussion on site if you would like. We hope the Santa Fe Watershed Association can support the project's long-term success and appreciate your time. Thank you.

CHAIR GREENE: Thank you very much. Appreciate your time as well.

ANDY OTTO: Hi, my name's Andy Otto and I live in District 1 of Santa Fe County. I worked at the Santa Fe Watershed Association for nine years and retired in 2022. I served on the board of the Friends of the Santa Fe National Forest and the steering committee of the Santa Fe River Traditional Communities Collaborative. And I'm very concerned about the lack of progress in completing the current phase of the Santa Fe River Greenway Project between Siler and San Isidro. It seems to have languished way beyond normal expectations, and this was following an inordinate amount of time to begin the construction of this particular phase.

The whole greenway project was a grand project to begin with, connecting the Santa Fe Plaza with the Santa Fe River traditional communities of Agua Fria, La Cieneguilla, La Cienega. And I always hoped that in the future, it'd possibly connect all the way down to La Bajada, which I always felt was my-- one of my favorite little villas of the river.

The river trail, a major part of this project, also gets people down to and along the river, and this is a major factor for our community's caring for our little Santa Fe River. Additionally, we seem to not have learned the lesson of the July 23, 2018 monsoonal event when we all should have learned the power of our little Rio de Santa Fe on destroying

improvements carried out in the riparian zone of the river. After that storm, a basic truth came to light. Our community really cares about the Santa Fe River and will show up to help support our home river. And it's not too late for us to assess what needs to be done based on the past and to move forward. To complete this incredible vision of our County Commissioners began some forty-plus years ago. Thank you for your time.

CHAIR GREENE: Thank you so much, and thanks for living in District 1. Mr. Baker, take it away.

MR. BAKER: Great to see you, Mr. Chair, Commissioners. As always, it's an honor to be here with you. I'm here today just to make a few points from the perspective of a local design build firm here in Santa Fe regarding the Green Water Project. In 2017 we were awarded the contract to do the Don Jose storm drain Santa Fe River grade control structures. And during that time, the engineers were local, we had an on-site supervisor from a completely different company who ensured that every single thing, every single day was being installed according to the engineers. I just want to corroborate what Neil Williams said here about the size of rock. We had to use a 90,000 pound excavator to move the rocks around and place them in the river the way that the design was meant to be.

And so after visiting the site, I'm just concerned about the first flood coming through some of these structures that have been put into the river and having a lot of this money that we've spent as a community, have to be redone.

And then as just a side point, I noticed I would like to see the County take a good look at the local preferences ideas because the engineering firm that did this work most likely was the low bidder and so was the contractor. We've bid a hundred projects within the City in Santa Fe and the County of Santa Fe, and we will very very rarely ever get those contracts because it's literally impossible for us to be the low bidder. And in Santa Fe, we have a team of people, of designers, engineers, contractors, the locals where I think we have the expertise that's a little bit different than these really big national firms, international firms.

And so with that being said, I'm just giving us a little punch into the locals' preferences and making that count a little bit more, and maybe shifting the way we think about how we award these contracts. Does it always have to be the low bidder or it can be these firms and these people that really really care about our county and what goes in?

And finally, just to do a little pitch on green stormwater infrastructure, if we could figure out a way to start using some of our funds to capture water in the upper watershed, which is very important for the health of our river, infiltrating all of the water, as you guys very well know, I think that could be a very dynamic shift to how our river handles floodwater. And I really appreciate your time, everybody. Thank you.

CHAIR GREENE: Thank you for taking time out in the middle of your day. Thank you. So we do have some folks from Public Works in the room. Hint, hint. If there's an opportunity to at least talk and trade business cards, you don't have to get the work done today. There's an opportunity to get that started here.

Anybody else in the room that would like to speak in matters from public concern? Seeing none, let's go online. Who do we got?

DAN FRESQUEZ (Media Coordinator): Mr. Chair, we have one person online. Mr. Mechels, go ahead and unmute.

CHAIR GREENE: Mr. Mechels, take it away, please.

CHRIS MECHELS: Good day, Chair and members of the Commission. My first comment I'm going to make in this three minutes is that I've done some follow-up to the last meeting on May 1st which concerned the Edgewood joint powers agreement, which has been much in the news. And what I found was, looking at that closely, that virtually everything you've been told by the County Manager and County Attorney as far as the numbers on that PSA is false. You should actually get some outside advice or look at it closely because they just have totally misled you. And I suspect in good part because the County Manager was involved with setting up that arrangement back in 2005, and it was done in total confusion, and, in part through his effort and part of the attorney at the time, Steven Ross. The actual facts which never came out was that the total cost to the date at that meeting, which would have been from the 2008 to 2023, was 5.7 million. What they certainly didn't tell you was that that was an overcharge against Edgewood of 3.8 million dollars.

You overcharged Edgewood 3.8 million dollars. This is all documented in an email that I sent to you as members of the commission. So look at it carefully. That is – the numbers are all there. You have been lied to and misled. Do something about it. You have totally messed up Edgewood just by your – just by not doing your job, which is oversight. Do not trust the County Manager on this issue.

I also suggest that you go back and undo what you just did. You foisted a terrible agreement off on Edgewood. So I'll leave it. If you at all, care at all, look at those emails. The numbers are all there. They're perfectly clear. Do something about it.

The other thing, the other issue I need to raise today is that you are in – this meeting you're holding is an open meetings violation, an open meeting violations. You're violating the Open Meetings Act virtually all the time. And especially since the first part of April, you've been manage – you've been constantly violating OMA because you've turned off the – you've turned off the displays in the ad that are required as part of your OMA at OMA, the description of your meetings. You've got to, – you need to go, at this point, and re-visit your OMA resolution because it's totally out of date, and every meeting that is being held in the county from this day forward until you modify that, is a violation of the Open Meetings Act. If you ever care about following the law, fix that OMA resolution and do it properly.

You seem not to care about the law. Please do your job. You're sworn to the law. Follow it. What can I say?

CHAIR GREENE: Thank you very much. We appreciate your keeping to the three minutes and bringing up your opinion. Okay. Anybody else online?

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

CHAIR GREENE: Thank you. One last call here in the chambers.

3. Approval of Meeting Minutes
A. Request Approval of the April 14, 2026, Board of County Commissioners Meeting Minutes.

WALKER BOYD (County Attorney): Yes, Chair Greene and Commissioners, I just wanted to remind you all that you went into executive session and adjourned directly after that executive session. So the minutes for April 14, 2026 need to

reflect that the executive session discussion consisted of only those matters identified in the agenda and that no decisions were made.

CHAIR GREENE: Thank you for reminding us of that.

Commissioner Johnson moved to approve the April 14, 2026 meeting minutes with the addition from Attorney Boyd. Commissioner Bustamante seconded and the motion passed by unanimous [5-0] voice vote.

B. Request Approval of the April 20, 2026, Board of County Commissioners Special Meeting Minutes.

Commissioner Hughes moved to approve the April 20, 2026 meeting minutes as presented. Commissioner Johnson seconded and the motion passed by unanimous [5-0] voice vote.

4. Consent Agenda (Action Items)

Commissioner Johnson moved to approve the consent agenda items A-J as presented. Commissioner Hughes seconded and the motion passed by unanimous [5-0] voice vote.

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

- A. Final Order for Case No. 25-5170. Bonanza Creek Ranch LLC, Applicant, JenkinsGavin Inc., Agent, Requested Approval of an Ordinance Amending the Zoning Map and Conceptual Plan Approval for a 297.853- Acre Parcel, Located at 4 Eliza Road (Commission District 5) SDA-1, Parcel No. 99304435, to Permit a Broader Range of Uses Than Currently Permitted. (Approved 5-0 VOTE) (Growth Management Department/Destiny Romero. Case Manager)**
- B. Resolution No. 2026-056, a Resolution Authorizing Santa Fe County to Apply for the Local Solar Access Fund Grant and Delegating Authority to the County Manager to Execute All Related Documents and Agreements and Accept Any Resulting Award from the Fund. (Community Development Department/Jacqueline Beam)**
- C. Resolution No. 2026-057, a Resolution Approving Budget Adjustments for HUD-Funded Housing Programs (HCV, Mainstream, and Capital Fund Programs). (Community Development Department/LaToya G. Ricketts and Finance Division/Yvonne S. Herrera)**
- D. Resolution No. 2026-058, A Resolution Requesting a Budget Increase to the General Fund (101) in the Amount of \$10,500 for Tire Recycling and Related Outreach Activities. (Community Development Department/Jacqueline Beam and Finance Division/Yvonne S. Herrera)**

- E. **Resolution No. 2026-059, a Resolution Requesting Project to Project Budget Transfers in the Amount of \$218,344 in Various Funds.**
(Public Works Department/Brian Snyder and Finance Division/Yvonne S. Herrera)
 - F. **Resolution No. 2026-060, a Resolution Requesting a Budget Increase to the Special Appropriations & Other Projects Fund (318) in the Amount of \$149,852 for Solar Initiatives at County Facilities.**
(Community Development Department/Jacqueline Beam and Finance Division/Yvonne S. Herrera)
 - G. **Request Approval of Agreement No. 2026-0285-ATT Between Santa Fe County and Durham, Pittard & Spalding, LLP, to Continue to Provide Legal Counsel Services for Opioid Investigation and Litigation on a Contingency Fee Basis.** (County Attorney's Office/Rachel Brown and Purchasing Division/Bill Taylor)
 - H. **Request (1) Approval of Amendment No. 2 to Agreement No. 2025-0146-PW/TS with Santa Fe Engineering Consultants, Inc., to Provide Additional Design Services for Road and Drainage Improvements on County Roads 89 and 89-C, Increasing the Compensation by \$249,700 for a Total Contract Amount of \$564,092.87, Exclusive of NM GRT, and Extending the Term of the Agreement Through December 9, 2028; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order.** (Public Works Department/Erin Feehily and Purchasing Division/Bill Taylor)
 - I. **Request (1) Approval of Amendment No. 9 to Agreement No. 2017-0196-ASD/KE with Iron Mountain Information Management, LLC to Provide Archival Services, Extending the Term for an Additional Year and Increasing Compensation by \$85,000 for a Total Contract Amount of \$684,500, Inclusive of NM GRT; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s).** (County Attorney's Office/Rachel Brown and Purchasing Division/Bill Taylor)
 - J. **Resolution No. 2026-061, a Resolution Requesting an Extension of a Cooperative Agreement with the New Mexico Department of Transportation for Project No. HW2LP50048, Los Pinos Road and Bridge Construction** (Public Works Department Ira Roybal and Finance Division/Yvonne S.Herrera (Item Added))
5. **Consideration of Commissioner Proclamations, Resolutions, Recognitions, and/or Other Items** (Action Items)
- A. **Resolution No. 2026-062, a Resolution for the Protection of Prairie Dogs in Connection with Land Development in Santa Fe County.**
(Commissioners Adam F. Johnson and Hank Hughes)

COMMISSIONER HUGHES: Yes. this was brought to my attention

because there were some issues in District 5 where a prairie dog colony was destroyed by building affordable housing. And we realized that we didn't have the same protections for prairie dogs that the City had, and so this is to bring this forward. And I think, Commissioner Johnson, maybe you mentioned some of the reasons for it.

COMMISSIONER JOHNSON: Sure. Thank you. Commissioner Hughes. Thank you. Chair. Just to, without reading the full resolution, just to note that through their foraging activities, prairie dogs contribute to the ecosystem health of our county by increasing plant diversity, supporting essential pollinators such as bees and butterflies, and helping to control invasive or noxious plants, including woody plant encroachment. We also note that they are part of the food chain and it's an important resource for animals in our area. So, I think this is a sort of no-nonsense request so that the Growth Management Department can incorporate prairie dog conservation requirements into the development of the permitting process. The City has an established process for this. It should be quite easy to adopt that. I ask for your support on this, and thank you.

CHAIR GREENE: Thank you very much. Just want to make sure you're not suggesting that it's part of your food chain.

COMMISSIONER JOHNSON: No, Chair.

CHAIR GREENE: Thank you. Just kidding.

COMMISSIONER JOHNSON: I abstain from eating prairie dogs.

CHAIR GREENE: Thank you. Just making sure. Thank you. Commissioners, anybody else? Comments supporting or not? Yes, please.

COMMISSIONER CACARI STONE: Thank you, Chair. Thank you, Commissioner Hughes and Commissioner Johnson, for bringing this forward. I really support this. And in addition to the destruction of the colonies, I want to say it's also happening in District 2. I took some pictures about two months ago for the one happening I shared with Commissioner Hughes. And I served as a volunteer for the Prairie Dog Association, where they feed them on weekends, and we have them there on Rufina, Calle Tahoe, that whole area, but all through Agua Fria. So it's going to be impacted by Henry Lynch. And I'm wondering if we can also as a next step, address the traffic because they're constantly hit. I came upon a mother that was hit, and her babies was surrounding her. It was a really tragic and desperate situation, so pulled her off. I think when we have faster traffic, cars going super fast, they're just road kill, and it's really it's not necessary.

And I want us to think and have a conversation how we can include this in our traffic impact as well, the natural environment. I don't know if we already have it, but I really want to put a plug for that. Thanks.

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

COMMISSIONER BUSTAMANTE: I appreciate as well bringing this forward. The importance of taking care of all of the animals when things are being developed and we're doing some roadwork in La Cienega, and there were a number of road runners in that particular area. So just being conscious of what already resides where they are, as well as not providing any human food to those animals that can create problems. It's good to recognize our role in the balance of the ecology. Thank you for

bringing it forward.

CHAIR GREENE: I agree. Thank you for bringing this forward. I love some prairie dogs.

COMMISSIONER HUGHES: So I move for approval of the resolution for the protection of prairie dogs in connection with land development in Santa Fe County.

COMMISSIONER JOHNSON: And I'll second.

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

B. Resolution No. 2026-063, a Resolution Expressing Support for a State Truth Commission and Affirming Santa Fe County's Commitment to Full Cooperation and Diligent Production of Records Requested in Connection with Any Authorized Investigation or Commission Review. (Commissioner Camilla Bustamante)

CHAIR GREENE: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Yes, thank you. I bring this forward over the last few weeks there was *60 Minutes Australia*, which seems to have a lot of coverage in our area with regard to this ranch. And we had Congresswoman Stansbury, Representative Andrea Romero, and President Hector Balderas interviewed by *60 Minutes Australia*, and they've really been getting into the coverage of this particular issue.

The question was posed to me of, what did the County do? And if you watch that particular, actually a number of the episodes, especially the after episode, which really said New Mexico was the perfect place for this type of thing to happen because they just barely learned what human trafficking is. And I was, I think not and thanks anyway, and it was the perfect area because it's in the middle of nowhere. And then the question was posed what role would the County have had? If it's not the Sheriff's, if there's anything we would have known, how could we have, et cetera, et cetera. But what's most important now in having discussed this with a Representative Romero and that she's absolutely grateful what, how the County has already I won't say cooperated. We cooperate for sure. But what I think is important in this, and when we agreed on, yes, let's move forward with the resolution, is assuring that anyone who thinks that this is the place where one would get away with this kind of activity is it's absolutely not, and that we would have committed and proactive efforts to assure that if anything came across, we would notify those who can do something about it, notify the officials responsible for it.

This resolution is to also, authorize the manager, if it's, Oh, we need to go get that information as soon as we possibly can, then we will. So I'm grateful for your support on this. Yes, the County has a role, and yes, we do in New Mexico care about these issues.

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

COMMISSIONER JOHNSON: Thank you, Chair. Thank you.

Commissioner Bustamante, for bringing this forward. I want to applaud the efforts of the legislature, especially the work of Representative Romero. This is the ranch that shall not be named is a sort of a product of excess wealth and powerful political connections. And I too support any efforts that the County has in helping this investigation go forward. I heartily support this. It's a horrible topic to be discussing, but one that, understanding root causes of it will help us prevent it in the future, God willing. Thank you.

CHAIR GREENE: Commissioner Hughes.

COMMISSIONER HUGHES: Yes I support this also. I did see Commissioner Romero talk about this, her commission, and I think it's very important. And somehow I hope the investigation will lead us to prevent it from happening in the future. So thank you.

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

COMMISSIONER BUSTAMANTE: Thank you, Chair Greene. Thank you, Commissioner Bustamante, for putting this forward. I think it's important we stand with our state and federal representatives. Also want to recognize in addition to Representative Romero, Representative Marianna Anaya, who co-sponsored it with her. For brave, courageous women and anybody who comes forward, any gender, walk of life, this is ya basta, this is enough. I think that we are looking towards a time where we really do expect more of our elected officials, we expect more for society. And covering up mass secrets for years and years and years of all the privacy that money can buy isn't acceptable. So thank you, and let's blow the truth off of this big secret.

CHAIR GREENE: Thank you, Commissioner Cacari Stone. For my part I do want to help in the investigation, but I also want to learn from the investigation and find ways that we can create either ordinances or resolutions internally to make sure that we do not allow this to happen on our watch at Santa Fe County.

If that is a duty to report or some sort of internal requirement where if anybody so much as suspects something like this, that it gets bumped up and that there's a requirement to report it to the district attorney, to the attorney general, whatever the right authority is for this, for all sorts of investigations like this, whether it's corruption, 'cause this could discover lots of corruption, right? We may not be in the, hopefully we weren't in any way implicit in any of these actions, but there might have been a suspicion of this, and we should be trying to make sure the transparency and that our, that we do our civic duty from the very beginning. But thank you for bringing this forward.

I'm in full support of this and even more, so we'll learn from this and possibly have some best practices moving forward.

COMMISSIONER BUSTAMANTE: Thank you, Chair Greene. I couldn't agree with you more, and I really appreciate that perspective of mandatory reporting if someone has any suspicion with any amount of evidence to just tell somebody. That's already something that we have in laws for other purposes, abuse of children, et cetera. This falls right into that category, and anyone who had any inkling, inclination of these activities, that should be enforced. So I'm grateful for you bringing that up.

So with that, I'd like to make a motion that the commission support the resolution expressing support for the State Truth Commission and affirming Santa Fe County's

commitment to full cooperation and diligent production of records.

COMMISSIONER CACARI STONE: I second it.

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

C. Request Approval of a Letter to the United States Forest Service Opposing the Proposed Uranium Exploratory Drilling in the Chama Watershed. (Commissioner Justin S. Greene)

CHAIR GREENE: So I will lead this off. This is a letter in support, or sorry, in opposition to a private industry exploratory uranium test wells, they're called, in the Chama watershed area. We drink Chama water. We should not have to drink the byproducts of this exploratory well. But in our world, this is not necessarily only about us. I would like this letter to be sent to every county commissioner between here and Brownsville, Texas, because while we're a nice all four Democrats sitting up here this is a bipartisan issue, and maybe the Democrats don't listen, aren't being listened to. So we need to reach out to our friends across the aisle, make them aware all through southern New Mexico and all through the Texas borderlands to make them understand that this is happening just north of us in Rio Arriba County, and they should be opposed to this as well. Additionally some friends of mine in the nuclear industry, as it may be, have told me that this is a completely unnecessary action. There is enough uranium in stockpiles that there's no need to go mine any more for probably decades to come.

It would be great for us to make sure that our delegation at the federal level, our senators and our representatives, also inquire with LANL and the DOE, the Department of Energy, to make sure that it is in fact unnecessary, and that becomes ammunition in their fight against this. Because my understanding is both our senators and our representative are against this, I'll leave it there and take some comments from the commission. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Chair, and thank you for bringing this forward. This type of mining and uranium in general creates a huge environmental health problem. The drilling, the boreholes, which I've heard people say we're just drilling boreholes to find out. Boreholes themselves release the radon and potentially other contaminants, especially if there is uranium, that can actually leach into the aquifer. The dust that is created from that operation goes into the air until there's something, and I'm saying if someday it were a safe way of getting our energy, then so be it. But it is not at this time, and it would be absolutely a knowing insult to continue to do this type of drilling where we have seen excess left behind and communities left to suffer with it.

So thank you for bringing that forward. I am in complete support.

CHAIR GREENE: Thank you so much, Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you for bringing it forward. I think the removal protections on our lands leads to environmental racism, especially amongst community of color in New Mexico, rural communities, lower income

communities, but also on legacy lands that our communities have had for many years. In my full-time work, I had the pleasure but also the wakefulness to go out with the lived experience of the White Shell woman in Navajo Nation and what it's caused intergenerational trauma, diseases, birth defects, not just with Navajo families, but their way of life, the lands that they can't use anymore, that's really there for them, but also on the livestock the goats. I was able to see goats with mass birth defects still. There's plenty of studies out there. There's hundreds of studies. There's scientific studies. I don't even think we need to study it anymore. We just to say, "Ya basta," another ya basta moment. Let's not do this. Let's protect it and stand with the people of Northern New Mexico.

Thank you for bringing the letter forward.

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

COMMISSIONER HUGHES: For all the reasons stated by the other Commissioners, I support this.

COMMISSIONER JOHNSON: Thank you, Chair. Yeah, I'll also be brief. I think that was eloquently said by Commissioners Bustamante and Cacari Stone. This has, as we know, as Commissioner Cacari Stone mentioned, the legacy of uranium extraction in Navajo land, and this is quite nearby the environmental racism implications of such work. In that case, as she mentioned, are intergenerational, and let's not go down that path again. This reaches downstream, as your letter rightly states, and I really appreciate you crafting it. It's well said. Thank you.

CHAIR GREENE: Thank you so much, Commissioners. With that, I'm going to make a motion to approve this letter with the addition of carbon copies sent to every county commissioner between here and Brownsville, Texas, that are adjacent to the Rio Grande and Chama River and to carbon copy our federal delegation.

COMMISSIONER BUSTAMANTE: I'll second.

