

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR BCC MEETING**  
**October 28, 2025**

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

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

**October 28, 2025**

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

**B. Roll Call**

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

**Members Present:**

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

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

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

**F. Moment of Reflection**

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

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

**G. Approval of Agenda**

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

GREG SHAFFER: Chair Bustamante, Commissioners, no, there are no

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recommended changes from staff to the agenda as presented. I would just note for purposes of our minutes that the initial agenda for today's meeting was posted on Tuesday, October 21<sup>st</sup> at approximately 5:28 p.m. And the amended agenda was posted Friday afternoon at approximately 12:58 p.m. which is in excess of 72 hours before today's meeting. And the only substantive change as between the two agendas was the addition of miscellaneous action item 7E which is a utility line extension and delivery agreement between Santa Fe County and ILM LLC. Thank you, Chair.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. Do we have any issues, concerns, recommendations for the agenda that has been provided to us? If not, do we have a motion to approve the agenda?

COMMISSIONER JOHNSON: Move to approve.

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: I have a motion to approve the agenda by Commissioner Johnson. We have a second from Commissioner Cacari Stone.

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

#### **H. Years of Service, Retirements and new Hire Recognitions**

CHAIR BUSTAMANTE: County Manager Greg Shaffer.

MANAGER SHAFFER: Thank you, Chair Bustamante and Commissioners. I'm going to start with our new hires and then go to employees recognizing significant milestones and then finally want to acknowledge a team member who retired from the County.

Starting with new hires, we had two new employees in the corrections department at our adult detention facility. Jeremiah Johnson and Gisselle Ortega Castro, one detention officer and one a booking clerk. In our Community Services Department, Alma Llanez, joined the team as a cook. And in our Public Works Department, Kimberly Baros, joined the team as an accountant and Michael Diaz, joined the team as an administrative assistant. We had five new hires in the Sheriff's Department including a cadet and two deputy sheriff 3 as well as a crime scene technician and a sheriff's records clerk. Those employees are Julian Martinez, Sean Strahom, Laura Teamer, Arthur Vega and Cindy Vigil. And then finally in our Utilities Division, Randy Trujillo joined the team as a utility system operator 3. So I want to acknowledge all of those new team members.

With regard to employees who are recognizing significant milestones at the Adult Detention Facility, Caleb Chavez is celebrating five years of continuous service with the County during the month of October. Also at the Adult Detention Facility, Sean Atensio is recognizing 10 years of service with the County. And then finally, Greg Lucero in our Public Works Department is recognizing 10 years of continuous service with the County.

Finally, I want to acknowledge the retirement in September of this year of a long-serving employee of the County, Jessica Ulibarri. She retired from the County Assessor's Office after 25 years of service with the County.

So again, congratulations to all of our new employees for those employees who are celebrating milestones with us and we wish Jessica all the best in the next chapter of

her life. Thank you.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. Any comments from the Commission? I want to just congratulate those of you who are starting new with the County and we're grateful for your service in serving our communities and congratulations to those of you who retired. Thank you.

**I. Employee of the Quarter, 3<sup>rd</sup> Quarter 2025 Award**

MANAGER SHAFFER: Thank you, Chair Bustamante and Commissioners. I'm going to acknowledge those who were nominated for the employee of the quarter group and read off the comments that were submitted in support of their nomination. I'll ask them to come forward to the front as I do before we announce the winner of the employee of the quarter award. And then finally, we'll ask that each of them have a picture taken as a group with the Board in recognition of you know their hard work on behalf of the County which has been recognized by their supervisors and peers.

So starting off with the public works group, Ana Erazo Gomez is a custodian with our Public Works Department. She has a remarkable impact at the public works facility through her dedication and attention to detail the facility remains consistently clean, well organized and pleasantly fragrant. Along with her outstanding work ethic, Ana's cheerful and positive attitude has created a welcoming atmosphere, making her approachable and supportive to colleagues. Her contributions have not gone unnoticed as she has received frequent recommendations from staff for both her excellent work and her willingness to go above and beyond by assisting fellow custodians whenever needed. So congratulations to Ana.

In the community services group, Dominic Sisneros has been nominated due to his management of a complex land use case with remarkable professionalism and grace during which period he never lost patience even under public scrutiny and media attention. Dominic corresponded with the public with generosity. He provided expert guidance to applicants, decision makers, and staff, and even taught himself website editing to handle the high volume of uploads. He worked long days, nights, and weekends to ensure every requirement was met, reports were accurate, and records were accessible always without complaint. Through it all, he remained optimistic, diplomatic, and kind, truly embodying what it means to be an employee rock star.

With regard to the elected office group, Margaret Gillet has been, uh, recognized for her work as a voter outreach coordinator. Margaret has excelled in this role, constantly meeting deadlines, and maintaining high standards. She manages the Clerk's social media accounts, creates content in advance, drafts press releases, and organizes outreach events. She has delivered presentations including balancing innovation and integrity to over 100 staff and led the office's first meet and greet connecting the community, media and poll workers. Margaret collaborates effectively, develops partnerships to expand outreach and drives initiatives to increase voter turnout and she has quickly become an invaluable member of the team.

In the public safety group, Richard Roybal, Capt. Richard Roybal has been nominated due to his outstanding leadership and commitment to public safety at the Santa

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Fe County Adult Detention Center. His proactive efforts targeting narcotics trafficking have been key to disrupting drug organizations, contributing to five complex cases, resulting in 41 arrests. His work exposed corruption involving a rogue correction officer and significantly curtailed the flow of illicit substances, earning the facility a rare dry status. Capt. Roybal also led detectives in a child sexual abuse media investigation. His professionalism, expertise, and relentless pursuit of safety have strengthened the facility's integrity and set a standard of excellent for others to follow.

Also in the public works group, Rosa Beltran-Soto was nominated due to her exceptional work and positive attitude. Her attention to detail and willingness to assist ensure that the department service needs are met with a strong work ethic, pride in her job, and a warm and friendly personality, she contributes greatly to the outstanding customer service provided to everyone who enters the building. Colleagues appreciate how welcoming and supportive she is. And during a recent visit from a group of tax assessors, Rosa went above and beyond to ensure all accommodations were organized and prepared, showcasing her dedication and professionalism.

Also in the public works group, Rubel Gallegos, was nominated as utility systems operator 3. He was recognized as being a key contributor to the Public Works Utilities Division recognized for his impressive ability to resolve a wide range of utility related questions. His extensive experience, expertise and approachable nature made him a remarkable colleague who fosters a positive and supportive work environment. Rubel's upbeat attitude and professionalism make working with him a true pleasure. He regularly assists colleagues with training on various tasks within his group, provides helpful guidance to other departments when needed, and willingly takes on multiple roles to ensure the job gets done efficiently and effectively.

In the support services group, IT Generalist 2, Russell Hunter was nominated due to his dedication to the department. While fully committed to maintaining and upgrading computer systems for the Sheriff's operation, he has also provided crucial support to the jail facility. During the absence of the jail's IT staff, he independently managed all help desk tickets and reconfigured critical systems, significantly improving performance. Russell successfully led a major Windows 11 deployment under a strict three-month timeline with limited hardware and upgraded 48 machines ahead of the Windows 10 discontinuation deadline, enhancing performance and access speed for staff across multiple systems.

And then finally, Shane Martinez, maintenance technician in the Public Works Department, has been recognized for taking the extra initiative in maintaining and improving Romero Park through his extraordinary work ethic and expertise in open space management. He has transformed the park into a well-kept and welcoming location that has earned praise from both management and the public. Shane can often be seen working on site ensuring every detail is addressed. Notably, when the park's irrigation system failed due to a well pump outage, he took the initiative to water all plants and trees, demonstrating his dedication and commitment to keeping Romero Park a beautiful attraction for Santa Fe County.

So again, I want to recognize all of the employees who have been nominated for the employee of the quarter award by their peers and supervisors.

And the employee of the quarter award goes to Dominic Sisneros. [Applause]

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So, if Commissioners have anything they'd like to say, I'd welcome those comments. Otherwise, again, we would respectfully ask that we take a picture with all of the folks who have been recognized for their work in addition to Dominic all as a group. Thank you, Chair.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. I'm just going to start because I know we all have something we want to say, but what an exceptional group. When I'm hearing everyone being read out, I'm thinking, Oh my goodness, and one of them is the one for the quarter. I think all of you are the ones for the year. And not to say anything about anyone else. This is part of your year, too. It's amazing. I am so proud and happy to be working and serving with you all. What an amazing group of individuals. So, thank you sincerely for your commitment to working with Santa Fe County. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair, and thank you to all of you for being dedicated employees of Santa Fe County. Like the Chair, when I was listening to these reports and actually every quarter when we hear it's extremely important for us up here to understand the work that we don't see at all levels in all departments because the things that come before us at the dais are of a very specific nature and it's very public facing. What all of you do is also that and the county is a huge entity and we need everyone to be working well together in smooth well-oiled machines. So I really appreciate all of your work and hearing about it gives us just a much more full picture of what good work we do at the County. So thank you.

CHAIR BUSTAMANTE: Thank you Commissioner. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I just want to say what a tough competition. I think each of you have really exhibited excellence, integrity, and a really good work ethic. And work ethics are so important these days. So, thank you for keeping our county going. So, all of you are winners. And congratulations, Dominic.

CHAIR BUSTAMANTE: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you everyone for your participation. And I especially appreciate Ana who greets me with a smile every day I walk in the building. That's very special. And Dominic, I appreciate all your work did on AES. I know that was hard, but it was appreciated. And the rest of you, I don't know you as well, but I'm sure you're equally deserving of the award. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Commissioner Greene.

COMMISSIONER GREENE: Thank you guys. As the other Commissioners mentioned, this was a pretty tough crowd here and people are writing really good write-ups of you. So, this is impressive. I've gotten to work with Dominic. Thank you very much. Ana, it's great to see you acknowledged here and great to have you. You do great work. The rest of you, like Commissioner Hughes said, you do it in the background and we don't get to see you, but you're doing great work and I'm happy that the team is supportive and recognizing you. It brings it to us and brings it out into the open where we can see and acknowledge that you're doing great work. We've got a great organization here and you're part of it and so thank you so much and good job.

CHAIR BUSTAMANTE: Let's take a photo. Thank you.

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[Photos were taken followed by applause]

**J. Recognition of Employees for Awards, Accreditations, Recognitions and Other Accomplishments**

MANAGER SHAFFER: Chair Bustamante, thank you. So I wanted to take a minute, in addition, to all the again employees that we just honored for their contributions. I wanted to acknowledge that two Santa Fe County Fire Department members have received statewide honors. Capt. Kyle Gregory was named the 2025 Fire Instructor of the Year. Capt. Gregory is known statewide for his innovative hands-on teaching methods that make complex fire service concepts accessible and practical for both career and volunteer firefighters. Beyond his instructional duties he dedicates countless hours to mentoring new recruits and leading cadet academies shaping the next generation of firefighters with a focus on discipline, service, and safety.

In addition, Fire Protection Specialist 2 Craig Fulmer was awarded the 2025 Fire Code Officer of the Year for his exceptional work in fire prevention, code enforcement, and community education. Craig is recognized for his integrity, professionalism, and customer focused approach to compliance turning enforcement into collaboration by helping contractors, business owners, and residents understand and apply fire codes effectively.

So again, I want to recognize both Capt. Gregory as well as Fire Protection Specialist 2 Fulmer. I believe that Capt. Gregory unfortunately could not be here but if Specialist Fulmer and the Fire Chief want to come forward I'm sure they'd welcome your acknowledgement of their accomplishments. Thank you.

CHAIR BUSTAMANTE: Thank you.

FIRE CHIEF BLACK: Madam Chair, Commissioners. Thank you very much for this time and Manager Shaffer, thank you for this opportunity to just recognize the outstanding work that our Fire Department is doing. As Manager Shaffer said, Capt. Kyle Gregory could not be here today as he's actually instructing our current cadet class. So with that, we do have Fire Specialist Craig Fulmer here for his award that he received from the State Fire Office.

CHAIR BUSTAMANTE: Do you have a few words that you'd like to share with us?

CRAIG FULMER: Thank you all for the recognition. I was shocked and surprised anyone noticed. I am honored to be counted among very accomplished and learned peers throughout the state and I'm eager to continue our mission of public safety throughout Santa Fe County.

CHAIR BUSTAMANTE: Thank you so much for your good work. Thank you.

**2. Matters of Public Concern**

CHAIR BUSTAMANTE: Now we are on to matters of public concern subject to three minutes. Do we have anyone in the chambers who would like to speak?

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Okay, if you may, you may approach the microphone. Do we have anyone online?

DANIEL FRESQUEZ (Media Coordinator): Chair Bustamante, we have one user online, Chris Mechels.

CHAIR BUSTAMANTE: Okay, we'll start with those who are in the Chambers.

JOAN BAUER: Madame Chair and to the members of the Commission, thank you for allowing me to speak on behalf of my community. My name is Joan Bauer. We have an emergency road condition brought about by the big flood in August and we need the County's help to keep us safe. I live in Colonias del Sol in Lamy. Our two main roads, Avenida de Compadres and Spur Ranch Road, are the only roads in and out of our community and both were badly damaged by the flood. Spur Ranch Road the worst of the damage. It remains completely impassible ever since that flood.

I've come today to tell you honestly, I'm afraid for us and the dozens of other families in the subdivisions who rely on those roads. These are no longer private roads. Dozens of families and multiple subdivisions depend on them. Multiple businesses use them for traffic every day, and only a small percentage of us pay anything toward their maintenance. We have in our street alone one man who is only on – who is on daily kidney dialysis in his home. He was a top gun pilot. He is a hero. And we have another man who might lose his leg because of a rare autoimmune disease. We have a woman who needs a wheelchair just to get around. And we have another man who can only walk his dog once very slowly during the day because of a very bad hip condition. It is true, that if another emergency happened, we know that these people could not get to safety on their own.

I doubt that an ambulance, I doubt that a fire truck could be able to get to us quickly enough in time. Our roads are not only important to us whose streets are accessible, but through many, many other dozens of houses and families who live in the subdivisions around our area, these two roads are the main drag. They're not main, they're county roads, but they really service us. And now one of them you can't get by.

If the northern part of Eldorado was closed by fire, there would be no way out for them or for us. And so we need emergency assistance to reopen Spur Ranch Road. We hope the County will then adopt these roads and have everyone who depends on them pay for them as part of our taxes.

I'm asking, honestly, I'm pleading with you today to help us to intervene to bring in the pros that you work with who can fix these roads – well, it's Spur Ranch Road properly. There are ways we know and you know more than we do that this can be done. We're not asking for a handout.

CHAIR BUSTAMANTE: Thank you. Thank you. Your time's up, but I think we really hear you.

MS. BAUER: Okay. Thank you very much for your time.

CHAIR BUSTAMANTE: Okay, thank you. Anyone else from the chambers? We have an online speaker.

MR. FRESQUEZ: Mr. Mechels, go ahead and unmute.

CHRIS MECHEL: I'm trying to. Can you hear me?

CHAIR BUSTAMANTE: Yes, we hear you.

MR. MECHEL: You can hear me now. Okay. I couldn't tell whether you

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had unmuted me.

Yes. What I'm speaking to you today again is on an old issue but with new information. I sent you folks about a long email with a bunch of data to support what I'm about to say last week. I sent this to the County Manager, the BCC, County Attorney, the County Clerk, etc. because you're all involved. The issue is that you are in ongoing violation of the Open Meetings Act, which is a state law which you're all sworn to uphold and you don't. But this data supports this very solidly and you need to take some action because you -- your continuing violation shows up in today's next agenda item which has to do with the minutes. You're approving today the minutes from September 30<sup>th</sup>. If you complied with OMA, you should be approving the minutes from October 14<sup>th</sup> because the OMA requires that you provide this to the next meeting after the minutes. So you're not doing it. You haven't been doing it. Other counties including Doña Ana and Los Alamos do this just routinely. Santa Fe County [sic] does it routinely. You don't do it repeatedly, routinely. You typically do not. You provide -- you provide them two weeks too late on occasion two to four -- another three to four weeks too late. You just don't seem to care.

The problem -- the problem is ongoing/very long-standing. You can just look at yourself. Anytime you see a meeting that's more that isn't being where the minutes aren't being produced two, after two weeks, is in violation of OMA full stop. And the people that are violating OMA in turn are the Wordswork, who is the stenographer going back to 2001 and has been -- and has long been in violation of her contract, is part of the problem. The Clerk is part of the problem. The County Manager, especially Sara, the office manager, is part of the problem. You are part of the problem. You should be producing minutes for approval after two weeks. You're not, and that is your doing. You need to fix it. That's a continuing violation of a state law.

The other thing is that you -- the, it isn't just the OMA, it just that OMA violation is that that they're intentional OMA violations. You've known this for a long time. These violations go way back. County Manager Shaffer has been violating these a very long time because he violated this requirement as a as a County Attorney in 2014. Karen, Karen the Wordswork has been doing this since 2001. You need to change your stenographer. She's a big part of this problem. Retire her. Get somebody that will that will meet her commitments. She continually refuses to produce the -- produce these on a deadline that she has signed up to as part of her contract. So, it's like, please do your job. Do your oversight. Comply with the law. Get serious. Thank you.

CHAIR BUSTAMANTE: Thank you. Anyone else? Seeing none, that concludes public comment or matters of public concern.

**3. Approval of Meeting Minutes**

**A. Request Approval of the Meeting Minutes of September 30, 2025**

CHAIR BUSTAMANTE: Do we have any comments, questions, concerns about the meeting minutes changes? If not, I'll entertain a motion to approve.

COMMISSIONER CACARI STONE: I'll make a motion to approve the minutes of September 30<sup>th</sup>.

CHAIR BUSTAMANTE: Thank you, Commissioner. We have a motion from Commissioner Cacari Stone over to approve the minutes of September 30<sup>th</sup>. Do we

have a second?

COMMISSIONER HUGHES: I'll second that.

CHAIR BUSTAMANTE: We have a second from Commissioner Hughes. All in favor?

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

**4. Consideration of Commission Proclamations, Resolutions, Recognitions, and/or Other Items – None were presented.**

**5. Consent Agenda**

**A. Final Order for Case No. 23-5151, D.R. Horton, Applicant, Through NM Land Solutions LLC, Agent, Requested Approval of a Preliminary Plat Phases 1 & 2 and Final Plat Phase 1 for a 138-Lot Mixed-Use Major Subdivision Known as Tierra Pintada, with a Total of 32.143+ Acres. the Applicant also Requested Approval of the Affordable Housing Agreement with 11 Affordable Lots in Phase 1 and 21 Affordable Lots in Phase 2. the Subject Property is Located at 4475 NM 14 (Parcel No. 64256256) Which is within the Mixed-Use Zoning District (MU). (Commission District 5). (Growth Management Department/Kenneth Quintana, Case Manager) (APPROVED 5-0)**

CHAIR BUSTAMANTE: Do we have any comments, questions, concerns about the consent agenda? Otherwise, I will entertain a motion to approve.