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

D. Request Approval of a Proclamation Proclaiming May 2026 as "Mental Health Awareness Month." (Commissioner Lisa Cacari Stone)

COMMISSIONER CACARI STONE: I'd like to just start with just asking everyone in the room without disclosing any personal information, how many of you have been impacted by mental illness or substance abuse due to mental illness in the room? So this is a social condition that impacts all of our lives, regardless of our socioeconomic status, and I think it's really important to join 3,140 counties in the nation in having it declared Mental Health Awareness Month. But it's also a pleasure to say thank you for so many people who work tirelessly to fight, resist, and to surpass, and to make sure we heal and continue to be healthy. Oprah Winfrey always talks about that show she had, the me you cannot see. Sometimes it's a silent suffering that people live with every day. I have had been impacted in my own life, my family's life. I'm going to

ask that the Community Services Division Department please stand, everybody here. Please stand. I want to recognize your work. [Applause] Truly, what you do every day. And it was published in last week's *New Mexican* around the CONNECT's program with the City of Santa Fe. A case study from the Unite Us, the software program that hosts CONNECT, released that late April found that since 2019, this network has generated more than \$13 million in healthcare cost savings and more than \$19 million in household economic value. Now, that's impact, and a lot of it has to do with behavioral health, wellness, prevention, treatment, so you are making a difference, so thank you so much.

And based on that, I want to start by -- we have guests in the room today who will read this proclamation. I'd like to start with the three of you, and then why don't you come on up, please? You'll be reading this, so we'll just pull that mic down, and you're dividing it amongst yourselves. For the sake of the public, let's read it out loud. Narrative is important in making our words real. Mr. Fred Sandoval, Frederick Sandoval, has more than 40 years. Everybody knows Mr. Sandoval nationally, binationally, as well as locally in New Mexico. He's the chief executive officer of the National Latino Behavioral Health Association, and this year, the annual conference will feature Dolores Huerta as a speaker. And only Mr. Sandoval can take an organization and grow it that so it becomes a household name. He operates with heart. He puts on creative arts, builds scholarships for folks, but truly is dedicated to mental health, and I personally know your story that you've been personally impacted. So thank you for transforming your leadership and for all your national recognitions, including the Deputy Secretary of Health here in New Mexico.

Betty Sisneros Shover is our executive director of the National Alliance of Mental Illness in Santa Fe. But when we name NAMI, how could we ever forget El Señor Gilberto Romero? And I know many of us, we honored him and recognized him, at least naming him in his passing, and we still need to do something for him and his recognition for all he did. Betty has had several years as president. She is a NAMI trained facilitator, has personal experience, lived experience for more than 20 years ago when a family member was diagnosed with bipolar disorder and turned to NAMI for guidance and support. Again, thank you for transforming your pain to helping others so that we can prevent this and help others.

Maggie Boyle is associate director of Gerard's House. She was a former volunteer that rejoined the team in 2019. Thank you, Maggie, for coming back. Before returning to Gerald's House, she worked locally providing immigration legal services and in Seattle, Washington, as a case manager, therapist, children, teens, and adults. She's a licensed clinical social worker. Maggie's also part of delivering these services. She says people assume that it must be hard or sad to work at a grief center, but truthfully, it's refreshing and restorative to be somewhere that values caring and acceptance above all else.

We honor each of you, but everyone who suffers. But let's not make it invisible anymore. Let's talk about our suffering. Let's confide in each other, and let's come together. So please read our proclamation.

BETTY SISNEROS SHOVER: Santa Fe County proclamation proclaiming May 2026 as Mental Health Awareness Month, introduced by Commissioner Lisa Cacari Stone. Whereas, one in five adults and one in six youth in the United States

experience mental health challenges each year and many suffer in silence due to stigma, discrimination, or lack of access to appropriate care.

And whereas it is estimated that approximately 2,500 Santa Fe County adults have a serious mental illness, and data from the New Mexico Youth Risk and Resiliency Survey indicate that about one in three high school students report persistent feelings of sadness or hopelessness, and nearly one in five have seriously considered attempting suicide, highlighting a clear and growing need for accessible, age-appropriate mental health education, early intervention, and behavioral health services for youth, families, and adults across Santa Fe County.

And, whereas mental health issues affect parents, siblings, neighbors, friends, and coworkers touching every part of our community and daily lives. And whereas, trauma, systemic racism, poverty, violence, substance use, displacement, and historical injustices can have a lasting impact on an individual's mental, emotional, and physical health.

And, whereas adverse childhood experiences, ACEs, including exposure to abuse, neglect, household instability, and community violence are highly prevalent and contribute to long-term negative health, behavioral health, and socioeconomic outcomes, placing a significant and intergenerational burden on many residents of Santa Fe County.

And, whereas unaddressed trauma and adverse child experiences are strongly associated with increased risk of depression, substance use disorders, suicide, chronic disease, housing instability, and involvement with the justice system, underscoring the need for coordinated, prevention-oriented, and trauma-informed systems of care.

MAGGIE BOYLE: And, whereas addressing trauma and promoting mental health requires a whole community trauma-informed approach that includes culturally responsive practices, prevention, early intervention, peer support, and strengthening family and community resilience.

And, whereas Santa Fe County builds on community strengths and resilience by expanding access to behavioral health services for youth, families, and adults, including the purchase of the Regional Youth Behavioral Health Center, *woo-hoo*, to provide developmentally appropriate youth-centered care and the continued investment in La Sala Crisis Services and Detox Facility to support adults impacted by substance use and mental health conditions, reflecting the county's commitment to mental health awareness, early support, and a comprehensive community-based continuum of care that uplifts and empowers residents.

And, whereas Santa Fe County acknowledges the disproportionate burden of trauma and adverse childhood experiences on indigenous communities of color, LGBTQ+ individuals, veterans, and those serving in rural or underserved areas. And whereas Santa Fe County recognizes that sustainable behavioral health transformation requires alignment across local, state, and federal systems, including Medicaid, to expand access to care, strengthen service delivery, and ensure continuity of care for vulnerable pop-populations.

And, whereas the State of New Mexico's Behavioral Health Reform and Investment Act represents a historic and long-term investment in building a comprehensive, regionally coordinated behavioral health system that prioritizes prevention, treatment, recovery, and community-based support.

And, whereas Santa Fe County is committed to serving as the accountable entity for Region One in the planning and coordination of behavioral health services, working in partnership with state agencies, regional collaboratives, providers, and community-based organizations to ensure behavioral health investments are driven by local needs and community input.

FREDERICK SANDOVAL: And, whereas Santa Fe County's Behavioral Health Leadership Council, comprised of behavioral health experts and individuals with lived experience, provides critical recommendations on systems, priorities, strategies that inform the county's executive deployment of resources and regional planning efforts.

And, whereas the integration of Medicaid-funded services, local investments, and community-based initiatives is essential to building a coordinated continuum of care that addresses the behavioral health needs across the lifespan, including prevention, crisis response treatment, and long-term recovery supports.

Whereas the National Alliance on Mental Illness, NAMI Santa Fe's affiliate, and other community organizations continue to provide vital education, advocacy, and peer support services that strengthen the local behavioral health ecosystem and reduce stigma.

And, whereas Santa Fe County is committed to advancing a behavioral health system that is equitable, trauma-informed, culturally responsive, and community-centered, ensuring that all residents have access to the resources they need to help heal, thrive, and live with dignity.

And, whereas the observance of Mental Health Awareness Month provides an opportunity to elevate awareness, strengthen partnerships, and reaffirm a shared commitment to advancing behavioral health systems transformation across Santa Fe County and the region.

Now, therefore, be it resolved that we, the Board of County Commissioners of Santa Fe County, do hereby proclaim the month of May 2026 as Mental Health Awareness Month. Be it further resolved that the County Board calls upon residents, service providers, policymakers, and community partners to advance trauma-informed, prevention-focused, and culturally responsive behavioral health practices. Also, to support the effective and equitable implementation of the Behavioral Health Reform Investment Act in the State of New Mexico to address regional needs. Strengthen coordination across Medicaid, county, and community-based systems to improve access and continuity of care. The investment should be to address early intervention strategies that reduce the long-term impacts of trauma and adverse childhood experiences. And, finally, to work collectively to build a resilient, community-centered behavioral health system that promotes health Healing, equity, and wellbeing for all residents of Santa Fe County.

Thus, on this day, the County Commission will approve, adopt, and pass on the 12th day of May, 2026 this resolution that in fact is a reflection of the County Commission's mission, which is to protect the health, safety, and welfare of its residents. It is inherent in the function of county government at the micro level because it's also done at the mezzo level by the state and is done at the macro level by the federal government. In 1949, the mental health organization called the Mental Health America presently was established and they formed the first Mental Health Awareness Week in

this country, 1949. And the state of New Mexico already had established a psychiatric mental hospital in Las Vegas, New Mexico that remains on the same property in the same buildings as it did in the early and the late 1800s.

I want to mention that it was both President Barack Obama that formed the first official executive proclamation to establish this National Mental Health Awareness, but it was preceded by someone named Dwight Eisenhower. And all of us know that he was responsible for establishing the first federal recognition of something called mental health. And we must not forget that in that context that you yourselves, as the present day commissioners, represent a generation in this county over the last 31 years to address mental health issues and you get to take credit for that and to continue that tradition to enforce the policies because we depend on your leadership to do that and it's a pleasure to be present with my colleagues joining the, your team members here at the county from the County Manager to the department staff because the work that you've done in the last 31 years now puts you in the same standard as the federal government and the state agencies. You have equitable influence and power and I want to say congratulations again for making this proclamation come forward. We have lots of work to do and as my friend Gilberto Romero would say, Stay well.

CHAIR GREENE: Thank you.

MS. SHOVER: Can I just say a few words?

CHAIR GREENE: Yes, please.

MS. SHOVER: We all know about Mental Health Awareness Month and we know it's to recognize and make people aware of mental health. It's also a reminder that we need to not only be aware of it but we need to take action. And I want to thank Santa Fe County who has a deep commitment to supporting people with mental health issues. And, we're just a more compassionate and understanding county when we do that, and I thank you for all your support.

CHAIR GREENE: Thank you, Betty.

MS. BOYLE: I just want to, yeah, a big thank you to all of you to include Gerard's House. I think often grief is left off when people are thinking about mental health because it happens to everyone. But particularly when you're thinking about young people New Mexico this year is number one in childhood bereavement in the country. That means that one out of every seven children in New Mexico will lose a parent or a sibling before they turn 18. And knowing that grief support is actually so preventative when you can have your grief addressed as a young person you don't have to numb it with substance use or feeling like you have to be perfect or patterns of isolation like you're the only one who's experienced such a life-changing loss.

So just gratitude for you all to recognize, the whole continuum and spectrum of mental health in our community. Thank you.

CHAIR GREENE: Thank you so much. Commissioners. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Commissioner, and for the work that you all do on a daily basis. I have to acknowledge the work that was done by Bernalillo County once upon a time, and I worked as the state director for a grant that Bernalillo County was paying for, and that was for NAMI. NAMI is 100 percent

volunteer unless there's support, financial support. And that's when I learned of Ms. Shover here, who had worked in Colorado and all the huge difference that she had made there and was now in Santa Fe. And that being said, there is a reason why the head of NAMI is in Albuquerque or in Bernalillo County, but we don't know what it is. And I have to say no disrespect, no interest in throwing shade, but the way it worked, and I will assume maybe still working, I don't know, was nowhere close to the work that's being done in Santa Fe County. And Santa Fe County shines as an example for the entire state, sincerely, of the resources that are available through NAMI and making them available. It's family-oriented, which also brings up with our National Latino Behavioral Health and our Hispano acknowledgement in how culturally we have to treat people differently in understanding what that association means culturally and the NAMI folks that year when I got to meet our friend here had put millions at the time into Spanish-speaking programs.

So I say that because what we have is this opportunity, and I know that Ms. Shover doesn't want to see this because they said, Oh, wait, it's always volunteer. But however, wherever we can support specifically I say NAMI because of the national tools it provides will support both of the organizations represented here. But for Santa Fe County to support NAMI means a lot, and we have wonderful people there who are doing wonderful work. So thank you, thank you, thank you and thank everyone who understands the importance of this work. Thank you.

MS. SHOVER: I want to say that I stand on the shoulders, and we stand in Santa Fe on the shoulders of Fred Sandoval who is actually NAMI's Santa Fe president. He was the on the state, on the national board. He was on the state board and many years ago, how long ago? It was probably around 1998.

CHAIR GREENE: Amazing.

COMMISSIONER BUSTAMANTE: Thank you. And I have to also acknowledge your national presence. The work that you do reaches out nationally, and I couldn't say that, thank you enough to that work that you're doing. And I have to say out loud, I really appreciate that guayabera. It's beautiful.

COMMISSIONER CACARI STONE: It is.

MS. SHOVER: And the national CEO NAMI's national CEO Mr. Gillison, will be one of his speakers at his convention in September. So looking forward to that.

CHAIR GREENE: Amazing. Commissioners. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Commissioner Cacari Stone, for bringing this forward. I appreciate it. And I have, of course, personal knowledge of mental health, as we all do. And Fred, I've known you for almost all of our lives, so I really appreciate your work. And those of you I don't know, I know you do lots of work too, so I appreciate that.

And so thank you for bringing this forward. Very important. I support it. Thank you.

CHAIR GREENE: Thank you. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Thank you.

Commissioner Cacari Stone. This is very important, and I appreciate that you invited these people to speak. You all spoke so well about, about these issues. I grew up with a parent who's a psychiatrist and in the '90s when I was a kid, they called him a shrink. And it was a very different landscape back then. And it is heartening to see the transformation of social acceptance of mental health, behavioral health awareness. And so I want to commend you for your work, even in the times where it wasn't as front and center. But time and again, it's important for us to recognize the importance of increasing awareness and of actively and robustly supporting programs.

So increasing our compassion on the one hand, but also, making sure that we adequately fund and provide the structural supports for behavioral health initiatives across the spectrum. As we know, Santa Fe County has I would say made a sort of capital acknowledgement of the importance of youth behavioral health.

And Commissioner Hughes and Mr. Sandoval, I've known Maggie since we were in elementary school together. So we're just doing some cross-generational talk here. But I really appreciated what you said about grief and as a preventative measure. I think, there are so many areas to shine light on, and it's not just, addiction issues which we can see front and center. That really is to go back to Oprah that, the need that you don't see when someone is in grief and what you turn to. So I really appreciated your acknowledgement of that in this public setting. And really, your work I've met Ms. Shover and Mr. Sandoval on last year, and I really just can't say enough about how much we admire the work that you all do in this community. So I obviously heartily support this. Thank you.

CHAIR GREENE: Thank you, Commissioner. So from my point from my seat here I'm a big fan of origin stories. And when I tell my origin story, I was raised by a mother who was bipolar and lived in a house with that. And so we talk about how you're all volunteers at NAMI.

We're all volunteers when we're helping our friends and family, and it's tough. And it's you guys sit across from all these folks that are caregivers, and it is tough. It is heavy. You deal with it every day, so thank you so much because everybody needs that support. It's really amazing. So thank you.

I took part in NAMI Walks this weekend. Thank you. And thank you for doing that. That was a great awareness opportunity to bring that and to build that community because at the end of the day, you're sitting in a room with or out in a park with hundreds of people that are also those involuntary volunteers helping their family, right? Thanks to everybody that showed up, and thanks for organizing that.

And then I also, earlier in my life, was on the steering committee of the Buckaroo Ball, and for many years, Buckaroo Ball recognized that the mission of the Buckaroo Ball is to give money to organizations that help Santa Fe youth. And for many years, they did a variety of things, the arts and foods security.

But for many more recent years, they've recognized that mental health and youth behavioral health, m- mental health was one of the most important aspects of that. And thanks for having great organizations that are helping in that. Thank you. Thanks. Amazing. Commissioner.

COMMISSIONER CACARI STONE: Thank you, Chair. Thank you

again. Again. I think that you talked about the spectrum and youth and children, but on the other side of the spectrum, we have a higher incidence of dementia and Alzheimer's and depression related to that. And I think a lot of our families don't know where to go for help. So I want to thank our community services team again, because they know who you are, you know who they are, and I think together we need to create a tight-knit across the spectrum when we think about veterans of war as well.

And as Fred, Mr. Sandoval knows, my uncle had schizophrenia and was homeless for 40 years, and it'll be his anniversary of his passing this June, three years gone by. And I know we're having a homeless summit, and I want to be sure we have the lived experience because the people suffering from mental health and substance use really are the highest percent of our homeless with our housing population.

So we've got a lot of work to do. Let's keep the resources going. Thank you for leading our behavioral health regional efforts, our team here, and for adding to the proclamation. It's long, but it's necessary. There's a lot to do on that.

I make a motion that we that the Commissioners approve this proclamation.

COMMISSIONER BUSTAMANTE: Second.

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

CHAIR GREENE: Would you like to come up forward and let's take a group picture, please?

6. Appointments and Reappointments (Action Items)

A. Request Approval of Appointment of One At-Large Member to the County Open Lands, Trails and Parks Advisory Committee. (Growth Management Department/Adeline Murthy)

ADELINE MURTHY (Open Space and Trails Planning team leader): Good afternoon Commissioners. Today, the Growth Management Department requests consideration of the appointment of one at-large representative to the County Open Lands, Trails, and Parks Advisory Committee, or COLT PAC. COLT PAC is a nine-member committee that advises the board on matters related to open space, trails, and parks. They serve a three-year term subject to reappointment of one term thereafter, and members are expected to be of diverse backgrounds and bring a diversity of expertise to the committee, including in areas like conservation, restoration, cultural resources, community interests, education, trail planning, hydrology, agriculture, et cetera. And we're lucky to have quite a diverse amount of expertise on the committee.

One vacancy exists due to Dan Potter, an at-large member, successfully completing one term and deciding not to seek reappointment for a second term. Staff advertised the vacancy and received three qualified applicants from the fall. And they were John Grabowska, Sarah Schlanger, and Brad Childs. John Grabowska is a nature filmmaker, avid outdoor volunteer, and has extensive experience with planning and interpretation at the National Park Service. Sarah Schlanger is an archaeologist and land

manager with extensive experience at the Bureau of Land Management, including serving as branch chief of the resources division of the New Mexico State Office, field manager for the Taos Field Office, and associate manager for Grand Staircase-Escalante National Monument. Brad Childs is the founder and CEO of the Wilderness Institute and a seasoned professional in outdoor leadership and education.

All candidates are highly qualified and would bring different areas of expertise to the committee. Staff is recommending the appointment of Sarah Schlanger because her experience in cultural resources would fill an important gap of expertise on the committee due to the departure of Dan, who was an archaeologist. So thank you, and I stand for any questions.

CHAIR GREENE: Thank you, Adeline. Commissioner Johnson

COMMISSIONER JOHNSON: Thank you, Chair. Thank you, Ms. Murthy. We're really lucky to be able to get just highly qualified applicants for COLTPAC. Every time we ask, we get a handful of people who would all be amazing members. I want to thank – let me get his name right.

CHAIR GREENE: Potter?

COMMISSIONER JOHNSON: No, I should thank Mr. Potter, he's my neighbor. So I will thank Mr. Potter. No, I was going to, I was just checking the pronunciation. Mr. Grabowska and Mr. Childs, who I met on a hike in the Hondo Open Space, and both would be great.

I see the amazing expertise of Ms. Schlanger as well, and I just want to acknowledge that all of these candidates are very good, and I look forward to having Ms. Schlanger on the board. So thank you for your hard work as always.

MS. MURTHY: Thank you.

CHAIR GREENE: Thank you. Commissioners, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Ms. Murthy, I want to say something that's similar. I concur that it must be a very difficult moment to have to pick with such qualified people. So I too want to thank Mr. Grabowska and Childs. They're very well qualified, so good work, and I want to thank those who have applied to, to do it. Thank you.

CHAIR GREENE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you for your work, Ms. Murthy. Just reading their letters and their resumes, I'm just awed. It's wow, that was a hard choice. So I thank the other two candidates, and I hope that we can keep them engaged. They get a letter of thank you and appreciation, and that they consider the next round because we really need to keep excellent contributions in our tesoros, our treasures in Santa Fe County active with us.

CHAIR GREENE: Thank you, Commissioner Hughes.

COMMISSIONER HUGHES: I appreciate all. I read these, about these people too, and I was impressed with all the qualifications, but I trust that you chose the right person.

CHAIR GREENE: I too, I really appreciate all of the interest in this and

want to thank everybody for that. And so if we can make sure that we acknowledge and appreciate, show our appreciation. But my appreciation goes to you for weeding through that, having to help us make a hard decision and giving us a logic to it, right? So we were losing Mr. Potter, and there was a similar slightly similar expertise in there that made a gap. We would have had a gap, and we would have needed that on the board. And so I appreciate that logic. It gave us a better feeling about, a hard decision and how you came to it. So thank you so much. Please thank Mr. Potter as well.

COMMISSIONER JOHNSON: Mr. Chair.

CHAIR GREENE: Yes, please do.

COMMISSIONER JOHNSON: Chair, I would move to approve the appointment of Ms. Schlanger to the County Open Lands, Trails, and Parks Advisory Committee.

COMMISSIONER HUGHES: I second it.

CHAIR GREENE: We got a motion from Commissioner Johnson and a second from Commissioner Hughes.

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

CHAIR GREENE: Great, you've got a Board. Good luck out there.

MR. MURTHY: Thanks. I'm next up too.

7. Miscellaneous Action Items

- A. Request (1) Approval of Agreement No. 2026-0248-GM Between Santa Fe County and Design Office for a Total Contract Amount of \$421,344, Exclusive of NM GRT, for Design Services for Thornton Ranch Open Space; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s).** (Growth Management Department/Adeline Murthy and Purchasing Division/Bill Taylor)

MS. MURTHY: All right. So this item is to request approval of agreement 1016-0148-GM with Design Office in the amount of \$421,344 to complete the remaining design services for Thornton Ranch Open Space.

The original agreement with Design Office expired prior to project completion due to delays associated with federal land ownership within the project area. And the chief procurement officer, Bill Taylor, has determined that it is in the best interest of the County to retain the original design firm to ensure continuity of the project. Accordingly, the County Procurement Manager issued a sole source determination to allow Design Office to complete the remaining design services.

Thornton Ranch is a 1,900- acre open space near Galisteo and owned by Santa Fe County. In 2017, the County completed a master plan for the development of trails and recreational infrastructure on the property, and the project will include activities like hiking, biking, and equestrian trails, an accessible loop, a new trailhead, and educational exhibits. This master plan was prepared by Design Office.

The original plan included several parcels of land owned by the Bureau of Land Management. However, these parcels are no longer included in the project following a change in direction from BLM. So the schematic design which was completed under the original agreement will need to be slightly revised to avoid that BLM land.

The original agreement was procured via an RFP and awarded to Design Office. The contract amount was \$342,049, and \$71,000 was expended again to complete the schematic design phase. The new agreement follows the same scope of work as the previous agreement and will allow completion of the remaining services, including construction documents and construction administration.