COMMISSIONER GREENE: Madam Chair.

CHAIR BUSTAMANTE: Yes, sir.

COMMISSIONER GREENE: Can I discuss this for just a second just for some clarity on this?

CHAIR BUSTAMANTE: Yes, we would open this for discussion. Commissioner, are we ready?

COMMISSIONER GREENE: So, I know that this had been approved, but that there was a discussion of the applicant pulling out. And so, I guess, Nathan, you're here. What is the status of this project? And maybe this is a growth management question, maybe this is a applicant question.

ALEXANDRA LADD (Growth Management Director): Madam Chair, members of the Commission, the project was deemed not feasible by the original developer before the findings/the final order had been approved by the body. So, by approving it today, we're sort of tying the bow around it so that the next potential developer whoever the title ends up transferring to can move forward with the development.

COMMISSIONER GREENE: And this was one of those issues potentially with the transfer of development rights or is that one of the issues? Has that been resolved?

MS. LADD: Madam Chair, Commissioner Greene, it had nothing to do with the development rights. It was a business decision made by the developer based on

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their portfolio in Santa Fe, is my understanding.

COMMISSIONER GREENE: Does the applicant in this case still have this under contract?

MS. LADD: I don't know, but I will let the agent answer.

NATHAN MANZANARES: Hi, Commissioners. I'm actually here on a different matter, but nonetheless, happy to -- thanks Alexandra. that was a good explanation. As stated, the original developer did withdraw this application. We did secure preliminary and final plat approval for preliminary approval for phases 1 and 2 and final plat approval for phase 1. We do have a new developer interested in this project to pick up where, you know, in essence, the prior developer left off. We're actively working with staff to amend our agreements which include the TDR agreement and we're shooting to get a submittal for the final plat for phase 2 portion of this in before the end of the year.

So there is a new developer interested in it. We will, you know, basically amend all of the agreements that were associated with this project and the prior developer and then it'll ultimately be brought back before the Board for final plat for phase 2.

COMMISSIONER GREENE: So do you represent D.R. Horton or the landowners?

MR. MANZANARES: I am currently representing D.R. Horton and the new developer that is interested in this piece of land.

COMMISSIONER GREENE: And D.R. Horton has said to finish this up so they can flip this.

MR. MANZANARES: I'm not privy to those discussions. I have no idea.

COMMISSIONER GREENE: Well, I just like -- is there a record here that says that they want to actively pursue this.

MR. MANZANARES: I know that the prior developer and the new developer are in discussions and the plan that was presented to the Board will remain the same. All of the design and everything will go forward as the prior developer proposed it.

COMMISSIONER GREENE: I kind of understand, but I like I would like to see a piece of paper that says that D.R. Horton, who is the applicant of this, has submitted some paperwork saying, Please put this over the finish line. Because, you know, they may not be interested in this. This could be something like --

MS. LADD: Madam Chair, Commissioner Greene, one of the considerations that the Growth Management Department made was that the developer made this business decision after the deadline to withdraw officially. So, we were sort of stuck in a little bit of a purgatory and it was decided at a staff level that getting the final order approved was the best way to close out that entitlement and then open up possibilities for a different developer, whether or not this other developer that Mr. Manzanares is representing decides to move forward or not. That's again a business decision that won't be influenced by staff's action to get this project closed. I would also say I'm not sure if County Attorney Boyd has anything to add to this.

WALKER BOYD (County Attorney): Thank you, Alex. I would just point out that in terms of sequence, this was before the Board in I believe January, and the SLDC is set up to essentially require applicants to submit their plans, seek the approval,

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obtain the approval, and then abide by that approval. It doesn't contemplate an applicant after the Board issues approval, deciding to withdraw and try another bite at the apple, given how involved the process can be under the SLDC. And so, as a result of the Board voting to approve this application, there really is no discretion under the SLDC to entertain a withdrawal after that point. And so, the Board does need to issue a final decision. That's what's required under the SLDC. And then the developer can continue or the successor and interest can continue onto the approved plat.

COMMISSIONER GREENE: Who owns these approvals?

ATTORNEY BOYD: Chair and Commissioner Greene, I can't speak to whatever arrangements may be taking place between the applicant and any successor and interest, but certainly a transaction between them could contemplate a transfer of their interest in the approval, whatever interest they have in the approval.

COMMISSIONER GREENE: I got you. But like to me, it says that D.R. Horton is the applicant in this case and that is their ownership. Does that -- it goes to them, right? This would have to go, you know, D.R. Horton would have to sell these plans, intellectual property entitlements and so on. I just want to make sure that we're not doing something that they would be able to then say, well, it was another group and they've, you know, this is D.R. Horton's property and they should be here saying, yes, approve it. We plan on flipping it or not. We want to withdraw and we would have a letter saying please reject this. We removed our name from this and we do not want this to happen. But in this case it there's a little bit of ambiguity here and do you represent D.R. Horton in this case right now and have they told you to get this over the finish line?

MR. MANZANARES: Madam Chair, Commissioner Greene, I will say that the objective of this was to keep the entitlement with the land. The property owner did do a notarized consent letter with the original application allowing D.R. Horton to secure entitlements on their property. That was done. So, that is why the applicant is D.R. Horton because the property owner gave his consent for D.R. Horton to move forward with entitlements on his land.

COMMISSIONER GREENE: I still think that D.R. Horton is the group that should be coming here and saying do this or don't do this and that we should not just be putting, especially on consent which I've pulled off, you know, I would motion to table and get a letter from D.R. Horton and come back next meeting.

MR. MANZANARES: Ultimately, as County Attorney stated, this is just closing a loophole in the original entitlement you know, chain. But, I just wanted to throw that out there that we're trying to keep this approval with the land and then a new developer will pick up and yeah, I see what you're saying and you do what you please.

ATTORNEY BOYD: If I can just add something, Chair and Commissioner Greene, the law is not perfectly clear on this, but there is a decent amount of case law around the country on the view that a development approval does go with the land. It follows the land. But setting that point to the side, under the SLDC, the reason that this matter is before you all is that you all voted to issue the approval in January of this application of the applicant. Your decision to adopt this final order does not speak to the question of what happens to those rights, if they are transferable, who they're transferred to, whether that transfer is valid.

The SLDC requires the Board to issue a written decision on its approval, which it



did issue in January. And so even if the Board tables this matter to a subsequent meeting, really the only option is issuing a written order that memorializes the approval that the Board issued in January.

COMMISSIONER GREENE: So, just to be clear, we have a vote that is just ministerial that we can't say if a letter came in from D.R. Horton saying, "we withdrew this because we did not want to pursue this as a body, as an company, and we do not want it to continue because we've withdrawn this; we wouldn't have a choice in the matter.

ATTORNEY BOYD: Chair and Commissioner Greene, I think that the SLDC, the structure of the SLDC is to is designed to ensure that applicants put their best foot forward on these applications. And so, you know, the applicant comes to a hearing, the Board hears the matter, it may attach additional conditions that the applicant doesn't like and the SLDC is set up to disincentivize the applicant from, after hearing the approval, withdrawing, and then coming back again in a couple weeks with a new application and taking continuous bites at the apple. That's what the structure of the SLDC is. That's what it requires. There really is no leeway in terms of a post approval effort by the applicant to withdraw their application.

COMMISSIONER GREENE: The applicant isn't here. The applicant has withdrawn their application. If they wanted to sell it back to the property owner, that's their right, but the applicant is not here.

MS. LADD: Madam Chair, Commissioner Greene, the applicant never owned the parcel. So their purchase of the parcel was conditional on them getting the final entitlements. They made the business decision not to do it. We told them their application was not withdrawn. They couldn't withdraw it. They had passed the deadline. The approval had been made. The SLDC does not allow the withdrawal after that deadline. They know that the final order would be issued to finish the entitlement action.

COMMISSIONER GREENE: Do we have an acknowledgement letter that says we understand that and that that they are copacetic? I mean, is there a legal risk here that they say, Hey, we did not want this thing to go through and you know this is they did all the leg work they paid all the money they did all this work they own it. They may not want to see it finish, right? They chose not to do it. If they chose to finish it, they could sell it. They chose not to finish it and we're going to finish it for them even though they're not in the room. That doesn't sound right.

ATTORNEY BOYD: Chair and Commissioner Greene, I think that the approval that the Board issued after its hearing in this matter was an approval to continue with the development. It didn't require them to finish the development. It's just the approval to proceed. That's my best as a basic summary of what transpired in January. The Board issued its approval for the proposed development. Under the SLDC, at that point the applicant no longer can withdraw their application and say we're not going to proceed with this particular development. We might want to go a different route. But again that doesn't bear on whether that development can proceed. It may be able to proceed under different owners or it may not proceed at all. That's all at the option of the applicant and the applicant retains that discretion to decide what they want to do with the approval.

COMMISSIONER GREENE: I think there's enough ambiguity here to

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ask and I ask for this and I'm going to make a motion to table this.

CHAIR BUSTAMANTE: We have another question.

COMMISSIONER GREENE: Oh sure, please. Well, there might need to be a second actually.

CHAIR BUSTAMANTE: Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. So a couple of scenarios. What happens if we don't approve this?

ATTORNEY BOYD: Chair and Commissioner Johnson, you all have approved the application.

COMMISSIONER JOHNSON: I do understand, but we are voting on this. So what if we voted no?

ATTORNEY BOYD: So, Chair and Commissioner Johnson, as a practical matter, nothing may happen in the sense that someone who's aggrieved by this decision may not appeal it and may not get overturned by a court if that's what the Board decides to do. But under the SLDC, you all are required to issue a written order that memorializes the vote you took in January. My counsel here is that you adopt and do what the SLDC requires you to do, which is adopt the –

CHAIR BUSTAMANTE: Sorry. So, you're saying that the SLDC requires that we approve it, then why is it put on the agenda for approval? I mean, that that doesn't sound I'm sorry. I do apologize for interjecting here, but that sounds sort of crosswise. What would be the point? I mean, so I'm sorry. I didn't mean to interject. Commissioner Johnson, you have the floor.

COMMISSIONER JOHNSON: That is essentially what I'm asking. I'm also asking does approving this – how do I say this – tie the hands of future development of the property? Does it in some way restrict or delay or prolong any process that an interested developer might have in the property? Hypothetically, I know that Mr. Manzanares just said that there's interest in it, but we don't know that for sure. So, I'm sort of I'm with Commissioner Greene in that, you know, the interest is to have this parcel developed. And I would want to hear from staff including the County Attorney and the Manager, if that's appropriate, about you know what would expedite that.

MANAGER SHAFFER: I could take a shot, Chair, if that was an invitation to respond. So I think Mr. Manzanares and others have tried to articulate, the approval locks in the entitlements and so there may be steps that need to occur in the future in order for the actual development to go forward as approved. But the final order would be the decision required by both the SLDC and state law to memorialize the action of the Board in a written order with findings of fact and conclusions of law.

If you approve any subdivision, it doesn't mean that it's going to be developed. It allows them to go forward with the actual filing of a preliminary plat and if approved a final plat but there's no obligation that they do that and so sometimes developments that are approved don't in fact materialize it's not for want of entitlements it's for you know business reasons what have you.

So there's never a guarantee that when the Board approves a final plat or preliminary plat that that development will ever come to fruition. That's again up to the developer and the property owner after the Board issues its decision. If the Board were to say we're not going to approve this, which I guess is to say that, we're going to revisit the

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approval that the Board had indicated it was going to give by voice vote, it would seem to me that the risk is greater there because you may have an aggrieved property owner who participated and as Mr. Manzanares said consented to this process moving forward who now does not have the entitlements that they participated in achieving.

So again to sum up there's never a guarantee that any development is going to happen and so approval of this final order would facilitate, it seems to me, development happening based upon the approvals that were given. Whereas if the Board were to not move forward and taking those final steps to memorialize it, any future developer would be starting from you know ground zero. They would go back to the beginning of the process and would have to apply for preliminary plat final plat. So if the question was one of what facilitates development, it's finalizing the entitlements in my view would be what facilitates development.

COMMISSIONER JOHNSON: Okay. Thank you, manager Shaffer, that's helpful. And I do have some concerns with this, but I also see that. And I do think that we should maybe at another time contemplate, you know, if there if we are taking votes on things that we can't really vote no against in our own rules, in our own code.

CHAIR BUSTAMANTE: We are able to table it if we are interested.

COMMISSIONER JOHNSON: We can take a motion. I'm actually in favor of approving it. But I will hear a motion.

CHAIR BUSTAMANTE: Is there any further discussion on this matter? Commissioner Hughes.

COMMISSIONER HUGHES: Well, I think our only option is to approve it. It's just a ministerial action. If we want to table it and get more information, that's probably okay to postpone it to next meeting, but we're still going to approve it.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: I just want to weigh in that it does seem like we want to keep it on the table for affordable housing. We need affordable housing. We can't control that a developer pulled out and I think we don't want people to have to start from square one. So, we want to keep this in the hopper. I'm just supporting that we move forward with this. Thank you. Unless there's any amendments that or modifications that Commissioner Greene wants to add that would make it amenable to you to approve today.

CHAIR BUSTAMANTE: If I may, I'm hearing Commissioner Greene's concern is that the developer pulled out and there's going to be a change of hands and we don't have the confirmation. [Mr. Manzanares raises his hand] That's a hand. Thank you. That we don't have the confirmation of the applicant, the original applicant. We do not have the confirmation that this is something that is solidly going to move forward under the conditions that we approved or that were approved in January. So if -- and if I'm incorrect --

COMMISSIONER GREENE: You're close.

CHAIR BUSTAMANTE: That's part A of the big concern. And the question is, the statement was made that the developer could grieve, if we didn't approve, but we don't have enough information that the developer could grieve that we approve something that was pulled out when we don't have representation of the developer and that's what I heard in your statement. So, you may.

COMMISSIONER GREENE: Thank you, Madam Chair. So there are potentially three parties in this here. There's D.R. Horton who is listed as the applicant. They have actively withdrawn this. I would like them to say that they understand and they would like us either to approve or disapprove this in some way so that they said we withdrew this, please take this action in one direction or another. Then, just so we know that they're at the table because they're at the table right now but they're not represented in this room right now. So they could be aggrieved by this by saying, "look, we're building 500 homes down the street and we pulled out of this because we do not want to pursue this and we do not want competitive product in the market. They should have that right as a part of that process.

There's the landowner and D.R. Horton can go make a deal with the landowner and say reimburse us for all this heavy lift and so on and we'll walk away and there's some business deal in that and then they can go flip that to somebody who's actually going to build the project but D.R. Horton is listed as the applicant and we and they've actively so told us to withdraw this or told the County somewhere and if Mr. Manzanares is not representing D.R. Horton in this and has flipped sides in this. It complicates things.

It's not going to cost us anything to table this for two weeks. It gives us an opportunity. D.R. Horton's active in this community. I'm sure you've got them on speed dial and you probably just got a text from them that said go ahead or whatever. But it would be good to hear that they were represented in this and said go, no go and that they that their rights as the applicant are being followed through on this.

COMMISSIONER GREENE: I would have to say that my sense is I feel vulnerable in this that we don't have the statement from D.R. Horton. We're taking the word of staff and making a decision that we aren't completely well informed with. And I'm not saying that I distrust, but we're the ones who would be making this decision. So unless we had something more affirmative, I completely agree with Commissioner Cacari Stone, we need this type of housing. I don't think anyone disagrees with that. But we don't have anything from the applicant who withdrew an application that says move forward on an application. I withdrew.

Go ahead, Ms. Ladd.

MS. LADD: Thank you, Madam Chair, members of the Commission. I just want to be very clear. They did not withdraw their application. The SLDC does not allow that. They knew that. They knew that the final order had to be approved by the Commission because the Commission has already acted on this application. You've already approved it. This is as, Commissioner Hughes said, this is ministerial.

I think Nathan has an update that he can share that may help to alleviate some of the fear.

MR. MANZANARES: Thank you, Commissioners. So I think a compromise here would be moving forward, approving the final order and upon submittal of phase 2 we will provide that consent letter from D.R. Horton. The new developer is actively working with the property owner and has a hard close date, a very hard close date. And if there's any delays or if this needs to be completely redone, they'll walk and we're going to start from scratch. And just to get to this point took, you know, almost three years. So, if the goal is to get housing going fast, like I said, we're more than happy to provide that document with our phase 2 submittal.

CHAIR BUSTAMANTE: I'll entertain a motion.

COMMISSIONER GREENE: I'm going to stand by my tabling. I think that I'd like to hear everybody at the table. That to take a motion through with an applicant that has anyway –

CHAIR BUSTAMANTE: I'm hearing that the applicant has not withdrawn. I'm hearing that the approval of this in getting to that second phase, we would have the opportunity to hear from all of them and we could reject at that time if we did not hear from each player in this particular including D.R. Horton, that would be part of that process. I'm seeing a nod, but I'd like to hear an answer for the record.

MR. MANZANARES: Yes, Commissioner. I will provide a written statement from the prior developer, property owner, and new developer that they are all in agreeance with moving this forward.

COMMISSIONER GREENE: Okay. May I hear a motion?

COMMISSIONER JOHNSON: Madam Chair, may I make a motion?

CHAIR BUSTAMANTE: And out of respect for Commissioner Greene, did you make a motion to table?

COMMISSIONER GREENE: I was asking for two weeks, but --

CHAIR BUSTAMANTE: Do we have a second? We don't have a second.

COMMISSIONER JOHNSON: Okay, Madam Chair, I'm going to, if I may, make an order to approve final order for case number 23-5151, requested approval of preliminary plat phases one and two and final plat for phase one of 138 lot mixed-use major subdivision known as Tierra Pintada with, if I may, the condition that we do receive a letter after-the-fact so contingent upon a letter from D.R. Horton indicating that that they were aware and that this is the course of action that they had anticipated.

COMMISSIONER GREENE: Are we allowed to put –

CHAIR BUSTAMANTE: Do we have a second?

COMMISSIONER HUGHES: Well, I'd second that, but I don't think we can put any conditions on.

COMMISSIONER GREENE: That's the problem.

COMMISSIONER JOHNSON: Well, we're approving it upon receipt of that letter. We are approving it though. That's how I would see that, but I don't know.

CHAIR BUSTAMANTE: It could, but we would we would have to because of the inability to create a condition on something that's been approved.

COMMISSIONER JOHNSON: I see.

CHAIR BUSTAMANTE: We would have to just acknowledge at the time that it comes forward for final approval, that that was the reason why in our heads we did approved it at this time. That we approved it at this time understanding and acknowledging but we couldn't put the condition. We'd have to acknowledge that at that time.

COMMISSIONER JOHNSON: Would the County Attorney advise how to phrase an order?

ATTORNEY BOYD: I would recommend the alternative course that the Chair I think is proposing that this be considered at the time of the Board's hearing on phase two because that's when the court when the Board has most discretion. And to get back to the earlier point, it wasn't I wasn't trying to say that the Board's hands are tied vis

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a vis this order. It's just that the Board had maximum discretion back when this matter was up for hearing in January. And this order, in essence memorializes what the Board voted to do back in January. And so you have some discretion to change the order in order to better reflect your decision back in January. But it really is, as Commissioner Hughes said, a more ministerial action. And so I would recommend deferring the consideration of the representations that D.R. Horton is making about acceptability of this to the phase 2 approval because that is again where the Board will have more discretion than it does now.

COMMISSIONER JOHNSON: Okay. Thank you, Attorney Boyd. I rescind the condition and repeat the motion.

CHAIR BUSTAMANTE: Do we have a second? Before discussion we go with a second.

COMMISSIONER HUGHES: Second.

CHAIR BUSTAMANTE: We have a second, discussion.

COMMISSIONER CACARI STONE: Well, I just wanted to give Ms. Ladd a chance to also add something else.

CHAIR BUSTAMANTE: I'll recognize Ms. Ladd when we're ready, when we've done that. Do you have any further discussion?

COMMISSIONER CACARI STONE: No.

CHAIR BUSTAMANTE: Any other further discussion, Commissioner? We have a motion from Commissioner Johnson, a second from Commissioner Hughes. Further discussion, Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Nathan, when is the hard date that you mentioned for closing date?

MR. MANZANARES: Madam Chair, Commissioner Greene, I believe that's March of '26.

COMMISSIONER GREENE: Two weeks won't hurt us.

MR. MANZANARES: Really, it's too tight and like I said, we will provide that documentation with our phase 2 application in good faith.

COMMISSIONER GREENE: I've seen conditions that aren't tied to a plat and this is not going to be required to be put on a plat, nobody follows those conditions. We're not here. They're not here. Other people are not here and they forget that this existed. Nobody's going to read these minutes and pull that out and say that that was a requirement. We approve this. We approve this.

CHAIR BUSTAMANTE: Director Ladd.

MS. LADD: Madam Chair, so the developer that is looking to take over this project, Nathan just told me, will be submitting in November. So that's soon. So we'll all still be here. And the Board will have the discretion at that time to deny it if they feels that the appropriate documentation isn't included.

CHAIR BUSTAMANTE: Thank you.

COMMISSIONER GREENE: That's for phase two, just for clarity.

CHAIR BUSTAMANTE: Okay. If there is no further discussion, I'd like to call a vote.

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

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against.

COMMISSIONER GREENE: Thank you very much and thank you for bringing this to our attention, Commissioner. I think it was a valuable opportunity to really understand our role and to understand that we take these issues seriously. Thank you sincerely.

6. **Appointments and Reappointments**

A. **Request Appointment to the Independent Salary Commission**

VALERIE AGHAEI PARK (HR Director): Good afternoon. Thank you. I appreciate your time today. I have some really good news for you. Back in May, you all asked us to go out and work with the County Attorney's Office to help you establish an independent salary commission. And that commission was going to be made up of seven individuals. You have the packet, but a community representative, legal representative, human resources expert, executive, management, and at large. We advertised for that. We advertised twice. We had three people who have expressed interest and you have their information and their packet material there. Chris Graeser, Clifford Rees and Laura Liswood. We additionally have also received interest from two former county -- one is the former district for Commissioner Anna Hamilton and the other is the former county Assessor Gus Martinez. We are, at this time, asking for appointment of them to the Independent Salary Commission. That leaves you with the appointing them for a four-year term. We have the letter spelled out that you will meet every other year and some of the timing, but we are ready to get this underway and start this process for you all as well as you appointing your at-will members.

If there are questions, I would stand for any questions or for any support that I can.

CHAIR BUSTAMANTE: Thank you Valerie. Are we appointing three people or the five? It sounded like there is an opportunity for two at large.

MS. PARK: There are two at large as well. It's a total of seven. We have now identified the five that seem to fit the criteria of community representative, legal, professional, HR expert, executive management, and then you have at large as well to appoint I believe it's two members. Is that correct, Walker? Yes, two additional members.

MANAGER SHAFFER: If I could, Chair, the two additional members, it was contemplated that the five members that you appoint could appoint those two additional members. So, we're bringing you a full slate in terms of what the Board's going to appoint. And then again, the resolution contemplated that they could appoint up to two additional members, but five will allow them to function as I understand it.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. Question, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. Thank you, Valerie. Manager Shaffer just answered a little bit of my question, but what I was going to ask is how and when should we find the extra two to complete the seven total? I understand that five would make a quorum perhaps and then we could proceed and add members later as Manager Shaffer just mentioned or should we make another call.

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Should the Commission kind of tag team this? I I'm just wondering how we how we flesh out the whole board.

MS. PARK: Thank you, Madam Chair and Commissioner Johnson. My understanding is you can appoint it does not indicate that you must appoint okay to additional. So you may feel that you have sufficient representation and are prepared to move forward without the two additional individuals.

COMMISSIONER JOHNSON: Okay. I appreciate the work that was done to compile these. The list is honestly quite impressive. I really think that having a former commissioner, my predecessor, on the commission, is a good idea. They know what the workload is like and what you know what commissioners face. So, I think this is a great core five.

CHAIR BUSTAMANTE: Do we have anything further? Commissioner Cacari Stone?

COMMISSIONER CACARI STONE: Thank you, Chair. Valerie, thank you for the work. I think that these are excellent candidates. I don't know them all, but the resumes and letters of interest are great. It really increases transparency and accountability to have such types of members wanting to serve. And I want to just mention double the response to commit former Commissioner Anna Hamilton joining, but also I've known Mr. Clifford Rees for over 30 years. He's great public servant and he just stepped down from the Ethics Board. So, I appreciate that he's willing to continue to volunteer. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Commissioner Greene.

COMMISSIONER GREENE: Just a quick – just to give a little ribbing to Cliff Reeves that he stepped down from one position and said he was too busy, but then he was ready to come back to do this. So, I hope the workload is a little lighter. Not that the Ethics Commission has been doing very much work either. So, there's probably twice as much work with this with a deadline. But, yeah, I'm in support of everybody here. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Any further comment, Commissioner Hughes?

COMMISSIONER HUGHES: I would just make a motion that we appoint all five to the commission -- all five.

COMMISSIONER CACARI STONE: Second.

CHAIR BUSTAMANTE: We have a motion from Commissioner Hughes and a second from Commissioner Cacari Stone. All in favor?

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

CHAIR BUSTAMANTE: Motion carries. All five presented are appointed to the Independent Salary Commission. Thank you very much.

**7. Miscellaneous Action Items**

- A. Resolution No. 2025-120, a Resolution Approving Proposed Loan Agreement, Restrictive Real Estate Covenants Agreement, and**

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**Mortgage and Security Agreement Between Santa Fe County and Ocate SF, LLC to Support the Construction of a 60-Unit Multifamily, Affordable Housing Project Located within Santa Fe County and Authorizing the County Manager to Execute All Necessary Documents to Finalize the Loan Documents in a Timely Manner.**

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

JONATHAN BUTLER (Community Development Department Director): Good afternoon, Madam Chair, Board of County Commissioners. I also have with us, Ian Bearden, our outside counsel, should we have additional questions and Anne Wodarczyk is here from our staff also to support the recommendation for the proposed resolution.

The proposed resolution authorizes the County Manager to execute loan documents with Ocate SF, LLC for the project located at 1111 Ocate Road, Santa Fe. The agreement provides for \$600,000 loan through the County's Developer Assistance Program to support the construction of a 60 unit affordable rental housing development, serving households earning up to 60 percent of the area median income.

In 2023, through ordinance and by resolution, Board of County Commissioners approved and formalized the County's use of funds to support a developer assistance program. The program's purpose is to reduce financial barriers to constructing and rehabilitating housing for low to moderate income households through the Developers Assistance Program, the County partners with public, nonprofit, and private developers to facilitate projects that create long-term income restricted housing. The program targets developments that demonstrate site readiness, financial feasibility, and alignment with the County's housing goals and priorities. Loans are secured by subordinate mortgages and restrictive covenants to ensure compliance with affordability and maintenance standards for a period of over 20 years. Ocate SF, LLC is developing a 60-unit multifamily affordable housing project for those households earning no more than 60 percent of the area median income for a minimum of 20 years as required by our standards. The project includes units at or below AMI ranges from 60 to 30 percent with 10 one-bedroom units, 35 two-bedroom units, and 15 three-bedroom units proposed. The total project is estimated to cost around \$17.84 million with additional loans from lenders totaling about \$17.24 million. The lead development agency, Santa Fe Civic Housing Authority, has successfully owned and operated and developed affordable housing in Santa Fe for decades. Most recently, SFCHA has developed low-income housing tax credit projects such as the Village in the Bosque, Santa Fe Community Living, Villa Alegre, Compo, Villa Hermosa, Paso Tiempo, Villa Consuelo, and Calle de Rosolana. This project has been reserved for 9 percent low-income housing tax credits and the County's \$600,000 developer assistance program loan will help defray development cost alongside other funding sources. The loan will be secured by mortgage and security agreement and a restrictive real estate covenants agreement which will ensure long-term affordability compliance and property maintenance. The Developer Assistance Program loan will be subordinate to senior project financing and tax credit equity.

The staff is recommending the approval of the subject resolution authorizing the County Manager to execute the Developer Assistance Program loan agreement, the

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mortgage and security agreement, the restrictive covenants and related documents with Ocate SF, LLC in the amount of \$600,000 and to take all actions necessary to implement the agreement consistent with the County's policies and the developer assistance program requirements.

CHAIR BUSTAMANTE: Thank you, Jonathan Butler. Do we have any questions for Mr. Butler? Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Jonathan. So, this has been approved for a 9 percent deal from the state already or it's they've applied for it?

IAN BEARDEN: Madam Chair, Commissioner Greene, my name is Ian Bearden. I'm with the Modrall Sperling Law Firm. We're bond counsel to the County, standing in for Peter Franklin today. Thanks for having me.

I am not aware of where the Ocate low-income housing tax credit process is, unfortunately. I know that they are working on that alongside this process, but we haven't been intimately involved in that process at this point.

COMMISSIONER GREENE: Okay, thank you. And then the numbers here 17.84 million with additional loans from four lenders totaling 17.24. So, are we talking that this is a \$35 million project or this is a \$17.84 million project with a lot of debt. Mostly debt.

MR. BUTLER: It's 17.84 is the total projected project cost.

COMMISSIONER GREENE: Okay, so additional loans is actually with loans from four lenders. It's not additional loans. Maybe it's on top of our loan. I gotcha.

MR. BUTLER: It's the capital stack in order to be able to get to 17.84. This is a renovation project. And so the costs for it have been I think dramatically reduced based on that.

COMMISSIONER GREENE: It's a renovation project or it's a ground up?

MR. BUTLER: I'm sorry.

COMMISSIONER GREENE: It's a renovation project or it's a ground up project?

MR. BUTLER: No, this is a rehab project, right, Oh, no, it's a new construction project.

COMMISSIONER GREENE: It's a vacant lot.

COMMISSIONER JOHNSON: There's nothing at the subject property.

MR. BUTLER: Yeah, Sorry about that.

COMMISSIONER GREENE: Okay, just checking. All right, thank you for clarifying this. One more question, do we know why they didn't go to the City of Santa Fe for this money? It's in the City and it seems like it would be a perfect project for them to go.

MR. BUTLER: Through my sourcing of their capital stack I did not include that completely in the memo, but through my sourcing of the capital stack, my understanding is I thought that they were in the works of looking with the City of Santa Fe as well.

COMMISSIONER GREENE: Okay. Well, hopefully they can get some money from the City. And I do like the variety of units, some one-bedrooms, some two-bedrooms, and some three- bedrooms. I think the one-bedrooms is the aspect that we

really need to work on in this community, especially for seniors. So, thank you.

CHAIR BUSTAMANTE: Commissioner Hughes.

COMMISSIONER HUGHES: Just one question. Do we have and we you may not know, but how many are rated at 30 percent of area median income?

MR. BUTLER: Yeah. In terms of this, Ann, do we know how they broke out the percentages in terms of --

CHAIR BUSTAMANTE: I'm sorry. Can we have that to the microphone, please?

ANNE WODARCZYK: I believe that it's broken down 50 percent and lower. So, the 30 percent is encompassed in there. Believe that's the lowest.

COMMISSIONER HUGHES: Yeah, I was just wondering how many are in 30 percent.

MR. BUTLER: We can make sure we found that information out.

COMMISSIONER HUGHES: Okay. That's all.

CHAIR BUSTAMANTE: Further questions. Commissioner Johnson.

COMMISSIONER JOHNSON: So, as pointed out by Commissioner Greene, this is a city project, so we won't see it at the BCC or at our Planning Commission because it the County doesn't have ownership interest in the property site. Is that correct?

MR. BUTLER: I'm not sure about that.

COMMISSIONER JOHNSON: I think that's correct. I was thinking that it was correct, but looks like we have some --

CHAIR BUSTAMANTE: Manager Shaffer, is that correct?

MANAGER SHAFFER: Thank you, Chair Bustamante. Commissioner Johnson, so, yes, this development is located within the city limits of the City of Santa Fe. So, Santa Fe County does not have land use jurisdiction related to that property. So, it won't come back to the it wouldn't come in front of the Board for any land use entitlements.

In addition, we don't have an ownership interest in the underlying property. We're not providing any sort of conduit financing unlike the next project that the Board will consider and considered at the previous meeting of the Board. So again, we won't have an ownership interest in the in the underlying property.

Relative to the income qualifications just to answer the question that was posed by Commissioner Hughes, per the restrictive real estate covenants the breakdown by units and AMI is 33 units will be at or below 60 percent, 24 units will be at or below 50 percent and then three units will be at or below 30 percent of AMI. So that's what is agreed to by the developer and is reflected in the real estate restrictions that would be imposed upon the property as part of this transaction if approved by the Board. I hope that answers both questions.

COMMISSIONER JOHNSON: Thank you, Manager. It does answer mine. I want to say that I absolutely support this. And I think that it's a good thing that we, you know, as County Commissioners, we represent city constituents, although we don't have much jurisdiction within the city, but it is important, especially in the realm of affordable housing, that we contribute to walkability and the sort of densification rather than suburban sprawl. So, I think that this is a good project and I hope that there's some

way that we can kind of you know understand where this fits into our contributions to affordable housing even though ultimately it will be a City property. We know that we all like to take credit for various projects. I just want to make sure that our contribution is acknowledged. Thank you.

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

COMMISSIONER CACARI STONE: Thank you, Chair Bustamante. Just so I'm clear about how we benefit economically and the financing, we know that multi-family developments produce greater total property tax revenue per acre. To what extent do we benefit from the property tax revenue if it's in mostly a City project? So just for my own education.

MR. BUTLER: In terms of the direct benefit of those property taxes we aren't receiving that direct benefit in that way. In terms of the overall production of what the units are contributing then into the overall pipeline and landscape, we are benefiting then greatly. And so in terms of working through the partnerships to be able to do more of these deals that operate in conjunction, we're trying to break down some of the divisions where projects are consistent with our goals in trying to make sure that we close the needle and provide necessary affordable housing. So that's sort of, you know, how I think the primary benefit is going to our county and ensuring that residents will be able to live within both the city and the county in an affordable way is tantamount to our goals.

COMMISSIONER CACARI STONE: Sure, I understand the human benefit and I appreciate that. I was just trying to understand the tax revenues and what comes back to the County when we do these projects or even if it's within the city. That's all for my own education.

MR. BUTLER: In terms of – and I'm thinking about it if I'm wearing sort of the hat of thinking about how we make certain determinations about what goes into occupancy tax revenue versus what goes into sort of largest tax revenue associated with the County and that's how I'm sort of drawing a distinction, Commissioner, in that in that way. Does that make sense?

COMMISSIONER CACARI STONE: We can have another conversation. I just – I don't know, Mr. Cordova, were you going to –

LEANDRO CORDOVA (Deputy County Manager): Madam Chair, Commissioner, we definitely do need to look into this a little further. So, it was a combination of a rehab and new units. So, the original Ocate would have gotten its entitlements and approvals from the City I think 15, 20 years ago. So, I can't answer your question directly at this point, but we could look into it.

And I think the question I have as we look into it is whether or not the City had the ability to waive property taxes in that agreement or not. So, that's why it's difficult to answer your question. I apologize.

COMMISSIONER CACARI STONE: Thank you so much. And I'm just trying to think ahead as we generate revenues from multiple sources, how we continue to invest in affordable housing and keep paying it forward. So, thank you, Mr. Butler. Thank you, Mr. Cordova. I appreciate your work.

CHAIR BUSTAMANTE: Thank you, Commissioner. My question was similar, so I think that that was very helpful in understanding the financial benefit. I

understand, and we just got out of Housing, how important this is to where we are and what it means for people to live here. I appreciate the Commissioner's question about what is the financial benefit to the County. So thank you, Commissioner for bringing that one up. Commissioner Hughes.

COMMISSIONER HUGHES: I have another question which is a complicated question. Sorry about that. But do we have a requirement that they accept our vouchers since this is Santa Fe Civic Housing Authority in a bit of a competition with our Santa Fe County Housing Authority? But do we have any requirement in our loan to them that they accept our vouchers or have we thought about that for future contracts?

MR. CORDOVA: Madam Chair, Commissioner Hughes, we do not have that as a requirement currently, but it is something I guess we could consider in future rounds if that's the will of the Board.

COMMISSIONER HUGHES: It just might be interesting to know that we're lending them money, but then they don't accept our vouchers. That would be, I mean, it's a small project, so I'm all in favor of it, but it'd be good for them to accept our vouchers, too.

MR. BUTLER: And I will add one more thing. As I was talking to Denise Benavidez about there is I will admit from our vantage point not the greatest structural understanding of how things work within the context of what would be considered sort of the City's Housing Authority activity, if you will, and our Housing Authority. And so we've already initiated a meeting with the team over there to greater understand some of those things I think between the nexus of Commissioner Cacari Stone's question about sort of how do they do the taxes? What does the abatement look like? I know Leandro just gave a little bit more voice to it. But we don't have a full understanding and so I think these types of deals put us in a posture where it creates more opportunities not only for us to work more seamlessly together but to understand how we move back and forth. So, thank you Commissioner Hughes for that recommendation of thinking through well, how do we even talk about the vouchers and ensuring then that folks who have our vouchers are represented? So, we will ask that question for you. Thank you.