The project now will be funded by the General Obligation Bond Series 2023. And you'll notice, of course, that there is a price increase between the original agreement in 2019 and today in 2026. As you can imagine, prices have gone up across the board. However, the bulk of this cost is to generate the construction documents. And a unique thing about this project is that the designer will create two separate bid packets, one for the work at the open space that will require engineering and have a more heavy-handed, if you will, approach to construction, things like the entrance road and the trailhead parking area. And then the second bid packet will be for activities that we want to be lighter on the land like the single-track trail network. And so it was determined that it'd be in the benefit of the county and the culturally sensitive nature of this land to have that split between two firms that have different areas of expertise. And then another area where there's cost, or a bulk of the cost is in additional services, much of which is triggered as needed, including coordinating with tribes and site visits as needed when constructing in culturally sensitive areas.

So thank you, and Mr. Taylor and I stand for any questions.

CHAIR GREENE: Thank you so much, Adeline. Commissioners, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Yes, I do have some questions. The one thing that just sort of struck me when I was looking at this specifically the proposals from those who are going to work on it: is the work with the tribal, with the tribal input and that we'll get feedback from them after a design has been made? And I'm going to strongly request that we're not waiting for feedback from them, but that – I see that people are willing to meet with all of the, quote-unquote, relevant agencies to ensure that all permits, et cetera, are adhered to. But I would like to hear that the tribal entities would have pre-design input so that those issues and concerns will come up early and not later in the projects.

I don't think it's we'll meet with them as necessary so much as their voice largely matters in this context, and I think it's all necessary. I don't think that – in other projects, we've seen that they will actually try hire a tribal I'll call them liaison, to work with the designer to say, Would this be a bad place to place this? Or whatever the case may be. So I want to make sure we don't do something that isn't that isn't problematic and actually starts from the input of those who actually use this land before us. I appreciate that. Thank you.

MS. MURTHY: And I can respond to that, Chair, Commissioner Bustamante. We have been consulting with many different tribal nations for several years

about this project and have received a lot of design input. The original schematic design was based on that, and the revisions will also include that input. And we will share the revised schematic design with tribal members before we move on to the construction phase.

And another thing I forgot to mention is regarding the development of single-track trails, there are some firms that we can hire who are indigenous, like the Ancestral Lands Conservation Corps, to actually build those trails and put them on the ground.

COMMISSIONER BUSTAMANTE: I'm grateful. Thank you very much.

CHAIR GREENE: Fabulous. Commissioner Cacari Stone?

COMMISSIONER CACARI STONE: I don't have any questions.

CHAIR GREENE: That's excellent. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you. Thanks, Adeline. The BLM change of direction, are there any implications from that we need to be aware of when we are moving forward with this project? It seems like the change in direction is big, but I'm not sure myself. So I don't know if there's any light that you can shed on that, but I would be interested if there were.

MS. MURTHY: Chair, Commissioner Johnson, I'm not sure if there's much I can share about that besides that, if the county were to desire at some point to build trails through BLM land, it would be a long game depending on the political will.

COMMISSIONER JOHNSON: Got it. So it's something that could happen in the future, but is not within our best interest given, administration and things like that.

MS. MURTHY: Right, and also I wouldn't want to even further delay this project to accommodate –

COMMISSIONER JOHNSON: Right. With regard to the single track or just trails in general and the sort of culturally sensitive sites, will the firm also do, I don't know what the right word is, but sort of remediation of older trails, informal trails that had encroached close to those areas? Or I'm not sure if I'm getting the language right, but I think you get what I mean, which is to avoid those areas, if the design firm has plans for that sort of work.

MS. MURTHY: So restoration is a part of the project. There aren't many trails that need to be closed, if you will. And that's already something that we're doing right now. There are some old ranch roads that staff no longer uses to help revegetate those areas, and that's already happening right now.

COMMISSIONER JOHNSON: Okay. Thank you for your work.

CHAIR GREENE: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Yeah. Thank you for working on this and bringing it forward. And I was just wondering when the trails are going to be open, when you're going to complete the plans and the construction, 'cause I want to go for a hike. I really enjoyed it when we visited it a couple years ago with the tribal members, and I'm just anxious to, oh, see it when it'll be open.

MS. MURTHY: Great. Yeah. Chair, Commissioner Hughes, the timeline that Design Office has proposed is about 12 months to complete the design and the

construction documents. So after that, we can start procurement for construction. So I'd say in two to three years or so.

COMMISSIONER HUGHES: Okay. Great. Thank you.

CHAIR GREENE: Fabulous. That was one of my questions, but my next question is money to build those trails. Do we have a ballpark of what we need to be raising? Do we have the money already set aside?

MS. MURTHY: Yes. The money has been secured primarily through bond funding.

CHAIR GREENE: Fabulous. Okay. And in the previous round of this contract or previous contract, did we spend all the money and ran out of money, or we just ran out of time, and so it's a little bit of we have money, but we just need to procure again?

MS. MURTHY: Right, we ran out of time, so the funds are still available.

CHAIR GREENE: And this is the same amount available?

MS. MURTHY: It's about double.

CHAIR GREENE: Double and that was the inflation aspect you brought up. Just to make sure. Okay, fabulous. Commissioners, what's the will of the body?

COMMISSIONER JOHNSON: Chair?

CHAIR GREENE: Yes, please.

COMMISSIONER JOHNSON: I'd like to move for approval of agreement number 2026-0248 GM between Santa Fe County and Design Office.

COMMISSIONER BUSTAMANTE: Second.

COMMISSIONER JOHNSON: And delegate authority to the county manager to sign purchase orders.

COMMISSIONER BUSTAMANTE: Second.

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

CHAIR GREENE: You have a contract. Good luck out there. I don't know if we'll see you again.

MS. MURTHY: I don't know – I think I'll be at the next meeting.

CHAIR GREENE: Good luck out there.

B. Request Approval of Agreement No. 2026-0159-CMO with HDR Engineering, Inc. to Conduct a Utility Feasibility Study for a Contract Amount of \$148,718, Exclusive of NM GRT. (County Manager's Office/Leandro Cordova and Purchasing Division/Bill Taylor)

CHAIR GREENE: Leandro and Bill, please.

LEADRO CASTRO (Deputy County Manager): Good afternoon, Chair, Commissioners. So as you all know, the County Manager's Office requests approval of agreement number 2026-0159-CMO with HDR Engineering Inc. to conduct a utility

feasibility study evaluating the creation and implementation of a county-owned public utility, electric utility. We followed NMSA 1978, Section 13-1-112 and Santa Fe County purchasing regulations when we did this request for proposal. The County did receive six proposals. HDR Engineering, Baker Tilly Advisory Group, David Riechers Associates, Island Power LLP, New Gen Strategies and Solutions LLC, and Siemens Energy.

Our committee shortlisted HDR Engineering Inc. and Baker Tilly Advisory Group LL- LP and we're able to have a follow-up oral presentations with the two. After ranking and scoring the oral presentations the committee recommends award of the contract to HDR Engineering as the most responsive and qualified offeror.

The Commission most likely knows the background of why we went out to procurement based on the direction and the scope of work provided by the Board. And in evaluating the qualifications of the potential contractors for the feasibility study, the county team gave weight to vendors who, A, have experience working with local, rural and tribal governments on sustainable utility development and B, demonstrated understanding of the unique context in New Mexico and the Southwest United States.

The feasibility study is expected to be completed within approximately, definitely within the one year of the adoption of the resolution. The contractor's proposal and schedules are attached and basically is a 90-day schedule from our contract signing. And so if we if they're able to get started here at the end of May '26, our anticipated completion will be August of 2026.

The Finance Division is also, or actually I will be on behalf of the Finance Division presenting the budget adjustment request as our next item.

And at this time, I would recommend approval of the agreement with HDR Engineering Inc. in the amount of \$148,718 exclusive of NMGR to conduct a feasibility study evaluating a county-owned public electric utility and delegate authority to the County Manager to sign the purchase order.

And I stand for any questions, and Mr. Taylor will answer any procurement questions if there are any.

CHAIR GREENE: Thank you, Mr. Cordova. Commissioners, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. And thank you, Bill and Leandro, for working on this. I know that it, it's a big lift and to go through, a number of proposals to find time to meet with these folks.

I did look over the evaluations of the two firms that you ended up hearing oral presentations from. I guess I sort of wonder what that process looks like out of curiosity and, what you found most interesting about or most promising about HDR if you can share that information.

MR. CORDOVA: I'll let Mr. Taylor talk a little bit about the process, and then I'm happy to share my thoughts.

BILL TAYLOR: Chair Greene and Commissioner Johnson we did provide the committee report based on that. There are comments in the notes in the folder that different evaluating committee members made and why they felt that HDR superseded to the others or had more strengths than weaknesses.

Leandro was also on that committee, and so he's welcome to share those. I did not sit in on that committee. My buyers sat in on that I can't specifically answer exactly what those were to that point. But Leandro is welcome to add any comments that he had as a member of the committee.

COMMISSIONER JOHNSON: Thank you, Bill.

MR. CORDOVA: Mr. Chair. Commissioner Johnson, I think, that the first round, as we evaluated the first six, our focus was on first, number one, abilities to be able to look at the scope as provided. It was a pretty broad scope. There was a lot within the scope that we were hoping that to achieve. Based on that, we narrowed it down to the two, I believe, and this is mostly all my opinion 'cause I don't want to speak for the rest of the group was the fact that, one, they had the abilities, and two, they had more of a local presence, and they had experience, as mentioned earlier, with either rural tribal, or New Mexico-specific projects.

The benefit of having the second round of oral presentations was the committee as a whole was able to put together some additional questions, follow-up questions as a committee which were delivered to each of the two, and they were able to provide us their oral presentation based on those questions.

At the end of the oral presentations, we had some more really good discussion talking about why we leaned toward HDR. And from my opinion, directly, it was really about their expertise, their local presence. And for me, one thing I totally took away was they were very clear they were agnostic to the results, which I believe was something that was important to the Board because you wanted to see all options with someone that didn't really have an opinion one way or the other.

So knowing that they were going to do their best work without really any care of what the result looked like was a big reason why I felt they were the appropriate firm.

COMMISSIONER JOHNSON: Thank you, Leandro. That's helpful. And actually building on that, yeah, and I'll avoid the soapbox as much as possible. But it is absolutely correct that we want someone to approach this agnostically with an open mind about multiple ranges for the future of an electrical utility in Santa Fe, New Mexico. There's a lot of news about, acquisition of electric companies by private equity firms, something that I am very skeptical of. And yet we have a, a strong regional provider, PNM, that has been around for a long time. So clearly, we, the future of energy in northern New Mexico and in Santa Fe County is in flux.

The point of the resolution that Commissioner Bustamante and I brought forward was to study the range of options. And so I really appreciate the work that you've done in, and stating outright that the provider, understands that what we would like to see from at the BCC is, a number of different possible futures. Because ten years from now, if we look back and, we're bound by a single out-of-state energy provider we'll regret not knowing what our options were back then.

So I want to thank you for your work. I encourage and ask for the support of my fellow Commissioners on this and I'll yield, Chair, thank you.

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

COMMISSIONER BUSTAMANTE: Yes, thank you. The other question

that I had is how much work they will do with the city, residents within the city. Was that acknowledged? Because it's tribal, other governments, but also urban.

MR. CORDOVA: Mr. Chair, Commissioner Bustamante, there is a component of public outreach to be able to get an understanding of what the desire is of the community to a certain point. I believe they indicated, though, that the really detailed crossing over would be based on the decisions made from the Board after the 90 days. What they're doing is trying to understand the will of the community while putting together the options for the Board to say, Hey, we want you to go this way, or, We want you to go that way. But there is definitely a communication component of it, but the very detailed aspect would come based on a decision after the 90-day study.

COMMISSIONER BUSTAMANTE: I appreciate that, Leandro. I'm just concerned that during that 90-day study, integrating any portion of the City's involvement role, potential role, whatever that case may be, could be part of that 90-day evaluative period. Appreciate it. Thanks.

MR. CORDOVA: Madam Commissioner Bustamante, we'll definitely express that to the vendor, as well as what they indicated was they would be doing a lot of research on the technical work done in the past by all of the partners, so we'll definitely make sure that they look at what the City has done in the past, any studies they've done, and then use that as maybe a way to further extend their communications.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. Thank you, Mr. Cordova, Mr. Taylor. Just so I'm clear, I'm looking at the resolution 2025-124 that we approved. This is the 148k is for the first phase, but we're looking at additional resources for phase two. Is that correct?

MR. CORDOVA: Mr. Chair, Commissioner Cacari Stone, yes. That amount will get us through the 90-day timeline that was attached, and a work product that will be presented to the Board to be able to allow you to make decisions for further allocations in that.

COMMISSIONER CACARI STONE: Okay. So this new RFP would have to go out for the second phase, or we're considering this contractor for both phases? Just so I understand.

MR. TAYLOR: Chair Greene and Commissioner Stone, it's too early to make that determination of how we would procure that specific procurement method, but yes an RFP would most likely be needed to go out And actually go into phase two of the process.

COMMISSIONER CACARI STONE: Okay. So thank you so much. So we'll get the deliverables for the 148k for the phase one listed in the resolution, and then there'll be a presentation, and part of that is community engagement at each phase stage. Is that correct?

MR. TAYLOR: I believe so, yes. That is correct.

COMMISSIONER CACARI STONE: Because I concur with Commissioner Bustamante that I want to be sure that there's community engagement in

both phases, not just outreach or information, but actual engagement.

MR. CORDOVA: Mr. Chair, Commissioners, another selling point to me was that their communications team was grounded and oriented in Albuquerque. The individual that they highlighted in their leadership role for the communications is someone who's very involved in New Mexico at one time were a newscaster. They've been employed at New Mexico DOT doing communication work and have worked with a lot of engineering firms. So I felt that was another advantage, that they definitely know New Mexico, they know the community, and they know who to go talk to in certain areas and for certain reasons. So I hope that does translate to what we're looking for.

COMMISSIONER CACARI STONE: Okay, great. Thank you. I guess I differentiate people with the portfolio and communications, which is information, with the portfolio of community engagement, like how to go about the processes, the tools, setting up that. I just want to... I trust both of you, but I want to be sure that we're not just giving one-way information, where community engagement is bi-directional and communications portfolio can be one way. So I'm just emphasizing that 'cause I had added that piece, and I think it's really important. Thank you.

CHAIR GREENE: Great. Thank you, Commissioner Cacari Stone, Commissioner Hughes?

COMMISSIONER HUGHES: I don't have any questions.

CHAIR GREENE: Thank you very much. All right. Yeah, I think you asked all the questions that I needed to hear about, so thank you very much. Commissioner Johnson, this is your baby.

COMMISSIONER JOHNSON: With that I'd like to request approval for agreement number 2026-0159-CMO with HDR Engineering to conduct a utility feasibility study for a contract amount of \$148,718.

COMMISSIONER BUSTAMANTE: Second.

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

- C. Resolution No. 2026-064, a Resolution Requesting a Budget Increase to the General Fund in the Amount of \$165,000 for a Public Utility Feasibility Study.** (County Manager's Office/Leandro Cordova and Finance Division/Yvonne S. Herrera)

MR. CORDOVA: Mr. Chair, moving on to the next item. Yes, this is the request for a resolution a budget adjustment resolution in the amount of \$165,000. Obviously, that's more than the contract amount, but as was mentioned, the contract is exclusive of NMGRIT, and we wanted to make sure we had just a little bit of wiggle room in there for any potential issues that might pop up. Just to let the Board know that the amount of the money is coming from, or is being proposed to come from the un-committed, unassigned funding balance in the general fund.

And based on your approval of the last item, I would definitely recommend approval of the vote for it. But I stand for any questions.

CHAIR GREENE: Commissioners, any – yes, sir.

COMMISSIONER HUGHES: I move for approval.

COMMISSIONER BUSTAMANTE: Second.

CHAIR GREENE: Easy. So right on. Motion from Commissioner Hughes, second from Commissioner Bustamante.

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

[The Commission recessed from 3:44 to 4:02]

D. Resolution No. 2026-065, a Resolution Requesting a Budget Increase to the General Fund (101) in the Amount of \$4,164,000 for EV Charging Infrastructure. (Community Development Department/Jacqueline Beam and Finance Division/Yvonne S. Herrera)

CHAIR GREENE: Jacqueline Beam and Yvonne. Thank you very much.

YVONNE HERRERA (Finance Director): Mr. Chair, Commissioners, the budget resolution in front of you is to budget a grant that the County received from the county received from the Department of Transportation as well as funding from some non-federal matching funds from New Mexico DOT. It's related to the EV charging infrastructure, and with that, I'm going to let Jacqueline come and talk about the actual project that this money is going to fund.

CHAIR GREENE: Thank you. Come on up, Jacqueline.

JACQUELINE BEAM: Mr. Chair, Commissioners, Jacqueline Beam with Sustainability Division with the Community Development Department. Santa Fe County was awarded this grant for \$4,164,000 in '22, I believe, or '23. Anyway, it was something that our memory's probably lost since then. And we went through a long process with the federal administration changing hands, going through our NEPA process and at a point in time did not even know if we were going to be able to continue with this project. However, we have been given the go-ahead and ironically, it's falling in line with the EV transition plan as well and the completion of that. So good timing, at least from our perspective. And we have until '29 to complete this project, December 31, '29.

And in your packet, you have all of the EV sites and the original resolution as well the agreements from the CFI grants and then the NMDOT. And with that, I stand for any other questions.

CHAIR GREENE: Thank you very much. Commissioners? No. I just want to thank you for the perseverance in this. This was something that we worked on oh so ago and, the first round we missed the opportunity, the second round we got in, and the third round didn't exist. So this is a lesson in timing and opportunity. And I recommend that all of my fellow Commissioners and the County, when there's a grant opportunity, don't think you're going to get another chance. Go for it when you have the chance.

I'll make the motion because I was super excited about this. So I will make a motion on a resolution requesting a budget increase to general fund 101 to the amount of

4,164,000 for EV charging infrastructure. And to make a note that this is zero cost to Santa Fe County. 80 percent was federal and 20 percent was State of New Mexico. So we went and did this zero cost to Santa Fe County.

COMMISSIONER JOHNSON: Second.

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

CHAIR GREENE: Any opposed? Hearing none, let's go plug in. I'm proud of that one.

- E. Request (1) Approval of Agreement No. 2026-0354-PW/DK Between Santa Fe County and GM Emulsion, LLC in the Amount of \$1,346,327.88, Exclusive of NM GRT, to Provide Construction Services for Road Improvements to Bonanza Creek Road and Gold Mine Road; and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s).** (Public Works Department/Ira G. Roybal and Purchasing Division/Bill Taylor)

CHAIR GREENE: Ira, you're doing everything these days. Thank you.

IRA ROYBAL (Public Works): Thank you. Good afternoon, Mr. Chair, members of the Board. The Infrastructure Maintenance Program, also referred to as the IMP, was designed to help road maintenance section deliver several large roadway improvement projects throughout the county each year with the focus preserving existing infrastructure and extending roadway life before more extensive reconstruction becomes necessary.

Several years ago, Public Works Department completed a pavement condition assessment of all county roads. The assessment allows the County to objectively evaluate roadway conditions and prioritize maintenance needs based on pavement condition scores. Bonanza Creek received an average pavement condition index of 44, and Gold Mine received a average PSI score of 54. For reference, the department's goal is to maintain paved roads at a PSI score of 70 or above whenever feasible.

The proposed improvements include: roadway surface preparation, two-layer chip seal application, restriping, pavement marking replacement, rumble strip restoration, traffic control, and associated cleanup activities.

In March 2026, the procurement division issued a request for quote under a state price agreement to several contractors. The County received one responsive quote from GM Emulsion LLC. Funding for this pro- funding for this project is through the roads operations fund. Today, I'm requesting approval of the agreement number 2026-0354 PWDK with GM Emulsion LLC in the amount of \$1,346,327.88 exclusive of NMGR T for the roadway improvements on Bonanza Creek Road and Gold Mine Road under the infrastructure maintenance program and delegate the authority to the county manager to sign the associated purchase orders. With that, I stand for questions.

CHAIR GREENE: Thank you, Ira. Commissioners, anything about this? This is a District 3 project. Oh, it's a 5. Excellent.

COMMISSIONER HUGHES: I move for approval.

CHAIR GREENE: Excellent.

COMMISSIONER BUSTAMANTE: I'll second it as the neighbor in two.

CHAIR GREENE: Okay. Good neighbors. Excellent. We got a motion from Commissioner Hughes and second from Commissioner Bustamante.

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

CHAIR GREENE: Go pave, thank you.

F. Resolution No. 2026-066, a Resolution Adopting the Strategic Plan for Santa Fe County by Repealing and Replacing Exhibit A to Resolution No. 2024-175. (County Manager's Office/Stephanie Stancil)

CHAIR GREENE: Yes, Stephanie, you're up.

STEPHANIE STANCIL: Chair, Commissioners, good afternoon. I'm before you today seeking your approval of the Santa Fe County strategic plan for Fiscal Year 2027.

As I'm sure you remember, we all met for the annual strategic planning summit in November. Prior to and following the summit, both the Board and staff submitted recommendations to inform the development of the strategic plan. I came before you in December and presented a draft strategic plan, and following that presentation, each of you were kind enough to make time to meet with me and review the strategic plan in detail. It is attached as an exhibit to this resolution, and I respectfully request your approval of the Santa Fe County strategic plan for Fiscal Year 2027. Following your approval, it'll be configured in our strategic plan dashboard and available for you, as well as the staff and the public to review and monitor its progress. I'm happy to stand for any questions.

CHAIR GREENE: Thank you, Stephanie. Commissioners? I have one question just because I always do. Part of our collaborative effort and in especially when we do things with other jurisdictions or other levels of government, was there any -- I know we talk about it a lot, but I just want to know if it's in here. Was there a strategic initiative to work with our legislative delegations to work on not only capital improvement planning, but also legislative priorities in a more collaborative way?

MS. STANCIL: Chair, thank you for the question. I candidly do not have all 86 strategies memorized. Certainly I know we have an objective around intergovernmental collaboration that may touch on the legislative ask. I am not sure --

CHAIR GREENE: -- how that is interpreted? Yes, but if you feel that sort of aligns. I know that a lot what we do here sometimes applies at the state level, right? And so making sure that we have whether it's the interim committees that are going to start up right now or during the legislative session, I think we miss a lot of

opportunities in collaboration with our with our delegation and beyond.

MS. STANCIL: I'm happy to take that as a note.

CHAIR GREENE: Thank you. Yes.

COMMISSIONER JOHNSON: Just on that, I wanted to point to strategy 2.2.2 evaluate funding opportunities as to support strategies through federal, state, and other partners on climate programs, and to submit a minimum of two grant applications that are consistent with the objectives of Santa Fe County. That's what I found that specifically calls out the state in this just through a brief search. I agree with Ms. Stancil that intergovernmental collaboration is par for the course as, and it is called out in the strategic plan. And as we know, when we look at ICIP and other things like that we're doing that. Is that headed toward what you're looking for?

CHAIR GREENE: Yeah, I think a lot of it is ICIP because that's bricks and mortar, but also when we have public policy issues that might be important to us. But as long as we're aligned with this, and it may not be as explicit and it might be more broad-based, I'm down with it.

All right. What is the pleasure of the Board? Oh, yes, please

COMMISSIONER CACARI STONE: Thanks, Chair. Ms. Stancil, I just want to appreciate. I'm glad you're here, and we're going to approve it tonight. I'm sure. It's a long road, and you put a lot of work into it, and I appreciate we met almost a good two hours, and you put a lot more equity provisions in there. I still – my favorite is that Excel where I could see side by side, but I just want to acknowledge your efforts. And I think next year will even be more fluid and less challenges because a lot of moving parts. It'll be your second round, but you did a tremendous job. Thank you.

CHAIR GREENE: Yes, sir.

COMMISSIONER JOHNSON: Thank you, Chair. And I want to echo Commissioner Cacari Stone's appreciation. I gave some pretty detailed red line commentary, and I am pleased to see it adopted. So a Herculean effort, well done. Thank you.

CHAIR GREENE: Yes, indeed. Commissioner.

COMMISSIONER BUSTAMANTE: I echo all that was said, so I'd like to make a motion to approve the strategic plan as we've developed it and as you've developed it, and with everyone's input.

Thank you.

COMMISSIONER HUGHES: And I'll second that in appreciation of all your work also.

CHAIR GREENE: Great job. Any further discussion? Hearing none, we have a motion from Commissioner Bustamante, a second from Commissioner Hughes.

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

CHAIR GREENE: Congratulations. Yes. Herculean. You did it.

MS. STANCIL: Thank you.

CHAIR GREENE: Now start over, or start again. It's next revisions. Thanks. It's a living document. No, it's great. Great job.

G. Request (1) Approval of the Region One Behavioral Health Plan and (2) Delegation of Authority to the County Manager to Execute All Associated Agreements and Amendments. (Community Services Department/Anne Ryan)

ANNE RYAN: Chair, Commissioners, thanks so much. Anne Ryan, on behalf of the Community Services Department and Chair, as you just shared, I'm here requesting a motion for approval of the Region 1 Behavioral Health Plan, and also delegation of authority to the county manager to execute all associated agreements and amendments.

Before we jump into the slide deck, I'd like to preface the presentation with two points. The first is a reminder that we are at the effect of this legislation. The state is the designer and the driver of which we are at the effect. The second point that I'd like to really underscore is that the plan before you, our region views as a point in time measure that we expect to change over time. It is not considered static but dynamic, and it ultimately serves as our initial roadmap for the next three fiscal years, FY 27, 28 and 29.

So thank you for your time in advance. I recognize this is dense material. I will try to be as concise as possible in going over these particular points. Reminders and updates: We're going to briefly talk about some challenges and strengths. We'll give an overview of the plan itself, a full copy of which is posted for the public. A note about the early access funding that some might recall from the fall, and finally, ways to stay engaged in FY 27.

So starting with reminders and updates, and I recognize that the Board of County Commissioners is very familiar with this material, and forgive me, you know, frankly, is for members of the public who are not as familiar because this has been fast-moving legislation with a lot of moving parts. So how did this start? This started during the 2025 legislative session under Senate Bills 1 and Senate Bills 3. And Senate Bill 1 has two prongs. The first establishes a behavioral health trust fund with a targeted \$1 billion investment, and the second prong establishes a program fund that is subject to appropriation but may be used for things, obviously, such as services in addition to infrastructure, workforce development, along with the implementation of regional behavioral health plans throughout the state.

Senate Bill 3, on the other hand, is referred to as BHRIA, which stands for the Behavioral Health reform and Investment Act. And it establishes a state executive committee aimed to designate regions, to coordinate efforts, and ultimately serve under the auspices of the Healthcare Authority that will be the compliance monitors and forgive me, cattle prodders in a certain way as we move forward. They are the first to admit to their credit that this is a work in progress. They too expect it to change, and they've been very appreciative of the regions who've been participating.

Next to updates. So a state executive committee has been established, and it's comprised of seven members, four of whom are state agents represented by three at the

Health Care Authority, one at the Administrative Office of the Courts. The remaining three are subject matter experts who are citizens, one of whom includes Senator Ortiz y Pino as a social worker. Regions have been determined. They mirror judicial districts. What is different this time around as opposed to previously is that the regions are fully inclusive of tribes, nations, and pueblos. And so in Region 1 for Santa Fe County, we have the Jicarilla Apache Nation, the Pueblos of Santa Clara, San I, Ohkay Owingeh, Tesuque, Nambe and Pojoaque, along with the counties of Los Alamos, Santa Fe, and Rio Arriba, cities of Española, the city of Santa Fe, the town of Edgewood, and the Village of Chama. So obviously, that is geographically very large and also governmentally quite complex, as opposed to some of the other regions throughout the state.

Each region was required to self-select what the state is calling an accountable entity, which is defined as a government or quasi-government entity willing to serve as not only the fiscal agent, but really the lead for the region in coordinating workshops that are facilitated by UNM's Health Sciences Center in order to determine priorities for each region to participate with the Alliance of Health Councils in co-hosting listening sessions, and ultimately, before April 30th to draft an intended behavioral health plan for the region, again, representing years FY27 through FY29, submitted to the Administrative Office of the Courts by April 30th as a draft, and then ultimately approved by the local bodies and submitted to the Health Care Authority before the 30th of June, ideally to then take effect after July 1, assuming that it's approved.

So as you saw the complexity of Region 1, we did not have a lot, in fact, any volunteers except one whom later self-determined themselves to be no longer viable to ultimately volunteer as the accountable entity. And so following a process of equitable participation, ultimately Santa Fe County volunteered, and we anticipate our FY 26 total in-kind contribution to be north of \$50,000.

We've been convening regular weekly meetings with the region's core advisory members and related stakeholders since November 9th when our IGA with the Administrative Office of the Courts was formally executed. Core advisory members are those designated by their local leadership bodies or governors who provided a letter of support to Santa Fe County for this process. Those whom provided letters of support were the Jicarilla Apache Nation San I, Pojoaque, Nambe, Los Alamos, and Rio Arriba County. And while not required by the Administrative Office of the Courts, as well we received letters of support from the cities of Santa Fe and the city of Española. We've also had very active engagement by the Village of Chama consistently. Huge shout-out to the Village of Chama. And more recently, Ohkay Owingeh and Tesuque Pueblo, and Santa Clara was also a very strong participant at our workshop in December.

It's been the responsibility of this core government advisory team to ensure informed decision-making through a wider group of stakeholders that has included and continues to include representation from the courts, those with lived experiences, local collaboratives, tribal health councils along with behavioral health providers among others. Law enforcement has, as well been participating. These advisory planning meetings are also open to any interested party on the first Tuesday of every month. That QR code there takes you to the Region 1 webpage, where folks can take a very deep dive

and where this presentation, along with the proposed plan, will be posted as soon as tomorrow. And literally anybody can show up the first Tuesday of every month, and that's been, frankly, a very interesting and wonderful experience.

All of this said, it's not been necessarily seamless, and there have been a number of challenges that we won't belabor here because we don't want them to overshadow the biggest strength, which is legislative intent. And we really commend the Commission for the proclamation that was brought forth earlier. New Mexico should be very proud of this legislation that really recognizes behavioral health as a matter of human development, and it is one of the tributes to why we're so proud to be New Mexicans.

So going into an overview of the plan, I want to preface it all with this slide that admittedly is always hard to share because it is our present-day reality. And I always start with saying that I have done this work for decades in the Middle East, back East, and in New Mexico the last twenty years, and even from those other parts of the world, I knew about Rio Arriba County. And the rates that you see here on this slide have never before been seen in our lifetime, our lifetime. And that includes generations before us. And in Santa Fe County alone, within a one year, there has been a 104 percent increase in overdose-related deaths, deaths just in Santa Fe County, and so much so that this body is very aware that in January of this year, the governor of New Mexico issued a state of emergency for the communities listed here that clearly will look very familiar because it exactly encompasses Region 1.

So knowing that, going through this entire process, it is probably of no surprise that this is our greatest priority. And when we look at what is required of the plan, it allows regions to apply for up to five priorities, and we will show you how we have leveraged and been strategic about the seven before you here. But priority number 1 could not be more compelling, that we need more managed withdrawal, detox, and crisis stabilization. We also need expanded MAT services, youth behavioral health, certainly of no surprise to this Commission. Workforce development is happening statewide in terms of shortages. There is a priority and a demonstrated need for regional navigation system and thank you, Commissioner Cacari Stone, and happy birthday, by the way. But for recognizing the CONNECT program because this was also certainly picked out throughout this process. Housing and re-entry stabilization, and then prevention and outreach across the age spectrum.

So when you look at the list of priorities, they're expensive. They're very expensive to address. And the Health Care Authority adopted a certain funding formula that would allot to Region 1 just north of \$8 million over three fiscal years to address these priorities. And we are the first to acknowledge that \$8 million is a lot of money, but not when you break it down to the size of our region, to the number of priorities in over three fiscal years.

So how do we really make this work? This is how. I'm going to do a brief crosswalk. Again, this will be posted on the region webpage as soon as tomorrow which also provides opportunities to reach out that we can talk to folks about. But we basically collapsed priorities one and two, because remember, we can only apply for funding for five. And at the bottom of the second column reflects the \$8 million over the course of a three-year term. So of that \$8 million, \$3 million and change would go towards priorities

one and two, and those investments would be made in Rio Arriba County and in Santa Fe County. Rio Arriba County has a similar, quote, La Sala model where they own a facility and the property that is privately operated that provides managed withdrawal, detox crisis and treatment. So there would be significant investments there in the north. And then in the, quote, south, we would do similar investments to the tune of \$1.9 for expansion of the County's La Sala Center that also serendipitously recently completed an independent evaluation that validated this need. And the Commission is well aware that we received a re-audited appropriation of 1.5 million to do just that. However, regrettably with an assessment conducted by the Public Works Department there are some challenges with the existing footprint of that particular facility that would make it cumbersome to build up or to build out. And so their strong recommendation is to actually look for a second building to expand in addition to the first one. We have identified initially, initially, a potentially viable site that we hope to bring before this body within the near term as we continue to explore.

The last column are the in-kind leverages just for Fiscal Year 27 by the three counties. And the reason we put that up there, these figures are independent of BRIA or this initiative. This is the funding that the three counties are already, as a matter of course, applying towards these two priorities.

Priority three is the youth behavioral is youth behavioral health and crisis infrastructure. We did not feel that it was fair to tap the \$8 million on this particular priority because of what the Commission is doing to champion this effort as a regional youth behavioral health center, and especially, big gulp, when you look at the Santa Fe County leverage at least where we are at this point.

Priority four is workforce development. That's something that's plaguing the state, certainly not just this region. And that would be a competitive solicitation that would go out to higher ed institutions, the COG, when you name it, ideally seeking a collaborative response.

Priority five is regional navigation and transportation. We have already talked with the Unite Us platform. They are happy to help us scale the CONNECT network as a region. We have presented this possibility to the region, and they're very excited about this. We've also in fact, we've had several and we will have another meeting with North Central's MyBlue again tomorrow to increase their on-demand transportation in addition to the on-demand Uber/Lyft through the CONNECT system.

Housing and re-entry, another one that is very, very, very expensive and that Santa Fe County is shouldering a huge lift on that we did not feel it fair, especially since we have 73 percent of the population here to overly tax the \$8 million with that.

And then finally, priority seven, prevention across the age spectrum. That would be another solicitation.

So when you look then at the FY 27 of total of in-kind by the three counties that alone, again I think really represents what we are doing to try to tackle these priorities and that \$8 million only goes so far.

So with that a note about the early access funding that we hesitated to raise because it really did confuse the regions when this solicitation was issued by the Health Care Authority back in the fall because we had the state telling regions, Go through this

process before you can apply. But then they issued this solicitation and said, In spite of this process, please apply.

And it was for \$2 million per region, and they call it early access funding so that regions could get started on priorities that they knew existed prior to workshops, et cetera. This particular funding must be expended by June 2026, as opposed to the regional plan funding has until June of 2029. The applicant eligibility of the fall solicitation was exclusive to accountable entities, and as a reminder, those are government or quasi-government entities, so a lot of providers, really felt left out. We honor our providers here. We know that they are the subject matter experts and intended to then solicit that \$2 million out to the providers. The state denied that. They said, You need to name your providers, which is something we cannot do per the – it would be in violation of the procurement code, which they have since acknowledged. And so we instead did a one-time funding formula that really looked to try to mitigate a lot of the obvious resource disparities within Region 1. And I won't belabor this either and again, we're happy to have a conversations with anybody who would like to. We'll have this posted tomorrow. But this one-time funding formula basically took the \$2 million and used the following logic to help mitigate some of those resource disparities within our region.

And the way that translates ultimately honors our sovereign partners to whom over \$1 million went. And then Rio Arriba and Los Alamos and Santa Fe counties, Los Alamos and Santa Fe counties ultimately worked to help phase one for Rio Arriba for the enhancements of their detox facility.

And then 420,000 ultimately stayed with Santa Fe County to double capacity of our EMS's mobile integrated health team, because they do great work, and they've got a lot of ground to cover and with just two personnel, one of whom is contracted, and one mobile unit to be able to double their capacity. So we appreciate that partnership.

Ultimately, this is how it translates to in terms of services. And I will be the first to say that region 1 was either applauded for this second iteration or criticized because it didn't necessarily go to population but instead went to disparities. And we're okay taking that hit because frankly, the reverse is true with the regional plan.

So ways to stay engaged in FY27, we will be moving our regional meetings from weekly to monthly, the first Tuesday of every month. And just like this fiscal year, anybody can join. We post that link publicly. We will also then be taking the show on the road in person each quarter. We're appreciative to Rio Arriba County for hosting in quarter one, Nambe Pueblo hosting in quarter two, Ohkay Owingeh hosting in quarter three, and everybody is excited to see the new gorgeous community center up at the Jicarilla Apache Nation in quarter four.

So thank you for your time. I appreciate it and happy to answer any questions.

CHAIR GREENE: Thank you, Director Ryan, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you so much, and thank you for your good work on this. I have to ask if any element, this is a good amount of money, long-held frustration is when we have good amounts of money and we go into a program, and I'm not saying that's happening here but then things change and certain things aren't

sustainable, right? And I'm sure we're working towards that, but I just got, I guess it's not just anymore, but worked on a project that I was so grateful to even learn about Connect and start working with that. I loved that model. I loved the acronym. WIN, Workforce Integration Network. But the whole point of that was that there would be this network of employers and support, et cetera. It was well underfunded for that initiative. But I think, and I'm looking both at you and Jennifer in the background, if any of those elements stuck, if anything stuck in those collaborative endeavors. So I like hearing yes. Great.

And the other thing, and I'm going to say this having worked community colleges, that's one of those places where things change, and then the institution has faculty that aren't as interested in it. And everything in me, and I'm going to say speak specifically for Santa Fe, I worked there, but how much our community colleges are really working in to dive deep and support those who really need the support. There's a lot to say about ours. It's a lovely community college, but how do we actually reach out to those people who wouldn't necessarily even feel comfortable at that institution – I won't say much more, but that's another place to work. Like, how do we get those to work?

And I'm so grateful for your good work and happy to hear that elements of WIN stuck because it matters so much. So thank you. And it did cover the same exact, it was all Region 1 stuff, so that's what I like about that as well. Thank you.

MS. RYAN: Chair Greene, Commissioner Bustamante, also on that note, and thank you so much for your leadership in that area. There is a lot of talk about that and how the state can ultimately take the lead on this statewide because it's not a regional issue. And so it's possible because every region is, doing their own thing with that, which is silly, right? How can we do it as a state? So it's possible that might be revised, but please know that WIN and others are at the table.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR GREENE: Commissioner Cacari Stone. Oh, yes, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you for yielding to me. Thank you, Chair. Thank you Director Ryan. Is Santa Fe County or the state tasked with, or anyone, tasked with auditing and oversight of the program implementation throughout? Because, it's a lot of money, and it's going into a lot of different places. To Commissioner Bustamante's point, sometimes new administrations come in and local governments, and they have different ideas about where, how funds are allocated, et cetera. So what's the oversight mechanism? Is that contemplated by the state legislation? And what's the County's role in that?

MS. RYAN: Yes. Chair Greene and Commissioner Johnson, thanks so much. I just want to draw your attention under BRIA Senate Bill 3. That is squarely in the lap of the Healthcare Authority, and they are being very diligent in this duty. And you will see that every plan is required to submit a logic model and evaluation with associated metrics that are then reported to the state.

I think it is worth saying, and I really appreciate the hard work of our colleagues at the legal department with the fact that the funding, the HCA ultimately went to DFA to get an exemption so that it could be a lump sum to the accountable entities. But then it is on, all of that liability is on the shoulders of the accountable entities. And so we are still

following all of the state standards and our own due diligence with those guardrails that we will protect fiercely. And I will also say that has not, been without maybe some resistance by some of our regional partners. But ultimately, if we're on the hook for the funds but, we need to follow the rules.

COMMISSIONER JOHNSON: Great. I appreciate your attention to this matter in particular and overall for your stewardship and advocacy. This is a state project that we are tasked with implementing I appreciate your playing ball and all of your colleagues as well. And really all County employees involved in any part of this process, so thank you.

MS. RYAN: Chair Greene, Commissioner Johnson, thank you and we really as well in advance to our finance friends, is what we call them, because yes, it will be a lift for them, too. Thank you.

CHAIR GREENE: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Commissioner Greene. And thank you for the hard work you put into this, Director Ryan, as I appreciate all the work. I just wondered if you could tell us a little bit more about the Medicaid Assisted Treatment, how that's going to work, and is it that primarily at our adult detention facility?

MS. RYAN: MAT services are for any provider who is qualified to offer those. And so that can be a primary care clinic, it can be a behavioral health clinic, it can be a detention center and others. And so those expansion services, for example, Rio Arriba County has been able to do some of that through their local hospital, but they also want to make those enhancements at their particular facility.

So when we talk about expansion of MAT services in the region, that was recognized as a need and a priority, independent of our jail, if that makes sense. So that folks have additional access to that particular service.

COMMISSIONER HUGHES: Okay and it could include our jail, right?

MS. RYAN: Oh, it certainly, certainly, certainly and just a reminder, the majority of our opioid settlement funds already go to that. And yeah, and we need to be careful about supplanting, et cetera.

COMMISSIONER HUGHES: Thank you. That's my question.

CHAIR GREENE: Great. Thank you, Commissioner Hughes.
Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. Thank you Ms. Ryan, and for your team for all your work. I think that, when you see our in-kind contributions, I think I added up to thirty-three, thirty-four million. And I shared this with you before, but I want to say it for the public. I think where you said it well when you said the state is the designer and the driver, and we are in effect, dealing with the consequences of the legislation. But I think we're trying to do it right. And, I've been through three behavioral health reforms in New Mexico. There was the one where the – through all two of the first ones since 2000, we've had an underfunding and under capacity building and capacity issue with our rural areas in New Mexico. The second one former Governor Suzanna Martinez replaced the behavioral health providers at the local

level with a for-profit firm out of Arizona, right?

So instead of infusing capacity within our local providers and networks, she replaced it and accused them of violating Medicaid policies, and the Attorney General determined that wasn't true.

This time round, I think under Senator Wirth's vision, he was leading this right, in the Senate, and our state legislator and our governor. I think the intent to do regionals, trying to do more, not just top-down but bottom-up. But being tied up with the courts, I think makes it difficult, and it gives a, it a criminal courts lens versus a community-driven treatment lens. So- There was an article published by my colleague 2014, I think, by Dr. Katy Willging, she's with PIER. She's evaluated all, and she says it's not too late to do it right. And so let's go with that model. Keep doing what you're doing well. And I think I sit here tonight as a local official ready to meet with our state legislature. Anything you need, our team needs, with the regional partners, in partnership with our tribal leaders, and to say, let's do it right this time, and let's take a pause. And you assessed it very well, what some of the challenges are, but let's not keep repeating the same systems issues. Thank you.

MS. RYAN: Chair Greene, Commissioner Cacari Stone, thank you so much for that. We are all hopeful that in many ways this first year is grist for the mill so that the next legislative session can look at some of those legislative fixes, especially when we know there are going to be a number of new faces and therefore new minds at the helm of this.

I do want to acknowledge two points that you made, Commissioner Cacari Stone, about rural populations. There is currently on issue an active solicitation by the Health Care Authority for rural, tribal, and frontier communities. And this is in advance of what we know are going to be Medicaid changes at the federal level beginning in 2028. So it's something worth looking at just in terms of leverages.

And then lastly you are 100 hundred percent correct about the integration of the courts and where and how did that come about. This, as you might recall, was on the rocket docket, and the author of the bill or the original drafter borrowed from the Miami model which follows a lot of that, and it's something worth looking at so that, we can retrofit appropriately. So thank you.

CHAIR GREENE: Commissioner, okay. First off, thank you for stepping up into this. I know originally this was not meant for us, and we stepped up, and that was amazing. Heavy lift, it cost way more than we were given in money and capacity, and it took a lot of time and energy. So for the whole team, thanks for supporting our region, right? Big lift for everybody.

What do our partners, we're getting this presentation here, are you giving this to all of the pueblos, all of the counties, all of the towns? Or are somebody from their team member giving that presentation, or are you doing a collaborative presentation?