COMMISSIONER HUGHES: Yeah, since only three of the units are 30 percent or below, we're going to need people to use vouchers to rent the 60 percent units in order to get in there. Anyway, thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Sorry to pick up the microphone one more time, but as I look at this, I know that we don't get another look at the development plans of this, but you know, there's no sidewalks on the street, right? I mean, it's there's things that would be about the safety of being able to get to a supermarket and the walkability of this. And I would hope that there's some way that we could require that. I know it's too late. I don't want to get in the way of these things, but these are the things that talk to like the livability, if it's going to be in the city and we're not going to have that jurisdictional oversight of this. What are these sorts of basics that we would want to see here? And I've seen the City approve things that say, Well, there's no sidewalk on either side, so we're not going to require this person to do sidewalks. Well, then you never get sidewalks, you know? So we need to start if we're going to give

money to a project and technically kind of be an investor in this we should have some conditions to talk to what are the conditions do we want more one-bedrooms do we want more –

CHAIR BUSTAMANTE: It's a loan.

COMMISSIONER GREENE: I know but it's part of the thing they're asking for our approval so anyway but thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner, do we have any further discussion questions?

COMMISSIONER JOHNSON: I'll make a motion to approve.

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

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: We have a second from Commissioner Cacari Stone. All in favor?

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

CHAIR BUSTAMANTE: Motion carries. Thank you.

- B. Resolution No. 2025-121, a Resolution Approving Proposed Loan Agreement, Restrictive Real Estate Covenants Agreement, and Mortgage and Security Agreement Between Santa Fe County and Santa Fe Leased Housing Associates II, LLLP to Support the Construction of a 312-Unit Multifamily, Affordable Housing Project Located within Santa Fe County, Called "Turquoise Trail" and Authorizing the County Manager to Execute All Necessary Documents to Finalize the Loan Documents in a Timely Manner.**

MR. BUTLER: Similar to the previous item, we are also discussing the same type of approval for the County Manager to execute the loan documents. At your last full meeting, you approved the additional resources to be allocated for the Turquoise Trail property by way of revenue bonds. This proposed resolution is simply authorizing the County Manager to execute the loan documents associated with Santa Fe Leased Housing Associates to LLLP for the Turquoise Trail Apartments project. The agreement provides \$1,050,000 loan through the County's Developer Assistance Program to support construction of a 312-unit affordable rental housing development serving households earning up to 60 percent of the area median income. The Turquoise Trail project will create 312 new affordable housing units for Santa Fe County. The proposed project includes 120 two-bedroom units, 132 three-bedroom units, and 60 four-bedroom units. All the units will be made available for residents and families whose incomes fall at or below 60 percent of the area median income. As mentioned previously, you all approved the issuance of multi-family housing revenue bonds to support the financial feasibility of the \$209 million new construction development. The lead development agency, Dominion Development and Acquisition LLC, has assembled an array of funding sources that includes loans from Freddie Mack, bonds, resources from the New Mexico Housing

Trust Fund, home funds, and now seeks assistance from the Developer Assistance Program to help defray the cost alongside the other funding sources.

The loan will be secured by mortgage and security agreement and restrictive real estate covenant agreement which will ensure continued compliance with affordability requirements and project standards. The loan will subordinate to senior financing tax credit investments.

The staff is recommending the approval of the subject resolution authorizing the County Manager to execute the Developer Assistance Program loan, mortgage and security agreement, restrictive covenants and related documents with the Santa Fe Leased Housing Associates to LLLP in the amount of \$1,050,000 and take all necessary actions to implement the agreement consistent with County policy and the program.

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

COMMISSIONER HUGHES: Is this a 9 percent tax project or 4 percent tax credit project?

MR. BUTLER: Yes. This development is pursuing, if I'm remembering correctly, they are pursuing both 9 percent and 4 percent tax credits. I don't have those notes in front of me, but we'll pull them up real quick.

COMMISSIONER HUGHES: So both kinds?

MR. BUTLER: Yes.

COMMISSIONER HUGHES: Okay. And I also understand they're all at 60 percent or below. There's no 30 percent or no 50 percent. They're all 60 percent AMI.

MR. BUTLER: There was one – I think there were three units at 50 percent of the area median income.

COMMISSIONER HUGHES: Oh, right, 3 percent. Those are my questions.

CHAIR BUSTAMANTE: Thank you, Commissioner. Commissioner Greene.

COMMISSIONER GREENE: Thank you. I just want to just note that the last one we approved, we were approving basically \$10,000 per unit and in this one we're approving \$3,000 a unit, more or less, rough numbers, just a little bit of a difference there. And I wonder how we try to quantify the difference in that and what we're getting bang for the buck, but maybe too late for that? But just for thought.

MR. BUTLER: I think if I were just to just give one comment, Madam Chair and Commissioner Greene, these types of deals and these developments incredibly complex in the way people filter their capital stacks. I think the offset for us is really the bonds that we provided. The request was about \$70 million in revenue bonds. And so if you pair that then with the additional assistance you might reach a relative proportion that seems a similar amount. I'm not, you know, I went to law school like County Manager, so, I'm not the greatest when it comes to the math in that way, but I do think the investment from us as a County on this project is significant. And for 312 units, it's a great type of investment.

COMMISSIONER GREENE: Without a doubt. Thanks for explaining that two-part aspect to get to the same thing. Great. Thank you.

CHAIR BUSTAMANTE: Thank you.

ABBY PÉREZ: This is sorry this is Abby from Dominion. I just wanted to add one thing.

CHAIR BUSTAMANTE: Just one second. This is the applicant who is online. So, go ahead, Abby.

MS. PÉREZ: I just wanted to add this is a 4 percent project, not a 9 percent project. Thank you.

MR. BUTLER: Four percent.

MS. PÉREZ: Yes. Thank you.

CHAIR BUSTAMANTE: Thank you, Abby. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you. I just wanted to clarify the location of this as immediately south of I-25, west of Turquoise Trail that is Highway 14. And if I understand the parcel correctly, it slots into the area sort of adjacent to Cresta Ridge. Is that is that right? It is. Okay. Because I don't think the address is listed on here or I didn't I'm having trouble finding it. So what is the next step? This is in the County. What's the next step if we when we presuming we approve this loan? What's the next step in the process, Mr. Butler?

MR. BUTLER: I think, Abby from Dominion can give us a sense of what the project timelines will be as they move forward, Abby.

MS. PÉREZ: Yeah, of course. We are planning on closing this project on November 19<sup>th</sup>, so we're just a couple weeks away, and we will kick off construction the following month in December.

COMMISSIONER JOHNSON: Great. Okay. Thank you for that update.

CHAIR BUSTAMANTE: Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: Thank you, Chair. I'm definitely in support of this loan and this project, but I just want to make a larger community building context comment that when we have affordable housing, maybe we sit here and we say it's great, but when people are in apartments and there's no green space, there's no parks for the kids, no playgrounds to play, I wonder sometimes if we're doing a disservice while we're doing a service to the community. And I want to ask the staff, whoever can respond to this, and maybe it's a conversation as a BCC, how do we bake into these projects, parks for the kids, like where I live, you go down Airport Road, there's hundreds and hundreds of units facing Airport Road, we have hundreds of units facing I-25, hundreds of units facing 599. Now we have this facing Highway 14. And I always ask myself, how would we feel living in a unit where you have no view of green space, but have exhaustion from cars, so your air quality is low, where you have no really walkability. You have to either take a bus or get a ride. It's hard to walk in a very traffic, high traffic area, where your kids have nowhere to play, so you have to drive somewhere to go to a park.

My question is, how do we make sure there's equity and parity while we're still building affordable housing and to put ourselves in a human centered design approach and a community centered design approach? How do we do that BCC members? How do we do that staff? How do we bake that in? What are some innovative ways that we can start doing this moving forward?

CHAIR BUSTAMANTE: Thank you, Commissioner. The opportunity and I think that Commissioner Greene was talking about it before. These are loans. this



one comes back to us and when it's time for them with their plan and what they want to put together, that's when we make sure that we, I like your term, we bake it in that those requirements as they are proposed and I'm grateful that you're putting this in the ear of the developer at this point because as those things are drafted and I had exactly this experience next to the hospital, lovely apartment structures, but everything that the Commissioner just stated, and that was a City-approved project, but I think our opportunity is to make sure that quality of life is part of this conversation. So, thank you for that. Additional conversation, statements. I'm sorry, yes, Abby.

MS. PÉREZ: If I may add something on behalf of the developer, on Dominium's end, we make sure to include those parks, open areas, shaded structures in all of our communities. So, that will be incorporated into Turquoise Trail because we do keep the resident in mind at the end of the day.

CHAIR BUSTAMANTE: Thank you. Mr. Butler, anything else?

MR. BUTLER: No, I think you all's points are well taken. I think particularly in relationship to this particular project, thinking about how we do building that's smart and it connects particularly with open trails and spaces is one of the things we are very sensitive to. And I think in many of the affordable housing developments that you all are seeing come that are specific to county we're attempting to incorporate those things in it. I think that was one of the considerations based on the Nueva Acequia as well, making sure that there is at least courtyard types of space that provide some open space. And as far as we can connect to open trails we will make sure that those things are priorities, but we have received that from you all and we'll continue to make that a priority as we move forward.

CHAIR BUSTAMANTE: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Yeah, I'd like to make a motion to approve proposed loan agreement, restrictive real estate covenants agreement and mortgage and security agreement between Santa Fe County and Santa Fe Leased Housing Associates II, COMMISSIONER CACARI STONEP to support the construction of a 312-unit multifamily affordable housing project.

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: We have a motion from Commissioner Hughes, a second from Commissioner Cacari Stone. All in favor? I.

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

MANAGER SHAFFER: Chair Bustamante, I just wanted to u make sure that there wasn't any misperception relative to the Board's future approval of this matter. Alexandra Ladd can address any final administrative approvals, but this does not require a public hearing or further approval from the Board to move forward. I just wanted to make sure that was clear.

I did want to note that all of the requirements of the SLDC apply to this development as well. That does include a requirement of 30 percent open space and in addition, while I'm not intimately familiar with all of the amenities that are being offered, I am told that it does include common lawns as well as some clubhouse amenities. And so again, this isn't a subpar development. I want to assure the Board of that.

And then the final thing that I'll add just because there was so much very legitimate and heartfelt interest in the amenities that are being offered is that as you might recall from a variety of the trail projects that the Board has pursued and provided funding for is that there is intended to serve, as I understand it, both of these developments a trail that will connect to the 599 Rail Runner station as well as to other regional trails in the area that would allow someone to use multimodal transportation in order to go from this development into the City of Santa Fe, but also access the recreational opportunities that the County is actively building now.

So, appreciate you giving me the time to make those observations. Thank you, Chair.

CHAIR BUSTAMANTE: Appreciate it. Thank you, manager Shaffer, and thank you again, Commissioner Cacari Stone for bringing that to everyone's interest.

**C. Resolution No. 2025-122, a Resolution Declaring a Countywide Disaster Due to a Continuing Flooding Event that Began on July 31, 2025**

MR. CORDOVA: Good afternoon, Madam Chair, Commissioners. I'm here today to present this item and Mr. Brad Call is here to support me. Basically the summary of this is the subject resolution we're asking you to approve today would declare a countywide disaster due to flooding that began on July 31<sup>st</sup> 2025 and is continuing calling the summer of 2025 flooding event. It is a necessary step for Santa Fe County and acequias within the county to seek disaster funding from the state and potentially federal government.

I'll go through the brief back background, but beginning in July 2025 and continuing the County has been negatively impacted by significant and persistent rain events that have caused flooding. This flooding has damaged public infrastructure and private property. And as detailed in the subject resolution, the City of Santa Fe was so severely impacted by the flooding that it issued an emergency proclamation for the summer 2025 flooding event due to damage to City infrastructure and the infrastructure of acequias within the County likewise suffered significant damage and the New Mexico Acequia Association has requested the Board of County Commissioners of Santa Fe to declare a countywide disaster so that the affected acequias may pursue disaster assistance from both federal and/or state government. So in sum, the declaration of a disaster is a necessary but not sufficient step for the County acequias and potentially other affected governments to potentially pursue disaster assistance from the state and/or federal government. More specifically, it will support a request for the governor to make state disaster funds available as well as support a pending request for Santa Fe County to be added to an existing presidential disaster declaration for flooding in other counties in the state.

So that's way of high level background. I do also want to add that especially in the Chimayo area there have been multiple meetings with different acequias, different acequias impacted by the flooding. We've also worked closely with our neighbor Rio Arriba County who was just as equally affected if not more so the water did not notice a county line that day it just affected all the acequias Santa Cruz whole area.

SFC CLERK RECORDED 12/04/2025

And I do want to quickly acknowledge Mr. Jack Vigil who's in the room. He's representing Acequia de los Martinez Arriba which is an acequia Los Potreros. So it's very important that Santa Fe County supports the work of that acequia which is at the very beginning of the line. It's fed by the Santa Cruz Lake and it feeds multiple other acequias down the line. So just wanted to make some of those mentions and I stand for any questions.

CHAIR BUSTAMANTE: Do we have any questions for Leandro?  
Commissioner Cacari Stone?

COMMISSIONER CACARI STONE: Thank you, Mr. Cordova and thank you, is it Mr. Vigil? I'm acknowledging Mr. Vigil, thank you so much.

Do we have a relationship with the Acequias Association? In other words, is this the most comprehensive inventory of impact acequias and since there's such a critical valued historical and cultural important way of living and sustainability for many communities, I just want to be sure that we're being responsive but also inclusive of other acequias.

MR. CORDOVA: So, Madam Chair, Commissioner Cacari Stone, we've actually kind of taken the lead of the Acequias Association. Part of what took us a little while to get here to declare the disaster was we were working really closely with them. We allowed them to take the lead as they worked with Department of Homeland Security at the state level. They have reached out to the acequias as I understand it. They've worked with them and they've worked on assessing the damages. So, they've taken the lead on the damage assessment which has been significant.

CHAIR BUSTAMANTE: I appreciate that. Did you have anything else, Commissioner?

COMMISSIONER CACARI STONE: No. I didn't know – I wanted a response. Okay, thank you.

CHAIR BUSTAMANTE: I wanted to follow up on that and I'm glad that you answered that we're taking a lead. I don't know how much but I do know that La Cienega had some damage and I am concerned there have been times when the Acequia Association which I have a mound of respect for in every way but there have been times when, particularly the Acequia de la Cienega was left out of specific projects and requests. So I encourage all of our Commissioners to identify the acequias in your particular area and support those acequias and mutual domestics while we're at it to assure that they're being included in any type of response that would happen at the larger state level. And I appreciate that. I don't know if they were on the list that was discussed but it wasn't in our packet that to have the Acequia de la Cienega of the Guicu Ditch. And I do know that the Acequia de la Cienega incurred some issues. So, thank you for that. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Leandro. Thank you, Brad. Thank you, Mr. Vigil. They reached out to me almost immediately and some folks in Pojoaque had some issues up there as well. And so, this was two Friday nights in a row. And I want to thank Ryan for jumping on the road work immediately because those are county roads. They couldn't jump over to the to the acequias but this sort of brings up something that I discussed yesterday and have brought up for a few years that I would love to see us create a maintenance fund that is a one-stop

shop for acequias to be able to apply to the County for annual maintenance and some you know if it's a big project and emergencies necessary then that's a whole another threshold but these annual sort of, We need a backhoe for four hours and little, little projects like that is something that we can do and it is something that I think that would be perfect for our road maintenance sort of crew to have a scope and a budget to be able to work with all of these groups. So, I want to thank you for getting this teed up. I had some folks when we were up at Mrs. J's or at the 60<sup>th</sup> anniversary for Chimayo, people were asking me, Well, what are you guys doing? So, thank you. It just took a few more days and here we are. Thank you. We're here to stand by the acequias up in the north and all over the County. So, thank you.

CHAIR BUSTAMANTE: Thank you for that, Commissioner. And I would also like to encourage – the one thing that I'm very sensitive of is the autonomy of the acequias. And I think that it is sort of stepping into something that's not ours. They have their own governance, if you will. I appreciate the sentiment but I also understand the community building and the networking that people do to maintain and work with their acequias along a very long tradition of how acequias are managed and I would look to Mr. Vigil and the other mayordomos who are on the acequias to come to us with that request because I do have a sense of when we want to do something good for others and they're not necessarily asking for that handout at that time. I just want to be sensitive to that. It sounds a little a little harsh, but I am sensitive to their autonomy and I appreciate the value, but there is there's a little bit of, I won't say – there's a little bit of a encroachment on the values and interests. So, if they were to provide a request to the County, I think that would be something that I could actually stand behind.

COMMISSIONER GREENE: If I can respond?

CHAIR BUSTAMANTE: Sure.

COMMISSIONER GREENE: So this came out of in my first year as a County Commissioner, there was a request from multiple acequias in the north asking for maintenance help that they had been getting in past years and they used to just call us and request and we had stopped that process because of staffing shortages, budget shortages, whatever it was. And so I think the solution that I had spoken to management was to create a program and a scope of a potential pool of money to say apply by February. It's up to you whether you apply but if you need something minor that we have the tools for that would be too expensive for them to come up with that we have this opportunity. So it was made not just willy-nilly. It was made out of a request of multiple folks and hearing that we didn't have the budget capacity to do that.

CHAIR BUSTAMANTE: I appreciate that and I think even to make it more sustainable then I would continue to say I would like the governance of those acequias. I understand that you had a conversation with them, but there is a network. There is an association. There are ways that the acequias work within their own governance to make the request to Santa Fe County because we are responsible for maintaining the County and have that kind of partnership that would allow a formal assistance so that down the road we would know that this had passed as a measure that the County is supportive of our acequia systems. So, I hold to having the input of the acequias in the interest of recognizing and respecting frankly their self-governance. So, I appreciate that sincerely.

Any other further comments, questions? Commissioner Hughes.

COMMISSIONER HUGHES: Yeah, I'd just like to acknowledge that there are no in District 5, but I still support this very strongly.

COMMISSIONER GREENE: Thank you. If there's nothing further, I'll make the motion to approve this resolution declaring a countywide disaster due to a continuing flooding event that began on July 31, 2025.

CHAIR BUSTAMANTE: We have a motion by Commissioner Greene. We have a second by Commissioner Bustamante. All in favor?

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

**D. Resolution No. 2025-123, a Resolution Requesting a Budget Increase to the Capital Outlay GRT Fund (313) and 1st 1/8th Hold Harmless GRT Fund (205) for a Total Amount of \$871,695.**

CHAIR BUSTAMANTE: Thank you, Yvonne.