MS. RYAN: Sure. Chair Greene, so it is up to each community. We are happy to. And otherwise, they are they each have designees, and so they are keeping their own leadership apprised. And as soon as you all bless this, then it will be posted as soon as tomorrow because, for example, Los Alamos County wants to do the same thing using

the same presentation, but obviously, needing to get it approved by you all first.

CHAIR GREENE: Are you making yourself or someone from your team available for those presentations?

MS. RYAN: One hundred percent. We have offered that. We think they are sick of hearing from us at this point. But we also want to really acknowledge the appreciation by the Board of the Community Services Department team, especially Jennifer Romero, Coy Maenza, Channel, LeAnne, and so many others who, would pick up for me on a Sunday evenings, you name it. So yes, we are happy to do all of that.

I do want to just, make one note that having seven sovereign government partners as part of this we want to be especially respectful and deferent to that particular piece because from their vantage those challenges have been beyond problematic, especially as it relates to tribal consults.

CHAIR GREENE: So I guess that's goes to my next question. It was actually two questions later, but I'll stick with it. What representation have we had? Who becomes the champion for dealing and managing the tribal varieties and communities? So lots of different communities. Do we have a point of – do we have a strategy to deal with that so that we have somebody that is more focused on counties and cities and then somebody that's dealing with in this implementation plan for the pueblos?

MS. RYAN: So that's ultimately on the state to devise and to determine. Formal tribal consult did not occur until December 2nd of 2025, so almost a year into the legislation. And so they are continuing, when I say they, I mean the state, they are continuing to try to rectify the rupture that occurred as a result. As well, because each sovereign entity is exactly that, some are choosing to lobby in a certain way, whereas others are choosing to engage more whole-heartedly, and we respect whatever approach any entity chooses.

We're not trying to force anybody to the table. We are trying to have open arms and open hearts. I will say this, though, for example, the tribal set-asides. When you look at the actual plan on balance with the legislation, sovereign entities ultimately have the discretion to join at any time, and they are not burdened by some of these massive deadlines. So we were told to maintain placeholders, and when we ask how the tribal set-asides are going to be divided they've not yet decided, and we don't feel that it is fair to put that burden on the accountable entities, much less proper.

CHAIR GREENE: Okay. You mentioned this is expensive, and so it's expensive to address all of these issues, no doubt. But honestly, it's more expensive to ignore. And so I'm wondering if we're looking at how did we get to the \$8 million? Was that just what was made available to our region?

MS. RYAN: Correct. There's a funding formula online. If you would like me to pull it up, I'm happy to. But sidebar, I'm happy to walk you through it.

CHAIR GREENE: No, no problem.

MS. RYAN: And it was done by the state.

CHAIR GREENE: I'm just wondering if we can look at, if we only had \$2 million more, what more impact would we have, and that would cut down our costs, right? So we talk about in our emergency management plan that we're going to do risk

mitigation, and that's going to have a virtuous cycle, right? Everything that we can do to break the cycle of drug addiction and intergenerational traumas and all of these things that are like really revolving door situations. And that has payback. Big in support of mental health help as well. But that's rarely passed on through generations, right? And the drug and opioid epidemic is just something that has just taken, gotten worse through generations, and we need to break that cycle. So I appreciate us working through that and just to focus on how do we break that cycle because that'll save us money in the long run, right? The faster we get somebody cleaned up and not exposing their children to this is the faster we break the cycle. More rhetorical than anything, so but thank you.

And then I think for looking at the Mijo project And I wonder if there's a conversation to be had as a regional aspect to that because we have it. I don't think Rio Arriba has it, but it certainly shouldn't stop at the border. The city has its own, right? And so that's in a different state of flux right now. Española doesn't. Do we go into Española? How do we take this best practice and turn it into something that's scalable and more robust because it's not silos per county, per city, per, you know – each organ- jurisdiction.

MS. RYAN: Sure. Chair Greene, thank you so much. And that too is serendipitous because many of us have been having that exact same conversation over the last month, especially considering that our distinguished EMS colleagues provide in-kind EMS services to four of the seven sovereign entities within Region 1. That is why we see this as an exceptional opportunity and why they were written into the early access grant.

CHAIR GREENE: Okay. And then lastly in the Mijo ARU space, I'd hope that we could potentially make a proposal to the state legislature to finance that. So we have -- we utilize money for fire recruitment and retention. It's a program that pays for three years of training and recruitment and retention. There's a similar program for police and sheriff's deputies. I would recommend that we try to get an appropriation that we lead for a statewide appropriation, work with all of the counties, all of the jurisdictions, the Municipal League, the all of that Association of Counties to say, What would be the number to get to the right to scale up? so every county and every city could have their own ARU and Mijo sort of team? And that's a leadership role that maybe we could take on there.

MS. RYAN: And that came up during the listening sessions more than once.

CHAIR GREENE: Okay, great.

COMMISSIONER CACARI STONE: May I make a motion?

CHAIR GREENE: You may, please.

COMMISSIONER CACARI STONE: I make a motion that we approve the Region 1 Behavioral Health Plan and delegation of authority to the County Manager to execute all associated agreements and amendments.

COMMISSIONER BUSTAMANTE: Second.

CHAIR GREENE: Motion for Commissioner Cacari Stone and second from Commissioner Bustamante.

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

8. Presentations

A. Presentation on Santa Fe County Three-Year Housing Investment Strategy. (Community Development Department/Denise Benavidez)

CHAIR GREENE: On to presentations. Jenn Lopez back in town. Hi, Jenn.

JENN LOPEZ (Moxie Project): Hello, Chair Greene.

CHAIR GREENE: Hi, Denise. How are you? So take it away.

MS. LOPEZ: I'm good, Chair Greene. Thank you so much. Hello, Commissioners. Nice to be with you again, and I've got Denise Benavidez here to help me out if we get some detailed questions about some of these programs Just for the public again. Jen Lopez, president of Project Moxie. We're an affordable housing and homeless solutions firm. We have had the pleasure of working with Santa Fe County since 2023. We are going to cover at a very high level a project we've been working on for over a year with your staff called a housing investment strategy. And I just want to take a minute to explain what that means. You do housing needs assessments, you do housing action plans. This really focuses on you've got resources, where do you want to put them? We developed this investment strategy model during COVID because too many of our clients that were local governments had infusions of capital and didn't know how to use them, right? But we realize now that most of our clients need this even more with the cliff effect. So it's just a hyper-focused tool looking at if you put dollars in a certain place, what kind of leverage do you get from those dollars? We took it a step further in this project because the more we dug into what your department was doing, the more we thought, you all need to know all these other things. So it will also cover a number of programs that the department is working on currently.

We talked to your staff. This was a very inclusive approach. We met, we always meet weekly, but we met a number of times. We had to look at your housing plan that you did in 2023. We looked at program budgets. We got to go through two fiscal cycles and kind of watch to see what happens with your budgets. Wanted to look at other programs in the community and really understand the goals of County leadership. And then we developed a matrix of funding sources, right? So we could be really clear where you would be able to leverage your funds the best.

So as part of this strategy, we had to pick dates. Like, how long do we want this strategy to be for? We settled on three years because it's too dynamic, honestly, to go past three years. We were told to assume \$10 million for a housing department, the division. And then we were asked to look at what you were currently doing, what kind of outcomes were being tracked. Basically, how best to use those dollars over the next three years to get the best impacts. Of course, it's not all about units created. I also want to mention that what's not included in the \$10 million, but you're certainly investing in housing is in the property tax exemptions. So when our affordable housing projects come through and they get exemption through the process of the County, you forgo those resources. You also pay for roads and water. So there's a number of ways that you're supporting housing, so this is by no means the only investment you're making in housing.

The framework, best practices, right? So we know, you all know, housing's expensive, right? It's very expensive. And we know we can't really fund our way out of it at this point. So we also call out in the strategy, even though some of these tools are not in our purview to use or create, that there are things that we want to continue to think about for the County as you grow and mature your program.

Pro-growth development via infrastructure, being very targeted about where you're putting in your roads so the development happens there versus letting things happen willy-nilly is a best practice. A lot of the communities we've worked with don't do it that way.

Land use regulations, I know that you're working on lots of land use regulations work right now. And so I don't know if it's a land use code revision, but I know that there's a lot of conversations about making it easier to develop. Obviously, you want to leverage everything else that's out there. There's some resources that have grown. Unfortunately, most of the resources we are playing with are not growing right now, but we'll proceed.

And then again, it's about efficiency and how we deploy resources. New Mexico has so much money, but it's the way that we deploy funds. So how can we help the county deploy funds as quickly as possible and as efficiently with staff? And then creating a framework and messaging for Commission and staff.

Quickly, what is affordable housing? For Santa Fe County, you have the Affordable Housing Act Resolution and Ordinance that allows you to help households up to 120 percent AMI. I know you have some other programs recently created that they'll go up to 150 percent AMI. But what it's nice about this chart here is that you are trying to serve people who are unhoused all the way to your market-rate housing and your workforce. And you are using a number of different tools to provide across the continuum.

Big picture context development costs continue to increase. Tariffs are a challenge. Land use processes, I think there's a lot of intent and interest to improve the processes, but they're still cumbersome. So we know this through the Nueva Acequia project. You have land and a project in the city. So county has its process, but you may be funding many projects within the City of Santa Fe, so paying attention to those processes and how they impact. Unfortunately, we're seeing decreases in federal funding. I won't go through the litmus here, but because these things are changing, we have to be very nimble. We have to be very honest about what it's going to take to fill those gaps. And then tax credit pricing, which is the main tool we're using currently in the County for rental housing, the pricing has gone down this year, so we're seeing more gaps open up in those projects. Because of all these changes in the environment and the federal government right now, local governments are asked to fill the gap, and I think it's pretty unfair. So we just, again, want to be very thoughtful about where can you get the best bang for your buck? Where do you have the leverage still? How do we help you prioritize where the funds can go? And then, just continually addressing capacity because these projects are really hard to do. So I'm going to quickly go through a number of the areas in the investment strategy.

The Developer Assistance Program started a couple of years ago. You have a

notice of funding availability. Your staff is underwriting several projects. If you have questions about what came in, they're in an active round right now. About \$900,000 a year for three years is budgeted. And again, this started two years ago. You were able to help over 600 units get to the finish line, right? So this is gap funding. You're the last fund in.

Then what's new for the County and interesting is that you've become more of a developer through the Housing Authority. So you have the Nueva Acequia project which is hoping to close in August. We presented a feasibility study on a 40-unit supportive housing project, which if you decide to move forward, you'd be the developer on. So becoming a developer or more of a driver in creating units is really exciting, and it costs money, and it's a different risk profile. So we call that out separately in the investment strategy.

Again, when we were here in front of you in March, we brought out the very specific items that we need to find funds for if you decide to move forward with the PSH project. So we started the investment strategy in 2025. We had a draft, and we held it in October with staff. And one of the reasons we held it is we is they didn't want it to go forward without this large project being considered as part of the strategy. So again, once you all decide whether you're moving forward and where these funds come from, it would either be in or out of the strategy. As part of the PSH Project Two, we would need 30 to 40 project-based vouchers.

You've got lots of programs. That's why you never see Denise Benavidez. She's always working on all these programs with her staff. Down payment assistance, \$683,000 a year for three years. Housing rehab and energy efficiency program. You can see the numbers there. The Housing Authority has a portfolio. That portfolio is aged and needs lots of improvements and investments. And right now, the funds to bolster that portfolio you're relying on HUD, which is a little bit challenging. And part of the strategy is to look at different ways to reinvest in that portfolio outside of just HUD.

Coming up with rental assistance, this came up just recently, knowing that if vouchers are cut, it's going to impact those that you serve and housing authority residents, and so having reserve for transitional vouchers if people do lose some vouchers from the federal government.

Future considerations. You all were doing conduit bond financing, which is a complex structure, but it saved money for the developments that went through you to do it. What we're saying is it is a really cool tool to use, but maybe wait until there's more staff capacity to do that kind of model.

We had a few conversations about regional collaboration. Everybody's very interested in regional collaboration. There's probably a dozen projects we could all think of right here in the room. We're just suggesting that maybe we're not staffed yet for those, but certainly on everybody's horizon.

And then these are scorecards. They're very simple, but I think they're powerful. So these are the different programs, the investment over three years, the amount that those investments would leverage, and the number of units that would be built or preserved. Additional, this is the Housing Authority. We're suggesting around up to \$500,000 to hire a consultant to look at the portfolio and figure out a different fin-

financial model to make those improvements happen.

And then we are suggesting a business plan. So most housing authorities are diversifying what they do and how they do it so that they're not dependent on the federal government. And you're starting that process. It would be great to give the housing authority a roadmap to really stabilize in this very uncertain time with the federal government.

This is the PSH and Nueva Acequia slide. So again, the PSH project identifying eight to ten million. It has to do with the service reserve, all the different fees the leverage you would get from doing that project. And then Nueva Acequia, there's additional funding needed to get the roads and to close the gap so we can close in August.

I went quickly because I love the Q&A. And I think it's a pretty straightforward presentation. I would love to entertain questions or have Denise. Denise, do you want to say anything?

DENISE BENAVIDEZ (Community Development Department): Thank you, Jenn, Chair, Commissioners. We're excited about having this strategic plan put together. It took us a little while to get it done, and we're excited to discuss the amount of funding that we currently have to move forward with the programs that we have in place. So I stand for any questions.

CHAIR GREENE: Thank you, Denise. Thanks, Jenn, Commissioners, lots of questions. Commissioner Cacari Stone, please.

COMMISSIONER CACARI STONE: Thank you, Chair Greene. Thank you, Jenn. It's good to see you in person and not virtually. Denise, thanks for all your work.

I just have a question just thinking about strategy across districts. And if we're going to have a strategy, how can we as Commissioners work so we know that there's equity, and we're engaging with our constituents on this strategy? Typically, what I've seen in the last year and five months sitting here is we engage with constituents when we put public notice hearings when something's already been poached, right? Something's already been through the hopper this, this, that. And then they react versus how can we do more across district? And thank you Ms. Benavidez for you and your team to help me get ready for the leadership meeting I'm having, Viva D2, on Monday because there's not a lot of affordable housing units in District 2. We're severely underrepresented when we compare across county, and I'm interested in how do we create affordable housing in the traditional village. I've been meeting with Denise and some developers and scientists, environmentalists to have cadencia by design. I want to, as a commissioner, say, Hey, let's-- we got this county land let's develop something that looks like the village that actually is 100 percent for our community, or a strategy for educators, for nurses, for our police workforce, for our sheriffs. So I have a question just, like, how can we make this more comprehensive and more equitable? Thank you.

MS. LOPEZ: I will say this was an internal process primarily around money and trying to figure out what money's available. It's not a done deal, so if there's a desire to change the preferences for the programs or change a process, that's open for discussion. I think we just had to frame what we have to play with.

I want to talk about the site issue because I'm seeing it in a lot of places I'm

working, and I just want to call it out for what it is. It is becoming harder and harder to put affordable housing in what we call areas of opportunity. Areas of opportunity, we know where those are in Santa Fe. Those are east side, Galisteo site. Because they're more expensive, it's not even just a land use issue. It's just those parcels are more expensive. It doesn't mean we don't do it, but it'll have a higher price tag. And so a lot of the sites that we've looked at for both the PSH feasibility and just in general working with staff that are affordable for housing are going to end up in the more affordable parts of town. We need to think about if we can balance that or not. So do you know what I'm saying? It's just we got to find additional funds if we want to be able to move into areas of opportunity, but it's a great question. I would love to see if Denise has something to add.

MS. BENAVIDEZ: First of all, I agree with everything Jenn said, but what I'll add to that, Commissioner, is we first have to create the tools to pull the data to understand where we're really at and what we've done. So one of the tools that was created that you have in front of you based on a request that you made for us will now be available to everyone in each of their districts. And that particular tool identifies what has been created as far as affordable housing, what's been approved that's yet to be developed, and what's coming that's going to be going through our TAC team, right?

So we now have that tool created and can pull that data for you at your request. In addition to that, the other thing that we've changed that we think is going to be really beneficial for us is that we recently started doing site visits and going to actually speak with the developers and including our growth management team. And that's accomplished a lot. It's also taught us where we're weak from the developer perspective, from the process perspective, and what they would like to see. Sometimes it can be done, sometimes it cannot. But it's been an eye-opener for not just our growth management team, but just across the board on both sides. Because in some cases, what we're finding is that what the developer sees as a weakness was really not, because the growth management team was on site to be able to answer those questions and fulfill any gaps of questions that they had, right? So in a lot of cases, it was just a little bit of communication that needed to happen.

So those are some of the things, but I think putting together the tools to identify really where we're at in each district is where we wanted to start, and that's what we've done now, and that's how we were able to pull the report we shared with you. And please share with Commissioners but we plan to have a session, a workshop, or something here at BCC that we can showcase that particular tool. And the staff, Anne and Cliff, are extremely technically savvy, I'll tell you, and have created a number of other tools that not only have automated the process for us that will assist us with what we thought were staffing gaps. And in some cases, they may or may not be, especially if we improve the partnership with the growth management team, which we expect to have a meeting with Alexandra to see if we can move those partnerships with that team forward. Because I think it's important for us to have a team that we can go to, that we can work together or work through basically to get the developments move forward.

COMMISSIONER CACARI STONE: Thank you. And I just really want to appreciate, one, that we have Project Moxie as a consultant and all that we do. And I

know that you've gotten recognition nationally in the state. Denise, you and the housing team, give you kudos. I saw Jonathan here and many others for what you've done. I also just want to make a case that we know that social mobility and intergenerational wealth and sustainability is only possible through the main venue of housing and education, right? So this housing piece is really important for our intergenerational families. And I guess, please, I want to be a part of helping think through that. How do we have an investment strategy that looks at these opportunities for our local communities that have been here for generations, and new incoming people that want to invest, but I think it's really important.

MS. LOPEZ: Thank you so much, Commissioner Cacari Stone.

CHAIR GREENE: Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you for presenting. I appreciate this study and the details within it. And I just wanted to remark that the permanent supportive housing, of course, is very important to me, but I think it, it dovetails right into our behavioral health strategy because mentally ill can't get better unless they have a place to live. And so I really appreciate all the work that went into that. So thank you.

CHAIR GREENE: Commissioner Johnson.

COMMISSIONER JOHNSON: Just to reiterate what Commissioner Hughes said and Commissioner Cacari Stone, I appreciate the work that you've done on this. I did a little bit of just like back of the envelope math. So \$10 million over three years, that means \$10 million period not 30 million.

MS. LOPEZ: Yes, \$10 million over three years, give or take a little bit of carryover.

COMMISSIONER JOHNSON: Sure. So when I when I added up the, just the numbers that were in the slides that were not tables that seemed like initiatives that we should be investing in, it came out to around 15 million, and I may have gotten that wrong by a million or two.

But it, it seems over the 10 million. So I guess I'm a little confused about where, what I should have left out from my own math as far as how to contemplate this investment and where the money is being poured into.

MS. LOPEZ: So if you look just at the tables, and it is a little confusing, Commissioner, because we're just talking about lots of different numbers in the document, so that's why we pulled the tables out. So this is the main cheat sheet, 8,750,000 on this page shows you the leverage over three years in these programs. And then this page, we're not showing leverage because it's preservation, but there's certainly funding that could come in. We just don't know. And then there's, must be a little bit here and there. We can go back through, but it's about 10 million. And then this is the page that's challenging because this is what you're committed to Nueva Acequia, you're contemplating a PSH project. This is the money we haven't found yet. So I just want to be really clear. So if you do PSH, we've got to find the funds up above and beyond the 10 million. And Nueva Acequia Road, the same thing, we've got above and beyond, and I don't know. County Manager Shaffer, do you want to add anything? 'Cause we really wanted to help make this point because we know it's a concern.

MANAGER SHAFFER: Sure. Thank you very much, Commissioners. I

just wanted to emphasize that the potential gap relative to roads supporting the Nueva Acequia project I think actually is closer to \$2 million when you add in the two roads that are not Camino de Jacobo. And so I wanted to clarify that point so that when we have those future conversations that you're not surprised by a potentially higher number. And the other point that I wanted to make vis-a-vis Commissioner Cacari Stone's comment is I think the way I would think about the follow-up about where money is invested in the community, that's a different conversation as to what programs you want to invest the money in. And so this is where you want to invest the money programmatically, where the projects actually get developed and the communities get developed how you allocate some of the, down payment assistance, et cetera. Those get into the programmatic details that can help guide where that investment is ultimately made. I just wanted to make that additional point.

And then finally, it's harder to quantify as Ms. Lopez said, but the property tax abatement that comes through the conduit financing as the Board did for the Turquoise Trail all affordable multi-family housing development and Cresta Ranch, we report that ultimately on our audits as a property tax or tax expenditure, and that's a significant form of assistance that goes over and above anything that we're talking about here in terms of direct development because that's revenue that the County and other taxing entities, forego in order to make that investment and that development a reality.

So those would be the comments that, that I would add. Thank you.

COMMISSIONER JOHNSON: Okay, and thank you Ms. Lopez for helping me understand a little bit more about the range. That's helpful. And I do appreciate the thoroughness of the investment strategy. So well done.

MS. LOPEZ: Thank you.

CHAIR GREENE: A question about regionalization and de-duplication. I don't know if that's a term, but you understood it. There's a lot of housing authorities, and there's a lot of jurisdictions that are all playing in the same space. How are we making sure that we are not duplicating and building too much of this, too little of that, and so on? And what sort of outreach was made to collaborate and coordinate with those?

MS. LOPEZ: I'm going to answer part of that, Commissioner, and then I think Denise has a really great answer from a couple weeks ago.

But we interviewed Los Alamos, talked to Denise about Española, talked about some projects in the region. It wasn't a super deep dive, so I totally own that. But I think, Denise, if you could talk about some of the other conversations that are happening, that'd be great.