YVONNE HERRERA (Finance Director): Thank you, Madam Chair, Commissioners. we are requesting the use of capital outlet GRT and the first 1/8 hold harmless funding for some projects specifically related to help address flooding issues which was which was discussed in the previous item. Funding would be used for maintenance and fixing of the Paseo Cde Baca Road. In addition to that, we're looking to provide public works funding to buy additional equipment, a hydro vacuum excavator trailer. We're looking to provide funding to the Acequia de los Martinez Arriba which is the acequia which is part of the Los Poteros – I'm not going to say it. Sorry, I'm having a hard time today. And then finally, we have the Esperanza Shelter drainage, based upon an estimate that was provided, additional 80,000 is needed to help complete that project. And with that, Madam Chair, I believe I have Public Works as well as Deputy County Manager Cordova to address any questions related to the specific projects themselves.

CHAIR BUSTAMANTE: Thank you, Ms. Herrera. Do we have any questions for Yvonne or any of those who have are part of the request? I am grateful for this. This has been an issue. I am grateful for the leadership who have asked for these additional funds so that we can address these issues promptly. It's important for our community members to know that this leadership takes it seriously. And I did hear in the previous presentation that Ryan Ward was at a meeting when I know in fact that he was at the very same time at another meeting. So I say the ability to duplicate your efforts in one swoop is amazing. But I'm absolutely serious when I say. I don't know how you do it because you have been there every time they've asked and I'm grateful and I know to hear that you've been at other places. There's a very important thing that needs to be communicated with the public is that you all are on it. And I say that as somebody who hears what are you going to do about Paseo Cde Baca? So I say that intentionally for the record. I'm grateful. Thank you. Anyone else? Do I have a motion?

COMMISSIONER GREENE: I'll make that motion to approve a resolution requesting a budget increase to the capital outlay GRT Fund 313 and the first 1/8 hold harmless GRT fund 205 for a total amount of \$871,695.

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: We have a motion by Commissioner Greene, the second by Commissioner Cacari Stone. But before I call for the vote, Mr. Ward would like to say something.

RYAN WARD (Public Works): Madam Chair, Commissioners, thank you. I would like to accept the kind words on our staff because the group and the team that we have at Public Works has spent hours in the field with the flooding this year. So, I think all these things are very important. We've tried to be responsive, but we really have a good team at the County and we work together. And so I try to stress that to everyone that calls, every constituent that calls us, it matters to us. We want to make sure we get a work order set up. We have a portal if they need to respond, you know, need to reach out to Public Works they can put in a work order for roads needing to be graded or ditches or whatever it is. So, we want to be responsive and we appreciate the acknowledgement, but it's a it's really a team effort and I give a lot of thanks to the guys that have worked all night repairing roads, and making those needed fixes so that people have access to their homes. Thank you.

CHAIR BUSTAMANTE: Thank you. I'm sorry, before you leave, can you say a little more about this portal? Where can they access it? Where can they put in their request for the project? Thank you.

MR. WARD: Sure. Madam Chair, Commissioners, the portal, if you go to the Public Works, the Santa Fe County Public Works web page, there's a report a road or report a problem on the main page. You can go to that and it basically let you put in, we've had some issues as far as how it's reading sometimes the 911 addressing, but you can still put it in without that. Just make some notes in the comments. Hey, it's on this road. This is what the issue is. But that really helps us because we'll take phone calls, we'll work with whoever, but we want to make sure we're capturing that data so that we can get out there, address those things in a timely manner. So, thank you.

CHAIR BUSTAMANTE: Thank you. I do want to make one more comment and I'm grateful. This has to do with Manager Shaffer. I was communicating with him, letting them know what the issues were, that there was this emergency and the response was they're already on their way. So, thank you sincerely.

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

**E. Request Approval of County Utility Line Extension and Delivery Agreement Between Santa Fe County and ILM, LLC**

TRAVIS SODERQUIST (Public Works): Good afternoon, Chair, Commissioners. My name is Travis Soderquist. It's good to see you guys again. Hasn't been too long. So, this item that I'm bringing today is a ULEDA between Santa Fe County and ILM, LLC. It is a water delivery agreement. We're going to be supplying both water and wastewater to this project if approved. The total water budget is 2.12 acre-feet and the development is going to be going through the fee in lieu payment for water rights for this. It's a 12 development for commercial properties. That's it.

CHAIR BUSTAMANTE: Do we have any questions for Travis Soderquist?

COMMISSIONER GREENE: I don't. I think for some reason I think this should have been part of the evening. It's just grouped with the other later thing, but I'll move this along with a motion to approve the utility line delivery extension and delivery agreement between Santa Fe County and ILM LLC.

CHAIR BUSTAMANTE: We have a motion from Commissioner Greene. Do we have a second?

COMMISSIONER JOHNSON: Second.

CHAIR BUSTAMANTE: Second from Commissioner Johnson. Is there any discussion? Commissioner Hughes.

COMMISSIONER HUGHES: I'd just like to know where it is.

MR. SODERQUIST: Oh, sorry. The property is located at the 599 exit off of I-25.

COMMISSIONER GREENE: It's just south for better reference, it's just on the frontage road south of 599 along I-25 on the east side.

MANAGER SHAFFER: If I could, Chair Bustamante and Commissioners, this relates to the public hearing this evening request for preliminary and final plat. It's on the agenda in this order, it could be done differently, but the ULEDA is the necessary precondition for that plat, the preliminary and final plat to be approved because without water availability and service it couldn't be. And so approving the ULEDA doesn't mandate that you approve the preliminary and final plat application. And I think the ULEDA itself has a fail safe in that regard, if approvals aren't obtained or if the plats aren't approved then the ULEDA goes away. So I just wanted to address that understandable concern by Commissioner Greene that these might be taken out of order. There is logic to doing it this way, but I do want to ensure the Board that there's no requirement that you take any particular action on the proposed plat at the public hearing by virtue of approving the ULEDA. Hope that's helps.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer. Any further questions, comments or concerns?

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

CHAIR BUSTAMANTE: Motion carries. Thank you, Travis.

[The meeting paused from 4:00 p.m. to 4:15 p.m.]

**8. Presentations**

**A. Presentation of the Water Policy Advisory Committee (WPAC) 3<sup>rd</sup> Quarter Report of 2025**

CHAIR BUSTAMANTE: All right, we are reconvening. It is 4:15 straight away and our next presentation, actually what we have next are presentations and I know that he's been looking forward to this since yesterday. Andrew Harnden will be presenting on the WPAC third quarter report and thank you, Andrew. I know you've been waiting around to do this and I'll just say thank you for the information yesterday and again thank you for pulling it all together and as a reminder to anyone who may be

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listening and didn't attend yesterday we'll be continuing the conversation on the 17<sup>th</sup> of November and it's been very informative so thank you. All right, go ahead.

ANDREW HARNDEN: yes, Chair Bustamante and the Commission, staff presents the Water Policy Advisory Committee/WPAC third quarter report 2025 attached report. Exhibit C consists of a one-page summary and an addendum summarizing progress made by each working group organized by specific tasks and staff stands for questions.

CHAIR BUSTAMANTE: Do we have any questions for Andrew regarding the WPAC third quarter report? Anything at all? While everyone's reading the report, again, I want to commend you on how you've coordinated everything and what you've brought together.

MR. HARNDEN: Thank you very much. A lot of people inputting these ideas and activities from the County at different levels leadership community and there's a lot of smart experienced people out there in the community and a great resource.

CHAIR BUSTAMANTE: Well, you make it happen. Thank you.

MR. HARNDEN: Thank you.

CHAIR BUSTAMANTE: Any questions for Andrew? You don't get to walk off that fast. Folks are still catching up.

MR. HARNDEN: Okay. So, Chair Bustamante and the Commission, for this third quarter report, you know, we had some feedback about presentation and so this time we actually include that one-page summary on the top. So then we have you know stormwater management working group, drinking and wastewater management working group, outreach working group, and the I believe the WPAC and the BCC thought again you know having that one-page summary sheet on the top of each third quarterly report would be a very sort of an efficient sort of a reference page for everybody to track the third quarterly report and the main progress updates.

CHAIR BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you. Just to put it on the radar, I know it was something we discussed about, but it might not have been specifically on the work plan, the Tesuque Pojoaque Valley wastewater issues. Also looking at water quality issues based on the septic systems like trying to do an assessment that we could give of maybe the life of, the number of septic systems that are within 500 or 1,000 feet of the river so that folks can have a comprehensive understanding of what the risks to the water table are near the Tesuque River. That's the most specific area, but I think that there's some issues in the whole valley there.

Also the Cuyamungue area has been reporting some low quality water and I think there's an opportunity here when we talk about such a large – the Pojoaque Basin Regional Water System if we want people to sign up and tap into this, we should give them reasons. And so offering people water tests or ways to make them understand that – I don't know if that's a WPAC but it seems like something that we could have under there in a way to encourage people to sign up to our water system. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Anything else?

COMMISSIONER CACARI STONE: I just want to add, thank you for your work as well. And just for the record, did I miss it because I was just still walking in, the Exhibits D and E?

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CHAIR BUSTAMANTE: Do you have a question. He basically said, I provided the reports and if you have any questions.

COMMISSIONER CACARI STONE: Oh, because in the overview it says Exhibit E, but there's no Exhibit E. There is an Exhibit D. I just wanted to clarify for the record. That's all. Thank you.

CHAIR BUSTAMANTE: Thank you. the other thing that I'd like to ask and I haven't seen him there, but I don't know if I'm just not seeing him because I have attended a couple virtually. Do we have still the representation from Edgewood?

MR. HARNDEN: Chair Bustamante and the Commission, we do not currently have representation from Edgewood.

CHAIR BUSTAMANTE: So he's quit the WPAC. We did have a gentleman who was driving from Edgewood. Do you know if he's officially quit or he's not showing?

MR. HARNDEN: My understanding is we actually don't actually have anybody on the committee from Edgewood is my understanding. I started in July of last year.

CHAIR BUSTAMANTE: Okay. Okay. I'll double check on that. It's important and I feel like it's easy because this is where the population density is, but we have had some issues in Stanley with people's wells drying up and if there's some way we can make sure because I know that we did have someone who was willing to make the trip because I remember acknowledging his travels. But I'll reach out again. As you know, the Commissioner from the town of Edgewood was here yesterday and maybe we can work in the conversation of the Stanley issue. They are on different aquifers, but it's important and I appreciate it. Thank you. Anything else? Thank you very much. Have a good evening.

MR. HARNDEN: Thank you very much.

**B. Presentation Concerning 4/8/40 Pilot Schedule for Patrol Deputies in the Santa Fe County Sheriff's Office**

CHAIR BUSTAMANTE: Thank you, Sheriff Mendoza and the data management guru, Charles Connor.

SHERIFF MENDOZA: Thank you, Madam Chair and Commissioners. We're here today to present on the pilot schedule, the 4/8/40. We just reached our one-year mark. We did two six-month pilot programs and in that process we gathered a lot of data and statistics and we're here to provide a report for that one-year time span.

Before I let Chip get into the specifics of the statistics and I'll be jumping in a little bit to clarify and kind of brag a little bit about what's been happening. I wanted to take this opportunity and I hope this is not inappropriate, but today's National First Responders Day, and I just wanted to recognize first responders in Santa Fe County and also nationally for their commitment and sacrifice to include law enforcement, fire, and dispatchers also. So, I just wanted to say that.

But, with that being said, I'll turn it over to Chip and have him kind of break down the numbers for us and in a way that I probably couldn't.

CHAIR BUSTAMANTE: I have to ask, I really apologize for breaking in

at this moment, but you reminded me of something.

Yesterday was Andrew Harnden's birthday and we didn't acknowledge yesterday. He's still in the room and there aren't enough people for all of us to actually harmonize. But I think we should all wish Andrew Harnden a birthday. Give him a great birthday applause. Andrew, happy birthday. Thank you. Thank you, Sheriff.

CHARLES "CHIP" CONNOR: Good afternoon, Chair Bustamante, Commissioners. I really wanted to appreciate the kind of access that the Sheriff's Department has allowed me. It really has let me pretend to be a giant by, you know, standing on their shoulders. And so, ultimately, I'm just a guy who's looking into a system, pulling some numbers. But these men and women are out in the field every day. And so, you know, anything that I can do to kind of forward their work, I'm happy to do it.

So, for the past year, the Sheriff's Office has been conducting a study on the 4/8/40 schedule. I was here at the 6-month mark, and so today, again, we're presenting the 12-month results. The bottom line, before we go over the details, is that the 4/8/40 schedule has been an overwhelming success. It saved the County hundreds of thousands of dollars, measurably improved our service to the public, dramatically increased proactive policing, and boosted deputy morale and retention. So today, I'll walk you through the key metrics that support this conclusion.

So just to kind of set the table for how these the majority of these graphs are going to look. So the gold bars, they are non-linear. So they're non-chronological. So understand that when you see the gold bar that says October, that is October of 2024. The September is September of 2025. So just to understand that if you're looking at 2025 or if you're looking at the post period or the trial period October it goes to the end and then comes back around. This was the best way that I could figure out how to graph all of the different statistics so that you could go through and figure out kind of comparatively. These are looking at all calls of all types that were responded by the Sheriff's Department here in Santa Fe County. And you can see a marked increase over the pre-period and also over the majority of the other dates that are represented up there. And so the majority of that increase comes from the self-initiated activity, which is something that we saw at the 6-month mark and has continued through which is something that we're very happy to have seen. Now we're looking at the self-initiated calls and again comparing the dotted blue line to the solid gold lines. You can see that there is a substantial increase in the amount of self-initiated activity. Now, what this has done is, this program has really given, it's really changed the way that policing occurs because the officers now have the energy and the ability to go out and conduct self-initiated activity which is some of the most proactive things that they can do to keep the members of the community safe.

Moving on to traffic stops. Now this is I would say the most pronounced and I think maybe the most, it was not something that we looked at initially, but you can see that it is almost doubled every single month compared. What that means is that the deputy is pulling an individual over who regardless if it's a traffic infraction, if it is dangerous driving, if they're witnessing something where they need to intervene, they are doing it. And this shows clearly that by a factor of almost 2 to 1, they are being proactive and really doing the number one thing that they can do to reduce unintentional injury deaths in Santa Fe County, which I think I presented a study from Christus St. Vincent

before where it goes falls, overdoses, and motor vehicle accidents. So if you can take a swipe at this, if you can take a swipe at motor vehicle accidents, you know, you can really start to reduce mortality like that in a very significant way.

Another thing that we started to look at were driving under the influence responses by Santa Fe County. Initially we just had this graph and we saw substantial increases. Now, if you look at August of 2025, so just a couple of months ago, we were kind of all puzzling ourselves and I think even County Manager Shaffer wanted to know more about say, you know, what's causing these spikes. I know it's a little bit small. Maybe you have a custom view that you can see on the top right you can see the number of days in which enhanced DUI enforcement occurred. So that was either through enhanced enforcement or they had checkpoints. So each of those counts represents one day of activity and it is grouped by month to make it easier to kind of sort over time. But what you can see is that substantial increase looking at the table on the top right for August of this year netted substantially more DUI discoveries that occurred. In a sense they went looking for trouble and they found it. Now is that kind of activity happening every month that just goes undiscovered? Yes, probably. But they now have the resources to deploy officers for enhanced enforcement to again try to take the leg off of one of those three unintentional injury death kind of factors.

We also wanted to know what was happening in the marketplace as a whole. So, we pulled in a couple of different agencies, including Santa Fe City Police, Santa Fe Sheriff, and forgive me, the third one, I think it was Edgewood was the other agency that we pulled. And so, what we saw is ultimately it's fairly flat for Santa Fe City Police. And you can just kind of see over time it's fairly persistent year to year.

Now we're getting into motor vehicle accidents. And so despite the massive increase in traffic enforcement you saw we've only seen about a 6 percent reduction in motor vehicle accidents compared to the previous year. This kind of confirms a hypothesis that I had that enforcement alone is not the answer. This is a very complex communitywide problem. You guys obviously drive, operate motor vehicles, I'm sure you see – I'm sure you have a button where you said, Okay, I wish I could just have a sheriff right here next to me and pull this person off the road.

I think the prime – my recommendation is to continue the schedule to maintain a high level of enforcement and to build on it. There needs to be a broader County level strategy that includes partnerships with Public Works for engineering improvements and targeted public education campaigns around aggressive and reckless driving. I think that's the only way that you can really start to touch these and to also have conversations with your peers, whether that's a co-worker, whether that's a family member, if you are in the car with them and you see them doing something irresponsible, not using a turn signal, to have a genuine hard conversation to say, I'm not safe. I don't feel safe when I'm with you.

SHERIFF MENDOZA: Madam Chair and Commission, I think over the last few slides, I think what stands out is the ability and the desire of the deputies to get out and do proactive patrols to be more visible. That means in the neighborhoods, on the less traveled roads within the villages and communities of Santa Fe County. You saw the increase in self-initiated calls and that could be just close patrolling, higher visibility, initiating contact public contact on their own instead of just responding to a crime or a call that has already taken place. So it's a lot more proactive and the fact that they are

engaging the motoring public through traffic citations and traffic citations are up. That doesn't mean that you know everybody is cited into court or given a fine. Some of these may be warnings. So there's an education component to that also. But you can see that they're engaging the motoring public which I believe is making the roads the roadways safer in Santa Fe County. Just the visibility and enforcement. I think the community has seen our officers more out in the streets enforcing traffic laws which means they're more apt to pay attention to their driving and less apt to break any traffic laws.

MR. CONNOR: Absolutely. And that was not at all to diminish the great work that the deputies are doing out there. The first six months we did see a pretty significant decrease in motor vehicle accidents. We're looking at other factors as well such as potentially increased rain, delayed motor vehicle maintenance, individuals delaying purchasing new tires and things like that. So, there are other factors that we're starting to look into to say how can we explain this?

I did want to go back to the DUI page just for a second. You guys are probably all aware that Santa Fe County has a very robust DWI program. And I just wanted to make everybody aware so that you talk to, you know, your friends, family that – and I'll hold it up here for the camera. So, Fridays, Saturdays, and Sundays, Santa Fe County offers two distinct \$10Uber credits that you can use so that if you find yourself in a situation, call an Uber. There are credits. The current credit that's active right now for Fridays, Saturdays, and Sundays through December 28<sup>th</sup> is SFFALL25. So that's SFFALL25. You put that into the Uber app and you'll get \$10 off of two distinct rides. We are coming up on a myriad of holidays where there can be excessive drinking. And so I would say again, anybody who's listening here, please make everybody aware that this exists. If you go to the Santa Fe County DWI website, this is the splash page that you hit exactly just like this. And now we'll keep rolling.

So the self-initiated activity, again, close patrols. These are where officers are being proactive, going out and ensuring, especially in areas where there could be high levels of criminal activity or just to maintain a presence a deterrent presence. They are out there to the factor of almost 2 to 1. So this is another thing that that pulls into the self-initiated activity statistic and again just shows that they are out there in the community.

Larceny, we've seen it drop slightly which is again due to the great work of the deputies being out there. The chances have never been better that you were going to run into a member of law enforcement in the community because of this schedule. Staffing has never been higher. They are fully staffed and individuals are out there motivated looking for activity.

So now we get into the cost side of it because all of this really doesn't matter if there isn't a cost perspective. Just shy of \$400,000 was saved in overtime between the pre- period and the post period. So that's looking at a one-year period. It's about a 40 percent reduction and that's also while bringing on additional officers. And it was pretty remarkable. There really wasn't a week that I looked at this and didn't kind of scratch my head and say, Okay, where did I write the code wrong to pull this? It was always persistent at around that 40 percent number. And I think that's one of the most remarkable things is saving close to 400k just in the overtime cost due to this program.

And all of that doesn't matter at all if there's a decrease in service. What we've seen is that 10 out of the 12 months that the program has been implemented, the response

time for priority one calls, so those are the highest level of calls where immediate response is required. The times are decreased. So if you're saying the gold number or the gold bar below the blue dotted line that is what you want to see. That means that the officers are responding to scenes more quickly. The two months where we had a slight increase, we had active conversations because this is not the only time that we talk about this. I would say maybe once every week and a half, two weeks I'm talking with somebody in the Sheriff's Department to say, Okay, these are trends that I'm seeing. And almost immediately they were corrected. I think just an announcement went out to say hey you guys need to make sure to focus on this to understand that that it's a metric that's being tracked but beyond that that it makes a difference and it will make a difference the speed at which you respond to that call and for all calls we've seen it the time decrease or stay flat which is really what you want to see as well is that mean that means that there was really no degradation of service due to the schedule.

We now move on to the satisfaction questions.

SHERIFF MENDOZA: Just one more point in reference to the statistics and the and the charts that have been brought up. You know, we said this from the very beginning is that we were going to pilot this schedule and it had to benefit the community. It had to benefit the public. And you know it's benefiting the employees also. It benefits the employees with the time that they have for mental health and physical health. But it had to benefit the public in general. And I think that's what you're seeing. You're seeing more visibility more traffic enforcement. You're seeing faster response to priority one calls. And so I think just looking at the numbers that you can you can see that it's benefiting the community in general. And I think it'll continue to do so.

MR. CONNOR: And so one of the things we wanted to track in addition to all of the other statistics is how are the deputies perceiving the program. So these were a series of questions that were asked once a month and we averaged the responses from 1 to 10 and all that we saw were essentially increasing satisfaction reports through the end of the program. And I think that was one of the most telling things is that there were some skeptics initially and then once individuals, once deputies, started to kind of see the results in their life, in their marriages the results were undeniable just how the deputies started to feel about it. So this is the kind of grouping as a whole and then we do break it out by some of the different divisions and that you can see that there is just a distinct march to the top right quadrant you would say in finance. So everybody was kind of disparate to begin with and then you can see at the very end regardless of the shift they were all very pleased with it. And again, this breaks it out by the different shift type.

SHERIFF MENDOZA: When I looked at this line chart here, it really stood out to me because you had satisfaction by shifts, right? So it's different shifts working different hours with different team members and they were they were kind of really separated at the beginning on whether or not they thought this you know they were really satisfied with the shift and the hours that were working. And you know the expectations were set the goal was set for how we wanted this pilot program to pan out and it just stands out to me that everybody met all in one corner at the very end. Everybody worked towards the same goal and it seems like everybody was satisfied across the board. So, they all just met in one place and if you work in any corporation or government agency, that's very hard to do to get that many employees all on the same

page like that. And this chart really stood out to me. I thought that was pretty amazing.

MR. CONNOR: And to build on that, this study has actually been requested, the information behind it has been requested by a number of different law enforcement agencies across the United States. There is substantial interest in the work that was done here and I think the distinct difference between what Golden, Colorado did, which was the first municipality to trial it, is that they did not have constant monthly feedback. They did not do their analysis until the very end at which point it was too late to address anything, you know, productivity or otherwise.

Now we're going off of the years of service. And so again, what you can see is that there is just that march to the top right across all of the different kind of years of service cohorts, which again is just telling that eventually everybody got together and said, Yeah, this is this is life-changing and my life is better because of it.

So this is a lot of spaghetti here, but let me walk you through what's going on. And I know that the colors aren't very vibrant on here, but at the very top, which I think I made dark blue, those are the number of full-time patrol employees per month. I have to really give a shout out to now Lieutenant McCartney and the work that he did with the rest of the Sheriff's Department to pull these stats because a lot of these don't just exist natively. He had to go through and calculate some of them for me so that I could throw them up on a chart here. Below that the light blue, we have the number of citations per month and below that is the orange figure which are the number of citations per full-time employee per month. What we were trying to answer primarily by this graph is looking to see if the substantial increase in citations given out was simply due to the increased staffing. And we found that was absolutely not the case. You can see that in the pre-period it went between 10 and 15 sometimes as low as 9 per month per deputy. And in the most recent month in September, 23 per deputy per month. And, again, that just goes to reinforce the fact that they are out there enforcing traffic laws and keeping the community safe in, you know, the most likely way that, you know, to be grim, that something could happen to any of us. And so I have to applaud them out there because pulling somebody over like that, especially on a highway, especially at night, is one of the most dangerous things that anybody could do. These men and women have my respect, more and more every day that I look at some of these statistics. So a pat on the back to each one of them for leaning into the program and understanding its essential outcome was to increase productivity.

What we're seeing here are the motor vehicle accidents by month. So these are deputy involved and we really don't see a substantial increase over time of the motor vehicle accidents. So that's despite individuals getting to the scene faster.

These are the workers comp claims. They very rarely occur and so we didn't see any notable increase. This is these are all just stats that Golden, Colorado pulled and we tried to kind of copy some of their metrics as well. These are the citizen complaints by month and as you can imagine greater traffic enforcement can lead to greater citizen complaints. And so that is something that we see but it kind of slows down significantly after the first six months of the study. You really don't see much of any activity beyond that.

These are the workforce metrics. These are the hirings, resignations, retirements, and terminations. And you can see that it is just light blue all the way up ever since the

implementation of the program, essentially got it to almost full-time staffing overnight. You really have seen the deputies in the field very pleased with the work, very pleased with the work-life balance that they have now and really not looking anywhere else. In fact, you know, quite a few lateral transfers and individuals coming from different agencies across the US to be here.

And with that, we can answer any questions that, that you have to the best of our ability.

SHERIFF MENDOZA: Madam Chair, Commissioners, if I can just make a couple of other points real quick just to answer maybe some questions that you may have, Just to go over some quick percentages, as already stated, overtime costs were down 39 percent. The deputies rated the program 9.75 satisfaction out of 10. Self-initiated proactive activity increased by 80 percent. Traffic stops increased by 81 percent. And motor vehicle accidents decreased by 6.7 percent. Those are just some quick percentages that support the information that was provided. And I know this is going to be a question right now. we are fully staffed except for the six positions that were just approved in July. So we were fully staffed to the 94 that we were allotted for up until July. And so right now we have six vacancies and those were the vacancies that were that were approved in July. So, we have four cadets that are in the hopper right now for those positions. So, we'll be down I'm assuming or fully staffed I think within the next few months. So, that's pretty amazing. This 4/8/40 created a momentum of retention and recruiting and it's continued and I believe that we'll be fully staffed hopefully by the end of the year, including the six positions that that were greatly needed and were allocated for the Sheriff's Office this year. Thank you.

CHAIR BUSTAMANTE: Impressive. Questions, comments, Commissioner Greene.

COMMISSIONER GREENE: Thank you for persisting with this and keeping it going both to management and to you guys to initiating it and working it through. Data is great. Analysis is better and visual. This is fabulous. What I would like to see is like, you know, there were probably six statistics that you cited in just a cover memo that we can go out and present to all of our constituents about this. You know, employee satisfaction, right? That is right there. Less overtime cost, right? Both in terms of what the dollar amount was and then you said 39 percent. Beautiful, right? You know, really effective number there. Faster response time, fabulous. What is that percentage? What does that mean? Like, you know, it can say it is faster response time, but means two minutes faster or whatever that really equates to. Just in like a one page here are the top five, eight, whatever the right number is of things that are working with this and just, you know, pat yourselves on the back on how this is working and give it something that we can report out in our county communications and super excited with this. Thank you.

SHERIFF MENDOZA: Madam Chair, Commissioner Greene, thank you for the recommendation and I agree with you. It's more easily understandable if it's just five points with a with a simple percentage that represents the graphs and the charts and all the hard work that Chip's done. But it's easily more understood by constituents that way.

COMMISSIONER GREENE: And all of those things are easy, right, because the data is there right that it's just how to distill it into something so simple.

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Sometimes you can get into the nuances of it, but it's, you know, retention, recruitment, satisfaction. So, it's the good for the staff, right? Staff is happy. The good for us, the constituents, that you're responding faster. And then the good for the County because it's costing us less, right? There's sort of three stakeholders in this group. And to show one or two or three stats for each of those just really goes a long way to go. I like this because A, B, and C.

SHERIFF MENDOZA: You got it. We'll follow up with that and get that to the Commission.

COMMISSIONER GREENE: Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Commissioner Hughes.

COMMISSIONER HUGHES: Yeah. Could you describe again the 4/8/40 program, how it works?

SHERIFF MENDOZA: The program is, the deputies gets one hour or actually two hours a day on a on a 10-hour schedule. So, two hours a day for mental or physical health and that is all tracked through a time sheet. And so they there's a slew of approved activities that a deputy may be able to do for that one hour before and one hour after their shift to take care of their well-being. And under the understanding that when they come to work for the eight hours that they're more productive, they're more well-rested mentally and physically, and just a more productive and happy and satisfied employee. And so that's kind of the gist of how it works. So they get paid for 40 hours but they're actually just working 32 hours.

COMMISSIONER HUGHES: I know you described it last time just thanks for refreshing my memory.

SHERIFF MENDOZA: Sure.

CHAIR BUSTAMANTE: Thank you. Commissioner Cacari Stone.

COMMISSIONER CACARI STONE: First, thank you for your leadership and work, Sheriff Mendoza, and for your entire team. And Charles, thank you for your contributions and helping us see what the outcomes are. I'm just interested in how we scale this up. If it's we go from your innovation as a pilot to more evidence to scaling up and at what point do you think that you'd be ready? My first question is how many officers have opted in and how many are still out of the program? So if we're looking at total numbers,

SHERIFF MENDOZA: Madam Chair, Commissioner Cacari Stone, you know, that was one number that I did not bring. We just in the hopes that this program was going to be extended. It's my goal to have this program extended through my term, which would be another year. And then I think the new elected sheriff would – whatever he desires or looks at this schedule and thinks that it works or if he has a different idea or he or she then that's fine also.

But, there's been just a handful of people that have opted out and we've seen actually requests for more people to opt in if this program is continued. And maybe I've heard a couple people opting in and one other person opting out. So, it stands at about a half a dozen people that are that are opting out of the actual program, but there's been a overwhelming majority of people that are participating in the schedule.

COMMISSIONER CACARI STONE: Thank you so much. That's



exciting. So, because scaling up is so important for what's proven effective under your leadership and with your team, I have just a few thoughts. I do agree that data is important and I appreciate everything you've done, Charles. And I don't know, Charles, if you yourself or you and bringing someone else in from the County could look at besides the descriptive statistics you have in data is maybe running some cross tabs where we're looking at those who opted in and who opted out with some of the outcomes including traffic stops, you know, retention and then building a model. And the reason why I'm saying this, I'm not geeking out on you or being critical, is I want to support you in showing the evidence in another way. And when you show what's significant because you have the data at hand, you could build a model with the cross tabs. And with that model, I really want to encourage you, Sheriff, and others to publish on this so you have something documented of what works because people will say, Well, that was Santa Fe and those were descriptive. And I think it's important that the evidence speak for itself. And the best way to meet scrutiny for other funding as well as making the case with the existing or future BCC or County managers in the mix.

MR. CONNOR: Certainly, Commissioner Cacari Stone. The initial six-month report that we provided did break out individuals in that way because it was it was simple at that time because you only had essentially one – everybody had one choice to make and then beyond that there were maybe three or four individuals. There is a way to code for it, but it does become substantially more complicated because this is looking at because then you would have other individuals – so you may have an opt-in individual showing up at an opt-out and then you have to figure out how do you prevent the duplication of that. There's a whole kind of data science aspect of it that you know after the six-month mark and there were a few switches that happened, I tried to go through and measure that but what we saw at the at the six-month mark is it was not even comparable. That at that point the individuals who had opted-in the performance was astronomically different distinct than individuals who had opted-out. So that was something that we looked at for the one year. But when I was examining the data it appeared that the individuals who had opted-in were so distinct of an experimental group that they almost could not be controlled to – that they could almost not be compared to the control group of the opt-out individuals because the opt-out group behavior basically stayed the same while the opt-in group went to the moon. So that was something that we looked at and that was included in the initial six-month review that I presented here. It had the opt-in and opt-out breakouts.

COMMISSIONER CACARI STONE: I appreciate that. And I again I'm just making comments to be supportive for scaling up and maybe even do an analysis with pre-pilot, post-pilot if that was an issue. But I'm just encouraging that you publish on it because you did it and writing about it gets more national significance as well as making the case for going full speed 100 percent. And they say you do it but when you write about it it's yours. So I think that's important.

MR. CONOR: Yes, Commissioner Cacari Stone, we have a paper on it. I submitted to IACP, International Associations of Chiefs of Police for publication. It was probably a month and a half, two months after the 6-month mark. So that has been sent and it's pending. It's frustratingly pending publication. So they have it and they just need to decide if they are going to print it.

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COMMISSIONER CACARI STONE: Well, hang in there and I hope you can get that published with your name on it during your legacy as well, Sheriff Mendoza.

SHERIFF MENDOZA: Thank you for your feedback, Commissioner.

CHAIR BUSTAMANTE: Thank you. Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. Thank you, Sheriff Mendoza. Thank you, Mr. Connor. Well, we have a couple of lapsed academics here, so we know that publication schedules aren't what we want them to be. That aside, kudos. This is really interesting information. It was essential that you explain the gold bar thing because when I when I looked at this in advance, I didn't quite get it. So, I agree with Commissioner Greene that I think an infographic, especially the gloss that you gave, Sheriff Mendoza, at the very end, would be helpful for our community and also for recruitment. I mean, this seems like such an amazing recruitment tool. And, it sounds like we have six more positions to fill. And, you know, getting high quality officers, experienced officers who want that flexibility built into their schedule would be key.

I think it's implied in everyone's comments, but we should absolutely keep tracking the data on this. And I mean, I think this Commission, well, I'll speak for myself. I'm convinced that this is working so if the continuation of the program is something that the Commission needs to approve, we should do it. And, the cost saving alone, not to speak of the amazing benefits to the law enforcement, are pretty evident to me.

I have one question which is that in these surveys was there qualitative feedback given, say please list any comments or concerns you have. I'm kind of curious and I'm not trying to devil's advocate it. I'm kind of curious what people didn't like about it. And I suppose I could imagine something like it breaks up my day and you know maybe sometimes I feel like I'm going back to work. I don't know. Is are there other which you are; but was there was there substantive sort of feedback about what wasn't working for people or what kind of nagged at them or irked them that we could you might look into as far as you know smoothing out the rough edges. It is an amazing pilot but it's new it can change a bit.

MR. CONNOR: Commissioner Johnson, it had been a while since I had reviewed the qualitative side of it. Looking at the initial ones, I know that most of them revolved around a financial aspect of the distinct way in which overtime was earned and of all the ones that I can recall, which has been a little while, that was the majority of them were related to that.

COMMISSIONER JOHNSON: Okay. Thanks. Because we're preventing overtime excess, some officers were formerly relying on that to supplement their income. Is that accurate?

SHERIFF MENDOZA: Commissioner Fulton Johnson, so the way the program is set up, because you're working 32 hours, but you're getting paid for 40. The first eight hours that you work beyond your 32 is at straight time, not time and a half. So they are getting paid you know extra time, but it's not time and a half. It's not considered time and a half. I think some deputies had a little bit of heartache about that. They just weren't sure how that was going to affect them financially, but I think they realized that as time went on in the program that it wasn't as significant as they initially suspected. And so we haven't really seen those concerns of the overtime that were initially in the satisfaction questions from the deputies. I think they realize that it's not that severe of an

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impact on them financially and there is overtime available and after eight hours you're at time and a half and that it was explained to him up front that that was a little bit of the sacrifice that needed to be made in order to make this pilot program happen. And I think people saw the benefit of the time that they have for their mental and physical being as more important than the time and a half versus the straight time.

COMMISSIONER JOHNSON: Thank you, Sheriff. And that I think that's to be expected in a new program. People are used to a way that happened for 15 years and now they have a deputies are experiencing a new opportunity. Even given that I think the high marks should be seen in that light because there is; well, let me ask you the question. It seems like there is a sort of a culture of working overtime in a sheriff's office. And so you know is that is that just part of the way that a sheriff's off sheriff's department operates that there's we of course need that because of you know numbers of deputies but how does that sort of fit into the, you know, culture of the of the department and the way that the deputies sort of perceive their jobs. They're obviously dedicated individuals. Going above and beyond is sort of baked into what they do. How does overtime kind of fit into that?

SHERIFF MENDOZA: Commissioner, I think you're correct the past culture of law enforcement a lot of it surrounded overtime and kind of the dependency on that. But I think when I'm speaking for Santa Fe County in general, Santa Fe County has done a tremendous job of increasing salaries for deputies and those increases have kind of lowered that dependency on overtime. And I think we're seeing a shift in culture for law enforcement also about overtime and time spent with family and on themselves. I think you're seeing a shift moving away from you know a financial dependency to looking at the bigger picture of the work-life balance. And so I think you're seeing a shift in that in law enforcement. That's what I'm seeing. And I think that that's where it equates to the satisfaction in improving over time once they understood you know that the financial impact wasn't as severe as they suspected.

COMMISSIONER JOHNSON: Thanks for sharing that, Sheriff. And I think that's really important to underscore changing culture in any department, office, you know, fire, sheriff's office, whatever is challenging. So, I'm very personally proud that this program is working. I didn't do anything to bring it about. So, you guys should be proud, too. I think it really speaks to the way that you know simple adjustments that make the deputies more happy and sort of mentally well and physically fit is pays dividends to the community as well. So I really appreciate the work here.

MR. CONNOR: If I may, Commissioner Johnson, just to build on that, you can look around at some other municipalities and, cities such as New Orleans or Colorado Springs who have essentially ignored the problem of overtime, especially in law enforcement and are paying the price through furloughs, through layoffs. So I think that this is a model for many of those other organizations to be proactive to prevent catastrophic financial imbalances that many of these other organizations are experiencing right now.