MS. BENAVIDEZ: So I'll talk a little bit about, and Commissioner Greene, you were at the ULI conference last Friday. Juan and I attended, and the hugest topic, of course, was around housing, right? And the regional collaboration that they would like to see there between Santa Fe County, Albuquerque, Los Alamos, Española. They're looking to create a regional kind of initiative as well. So what we've done recently is pulled Juan in to affordable housing. So we met with Juan today to go over several projects that we've identified that we'd like his assistance on, and we're going to continue to work together closely with economic development now and work towards that initiative that was discussed at ULI. The other thing that was huge for us was we just

had the Homegrown program graduation on last Friday, and that is another huge -- there were a total of, I believe, 10 cities and counties that were gathered there, and the discussion was all around housing technical assistance, development, funding. There were several really, really good speakers. There is partnerships that I hope are going to be built. Several individuals approached us, based on what they've seen us do and feel like we would be a good lead to assist them down that path. Specifically City of Santa Fe. And the City of Santa Fe is interested in that if we have a larger collaboration between all of us, maybe there's we can go after a larger pool of money together.

So we're going to have those topic conversations. And also Taos was extremely interested. Raton was extremely interested. So I think having those types of programs are really beneficial for all of us. And so I, I hope that we continue those. We've asked the homegrown group to put together another series so that we can continue down the path that we're already down and creating the partnerships and continue with that funding. Because of that particular program, we now have the opportunity through Anchorum to apply for three different types of grants that they put out there for us, so we intend to do that. From these programs come additional funding opportunities and partnership opportunities. So we're definitely going to continue down that path.

CHAIR GREENE: Great. I'd like to see it in some sort of opportunity to all come together, right? Whether it's a one-day, two-day we've talked about this, but I'll air it here, the idea of a housing summit. And not to stop at affordable housing, but to have one day just on affordable housing and all of the affordable housing players, people who build them, people who manage them, housing authorities, you name it, all one day, data-driven, pipeline, who's doing what, how can we de-duplicate. And then another day that starts to look at housing availability in other levels, right? Because, people are struggling to make it on 150 percent of AMI, right? And so we need to look at every housing decision that we make, right? Should we be building houses that are really targeted at, transplants and retirees that are moving here with three houses elsewhere, right? No, we shouldn't, right? We don't have the water, we don't have the land, we don't have the money, we don't have so many different things that go into a housing decision.

I'd like us to have a really intentional look at our housing stock and our housing, what we're building. And that also goes to the other aspect that, for me is, you've heard me say this before we're building the wrong size units, right? We've overbuilt, in my opinion, and I don't have the best data although I think the data actually shows that we have a small enough waiting list for two and three bedroom or three and four bedroom units, and our waiting list for one bedroom units is way too long. And so one-bedroom units is permanent supportive housing, mental health care, folks coming out of judicial and re-entry program, young professionals that are going to be upwardly mobile and just need it for three to five years until they either can buy their own house. It is a transitory thing that is a targeted one-bedroom. The need is there. And so when I look at our development assistance program, we gave a ton of money to developers that built three and four-bedroom units. Overbuilt, potentially. We're going to see how that plays out, and we need to be more intentional and really focus on one bedroom, one bedroom, one-bedroom units.

MS. LOPEZ: Commissioner, can I respond?

CHAIR GREENE: Sure. Of course.

MS. LOPEZ: I think a lot of the for-profit developers are looking for the easiest path to build, and there's nothing wrong with that. It's easier for them to get more tax credit equity if they do the bigger units. So back to why the County wants to do some of its own development, you can do mission-driven. You can do one-bedroom. So you're right. It's just harder to do, and the funding isn't easy to get. But you're right. Yeah. We just have to do it. Yeah.

CHAIR GREENE: Yeah. I develop. I know you want a bigger, you want for every dollar you put in, your return on investment is larger. So the bigger the unit, the more opportunity you have. And when all you have is one unit to build. So that brings me to my last integrated ADU concept, right? If you want to have one bedroom built we need to find a way to get one bedrooms built on people's backyards, ADUs. Four hundred, five hundred, six hundred square foot units. Nice size units maybe potentially. But within our building code in a way that we can incentivize people to rent them to the population that we want to target in this space. If somebody has to give up a unit that they could build a four-bedroom unit either they need to add an ADU in the back so that we get that one bedroom, or we need to change our building codes that say, You can build 5,000 square feet on this lot. It's either a one McMansion or large unit, or you could build four units that are all 1,200 square feet, and lookie here, we have smaller units that are more affordable.

MS. LOPEZ: Thank you, Chair.

CHAIR GREENE: All right. Thank you for this presentation. Good luck with this. What's the next step for us?

MS. BENAVIDEZ: Budget, yeah, budget. A couple of things, Commissioner, budget being one, but the other thing is continuing down the path of updating code, because right now code does dictate to us income ranges and bedroom size, and we have to do a split anytime there's a development, so there's a formula for it. So continuing down the path of working on code and having the conversations, meeting with our land use team, growth management, and developers is part of the next steps for us.

MS. LOPEZ: We were tasked to put this out there as this number, but now I think it's got to move its way into the budget, so it's your decision whether these numbers go into the budget, how much goes in, how much doesn't.

CHAIR GREENE: And if I can throw one more thing in there as part of the budget or a strategy is working with a program to train local developers and local builders to be able to take advantage of this. Because when we've done developer assistance programs so far, that money went to people that probably didn't need it, but it incentivized it. It was good decision, but it'd be great if it stayed local. And so let's teach some local developers how to get in this game.

MS. LOPEZ: Thank you.

CHAIR GREENE: Yeah. Thank you, guys. Cheers. Excellent. That was great. Safe travels home, Jenn.

9. Matters from the County Manager
A. Miscellaneous Updates.

MANAGER SHAFFER: Thank you, Chair and Commissioners. The only real update that I have that is of a substantive nature is to underscore that the Public Works Department is actively addressing with the contractor through the engineer of record the concerns that were raised during matters of public concern relative to the size of the rocks used for stabilization in the current phase of the Santa Fe River Greenway project. The contractor has been on notice for some time that the rocks were out of compliance and needed to be replaced. My understanding is that Kurt Temple the head of our projects team met with those constituents after matters of public concern, explained to them where things were, and will be meeting with them, in the field during the month of June to go over the remedial steps that are already in play to address those issues. So that's really my only substantive update for the Board. Thank you, Chair.

CHAIR GREENE: Thank you, Greg.

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

CHAIR GREENE: Let's move on to items from the County Commissioners. Who wants to go first? Oh, yes.

COMMISSIONER BUSTAMANTE: Thank you, Chair Greene. On Friday the 8th and you were there, thank you we had a celebration and a press release. Not in that order. The press release and the celebration of the introduction of the Caja del Rio Protection Act. And both Congresswoman Leger Fernandez and Senator Martin Heinrich were there. We also have all five of our representation co-sponsoring both in the House and the Senate, so there was strong support for that from inside the state. We had the Pueblo governors as well as the Pueblo Governors Council representative there. We had people from the traditional communities. This has been a feat. It has been a long process. I want to thank our former Commissioner Hansen, who was working on this before we were here on this Commission from the County side. But the point is to preserve that, and you all are very familiar with the initiative because we signed and sponsored many things to get there. That was on Friday, a nice sunny day. It was beautiful outside.

On the 27th which I'll have another opportunity to remind you if you're interested, in the Cerrillos Senior Center and Fire Station ribbon cutting. You might recall that project had been delayed, and now it's going to be open. And because of that delay, we have a few more people who actually qualify as seniors, so that's exciting.

I will be meeting with Community Services regarding mental health support for people in Santa Fe County between the ages of, and I just put this out there loosely, 23 to 40. What has been made completely evident is there's really nothing for people of that

age, especially if they don't drink. So it's not about more nightclubs. It's about social activities, places to meet more people. So I'm looking forward to having that conversation with them, ideas that anyone has, meetup groups, things that, like that, that can help because they are also a large group of people who are reporting significant depression. So it seems to be the mental health conversation is the conversation of the day as well as the month. But how do we work to if we're an entity that can support community, what can we do to help people have more resources and things available to them of that age?

The next, as everyone has to have noticed, we are in extreme fire fuel season, and I say fire season, but the fuel is out there. There is so much dry brush. To that end, I want to thank and commend Chair Greene working with Tesuque had a chipper event, and I know that's something that would matter a lot in various communities in District 3, and how we could actually make that type of event accessible to people more readily. And I have ideas through the volunteer fire department on how to get a chipper out the way of certain areas near in District 3, but it's pretty bad. And chipping is a really brilliant idea, but to just really reinforce to our community members that if they can please keep the dry branches out or down or away from things. So I will be actually working with code enforcement to call on a few people to please clear up some piles that they have in their yards.

The next is the request, and I don't, I'm not saying it hasn't been that way, but we did have a problem when we didn't have the request for five people on the review board for the Edgewood situation. Tonight they have another meeting. I am understanding it may not get signed. I think that every opportunity that we have- To be open and transparent, we have to take it despite whatever delay it may put in a process, because if it's not signed today, that delay existed anyway. That being said, we also know that they have some domestic problems. That's what I'm going to call it. Domestic problems in Edgewood, meaning that they have an interesting commission that isn't in complete agreement with community members and such. If they end up without services, we've done everything that we can. And if there are in conversations in the future, I ask that we hold to making sure that those are transparent conversations. The numbers should be out in front of everyone all the time. It really is about the community and the service that we're providing with a dollar tag and how much was anyone really owed, et cetera, et cetera.

That being said, our next is a request from the League of Women Voters and the interest that they have in ensuring or requesting that, and I did follow up with the Sheriff regarding this request, is for exercises that include or that are around the 988 responses. So this, again, is another mental health situation where we know people get arrested and taken to our jail and maybe don't have someone supporting them in the 988 respect. That I shared probably a year ago or so. I don't-- It was last year around the very cold winter time. There was a gentleman who was outside of the Nusenda near in South Santa Fe, and it was one of those wet snows that he only had a blanket. He did not have clothes, and the wet snow was on, the blanket was soaked. I s- dialed 988 and the dispatch sent a sheriff's car, and by that time, the guy had left a soaked blanket, and I'm telling you, he didn't have clothes, and he was gone. So the opportunity that was discussed with our current Sheriff Mendoza and the League of Women Voters is to have a 988 exercise that includes Santa

Fe County Sheriff's Department, the fire and EMS services, and the RECC so that everybody can work out whatever bugs there may be in getting the right people to the right place at the right time. I do understand from Manager Shaffer that there's an effort to that end. But I want to make sure that it's something that people in our community are aware of because then there is a fear of calling 988. I don't want them to arrest my son or daughter or spouse or whomever if it's a mental health issue and you don't want them arrested. So I think the community at large very much needs to know that there will be exercises and communication between those response jurisdictions that will assure that people with mental health issues will be taken care of in regard to the to a mental health response, not necessarily criminal and treating someone as such. That's it for me. Thank you.

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

COMMISSIONER CACARI STONE: Yes. Thank you, Chair Greene. Thank you, Commissioner. Just want to put kudos for Senator Heinrich's staff. Did a really great job organizing in the last nine months the bill that was put forward. And Commissioner Bustamante and I will have a letter in My Opinion piece in the *Albuquerque Journal* coming out supporting the Caja del Rio on behalf of the county, citing what our letter of support that we did together. And there's a really nice video I'll share it with the staff to post. I posted on my Facebook as well of all the interviews with the Pueblo governors and others with the Caja del Rio Coalition that it's beautiful, really talks to the sustaining the land, being with the land, protecting the land for many reasons. And I think this represents a good process for whatever it's worth. We don't know what will be supported at the federal level, but let's keep pushing it along.

Just kind of going back to, there was an excellent, I want to thank Growth Management and Public Works for being at the public meeting at the Nancy Rodriguez Center. This was for the Henry Lynch roundabout. It was really well designed by the engineers that came. There had to have been, like, six in the room, and they put the long maps out so everyone could see blown-up pictures on long tables and discuss it and really have a lot of questions. Also to vote on what the roundabout would look like. I'm still skeptical that I think we need to go back to banning the big trucks on Agua Fria in some way, somehow, unless they have a business there. So we need – transportation and came up as well as traffic. Other issues came up, but it was an excellent job, so I want to give kudos to our County staff for doing that. It was well attended.

As you all know, we met, the last time we were together April 28th. We voted unanimously to support the dropping of the annexation of Area 1B into the city. The City passed it on April 29th. The paper never covers it, so I'm saying it for the point of the public. They cover when we're contentious and don't get along and there's issues, but they don't cover the good news sometimes. We're moving forward with that, and the City will be going through its annexation legal process, and I thank the County Manager and our legal counsel for working well with them.

Let's see. Saturday, May 9th we had the retreat for Northern Rio Grande Heritage Area that I sit on behalf of the County for a half-day retreat at Los Luceros. They have excellent programming. I believe they want to beef up their programming, their grants.

The programming is around remedios. It's around [inaudible] and Micah pottery. It's intergenerational. They also have an economic development plan where we're bringing in traditional housing and building of adobes, and how that could be more of an economic development plan for our communities and culture. I will keep you posted on as programs roll out.

I wanted to give all of us an update as Commissioners, as we supported, and the city supports with Mayor Garcia, we put together the joint resolution to have joint meetings. I've met with Chair Greene on this since he's the chair. I've also met with Mayor Garcia. What does this mean? We're looking at a meeting that's joint at towards the end of June. Please, when you get requests from our County staff, the County Manager and the interim City Manager will be taking us through this process, the logistics, which also means Sara Smith and folks from the County Management Office. There is a survey I developed that both the city electeds and we will get on our priorities. We'll rank our priorities. Is it housing? Is it homelessness? But it's also going to ask you so there'll be numerous, and you can write in a priority. As our resolution states that we would meet at a minimum twice a year. So this first meeting is just to convene us all together in one room, so that's the first. The second will be to facilitate a discussion by Chair Greene and Mayor Garcia using the results of the survey and discussing. Here's what we found that comes from our county management and city management. What are we going to start tackling first? And also just a reminder, we put forth a model, a co-leadership model of working groups. This is really important because people did not like the all-BCC, all-City Council meetings. They didn't think anything was accomplished. So there'll be expected outcomes. So keep a look at that. And those are my updates for now. I'll be having a D2 resident advisory HOA, leaders from D2 that will come together and also the traditional village at the Food Depot on Tuesday night. Thanks.

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

COMMISSIONER HUGHES: Thank you. Yes I'll just mention a couple things. Several things have been going on. One is the reuse center at the Eldorado transfer station. We're still working with the Public Works and the community 285 Recycles to figure out a solution for that works for everybody.

Also it was brought to my attention that there has been somebody, surveyors on Churchill Road, either surveying the sewer/our sewer that runs through there or a new development that wants to put a sewer through there. Either way, they don't like either of them, and so we need to meet with them and go over what's in the plans, what we already have an easement for, and what they might want to consider.

I went on a tour of the Buckman Direct Diversion diverting point on Monday, and that was yesterday. Very nice day, by the way, to do that, and it was very interesting. Brad gave us a nice tour, and I learned a lot about how it works. I finally got to see that. And in addition, you drive across the Caja del Rio to get to it, and you see how beautiful that open space is and how nice that it would be to preserve that.

Commissioner Cacari Stone and I are working on a moratorium for data centers. So that'll be coming up sometime.

And I'm on a homeless steering committee with the City and they're going to have

a summit in June about homelessness, and they're having steering committees regularly.

And finally, Commissioners Greene and I were attended SOMOS May 1st march and rally for immigrants and workers, and that was very exciting and also very wet. The one time it rained was on their parade. But any rain in Santa Fe is good, so it's all right.

CHAIR GREENE: Thank you. As they say, don't rain on my parade, right? Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Chair. Happy birthday to our lovely colleague Commissioner Cacari Stone, we're glad that another year has passed. So happy birthday to you. Happy birthday to my daughter, Ingrid, whose birthday was Cinco de Mayo. She turned eight.

As Commissioner Hughes mentioned, we are looking at the Eldorado Transfer Station Reuse Center and a possible way to thread the needle in that situation. I want to thank Commissioner Hughes and Gabe Bustos for meeting us out there in addition to the transfer station staff.

I'm going to leave it at that, and I'm just going to encourage people to vote in the primary because it occurred to me that though I'm not running for reelection, my colleagues are, so I can't vote for you. But yeah, it's important to exercise your right to vote, and the primary is sometimes forgotten by many friends of mine. I'll say. So I have to remind them. So I've done so, and I encourage anyone listening to do so as well. Exercise your right to vote. Thank you.

CHAIR GREENE: Thank you, Commissioner Johnson. Thanks for reminding your friends to vote because I bet you your friends are my friends, so I love that. I got a long list. I'll try to be quick.

As Denise Benavidez mentioned, I attended the ULI event. There were participants from Albuquerque to Española. It was a great regional look at housing opportunities and development opportunities bridging over to the economic development side of things, and I think there's an opportunity for us to partner and collaborate every where. If a bunch of our sheriff's deputies are commuting from Rio Rancho, then, and Albuquerque, then we should be talking about housing solutions as far as people are willing to commute and how we can collaborate in that space both for economic development, site readiness, and development things.

So I attended a kinship care group in Española about a week and a half ago. Senator Leo Jaramillo and Cynthia Lentini put that together. It was really heartening and disheartening at the same time. It was amazing to see lots of families that care for their children or not their children, but either their family members or even kids that are adopted at a certain level, where the parents of these children are impacted by mostly drugs and other issues. And we need to really provide support for that community.

As Commissioner Hughes mentioned, we went to the May Day picnic. That was great. It was a great rally out there. There was a lot of alignment with Santa Fe County for immigrants' rights and for workers' rights. Associated with that, I attended the AFSCME and Democratic Party's May Day event the following day down at Young Park, and that was great to talk about workers' rights in that case.

I took part in the Tesuque chipper event as Commissioner Bustamante mentioned. And so as a follow-up to that, I'm going to bring all of the best practices on how that was a one-off thing and potentially turn this into a systematized opportunity for all of us to line up grant writers and the pathway for each of our communities 'cause I've already had, like you, many neighborhoods, homeowners associations you name it, have reached out. Wait a second. How can we do this? And so rather than onesie and twosie, how can we turn this into potentially a program that whether it runs through the Fire Department or Emergency Management or our grant writers, Sustainability, who knows? But it's definitely something that worked great for Tesuque, and we should duplicate it all across the county.

I took part in NAMI Walks. I mentioned that earlier. The Caja del Rio. I was there with Commissioner Bustamante. That was in the words of Garrett VeneKlasen, a love fest. That really taught me on how the land can be stewarded for generations to come, for different communities, for different uses, but not for development. And it was really a beautiful day out there, and I was really happy to be there.

I took place in the Close It Workforce Development Conference that was over at the convention center about a week ago. The main takeaway of that was that in a society that is being impacted by AI and a lot of automation, that we are getting into the phrase that was coined there, the technician economy. And that if you can find a good technician or if you want a good job for the future, becoming a technician and a specialist in something that is very hands-on is definitely a great opportunity. We need to focus in that space.

Also in economic development, I took part in a venture capitalist lunch down in Albuquerque yesterday. It was very interesting to talk about the ecosystem for investment for mostly for technology businesses, but for any businesses in the startup space, and it was a great conversation. Some folks came down from Denver to look at the Albuquerque, Santa Fe, and Los Alamos market, and I was lucky enough to be invited to that. So that was wonderful. Happy to tell more about that.

We met with Tesuque Pueblo, County Manager Shaffer Greg, and myself and Brian Snyder met with Tesuque Pueblo to talk about extending the transfer station agreement. And we are going to be working on that, and you should be planning on seeing that come through here in the next maybe 30 or 60 days. And I'm excited about that.

I will be bringing forward a resolution to support some broadband investment at the next meeting, so look for that. Commissioner Bustamante, you should see that as a potential collaborator on that, so we'll be ready for that.

And then I want to talk about what you mentioned about the 988 system and to talk about really the ARU system and the Mijo system, right? Right now, the City of Santa Fe has one or two teams. Santa Fe County has one team, and they both work 9:00 to 5:00, Monday to Friday. What happens on Saturday? What happens at midnight, right? And so when we start talking about potentially partnering and regionalizing, that maybe, that team that works the weekends goes as far away as Tierra Amarilla because that's where the need is. And it goes as far south as Edgewood. So it works for two counties

and in the city, but that we make sure that we don't have gaps in this, so people in the middle of the night don't have cops -- like a 988 or a 911 call ends up with guns blazing and co-cops showing up. That we need to start working, sharing resources, and make sure that, maybe the peak time is during the day, but definitely we need coverage for those other days.

COMMISSIONER BUSTAMANTE: May I address that?

CHAIR GREENE: Of course.

COMMISSIONER BUSTAMANTE: If I were to say, though, I think the greatest opportunity to reach for would be to get people skilled up in those specific areas because that's where the difference is really made. So it's one to send people, but to send them to train other people in those communities would be beautiful. Thank you.

CHAIR GREENE: I'm all for it, and so I'd love to work on regional solutions to that with Director Ryan and all the people that are going to be supportive of that, and Chief Black, and everybody that work in the ARU space.

And then to invite everybody, if you want a great festival this Sunday from noon to 3:00, is the San Ysidro Festival in Chimayo, and that is beautiful. Everybody comes to the Plaza del Cerro, and there's lectures, there's theater, there's planting. It's a beautiful experience. So if you want to go to a beautiful place with a beautiful bunch of people we'll all be there on, on Sunday afternoon. Thank you.

B. Other Elected Officials Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)

CHAIR GREENE: I will speak for the Clerk, remember early voting has started. Please go vote.

11. 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(1) 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) Forked Lightning Racquet Club d/b/a Forded Lightning Racquet Club Application for a Club Liquor License PAR-0000327664/BLA-0000014154

ATTORNEY BOYD: Chair Greene and members of the Commission. I'll preface this by saying that I think I only need about 10, 15 minutes to speak with you all in executive session.

I am seeking a motion to convene in an executive session to discuss Forked Lightning Racquet Club doing business as Forked Lightning Racquet Club application for a club liquor license which would be discussed pursuant to the exception in the Open Meetings Act that allows this body to deliberate in closed session over threatened and pending litigation in which Santa Fe County is or may become a participant. And so I'd seek a motion to that effect, and I'd like to speak with you briefly on this.

COMMISSIONER JOHNSON: So moved.

CHAIR GREENE: Excellent. Let's keep this short. I'll second that. And can we get a roll call vote, please?

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

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

[The Commission met in executive session from 6:02 to 6:29.]

Commissioner Bustamante moved to return to open session stating that the items discussed were those listed on the agenda and no decisions were made. Commissioner Johnson seconded and the motion passed by unanimous [5-0] voice vote.