COMMISSIONER JOHNSON: Yeah, right on. And instead of terminations and furloughs, we're retaining deputies. That's awesome. So, thank you guys.

CHAIR BUSTAMANTE: Thank you. The only question I have and I'm

ascertaining from the presentation that the reason Colorado didn't continue with this is because the evaluation – they didn't do the same data acquisition that we did. Is that my understanding?

SHERIFF MENDOZA: Madam Chair, I really can't speak, I'm not sure that they – whether they continued this 4/8/40 program or not. To be honest with you, I haven't really kept track of whether they're they've continued it. I know that they were at the year mark, I believe, when we first started and I'm not sure that they're still working this schedule.

CHAIR BUSTAMANTE: I understood that they canceled it and went to a 32-hour work week, but I could be wrong. I didn't know if they weren't looking at data. I don't have any information. I thought maybe you'd know, but that's okay. No worries.

MR. CONNOR: If I may, Chair Bustamante, we got so far ahead of Golden, Colorado that we stopped paying attention to them to be honest.

CHAIR BUSTAMANTE: If it's working for us, who cares, right? All right, thank you. Thank you. Thank you very much. And good work. Thank you.

**9. Matters from the County Manager**

**A. Miscellaneous Updates**

CHAIR BUSTAMANTE: Manager Shaffer.

MANAGER SHAFFER: Thank you, Chair Bustamante, and Commissioners. Really I just want to remind the Board as well as the public that we did adjust our year-end schedule. We have a meeting that was previously scheduled to take place on November 10<sup>th</sup> in recognition and honor of Veterans Day. But we are moving the Board of County Commissioners meeting from the end of November, the week of Thanksgiving to Tuesday, December 2<sup>nd</sup> and then the final meeting of the Board of County Commissioners this calendar year will be Monday, December 15<sup>th</sup>. In addition, the Housing Authority Board meeting, the last meeting of the year will regular meeting will take place on Tuesday, December 2<sup>nd</sup>. So appreciate the Board's flexibility to space business of the County including our strategic planning summit out over the remainder of the year.

And then finally, just to reiterate what the Chair had mentioned earlier, we will continue on with the special BCC meeting to hopefully answer both through staff presentation as well as County Commissioner questions and public questions, recurring frequently asked questions surrounding water in Santa Fe as well as growth and the like. And that will take place again on I believe it's Monday, November 17<sup>th</sup> is when we will reconvene to continue that public facing dialogue. That's it for my miscellaneous updates. Thank you, Chair.

CHAIR BUSTAMANTE: Thank you, Manager Shaffer.

**10. Matters from the County Commissioners and Other Elected Officials**

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

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CHAIR BUSTAMANTE: Which side wants to start? All right. Go ahead.

COMMISSIONER JOHNSON: Thank you, Madam Chair. First, thanks to staff including City staff who came to present yesterday to us. We took the time to listen to them and I think had deep conversations about it such that we need to have a second meeting and I think it's important that we're doing this sort of thing. As we noted many times yesterday, this is the thing that people ask us about. So, the better that we are informed, the better that the public has access to information about this. It's essential about water issues, about its availability, about development patterns, and so on. So, we're all going to stay tuned for the meeting on November 17<sup>th</sup>, which is a Monday.

On the 21<sup>st</sup> I joined Commissioners Greene and Bustamante and Manager Shaffer and I'm sure other folks that I'm forgetting, at the Backlot opening, the film backlot opening or sort of groundbreaking at Santa Fe Community College, which I thought was great. I'll let the other Commissioners talk about that.

The following day, Wednesday the 22<sup>nd</sup>, I had an event that I called Cross Country with the Commish. It featured staff from Open Space, Rose Masters, who's the County's ranger, Adeline Murthy, who heads Open Space and Trails, and Jacqueline Beam of Sustainability. They joined me and Tina Salazar, District 4 liaison at the Arroyo Hondo open space. We had a little hike. It's pretty brief. But it was beautiful and we saw the sunset and we heard about among other things the purchase of Bobcat Crossing and the various initiatives that the Open Space and Trails program does as well as Sustainability. That was excellent. And I want to just thank staff again for coming. We did not have MPO during the break but we did have a meeting or I joined I should say the North Central Regional Transit District's finance committee which Commissioner Hughes had been chairing and I will take the helm and I appreciate Commissioner Hughes's leadership on that. It'll be -- we're gonna have a new beginning with a new director there and so it only seems appropriate since I'm the primary board member for that to take over that spot. And that's all I have. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Do you want to go or we can go ping pong? However you'd like. Let's ping-pong. Come on over. Let's do it. We're ping ponging, my friend. Commissioner Greene.

COMMISSIONER GREENE: Alrighty, ping-pong, so here we are. So, thank you, Madam Chair. I was a busy these last few weeks. I took part in some of the International Film Festival screenings. That was really great. Some of the events, they had some amazing people and films from all over the world. And some of the documentaries were just pretty, pretty heartfelt. I would love to see us support the film festival. When we talked about trying to, you know, lure Sundance here. Well, you know what? We're not Sundance yet, and we could probably do something pretty cool with all of these film operations and film fest people out here. So, I think we should look at investing and trying to get their strategic plan and figure out how we can turn that into an even bigger event. This year it extended an additional day specifically because the City of Santa Fe asked them to do an extra day and paid for it. And so there's a place for Santa Fe County to do that as well.

Last week we had a ribbon cutting up in Santa Cruz for the Abedon Lopez Senior Center. That was a big thank you to staff all over the county and to Public Works for getting the project done. It's beautiful. The seniors were thrilled. The community was

thrilled. Those of you that got to see it, thank you coming for coming up, Madam Chair. It was pretty exciting to be up there and good to be in Santa Cruz. It was a beautiful day. And the family of Abedon Lopez Sr., senior was there and said some really nice things about his family and the valley up there.

I was at the groundbreaking for the Backlot at Santa Fe Community College. That was pretty exciting as well. Very well attended. I won't go in anything further there.

Went up to Chimayo for the 60<sup>th</sup> anniversary of the Rancho de Chimayo. It was a beautiful event up there. Thank you to – I lost Leandro here, but Leandro was up there for that. And so you know it was an interesting experience because as we said when we had the memorial/ the proclamation for Mrs. J. that so many people were up there at the event that got their first job or second or third or some really meaningful position in their life professionally with Ms. J and Rancho de Chimayo. And there's a family tree of great people that work around the world really and Leandro is one of them. We had a deputy here two weeks ago at our meeting who her first job was at Rancho de Chimayo. That's a family tree worth looking into.

We had the JB White Foundation initial gala that was that's a new organization. I don't know if you all remember but about five years ago a young basketball star was tragically shot and died up in Chupadero at a house party in Chupadero. And there's a lot of things to unwind in this, but one of them is youth gun violence, absolutely. Youth mentorship and making sure kids have great recreation and things to do. But it also goes to emergency cell phones, right? You know, they couldn't call the cops. They had to drive him to the closest cell phone they could find. So, we need to work to make sure that there's cell phone coverage even in the most remote places. And that was a beautiful event, lots of kids, lots of great inspirational talk and it was just the first year of this foundation.

I went to the Fork Lightning/First Serve gala about a week ago. That is the facility that was on County property that we sold to the Fork Lightning organization for a tennis club over by the rodeo grounds. That place is beautiful. If you've seen it, you got it. Yeah. makes me want to pick up a racket. And the gala was super well attended. It was amazing what they generated out of that.

I attended a march for missing and murdered indigenous women over at the capitol about two weeks ago. That's, you know, this has got to stop. We need to help our state and our sheriff and our investigators and our pueblos all find ways to find these missing women and men for, you know, both are impacted by this and find ways to make sure that this stops. it was really sad to hear these plights and god forbid you ever have to deal with this but these families were just, you know, there's nothing worse than not knowing where your loved ones are.

I went to the NAMI forum as part of my candidacy for mayor. That was also one of the most amazing forums to be at with also a real appreciation from NAMI for what the County does, right? So the City doesn't give them any money, right? And that's an embarrassment on their part, but it's also something that we should be really proud of ourselves for. And to be in a room with 60, 70 people that were looking at us for leadership in mental health support was really beautiful and I pledged myself to help with that regardless of where I'm sitting.

I took place in the No Kings March over at the Capitol. That was great and well

attended. It's a fun rally to protest things that are coming out of DC.

And lastly, I was part of the New Mexico Angels Quarterly over at the Farmers Market, and that was inspirational to see some of the economic development initiatives that the Angels are doing here in New Mexico and it was a great well attended event over there. Thank you, Madam Chair. Everybody, please go vote next week. We've got an election. I think it's an important one.

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

COMMISSIONER CACARI STONE: Back to the pong after the ping.  
Thank you. I'll just focus on some highlights that really hone in on public service and civic engagement.

At an administrative level. Olivia Padilla and I are excited about implementing the civic track. I had made a case last February for getting an app so we can track cases, complaints, but also engage and communicate with our constituents. So, it's available now to all of us commissioners and our liaisons. So, I'm anxious to set it up so it also links to reports and I can run analytics for my community but see who I'm not hitting as well.

In terms of my committee positions, the Northern Rio Grande Heritage Area had a very successful Sky Fiesta. Did anybody go? It was on October this past weekend, the 25<sup>th</sup> and 26<sup>th</sup>. I'd like to thank Olivia Padilla for volunteering going up there on Friday to help set up. And then I was honored that Mr. William Mee and Lois Mee, Mrs. Lois Mee from the Agua Fria Village Traditional Association attended the VIP session on behalf of District 2 so we can engage and start programming and networking that makes it successful.

I want to mention that Commissioner Chair Bustamante and I had a great meeting at the small but modest new space of the LGBTQI. It's one big meeting room with the Human Rights Alliance with Kevin Bowen. And I want to mention while we engage in Pride and parades, we have 8,000 to 10,000, some statistics say 12,000 residents that identify being LGBTQI in Santa Fe County. So we play a big role in offering safe space particularly with the height of violence and cultural violence and -- of LGBTQIs nationally, state, locally. Some of the missing indigenous and LGBTQI people in New Mexico some cases have not been solved and Mr. Bowen is looking for a space and I officially with Commissioner Bustamante support that because we used to have Dana's After Dark for transgender youth. Youth suicide and attempts are the highest amongst LGBTQI New Mexico residents and that isn't there anymore so there's not a gathering space that's safe and a chance for resiliency and belonging so I'm excited about those conversation.

Las Campanas volunteers have been coming forward to meet with me. I just want to acknowledge that retired people in our community who have so many assets and skill have so much to give. So as we look at our senior center connecting networks, I've been excited about those conversations of people who want to contribute in meaningful ways.

I was able to attend the 10<sup>th</sup> Annual Women's Leadership conference and happy to see women's leadership from Santa Fe County. I saw at least three. Commissioner Greene was there even though you're not a woman. Thanks for going with your wife. That was nice to see you there. But it was a great networking but also just co-learning and

workshops on self-care to mindful leadership and strategic skill set skills building on communications and being effective. So I think that's really important we foster women's leadership especially across the lifespan.

And just mentioning a little bit about yes, the new liaison Olivia Padilla, she jumped in and participated in the Environmental Grant Makers Association Conference who was here but then collaborated with Dr. Hilario Romero and many others to visit the petroglyph site here in La Cañada and they did a historic tour but also a hike and I want to mention this because I've been, I don't know if it's complaining but making the case that tourism is more than just a transactional money exchange, but it's also educational. And we have this opportunity because so many people come here for conferences and national events and statewide events. So, we could really tag up with this opportunity with our economic development office.

And I just want to also mention one other thing that October 20<sup>th</sup>, the ordinance regarding the Fiesta Council and other cultural events was posted in *The Santa Fe, New Mexican*. So, thank you, legal counsel. And that would be coming forward for public hearing and comment on November 10<sup>th</sup> and so, I look forward to that conversation.

And the film festival, well, I'd have to say that Edward James Olmos is the most amazing actor. And as a Chicana Mexicana, one of my favorite scenes, I was able to go to the award he got. And it was so disappointing that the audience was only half full. And for many of us who come from Mexican and Chicano Mexican-American backgrounds, there's very few of us who are representing. But he got the award for Stand and Deliver. And this is important as we think about voice and representation in film. And he said, Luckily, and as Robert Redford said, he said, that we haven't become a Sundance because it's more authentic and engaging. And I sat there in the audience next to Wes Studi and his wife. But for me, that was a moment of awe to see mentors and role models. And in the audience was a father who took his 10-year-old son. And the father had seen Stand and Deliver and his son got to meet Olmos and I think those intergenerational moments of wow are so important for us. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, thank you. I'm having a town hall meeting next Tuesday, November 4<sup>th</sup> at 3:00 in this location in the chambers. It's an unusual event for My Hour with Hank is usually online, but people have demanded I have an in-person event. Also, they are people who brought eggs in to throw at us. So, we have security here as well. I don't know what to expect, whether they'll give up or whether they'll come in force. It'll be interesting – hopefully, not too interesting.

I do want to point out that hunger is likely to increase when the food stamps are given up and I think we need to do something about that at the County. I've been talking to my friend at the farmers market who brought up the fact that there might be no soup kitchen. So, I checked with the City and the City is indeed feeding people out of Pete's Place either whether they're staying overnight or not. But we still need to add some money, I think, to the Community Services Division, to provide especially help through the food pantry so that they can give out food to people to cook at home and possibly support the soup kitchen. They aren't sure whether that's good or bad. The City sort of did that in a very funny way. They just kicked the Interfaith Shelter out and moved Agape in.



And so, we're not sure how we can support that or even if we should support that. But regardless of how we do it, we want to make sure people get fed. So, I'm going to suggest that we use a little bit of the extra money we have at the end of the year, about \$100,000 to put toward just feeding people. And of course, if a miracle happens and no one's hungry because they increase food stamps instead of decreasing it, we don't have to do that. But I'm sure next month is going to prove a disaster for people on food stamps. Enough about that.

Spur Ranch Road we heard about earlier. It's still a disaster. I'm going to work with the staff on revising slightly our road adoption policy so it's a little bit easier for us to adopt roads like Spur Ranch Road. There's so many people who live along the road. Some of them pay into the road maintenance fund that the road maintenance committee administers but others don't. Now it's broken down into two groups. Those east of the tracks disagree with those of the west of the tracks. They're going to probably have two community associations. Other people are on Avenida de Compadres which they can access but they can't get their mail because the mail was used to be delivered on Spur Ranch Road. Now Spur Ranch Road is closed because it, well it sank away to a gas line and so it's closed and can't be driven on. I think that's just an example of where the County in the past, we never should have approved all those developments without requiring that the road be paved by the developers. And we do now require that. But it's pretty sad. And like she said, you know, it's not a poor population, but it's an older population. And so if they're, you know, if an ambulance can't get there in time, you know, they're out of luck. And a friend of mine who lives out there whose wife is in, I guess she's in her 70s, she did have a heart attack. Fortunately, it was a dry day. The ambulance was able to get there fast and they saved her, but her heart stopped on the way to the hospital. And so if they hadn't got there right in time, they wouldn't have been able to save her. And so that's the kind of problems they face out on Spur Ranch Road.

And I did attend the No Kings Rally. I attended the one in Albuquerque with my son who lives in Albuquerque. We were amazed. There were literally, we couldn't tell how many thousands of people there were, but there were thousands. There was a mile and a half march all around the block. Well, several blocks, mile-and-a-half. And it we got to the end of it and it just continued. People kept joining and leaving and joining and leaving. So it's quite impressive and I and hope it develops into something.

And finally, I intend to attend the October 31<sup>st</sup> Halloween party here at noon. It's always fun to vote for the best costume by clapping. So, if anybody wants to join me, it's a lot of fun. Thank you.

CHAIR BUSTAMANTE: Thank you, Commissioner. Mine's pretty brief.

I actually spoke at the Environmental Grant Makers Association and I have to say that I'm encouraged and I have renewed faith in humanity's interest in taking care of the planet we live on. It was impressive to have individuals who have not only access but are the givers of billions of dollars in the interest of environmental causes. And due to other commitments I wasn't able to do the hike on the Caja which I had thought I was going to do but it turned out to be a whole day event at the Caja.

That as well as I did attend and the Backlot opening which was incredible and had a conversation that I've leveraged with the vice president, my former boss, about the importance of connecting the community college which is a lovely place but it's really

lovely it's really lovely so much as I'm just going to say it, it could be better integrated into those areas where people of need would have access. I feel like there should be brochures. There should be a recruiter at our at our jail on some type of frequency as well as the prison and it shouldn't be just determined by a faculty member who's interested but have it as a value for the institution and I've said that many times at the institution. I'm saying it now publicly from the dais.

That being said, I also started thinking about the importance of that and the leadership that we have now on the Commission with Commissioner Cacari Stone and the interest in behavioral health and the support services that we have here at the County through our Community Services. That's the real place where we're going to be able to support people from something that's more dire to the support that they need in their behavioral health capacity to education and work with people. We can get there from here. I truly believe it.

And then last-- have two more. Sorry. I went to Trivia Night at Bear Creek. Now I could do some type of coffee with the commissioner but I am spread out. I am spread out. I do go to various things and I go to specifically meetings that I know are happening and ask to be attending either be at Edgewood or Madrid or La Cienega or at this point it was San Marcos and what a hoot. I promised that I would share that the team I got to sit with, I did not contribute one answer to Trivia Night, but I still got this to show you all that they were really good. Just saying. And when I say that, what kind of trivia do you have? Which tributary offers this particular type of fish? And I'm like, I don't know what kind of fish you have in that. And they're over there. Oh, we know. So, it was pretty cool. I will give it that.

And then lastly, November 5<sup>th</sup>, Domestic Violence Awareness Gathering at the Esperanza Shelter from 4 to 6 p.m. very important on November 5<sup>th</sup>, Domestic Violence Awareness. And we do know that domestic violence is a precursor for larger scale violence. People who have gone in and shot up places tended to have a record of domestic violence. And I think it's important for all of us to make ourselves aware of what type of support and what type of -- and I mean for both the perpetrators and then the victims that their support so this doesn't have to continue as a path for people who are not getting the support that they need. I have had an opportunity now more than once to really think a lot about our behavioral health capacity that we're building at that way cool building.

So, that's all I have and also I do understand --

COMMISSIONER GREENE: Madam Chair.

CHAIR BUSTAMANTE: Yes, sir.

COMMISSIONER GREENE: Can I redirect for one quick second? I forgot to mention that I took part in the Neighbor to Neighbor awards ceremony over at the Food Depot. A couple things in this: Santa Fe County did get a certificate for participating. I encourage us to really amp it up for next year. There was one neighborhood that raised over \$60,000. They raised in total, their goal was half a million for the whole initiative, they raised \$677 million -- sorry, sorry, 677 thousand, thousand dollars. And then just to give a little pat on the back, my wife and my company, Dashing Delivery, took third place in corporate giving.