12. Public Hearing(s) on Proposed Ordinance(s)

- A. Ordinance No. 20260-04, an Ordinance Providing for the Administration and Operation of the Santa Fe County Office of**

Emergency Management, Establishing its Authority to Adopt Policies and Procedures, Establishing an Emergency Management Advisory Committee, and Granting Authority to Declare a Local State of Emergency. (Public Safety Department/Jacob Black)

CHAIR GREENE: Chief Jacob Black, take it away.

CHIEF BLACK: Good evening, Chair Greene, Commissioners. Before you this evening is the proposed ordinance outlining the administration and operation of the Santa Fe County Office of Emergency Management. The packet material before you includes the proposed ordinance and the presentation from the April 14th Commission meeting.

As you noted, Chair Greene, the main points of this ordinance is to establish the process to adopt policies and procedures, to create mechanisms to develop volunteer programs such as the CERT team, establish an Emergency Management Advisory Committee, and to codify a process for the board to declare a local state of emergency.

In accordance with applicable statutory requirements, the title and general summary was posted and made publicly available in *The Santa Fe New Mexican* on April 21st.

Tonight we are before you requesting that the board conduct the required public hearing and for your consideration and possible adoption of the proposed ordinance. And with that, I stand before you for any questions regarding the policy or the proposed ordinance.

CHAIR GREENE: Fabulous. Commissioners, do you have any early questions? Lots of not shaking heads. Excellent. This is a public hearing. Is there anybody in the room that would like to speak for or against this? Seeing none, is there anybody online that would like to speak for or against this?

MR. FRESQUEZ: Mr. Chair there's nobody online.

CHAIR GREENE: Thank you very much. Take it home.

CHIEF BLACK: All right. Mr. Chair, Commissioners tonight we request your formal approval of the proposed ordinance for providing for the administration and operation of the Office of Emergency Management for Santa Fe County.

COMMISSIONER JOHNSON: I'll move to approve that.

COMMISSIONER HUGHES: Second.

COMMISSIONER BUSTAMANTE: I'll second.

CHAIR GREENE: I got a motion by Commissioner Johnson, a second by Commissioner Bustamante.- Okay, I heard you too, but all right. Thanks. Okay, we got a second by Commissioner Hughes for the record. And ordinance gets a roll call, please.

The motion to approve the ordinance passed by unanimous roll call vote as follows:

Commissioner Bustamante	Aye
Commissioner Cacari Stone	Aye
Commissioner Hughes	Aye

higher density of only one-third of an acre per dwelling unit.

The applicants own a parcel containing 0.771 acres, which allows for up to two primary dwelling units or two lots by right. The variance request is to allow an additional lot for a total of three lots or three primary dwelling units. The Board initially heard this case on March 31st and it was tabled up to today in order to have an outside third-party review of the materials relating the history of the property and to clarify the history of the lot as it relates to ownership and whether eminent domain has ever been used.

Staff spent some time reviewing the documents again, as well as enlisted the services of a title company to review the chain of title for the lot, which has been provided as an exhibit in tonight's packet.

Before we get into the history of the lot, briefly the criteria that the Board must use in order to approve a variance are that the request is not contrary to the public interest, were due to extraordinary and exceptional circumstances or conditions of the property, the strict application of the code would result in peculiar or in exceptional practical difficulties or exceptional and undue hardship on the owner. And three, so that the spirit of the SLDC is observed and substantial justice is done. I will note that while the wording is not exact, these criteria for granting a variance come from state law. State authorizes municipalities and counties to enact zoning regulations, including for regulating the density of population, among other things, to promote health, safety, and general welfare.

The zoning of the overlay zone has been enacted based on a planning process for health and safety. It's really important if variances are requested to observe the criteria and processes for limited exceptions to those zoning regulations. In order for the Board to approve of the variance, you must find that there's substantial evidence that all three of the criteria have been met, and the Board may impose conditions necessary to accomplish the purposes and intent of the code and the growth management plan, and to prevent or minimize adverse impacts on health, safety, and welfare.

As you're aware, staff outlined why we believe that the applicant had not provided sufficient evidence showing that they meet any of the criteria in our last memo on in detail at the March 31st hearing.

Tonight, based on the additional information that we pursued, I'm going to highlight for you all the hardship and practical difficulties criterion number two in a little bit more detail that when we look at these variances, when an applicant comes in, the extraordinary conditions of the property is unique to the property itself. Those things can be the shape, the topography, surroundings, natural forces, government actions, which is why the question of eminent domain was discussed. Government action could be something specific to that property. It should not be generally applicable to other properties that are similarly situated or in the same zone district. Basically, that it's something unique to this property owner. And generally, the applicant should not be reliant on other non-conformities as justification to deviate from our current standards. The current standards exist for a reason, and it should be a special reason why the current rules should be deviated from. And if there are exceptional conditions, then application of the code results in the practical difficulties or undue hardship. The hardship should not be self-imposed or created by actions of a property owner. Generally speaking, a financial

hardship by itself is not sufficient. And that it's really whether those conditions of the lot prevent the owner from using the property consistent with other similarly situated properties.

So going through the history from what staff reviewed in the documents as well as what the title company provided, on the screen now is a 1911 survey by the Federal General Land Office of small holding claims in the Agua Fria area. Highlighted in red are small holding claim 1244 which was the Baca family claim, and number 689 to the left of it. The survey notes for that survey show that the surveyor set fixed corners and described the properties by recorded bearings and distances. As we'll see in a few slides, this 1911 survey was referenced in a district court decision involving the subject property. In 1919, a supplemental plat was completed showing a subdivision of federal lands on the north side of the river. The red line on this slide is the approximate extent of the northern boundary of the two small holding claims shown on the previous slides. And the red circles highlight lots 13 and 14 in this section 31 with the boundaries shown between them with dashed lines. This is that same survey plat just with a red boundary encompassing those two lots, 13 and 14.

I highlight lots 13 and 14 because those lots were conveyed to Santa Fe County by the federal government by a patent in 1971, and these tracts are the current location of Romero Park.

In 1981, a significant portion of small holding claim number 689 was subdivided. On this slide, the red line on the left and right once again highlights the northern boundary of the small holding claims. And on the upper left corner in very small writing circled in red is this subdivision plat states Santa Fe County Park indicating that Romero Park property.

The orange triangle was around this time sold by the Padilla family to the Baca family and a portion of that triangle is now part of the applicant's property. On the right in green is the area of this subdivision as it currently stands today showing a more recent aerial photograph.

In 1997, Santa Fe County had its two lots, 13 and 14, surveyed. Again, on this one, the red line shows the approximate location of the small holding claim boundary going back to that 1911 survey. And then highlighted in blue is the approximate location of the applicant's property for this variance. Basically the same geography, the orange areas is the current area of the County of those tracts 13 and 14. The applicant's property is highlighted with the green boundary around it on the right side of the screen.

In 1999, Jose Nabor Baca commissioned a survey on the belief that his owner or heir to portions of the two small holding claims those parcels' boundaries should extend and expand to the current extent at that time of the Santa Fe River. The boundaries of the small holding claims, it was his belief that they were described to the river rather than monumented corners with bearings and distances.

Again, the red line being the boundary of the small holding claim plats. And the gray area on this survey is the sort of conflicting overlapping area between what Mr. Baca had his survey show as what he believed was his property and the area that was shown on other subdivision plats, including the County's, showing it was not. The area in blue is the applicant's property today.

In the following years after this plat was recorded with the clerk there were at least three deeds filed purporting to give Mr. Baca Tracts B and C, which are the two contested tracts. Those were filed with the clerk. After those deeds were filed Mr. Baca initiated a quiet title lawsuit against Santa Fe County and a couple of his neighbors. The County defended itself in that lawsuit. And in a final order in 2004, the district court concluded that Jose Nabor Baca had no interest in any part of lots 13 or 14 as surveyed.

The image on the right is some text from that court order that required that the plaintiff, Mr. Baca, shall remove all structures, personal property from lot 14 north of the surveyed boundary of the small holding claims from the 1911 survey plat, including the areas designated on the, just tracts B and C from the last slide.

This decision did get appealed, but the parties appear to have stipulated to a dismissal of that appeal in November of 2005. During pendency of the appeal, a new survey for the contested land area was filed with the county clerk. Deeds show that Santa Fe County conveyed one of these new parcels to Mr. Baca which is approximately the boundary of the parcel that exists today at .771 acres. Jose Nabor Baca also signed and filed the deed for the northern portion, which appears to confirm the district court order that he had no claim to that piece of land. The plat and both deeds were filed and recorded on the exact same day and time with three consecutive instrument numbers. And that filing date was the exact same day that the stipulated motion to dismiss the appeal of the lawsuit was filed in the Court of Appeals.

A few months later, another plat was done and approved by the Land Use Administrator to approve these two lots as legal lots of record. This was signed off on by Jose Nabor Baca further acknowledging the size and boundaries of the properties. Which brings us to the current lot today. As part of a settling of Jose Nabor Baca's estate there was a lot line adjustment plat that was approved in 2020 that slightly adjusted the boundary between the lot that was conveyed from the County to Mr. Baca and the triangular lot next to it which Mr. Baca had purchased from the Padillas in 1981. The subject lot for this application was then deeded from Martin Baca as representative of the estate to the applicants in 2022.

So for staff's conclusions we did enlist a title search of the property, which helped us confirm this history. The title company verified our own conclusion that regarding the property, including that there is no record of any eminent domain having been conducted by the County involving the property. The roadway and the gas line that go through that area have remained in the same location over many years, as shown on plats and surveys from 1981 and 1997, among others. The lot was the current size when the applicant purchased the property from the previous family member owner or the estate. And for multiple times, those previous owners have signed plats agreeing that this is the area of their property.

And essentially, my opinion would be that the requesting now to get a variance to subdivide smaller than the zoning allowed would be a self-imposed request or hardship. The zoning code does allow them to do two lots. The only other hardship that's been argued throughout this process so far is financial difficulty in buying a home which does not satisfy the second variance criterion. If it did, it would defeat the purpose of variances and undermine our enforcement of the SLDC. Again, the existing zoning is based on a

lengthy planning process. And a third of an acre is already a reduction from the three-quarters of an acre that the traditional community zone district normally allows.

I believe that they have a reasonable use of their land through a two-lot subdivision, and therefore the request does not meet the criteria for approval of a variance, which it should be denied. And I'll stand for any questions.

COMMISSIONER JOHNSON: Thank you, Mr. Vos. Does anyone from the Commission have questions for staff at this time? Yes, Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: First I just want to thank you for the extensive research. I think it's – to both of you and your Growth Management as well. It's a great case study, and we're looking at the complexity of land in historic village, the complexity of intergenerational heritage, and then federal government, county government. But I think you guys really jumped through hoops. I was actually expecting to find that the County had indeed taken land from the family, and I have some questions for Mr. Martinez. But you stand with your recommendation to not approve the variance, but I wanted to go back to your recommendation if County Commissioners approve the variance, these would be the conditions today. Could you repeat the conditions that you and your team back at the end of I think we were aware end of April recommended?

MR. VOS: Yes. Thank you. I meant to make that comment. So appreciate it. Vice Chair and Commissioner Cacari Stone.

Should you, despite our recommendation to denial, after hearing from the applicant and further deliberating determine that the variance warrants approval, staff would recommend there are 10 conditions that were in the staff report from March 31st. I believe that because they were entered into the record of the 31st they're already part of the record. But essentially comply with conditions of the Fire Marshal, to prohibit the placement of accessory dwelling units on any of the three lots, that they should share one driveway, shared sewer line agreement, no further subdivision after the three-lot subdivision, no domestic well, each lot shall be served by public water from the Agua Fria Village Community Water Association, they shall go through the platting process to get the subdivision plat reviewed by Growth Management and recorded with the County. That any future development shall comply with SLDC requirements for construction of homes, and that the variance shall automatically expire within one year unless they do follow through on implementing it with the subdivision plat.

COMMISSIONER CACARI STONE: Thank you so much, Mr. Vos.

COMMISSIONER JOHNSON: Other questions from the Commission? Not yet? Let's hear from the applicant or its representative. And when you approach, you should be sworn.

[Duly sworn, Benito Martinez, testified as follows:]

BENITOR MARTINEZ: Benito Martinez, 1194 Hansen Lane. I am under oath. And I also have a hearing impairment and have a rough time hearing everyone, so may I ask for your assistance?

COMMISSIONER JOHNSON: Thank you. Looks like we are going to provide you with an earpiece so that you can hear everything that's projected in the microphone. [Testing the earpiece]

MR. MARTINEZ: First of all, I want to thank staff for putting together the relevant information, however validate it may seem. What is peculiar in this case is that Jose Nabor Baca has had the property north of the subject property, 1.3, had for a period greater than half of his life, paid property tax on this property, while it is now identified as, through the quiet title suit, property of the County through the patent. Why is it then that a '99 Baca survey, is approved by the County of Santa Fe to two legal lots of record. The property is owned by the County through the patent. How could the County approve a plat creating two legal lots of record with emphasis point number one and with credibility of ad valorem property tax collected and distributed? This property was previously in the Baca family in the grandmother's name. Somebody had to catch this.

Secondly, the subject property of .771, assuming that the 1.3 acres, which is part of the patent granted to, through a quitclaim deed, the County, through Mr. Jose Nabor Baca, was a legal lot of record in his name. So that is extraordinary circumstance. Coupled with the fact, I believe that the minutes, the testimony by Mr. Vos, Administrator Vos, in the previous meeting in which this case was tabled, identified a swap. And I think what happened with the survey and the quitclaim deed from Jose Nabor Baca for the 1.3 to the County, and then the County in turn quitclaim deeds the .771 back to the Baca family merely establishes the clarity of the line between the two parcels.

I, in my professional capacity, believe that was the reason for the quitclaim deeds. Otherwise, it would have been a warranty deed conveying fee simple title and interest. A quitclaim deed conveys interest and interest only, if any. I have yet to believe that the County had interest in the .771 in the first place, and there wasn't a swap. Notwithstanding, I did a little research. I believe that this Commission requested information from the Land Use Department about the number of units that have been approved in the immediate vicinity, the residential dwellings in El Prado subdivision, also known as Caja del Oro Grant subdivision. By the way, city water, city sewer, very similar to our variance request, community water, city sewer. And those lots in which homes are being built right now are 33-feet wide and 100-feet long, 3,300 square feet or .07 of an acre. That's seven thousandths. Seven hundredths, forgive me. Seven hundredths of an acre versus .257 or greater than a quarter acre. So I wanted to interject that because it was asked of the Land Use Department how many units on the acreage and so on and so forth. This pertains to the mere fact of family transfer and the omission thereof now in the land, Sustainable Land Development Code. There is no family transfer any longer. And I think that if anything, as I previously testified, we need to sustain families, culture. I mentioned that what you're sitting in front of is exactly what we're talking about, and it's about water, and it's about sustaining families.

You have heard enough. I think this case has become quite interesting, and I have learned myself from it, and it's pretty neat in that sense. However, I continue to submit that the Baca family is willing to waive the right to construct three dwellings on three lots and no more, no guest dwellings. If this is denied by this Commission, we would be allowed a total of four, and we are ready to submit to that condition, along with all the other conditions that have been submitted to us for our agreement from fire, water, city, and their forward. I'd like to yield a second to see if Mr. Baca, Mr. Gilbert Baca, Rosalba

Baca have anything to add.

And we do have someone in the audience also, I think, that would like to say something in public comment. But at this point, don't want to beat this horse to death. There's going to be a total of 80 units in El Prado on less than eight acres. These lots are 33 by 100. They're back side by side. They're duplex type. And I think that is quite alarming that we have the same functional utility and water, sewer that they do, and they're getting a tremendous density benefit from theirs. I yield for questions. Thank you.

COMMISSIONER JOHNSON: Thank you, Mr. Martinez. Does anyone from the Commission have a question for Mr. Martinez? I will start at the end. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Step Chair. Mr. Martinez, quick question. Why would the applicant try to get a variance from a law that is clear on the requirements to get three structures when their current, and my understanding, I'm going to look at staff when I say this, that their current designation would allow at least one ADU. Is that correct? Three, so it would allow more, two, two more.

MR. MARTINEZ: Yes, one per legal lot.

COMMISSIONER BUSTAMANTE: So what would be the reason to ask for a variance that from where I'm sitting, opens the door to negating every other reason for not having the variance in the SLDC, which makes it hard. You open this door, you open a whole bunch of people wanting to get that. But why would we do that if they can still get two structures, two more structures without having to go through this process? What would be the reason for taking a variance against a clear ordinance when they can get actually an extra two extra structures?

MR. MARTINEZ: Thank you for the question, Commissioner, Mr. Chairman, Commissioner Bustamante. It ties in and it becomes quite complicated answering this question because it ties directly into the 1.3 acre parcel of which Mr. Jose Nabor was approved in the '99 plat by this county, signed by the Land Use Administrator, legal lots of record, and the County owned the land, number one. If that had not been done, and it is what it is, and this ties into the fresco, is the taking of lands. By the way, relative to that, and I knew it was going to get complicated, but we're ready, is that it is shown in record that the Agua Fria Village extended as far north in the original context as the south boundary of the San Ildefonso Reservation grant and as far south as the Mesalita de Juan de Lopez grant. That is south of La Bajada Hill to the Galisteo Basin, and it was 3,000 varas wide at three feet per vara. That's a yard in Spanish. This was a very very large grant. There's no fighting this now. There's no fighting. We know this, but that's what this fresco is about, is that the United States government, when the public land survey system came through, they took that land. Mr. Nabor Baca paid tax on this land for an extended period of time, and then this happens. He simply did not have the money to fight this. It was going to cost more than he had. It's the Santa Fe River. There was really very little, but there was some land that was usable immediately adjacent to the Baca land, .771, the variance request case, there was another 30 feet that could have been used for this variance process. We would not be here. We would have three lots. That's the reason, is that we had enough land previously, and the deed exchange occurred.

We also have family members that want to place, they're going to place a manufactured home, not a build a home. They can't afford it. And so this is the reason, one of many. I hope that answers your question.

COMMISSIONER BUSTAMANTE: I'm afraid it, it doesn't. It really doesn't answer the question as to why they would push for the ability to have one more structure when they can have two. I understand the history, and we could all go back and find a way to get, land that was taken under a new system. I'm very aware of it. That being said, it doesn't answer the question as to why the applicant would choose to fight to have one more unit rather than to have the two units they would be allowed to get. It doesn't answer that question.

MR. MARTINEZ: Okay, let me help Mr. Chairman, Commissioner Bustamante. Mr. Gilbert Baca came forward because there are utilities that are already set up in this property for three units. We had three developed units on this .771. It's already roughed out. We're just trying to make it legal.

COMMISSIONER BUSTAMANTE: Mr. Chair?

COMMISSIONER JOHNSON: Go ahead.

COMMISSIONER BUSTAMANTE: Then he can just do it. If he has two, it doesn't mean he gets to put three, but it does mean he could put one. So if the utilities are there, it doesn't make sense to me as to why he couldn't just put the additional unit and call it done, even though they could still have two more, they could just have the one under the existing law. Because honestly, having looked at this a number of times historically, it's very clear about following the law. That being said, why not just work with the allowed unit that they are able to get, the utilities are there, instead of asking for a variance? They could have two more, but that doesn't mean they can't just do one. You see what I'm saying? The variance doesn't seem necessary. If there is a reason to require that this Board say we're going to step aside from the existing law, then that would make sense. But there are three criteria for stepping aside from the existing law, none of which have fallen in this particular case, and all three are required. They don't meet that requirement, but they are still already allowed to have an additional unit or two. That's all I'm saying. It does not seem necessary to go get a variance when the law doesn't require it for the additional structure, if not structures.

MR. MARTINEZ: Thank you, Mr. Chairman, Commissioner Bustamante. I have had this discussion with staff administratively, two lots, we wouldn't be here. That is a choice of the applicant. The applicant chose to do so and it becomes an equitable standard between local governments. Right up the road, they've got 80 lots. Eighty. We want one additional. And previously, staff even published in the public that, Oh, we want to, don't want to set a precedent. Water, traffic, for goodness sakes, there's 80 units out there. We're asking for one more. It was the desire of the applicant to go for three lots. I'll yield.

COMMISSIONER JOHNSON: Any further questions?

COMMISSIONER BUSTAMANTE: Unless it's not clear yet that they could still have three units, I'm done. Thank you.

COMMISSIONER JOHNSON: I've heard that point myself, so I appreciate it. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Yes. Thank you, Mr. Martinez. So when we tabled this the question from the March 31st, and I want you to know I really went through everything. I went through all that the Bacas presented, and I went through what the staff has presented here today and the minutes. You stated that the property, a portion of the Baca property was taken for the purpose of expanding, extending the trail network. So we went back to see, you were claiming the eminent domain, but now that the staff has proven through research and the titles that the County did not take the property, are you still in disagreement with that? I just want to be clear.

MR. MARTINEZ: Mr. Chairman, Commissioner Cacari Stone, I stand corrected. I have leaned on members of the community of the Agua Fria Village Historic Traditional Community in their renditions through history. One of which is Mr. William Mee, who I believe is via Zoom online with us, and others. And so interestingly enough, there is plats that have been submitted by staff, Administrator Vos, which show property lines going directly in the center of the bridge. So I stand corrected on that particular subject. It's been a moving target. We are discovering as we go, and I don't think that we're even close to even understanding it all, but it's all said and done because of the exchange and because of the patent, and I think it's needless for us to continue to go down that road. So I stand correct.

COMMISSIONER CACARI STONE: Okay. Thank you so much. And I want to be clear with the Bacas themselves since you're here. On March 31st it was stated on your behalf that you'd be willing to forgo the accessory dwelling units if you could have three main units. So you would not do that, but then Mr. Martinez just mentioned now you want four units. Can we clarify what the request is here from your perspective? Okay. Three main units, but you are willing to forgo the ADUs. Is that correct?

[Gilbert Baca nods in the affirmative.]

COMMISSIONER CACARI STONE: Okay. All right.

MR. MARTINEZ: Forgive me if I was misunderstood.

COMMISSIONER CACARI STONE: Okay, I just want to be sure what the request is. And then all this history is this history that was presented here today, Mr. Martinez, new to you?

MR. MARTINEZ: It was new, Mr. Chairman, Commissioner Cacari Stone, a few days ago when it was submitted to me via email. And I sure wish it would've been done a little earlier. Now relative to that, Commissioner Cacari Stone, is the County has rendered that it conducted a title search, and it did in fact not conduct a title search. It was Southwestern Title & Escrow that I would imagine was hired to do so. And so it is extremely deep in our busy schedules to review all of that title examination in a few days. I'm not asking for any more time. It is what it is, and we will forego. We'll do three units; three units only.

COMMISSIONER CACARI STONE: Okay, and just to clarify I believe the staff did, I confirmed that, did pay for a title search. So I want to be sure the public doesn't get any misinformation. Is that correct, Mr. Vos? You did. Okay. They're nodding yes.

And is it the County Assessor who does the surveying and manages these types of transfers and lands? Is that the role of the County Assessor?

MR. MARTINEZ: The County Assessor Mr. Chairman, members of the Commission, receives documents from the clerk's office. And there are many double assessments, believe it or not. If there are two properties that are claimed by the same party, they are both assessed. It is not the function of the Assessor to interpret title conflicts. There have been double assessments. In this case, the local government county is not taxable and possess the interest via the patent. And notwithstanding, once again with emphasis, the County has the responsibility to approve or not approve and find whether fee simple title and interest is established before approving a plat. This could have been stopped many years ago. Yes. But the Assessor is only responsible for interpreting what is recorded, identifying, discovering, locating, and then valuing for property that is subject to tax.

COMMISSIONER CACARI STONE: That is correct. Thank you so much. It's true then, the Bacas are fortunate to have you because you were County Assessor between 1997 and 2007, and before that you were a deputy assessor. So this overlaps with this whole period. So at some point you were aware of all this because you're from the village. That's correct? And you were the assessor.

MR. MARTINEZ: Correct. Mr. Chairman, members of the Commission, Cacari Stone Commissioner. It is one big ball of wax to take care of every property in the jurisdiction and every land grant and every, whether it be the Mexican, Native American, or Spanish land grants. There are these conflicts everywhere, and this was the reason that I took it upon the staff to try to digitize the entire parcel layer so we could begin to understand exactly what was happening out there. And that's what we did between those years, '96 to 2006. We created these orthoimages, they're not aerial photographs, with the support of our staff and GIS and land use, and it was a team effort. This is the primary reason we did. But interpreting all of these conflicts, this is only one of over hundreds of thousands of properties. Thank you.

COMMISSIONER CACARI STONE: Yes. Understood and fair enough. I appreciate it. I have no other questions. Yes, please. I'm interested in hearing public comment, but I'll defer to other Commissioners.

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

COMMISSIONER HUGHES: Yes. I just have quick questions, I hope. So my understanding is there's utilities in place for three properties. The existing property and the two new ones. Is that correct?

MR. MARTINEZ: That is correct, Mr. Chairman, Commissioner Hughes.

COMMISSIONER HUGHES: All right. Do those two new properties, are they already built on?

In other words, are the mobile homes in place already?

MR. MARTINEZ: Mr. Chairman, Commissioner, no, they have been removed.

COMMISSIONER HUGHES: Oh, they've been removed.

MR. MARTINEZ: On the onset of this variance request and before that.

COMMISSIONER HUGHES: I see. Okay. And they can't be divided in

such a way that one is the main residence and one is the accessory dwelling?

MR. MARTINEZ: Mr. Chairman, members of the Commission, anything is possible regarding that.

COMMISSIONER HUGHES: Okay. So it is possible that if we were to deny this request, they could still have their three dwellings, just one would be the main one and one be accessory?

MR. MARTINEZ: That is a potential, Mr. Chairman, member Hughes.

COMMISSIONER HUGHES: Okay. Thank you.

COMMISSIONER JOHNSON: Okay. Thank you. I'll hold my comments until after public comment. Thank you, Mr. Martinez.

At this time, this is a public hearing. If any member of the public in person or online would like to speak, we will hear you, and let's set a timer for three minutes for public comment just to keep things moving. Or is there anyone in the chambers who would like to speak to this matter? Seeing none, are there any individuals online who would like to speak to this matter?

MR. FRESQUEZ: Chair Johnson, there are no individuals online.

COMMISSIONER JOHNSON: Okay. Last call for any public comment on this case. Welcome. Thank you for participating. If you could turn towards the clerk, she will swear you in.

[Duly sworn, Dave Pike, testified as follows:]

DAVE PIKE: Thank you. My name is Dave Pike. I reside at 2026 Via Maria Albina, which is in the heart of the community of Agua Fria Village.

I'd like to just say a couple of comments regarding the case and would like to ask the Commission just to recognize that Agua our Fria is unique in nature. We're a sovereign community. We have been existing historically even before the city was founded in 1610. Our settlers were there along the Santa Fe River, along with the Pindi Indians. So we go back many, many years. Our community is unique in nature in the sense that many of our lands were elongated properties that were designed in such a fashion for agriculture use and sustainability for our people.

The only thing I wanted to mention was that these kind of cases will probably come up again. And they're hard cases because we are unique, and I would just ask that the Commission look and review these cases in a positive way to help the community. I know the code is the code, but sometimes things need to be looked at on an individual basis.

Staff has done a wonderful job in reviewing and researching the history of this particular property, and I commend staff, county staff, they work hard in trying to maintain the code and requirements of the County, and I appreciate that. I would just ask that I'm here on, in support for the Baca family in whatever works in their behalf. Appreciate your consideration. Thank you.

COMMISSIONER JOHNSON: Thank you, Mr. Pike. So final call for public hearing. If anyone would like to make public comment, make yourself known. Seeing none, I will close the public hearing portion of this meeting in this case.

If there are points of discussion that we'd like to debate or questions for staff or

the applicant, now is the time. Commissioner Hughes.

COMMISSIONER HUGHES: I just have a question for the staff. Is it possible to make the division such that they could have their three buildings sort of the way they want, on one being a main unit and one being an accessory unit?

MR. VOS: Vice Chair Johnson and Commissioner Hughes so no, they could not divide the lot into three lots because once we have standalone properties, they can be bought and sold fee simple, and once you have a, an individually platted lot, it's no longer an accessory dwelling unit. Anything you build is the primary, and there's no cap on the size of that primary dwelling unit. So if they're granted the variances, they can build three houses. There's no size limitation on those three houses. If they do the two lots, which is allowed by code, they can build two primary dwelling units with two accessory dwelling units. The accessory dwelling units are limited by code to half the size of the primary or up to 1,400 square feet maximum. So that you're getting a sort of a smaller, more fine-grained type of development out of the accessory dwelling units on the two lots, than potentially with the three.

COMMISSIONER HUGHES: Is the 1,400 square feet is the maximum size or half the size of the main dwelling? So if the main dwelling is only, say, 2,000 square feet, it can only be 1,000 square feet?

MR. VOS: Vice Chair and Commissioner Hughes, that's correct.

COMMISSIONER HUGHES: Okay. So I understand why they want the variance then. Thank you.

COMMISSIONER JOHNSON: Thank you. And I'll h- I'll have a follow-up if it's all right with my fellow Commissioners. This does seem pertinent. There are two properties currently on the site. What is the square footage of those properties?

MR. VOS: Chair and Commissioners, so there's one dwelling unit on the property, I believe, currently, a home. The current home appears to be a little bit over 1,000 square feet on the property, and there's only one dwelling unit currently existing.

COMMISSIONER JOHNSON: So let's take a hypothetical. There's one property now to be split into three as the proposal, obviously, staff has a different recommendation. If it were split in two, one home could be, 2,800 square feet, a constructed unit, and then one could be 1,000 as an ADU. Let's just assume that a manufactured home is 1,000 square feet. I'm just guessing Would that, is that accurate, my statement?

MR. VOS: Yes.

COMMISSIONER JOHNSON: Okay. Are there other questions from the Commission? Things that we want to discuss? This is a complicated case, I think we can recognize.

COMMISSIONER CACARI STONE: Okay. I want to just clarify. So what we have before us as Commissioners is either approve the variance to allow, the request is to allow to separate the current lot into three separate lots. Is that correct, Mr. Vos?

MR. VOS: That is the applicant's intent. It's technically a request to allow three primary dwelling units on the property. I think they intend to subdivide is what is

my understanding which would implement that variance. But there are, the other alternative is they could apply for building permits to apply to build three homes that are bigger than, two plus ADUs. So it's a request for three primary houses. Which could be accomplished by subdividing it into three lots.

COMMISSIONER CACARI STONE: But as a Commission, we could say allow three primary dwelling units on the existing size of the lot, but not subdivided. I'm just going through it –

MR. VOS: Vice Chair and Commissioner Cacari Stone, you could implement the no further subdivision condition which staff has recommended to happen after they do their three-lot subdivision to just be allowed now --

COMMISSIONER CACARI STONE: Okay, so that would be the maximum.

MR. – and say no subdivision.

COMMISSIONER CACARI STONE: And is it correct according to our SLDC that anything more than five becomes a subdivision? Like that's not applicable to this particular family.

MR. VOS: Yes, that's correct. It becomes a major subdivision after five.

COMMISSIONER CACARI STONE: Okay. So in some ways from the staff's opinion, are we staying within reasonable density to allow three without additional dwelling units? If it's only three, they already agreed, correct, that they will not put additional dwelling units.

But if we allow three, it, I was kind of doing the numbers, it's not really statistically significant in terms of the lot size. Now let me find out what numbers I had here. Is that correct?

MR. VOS: Vice Chair Fulton Johnson and Commissioner Cacari Stone, it's getting pretty hypothetical on what could be. And I think where we stand as staff is that the zoning, which was a policy decision of a former County Commission, admittedly, that is the zoning of the property to allow a certain density. And so to say, should we allow three and that be okay and because I don't – once we allow three homes, we might not be able to stop how big they are. Right now, it's you get to do two houses and two small ADUs. The code says that's acceptable. The code says that three primary dwelling units is not acceptable unless you get a variance and you meet the variance criteria, and our perspective is that they don't meet the variance criteria.

COMMISSIONER CACARI STONE: Okay.

MR. VOS: So I would I want to keep this limited to the facts that are in front of us instead of what possibilities could come in the future.

COMMISSIONER CACARI STONE: I appreciate. And I appreciate all your research. And I think there's two truths here. The variance approval criteria, when I read the face value of what you found in your research, indeed, it could be argued that the three points are not met. But your research could also make the argument that this request is not contrary to the public interest of maintaining, preserving, historic communities and traditional villages, which each of us sitting here has on our, in our districts. Your research could also say that this is an extraordinary exceptional situation, conditions of

the property, because you demonstrated that it's extraordinary and exceptional to have all this different history and checkerboard and complex changing of lands between the federal, the county, the state, and then back and forth to individual property owners. And that the spirit of the SLDC is observed with when insubstantial justice is done.

What I'm asking, and it's not within your parameters, and you are correct to stay within your parameters because that's your job. But what I'm also seeing is as we're revamping and updating our sustainable development codes, there may be a need, as we just had a previous presentation on a housing strategy and affordable housing, that there would be a need to actually amend it to consider traditional village and inter-family – to maintain interfamily legacies of heritage of lands so that people can afford to live here.

I'm just giving both arguments, and those are the arguments I've been thinking about since March 31st and this new information, there's two sides. So I'm just going to stop there because we're a team, and we have to think this through.

COMMISSIONER JOHNSON: Okay, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, and thank you, Commissioner. It's okay for us to not all agree on things. We can have different views. I'm understanding then the reason for the division is to be able to sell the other lots. Is that – you're going to keep them in the family forever? Then it doesn't require the variance. Why does it require the variance if you're already allowed?

Now, what I ask for that clarification, this past year, not this one, but the 2025, we heard a case. Actually, it was 2024 for Garcia in La Cienega. It was former Commissioner Rudy Garcia who represented the applicant who put in an ADU, which was a double wide ADU larger than the original building. So there's nothing that keeps – to call it an ADU or to call it the main structure. Why are we haggling over that when they're really, in its physical presence, has no delineation? There isn't a big, This is the ADU on the front doorstep. This, they can be equal size. One can be bigger even though it came later. I'm not understanding if you're going to keep it forever unless you're planning on selling it, then I don't think it requires the variance. Unless I can hear a really good solid reason requiring the variance, I do agree with my colleague here that we need to look at that code because what I do hear in the interest of selling those properties, but I hear we're not going to sell them, that it would be split and it would help with income and family goes on their merry way with the additional, we have additional houses and they're sold as properties, et cetera.

But that's not what I'm hearing here at all. I'm hearing, No, we're not ever going to sell it. Yes, we want a variance, and we only want to put one more, but we want a variance instead of doing it as the additional dwelling unit. So unless there's something I'm missing, if I hear, No, the real good solid reason for the variance is X, I'm not hearing it. So that's all I have.

COMMISSIONER JOHNSON: Thank you, Commissioner Bustamante. If I may, let's see where I go. This is a complicated case. It sounds like the property owners are interested in keeping this in the family, and I like to take people at their word on that. I'm not really – given other density in that area, I'm not necessarily opposed to the three split. But what I hear from you, Commissioner Bustamante specifically, is perhaps we could find some sort of middle ground where we're not limiting the size of

the accessory dwelling unit.

COMMISSIONER BUSTAMANTE: There is no limit.

COMMISSIONER JOHNSON: Well, there is a limit of 50 percent of the primary dwelling unit. So if the second property – let's just say the properties were split and the property that does not have a house, the house is placed, and then there's an accessory dwelling unit. That dwelling unit has to be half of the size of that house.

COMMISSIONER BUSTAMANTE: Understood.

COMMISSIONER JOHNSON: So what if we were to – and this is very hypothetical, but, I would be -- I feel like it's effectively the same for four units, two of them ADUs, is kind of the same as three primary dwelling units, right? In a density perspective, it's actually four structures instead of three. But mathematically, you could make the case that those are effectively the same. And so that doesn't tell, that tells me that the carrying capacity is not the issue. That we don't want to set a precedent for rampant lot splitting. Though we should certainly reassess the size of splits that are connected to sewer and that are connected to water – and I'm sorry, Hughes, you're on my blind side. So if you want to chime in just tap me – but I'm sort of in favor of --

COMMISSIONER BUSTAMANTE: Can we deliberate about this in closed session?

COMMISSIONER JOHNSON: Yes.

COMMISSIONER BUSTAMANTE: Is that something that we would be allowed to do?

ATTORNEY BOYD: Vice Chair and Commissioner Bustamante, yes. Under the Open Meetings Acts, you are permitted to deliberate in closed executive session on quasi-judicial matters. So if that's the pleasure of the Board, you could entertain a motion.

COMMISSIONER BUSTAMANTE: If the Board's amenable --

COMMISSIONER JOHNSON: That you, Attorney Boyd, I would support that because then we can just kind of get this figured out.

COMMISSIONER BUSTAMANTE: Then I would make a motion to go into closed session to discuss this with the Board.

COMMISSIONER CACARI STONE: I second it.

COMMISSIONER JOHNSON: I hear a motion from Commissioner Bustamante to go into closed session and a second from Commissioner Cacari Stone. Roll call vote, please.

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

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

[The Commission met in executive session from 7:36 to 8:06.]

Commissioner Hughes moved to return to open session stating the only thing discussed was Case #25-5161 and no decision was made. Commissioner Johnson seconded and the motion passed by unanimous [5-0] voice vote.

COMMISSIONER JOHNSON: We have returned and thank you all for your patience. Let me get back to where we were.

I would like to make a motion in case number 25-5161, appeal of the Planning Commission's denial of Case number 25-5160, I'd like to make a motion to deny the appeal of the applicants' request.

COMMISSIONER HUGHES: And I second that motion.

COMMISSIONER JOHNSON: We have a motion from me and a second by Commissioner Hughes. I'd open it for discussion before we take a vote. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: This is very, very difficult because we know that we have people, especially in our rural communities, who would like to have a variance and who have questioned why the SLDC didn't allow variances. So it's difficult – it's on the fence. Something needs to be done to address this. I do understand the circumstances of the family the part that I'm not understanding is that they can have the additional structure, what's the difference? So that's just my thought.

COMMISSIONER JOHNSON: Thank you, Commissioner Bustamante. I concur. I want to tell the Bacas, thank you for coming before us. We need to follow our own code and we do understand that you would like to have multiple structures on this, it is still allowed by our code just not through the splitting of the lots so I – this is a complicated case. We understand this and we do hope that you pursue three units or at whatever you'd like with your own property in this case. Are there other comments?

COMMISSIONER HUGHES: Yeah, I'm glad you came forward with this too because it got us to thinking that we might need to change our code but we do want to stick to our code tonight because everybody else has to stick to it. We certainly will work on that and maybe we can come up with something else that helps you a little more.

COMMISSIONER JOHNSON: Further question or shall we take a vote?
So just to clarify, we –

COMMISSIONER CACARI STONE: Chair, Vice Chair, can I make comments after the vote?

COMMISSIONER JOHNSON: Yeah.

COMMISSIONER CACARI STONE: I wanted to make some comments.

COMMISSIONER JOHNSON: Yeah, I'll allow it.

COMMISSIONER CACARI STONE: Can I just share, this is not the first and it's not the last. And I think that we have a lot of good faith efforts on behalf of our staff, the Baca family on all sides in this case. I want to acknowledge the Baca family's long presence and centuries on Agua Fria dating back to the 1600s. This is a very unique community here in Santa Fe and I recognize the critical importance of maintaining intergenerational family wealth through landownership. I've been talking about this to

many people in the Agua Fria Village and thinking deeply about this. And you brought this and forced us to discuss this more. I have my own stance on this and we'll take a vote but I'd like to make a comment around that stance after we vote.

COMMISSIONER JOHNSON: Okay, just to clarify because the language is – I'm going to vote no to the appeal. And I just want to make sure that I get the legal language right so we don't all vote in the wrong way. Attorney Boyd, go ahead.

ATTORNEY BOYD: Vice Chair Johnson, as you noted the matter before you is an appeal of the Planning Commission's denial of the variance. And the motion that I heard you make that Commissioner Hughes seconded that I believe is on the floor for discussion was a motion to deny. So that would be to deny the variance.

COMMISSIONER JOHNSON: Okay, so if I wanted to deny it, I would vote yes.

ATTORNEY BOYD: Correct.

COMMISSIONER JOHNSON: Thank you. Thank you all. If there's no further discussion let's have a roll –

COMMISSIONER BUSTAMANTE: I do want to say one more thing. I apologize. I can't tell you how sensitive I am to this issue with regard to historic families, loss of land and an inability to get to a place where we have control over our own, I'll call, territorial even if it is our family land. And I say that as a resident of La Cienega whose grandmother was born in Ojo Santa Fe and because taxes weren't kept up, it was taken. If we could go through this process and I could have a resort – and that's just now how current law works. I get it and it hurts right here. I do want to make that clear.

COMMISSIONER JOHNSON: Okay, thank you, Commissioner Bustamante. There's a motion to deny the appeal on the floor. Let's take a roll call vote.

The motion to deny the appeal passed by majority [3-1] roll call vote as follows:

Commissioner Bustamante	Aye
Commissioner Cacari Stone	No
Commissioner Hughes	Aye
Commissioner Johnson	Aye
Chair Greene	Absent

[The Commission met in executive session from 5:21 to 6:30.]

COMMISSIONER JOHNSON: Three to one, the motion passes. Commissioner Cacari Stone, did you have something, you mentioned that you wanted to make a comment about your vote. Please proceed.

COMMISSIONER CACARI STONE: Thank you. First I want to thank my fellow Commissioners for talking through and deliberating which we know will continue to come before us. I want to speak to the Baca family and your children. This vote taken tonight denies the variance under the current code but it doesn't close the door. And I want to work on and I know the Board would concur a better pathway for our

traditional communities, for intergenerational land wealth inheritance that keeps your children, your grandchildren here, allows you to have your homes and I think what is really needed is that we establish, and I've talked to folks, and I want to move forward with this, a traditional community land working group. And that this land working group help inform as we're in the midst of modifying the Sustainable Development Code because our staff also needs something that considers this otherwise they have to have parity in their decisions. I think we need within this working group to look at whether to restore a limited small lot family transfer provision which Commissioner Bustamante has brought up previously, that we look at property tax protections and we consider procedural justice around heritage families and how you navigate land use and what we currently have today and that we have a broader traditional village policy framework. So I will be working on this and again, it's no tonight what I hear, but I think we should keep the door open and I'm going to fight to keep that door open with my other Commissioners.

COMMISSIONER JOHNSON: Thank you, Commissioner Cacari Stone. And thank you to everyone, Mr. Martinez, the Bacas, we do follow our own policies and codes and those are subject to change through our own actions. I wish you the best. Thank you. Thanks for coming.

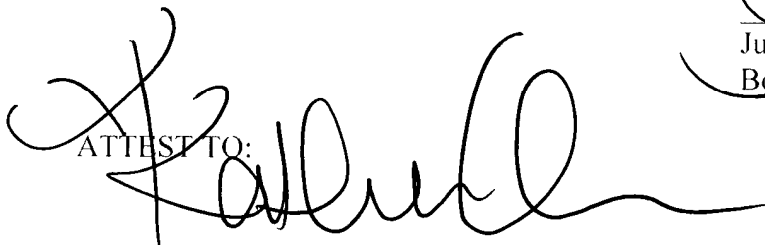
14. Concluding Business

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

Upon motion to adjourn by Commissioner Hughes and second by Commissioner Bustamante, and with no further business to come before this body, Vice Chair Johnson declared this meeting adjourned at 8:15 p.m.

Approved by:


Justin Greene, Chair
Board of County Commissioners

ATTEST TO:


KATHARINE E. CLARK
SANTA FE COUNTY CLERK

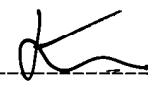
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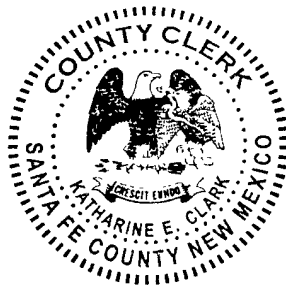
COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
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I, **Justin Greene**,
Chair of the Board of County Commissioners,
do hereby certify that this instrument was filed for
record on the **10TH** day of **June**, 2026 at **05:49:02 PM**
and was duly recorded as instrument # **2085375**
of the records of Santa Fe County.

Witness My Hand And Seal Of Office

 Deputy _____
County Clerk, Santa Fe, NM



SFC CLERK RECORDED 06/10/2026