CHAIR BUSTAMANTE: Very nice.

CHAIR BUSTAMANTE: So, I would encourage Santa Fe County to really I took home a certificate and passed it on to Greg. But, we can do better next year and really help our community. And just to give the details of what's going on, the legislature and the governor passed the delta that is needed for the long-term cuts to SNAP, but starting this weekend, SNAP benefits could absolutely disappear. Not just a small cut, but a 100 percent cut. So, if there's an opportunity for you to get the word out, to encourage people to donate to the Food Depot, I highly encourage it. And there's other food banks in the area, but the Food Depot seems to be the one that we work with the best and does the best work in the area. So, anyway, thank you.

CHAIR BUSTAMANTE: Thank you, thank you. Okay, given where we are and I do know that we have all the parties in the room and I understand that you all are, you know, prepared to go into our matters from the attorney, I'm going to ask that we just go ahead and take care of our agenda item that's scheduled for after 5:00 given that everyone's here and then we will go into our executive session. And I hope that everyone's in concurrence for that. But out of respect for those who are here and given the amount of time -- I'm sorry. Five minute. Okay.

[The proceedings paused from 5:40 to 5:48]

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

**12. Public Hearings**

- A. **Case No. 25-5150, ILM LLC., Applicant, NM Land Solutions LLC., Agent, Requests Approval for Preliminary Plat and Final Plat for a 12-Lot Commercial Major Subdivision Known as Santa Fe Metro Center Consisting of Three (3) Existing Separate Legal Lots of Record with a Combined Total of 17.0 + Acres. The Subject Property is Located Off I-25 East Frontage Road, Via Metro Blvd. and Park Lane Parcel Nos. 910019150, 910019151, and 910005440, Which is Within the Planned Development District (PDD) Zoning District (Commission District 5). (Growth Management Department/Kenneth Quintana, Case Manager)**

CHAIR BUSTAMANTE: Mr. Quintana.

KENNETH QUINTANA (Case Manager) Good afternoon, Madam Chair and Commissioners. Thank you.

The history of the project is as follows. The applicant acquired the property by warranty deed recorded as instrument number 1985700 in the Santa Fe County Clerk's records on April 12, 2022.

The three contiguous parcels of land or legal lots of record as evident by approved survey plat dated May 2, 2002 and December 12, 2007 recorded in the County Clerk's Office and also platbook 503 pages 8 through 9 and platbook 671 page 19.

The original Santa Fe Metro Center master plan was approved by the Board of

County Commissioners as evidenced by the survey dated June 9 1998 in the County Clerk's Office in platbook 183 pages 7- 10. A master plan amendment to the Santa Fe Metro Center was completed as evidenced by the survey dated May 23, 2002, recorded in platbook 503, pages 8 and 9 to create 14 commercial lots.

A master plan amendment to the Santa Fe Metro Center to vacate a conservation easement was completed as evidenced by the survey dated December 12, 2007 recorded in platbook 671, page 19. A Santa Fe Metro Center master plan amendment was approved and dated December 11, 2009 and recorded in platbook 711, pages 14-16 for the purpose of platting the remaining commercial lots.

The property is outside of the Santa Fe County Community College District. Therefore, the property is subject to the restrictions and regulations set forth in the Santa Fe Metro Center master plan/development district PDD zoning district.

This application has been reviewed for compliance with the applicable standards as set forth in Chapter 7 of the Sustainable Land Development Code Ordinance 2017-7 and road design standards as follows. Access, fire protection, landscape and buffering, lighting, signs, parking and loading, water supply, wastewater and water conservation, open space, protection of historic and archaeological resources, terrain management, flood prevention and flood control, solid waste, operation and maintenance of common improvements, and affordable housing.

Staff's recommendation: staff has determined that this application for preliminary and final plat approval for a 12-lot subdivision to be developed in a single phase is in compliance with the subdivision and design standards set forth in the SLDC and therefore recommends approval of the applicant's request subject to the following conditions.

Madam Chair, may I enter these conditions into the record?

CHAIR BUSTAMANTE: Yes, please. Thank you.

Conditions:

1. The boundaries of the development area shall be clearly marked on site with limits of disturbance (LOD) and fencing or construction barriers to be approved by staff prior to any grading or clearing and before starting construction, in accordance with submitted engineered Grading & Drainage Plan.
2. Applicant must provide an approved Storm Water Pollution Prevention Plan (SWPPP) with the permit application for infrastructure construction.
3. Mass grading of the site will be prohibited and noted as a "Special Building Condition" on the recorded Final Plat.
4. Limits of grading shall be shown on Final Grading & Drainage Plan.
5. Applicant must comply with all review agencies' Comments and Approval Conditions.
6. Applicant shall build the main entrance (East Metro Blvd.) to "Collector Road" standards; all other roads within the Project shall be built to "Local Road" standards.
7. The Final Plat shall be recorded within twenty-four (24) months after its approval or conditional approval, or the Plat shall expire. Prior to the expiration of the Final Plat, the subdivider may request from the Board an extension of the Final Plat for a period not exceeding thirty-six (36) months.

8. Prior to Final Plat recordation, Applicant must submit a financial guaranty covering the construction of all required public or private infrastructure improvements, and for all landscaping and reclamation.
9. All staff redlines and comments shall be addressed prior to plat recordation. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site, which agreement shall be signed by the Administrator, recorded and referenced on the plat. Water restrictions and conservation covenants shall be filed in the County Clerk's Office and referenced on the plat.
10. All roads/easements being created with the subdivision plat shall be named and/or identified, and rural addresses shall be obtained prior to plat recordation.
11. Each lot subject to 30% Open Space at the time of development
12. The Preliminary and Final Plat is subject to all the conditions of approval listed above.

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

CHAIR BUSTAMANTE: Do we have any questions for Mr. Quintana at this time? Hearing no questions. Do we have any this is a public hearing? No, you have something to say? Oh, the applicant's presentation before I do that. Thank you very much. Apologies. okay, go ahead. Thanks.

[Duly sworn, Nathan Manzanares, testified as follows;]

NATHAN MANZANARES: My name is Nathan Manzanares. I am with New Mexico Land Solutions located at 915 Mercer Street, Santa Fe, New Mexico. And I understand that I am under oath. Thank you.

Thank you, Madam Chair. Thank you, Commissioners. Kenny, thank you. I want to start off by thanking staff for their assistance through this. As Kenny mentioned, there's a lengthy history behind this project and this area. It's one of the older master plans and plan development districts in the County and we're looking to come in and finish off the area fronting the frontage road.

So I just have a brief presentation. Just wanted to familiarize you all with the site. I'm going to go over the vicinity map, site aerial, zoning designation, and proposed plat. So, as mentioned, this area is located off of the East I-25 frontage road, landmark is it's adjacent to the old channel 11 news station. The area, I don't think you can see this unfortunately, but the area highlighted in blue is the subject area in which is going to be developed. The area down here was all platted as part of the original master plan and consists of 13 lots. We are now coming in -- let's go over the zoning. It's zoned plan development district and the reason being is that it was an established and approved master plan prior to the adoption of the SLDC. So, prior to the adoption of the SLDC, this area was conserved and the master plan was honored and therefore it's one of the, I think, 16 or so plan development districts recognized within the County and within the SLDC.

As mentioned, the area to the south in red are existing legal lots of record that have already been platted. We're coming in for this hatchet shape here to plat an additional 12 lots, that range in size from 1 acre to 2.5 acres. A part of the improvements that will be done will be the realignment and new installation of both County and water sewer lines to the area. We have, as you know, secured a ULEDA approval for this that

shows how those extensions will occur and will be provided by the County.

One request that we're asking for is a relocation of this drainage easement here to be vacated and long around ran along the northern boundary of the development adjacent to the frontage road. And this is going to serve as both a passive landscape irrigation buffer as well as provide the setback requirement from the frontage road. One of the big upgrades will be a new entryway into East Metro Boulevard, which will include, I'll go over the cross-section of that in the next slide, a brand new roadway here. And we'll also there's an existing road called Park Lane that we're going to improve with sidewalks and also install this tail cul-de-sac here a part of Park Lane as well.

So, as mentioned, this is the cross section for the main entryway, which will be known as East Metro Boulevard. And this contains, you know, a pretty good size road, 12-foot paved lanes, bike lanes, and sidewalks as part of the request. And then we have our internal street which is Park Lane which will have 10- foot drive lanes, curb and gutter and sidewalks on both sides as well.

The uses that are proposed are commercial uses, light industrial warehousing type uses. Each lot will come in for their own administrative site development plan applications and we will be assisting with that and to ensure proper buildout of the park. And with that, I stand for any questions. Thank you, Commissioners.

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

COMMISSIONER GREENE: Thank you. So, first out of transparency, I did check on the status of this project because I had a friend that had wondered where this was progressing through the process. Beyond that, I did not pass judgment and I can I can judiciously ask questions and vote on this.

But the two questions I have for the design of this along the frontage road, is there going to be a sidewalk?

MR. MANZANARES: Madam Chair, Commissioner Greene, right now there is not a designated sidewalk along that. That is DOT jurisdiction. They have reviewed our TIA and they have not requested that. There is going to be, as I said, bike lanes and there are bike lanes along that area as well.

COMMISSIONER GREENE: Bike lanes on the frontage road?

MR. MANZANARES: On the frontage road, yes.

COMMISSIONER GREENE: So there will be a separated or somewhat separated safe space for people to walk on.

MR. MANZANARES: There is an internal circulation along the Park Lane. Right now there is nothing planned along the DOT right-a-way.

COMMISSIONER GREENE: Is there anything that you could put on your setback area? So there could be some, you know, you've got this detention pond you could have some trees to try to give some screening from the highway and make it a nice way to walk along the frontage road there.

MR. MANZANARES: Madam Chair, Commissioner Greene, I do have our civil engineer, Mike Gomez, here. I do know that there is some terrain there that could be problematic especially if we're trying to create swells for passive drainage and landscape watering. Mike would probably be better to field that question. Mike, do you want to?

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

MICHAEL GOMEZ: My name is Michael Gomez. My address is 1599 South St. Francis Drive and I understand I am under oath.

Commissioners, Commissioner Greene, the speed limit on the frontage road is 55 miles per hour. So it's a high speed limit to be able to put any type of pedestrian sidewalk. There is no curb and gutter out there for protection. So if there was a trail along the frontage road and there is no trails, it would have to be set back the distance that's called the shy line offset from the roadway. If a car were to go off the road, they can they have a recoverable area before they would hit any obstacles. So if there was a trail, it would have to be butted pretty much up against the right-of-way itself. So in a way what we are doing is providing although it's on the right-of-way side an area that people could walk on but the DOT has not installed any type of trails or anything within the right-of-way on that frontage road.

COMMISSIONER GREENE: So, I have friends in the bicycle community that love the idea of going down to Albuquerque and there's no good way to do that.

MR. GOMEZ: Well, if they're riding on a bicycle, there is a shoulder lane adjacent to the traveling lane that a car uses. It's the shoulder and out there they vary, but they're like 6-feet wide to 8-feet wide. So they're a vehicle, so they can be traveling in that lane right there.

COMMISSIONER GREENE: Okay. And then in terms of just the frontage road, the front of this, it seems like this would be, you know, there's a whole bunch of lots here, one, two, three, four, five, six – nine deep. You know, people are going to want to walk between businesses potentially, right? You know, one could be a restaurant, one could be an auto mechanic shop, one could be whatever. But, you know, being able to walk between them and along the frontage road seems like that would be something. We talk about walkability. We talk, we don't build, right? And we find excuses. I'm here to advocate for the walkability of this project. And just to make it where as you get around the corner to the site that you were talking about earlier today, that was something that we had talked about when that project was coming through is how do we make it where people can walk from Highway 14 to the National Guard or to some other thing down the street? And it seems like that would be on your property a sidewalk and some street trees.

MR. GOMEZ: Well, we do have street trees interior on the site and we have all sidewalks on all roads within the site. And there's a future phase that extends further to the east that would provide that connection to the other facilities to the State Pen out there to the Quill station. So there is a future phase coming up that we could address that in that phase.

COMMISSIONER GREENE: And so that goes over to the Valle Vista neighborhood over there through that neighborhood.

MR. GOMEZ: It could. Yes, it would go towards – that would be one of the abutters.

MR. MANZANARES: I don't want to get into the weeds too much on that, but yes, we are actively looking at connection points with that. We're also looking at talking to the Bonanza Creek developers as well to create a good circulation and keep it

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more internal and off of 14 rather than the frontage road just cuz Mike said the speeds the right-of-way is a little narrow in there and there are some areas of, you know steep terrain that could be problematic in creating a trail system in there. Yeah, we are actively long range planning that and looking at those potential connection points.

COMMISSIONER GREENE: So, just two points in this. One, I'm looking at the topographical map and I can see more steep terrain going to Valle Vista and more problematic, but we've got tractors and back hoes that we can figure those things out these days.

MR. GOMEZ: Exactly.

COMMISSIONER GREENE: I got you.

MR. GOMEZ: But if you look on the exhibit that's up on the screen right there, you can see the projection of our main road. That line that goes north south right there, that's Valle Vista right there. And it's already -- there's a roadway and trails that people use and walk their dogs out there right now.

COMMISSIONER GREENE: I love it. I'm just -- so my point is is to get somewhere from there. So the example I would give is, one, there's a rail station, right? There's a Rail Runner station that's just to the upper right of this plan and it would be great to be able to walk from there to your site if somebody, for whatever reason, has a job there and is coming up from Albuquerque. It's not that far, but to have to walk in the middle of the street. We've dealt with it with people walking from the jail. We should be building trails in this area, Choose a side.

MR. GOMEZ: We will definitely take it up with the NM DOT and see what their approach would be to something like that.

COMMISSIONER GREENE: I have not that much faith that they will advocate for this, but we are here to advocate for that. So, I'll defer to my other Commissioners for a little while, but this would be my request in this conversation.

CHAIR BUSTAMANTE: Commissioner Hughes.

COMMISSIONER HUGHES: Yeah. I just wonder are there any envisioned businesses for this development? Are there people already expressed interest in owning one of the lots or multiple of the lots?

MR. MANZANARES: Madam Chair, Commissioner Hughes, yes. We can have James Wheeler sworn in. He can speak to that.

[Duly sworn, James Wheeler, testified as follows:]

JAMES WHEELER: James Wheeler, Commercial Properties. Nothing but the truth, yes. James Wheeler Commercial Properties. My address is 2019 Galisteo, Suite L1, Santa Fe, New Mexico. I'm under oath.

Good evening, everybody, and thank you for the job you all do. So, the question was, what type of tenants do we have so far? We have a couple of plumbers that they're going to build shops in here. We've got a plumber that is going to build one shop for himself and have two rentals. We have a cabinet maker going in. We have another company that they do concrete work and they're going to have actually, they're going to take some of the lots and they're going to split them into smaller pieces just that they would rent out. So, if there's a small contractor and they need 1,000 square feet of land just to have their business in, they'd be able to do that. Or 2,000 square feet. I've got another one that does retail sales of trailers and they're the kind that you pull behind your



car. Not like to live in or anything like that, but just, you know, if you want a 4 x 4 trailer or 4 x 6 trailer, you know, they have those for sale or that they would lift up, you know, and dump your things out. So, that's one of the other uses. Let me just think –

MR. MANZANARES: Sorry to interrupt, James, but just to let everyone know as well, we are establishing lot owner covenants. Usually they're called homeowner HOA covenants. There will be strict covenants in this area to ensure a consistent buildout as well as ensure that problematic uses that are allowed within a PDD do not come forward. So, as part of this application, we did submit a use list as well as private covenants that will govern the potential lot owners in this metro park.

MR. WHEELER: And also, just a quick addition, we have some office warehouse users where it's mainly office that are looking at it. We've got some engineers that are looking at space in the park, but the response has been very good and just nice clean industries. And the interesting thing is in the City of Santa Fe and the County there are – just like this is a unique project. There are very few if any lots available of this size. So, we're talking, there's some half-acre sites in here and one-acre sites in here, some that are a little bit larger. So, there is a need in the community for this. Did I answer your question?

COMMISSIONER HUGHES: Yes. Thank you. That's all I have.

CHAIR BUSTAMANTE: Further questions, Commissioner Johnson.

COMMISSIONER JOHNSON: Thank you, Madam Chair. To clarify, there are contemplated, you have planned sidewalks interior to the development; is that right?

MR. MANZANARES: Madam Chair, Commissioner Johnson, that is correct. There are sidewalks along the interior road which is known as Park Lane that is basically dissects the middle of the property. And then there's also going to be sidewalks along our entryway which is known as East Metro Boulevard and those will be located on both sides of the street and then the main entryway will have bike lane tie ins to the existing DOT bike lanes that are out there. So you could from this development continue those use of bike lanes onto the frontage road and ultimately to that intersection on 14 and 599 to the Rail Runner station.

COMMISSIONER JOHNSON: Gotcha. Can you, sorry, we don't have access -- I can't we don't have a PDF of your presentation. Can you go to the overall site plan?

MR. MANZANARES: Yes, Commissioner. Would you like the aerial?

COMMISSIONER JOHNSON: Yeah, let's look at that one. So there are not existing businesses, that was my question, that you're sort of joining a, you know, a kind of half-built business park, industrial park.

MR. MANZANARES: Madam Chair, Commissioner Johnson, there are some existing lot owners and businesses that were part of the original master plan that was platted that is not part of our request.

COMMISSIONER JOHNSON: So on this image for example, you will do some road improvement on Park Lane. Would you put – are there sidewalks on the south side of it or is that not part of this?

MR. MANZANARES: We will upgrade entire the entirety of Park Lane, even the areas that are not part of our boundary, if you will.

COMMISSIONER JOHNSON: Okay. And you are not the property owner south of that, like kind of south of Park Lane.

MR. MANZANARES: Correct. Some lots are still retained by the developer, but I believe these four in particular are outside owners that are not part of our group.

COMMISSIONER JOHNSON: And to the northeast corner, what is that white building? Is that something that is recognizable? Northeast.

MR. MANZANARES: I'm sorry, here. That's the old channel 11 station. I believe they restore airstreams now. I think that's what they do.

COMMISSIONER JOHNSON: That's kind of interesting. Yeah. Okay. Thank you. This, you know, I'm kind of two minds about the sidewalk thing on the frontage road. I ultimately think that the interior sidewalks are going to be what makes this sort of an interior facing community. They're not looking out towards the frontage road. I understand need to walk along the frontage road, but the bike access gives me hope and NM DOT does not and I just can't imagine where the sidewalk is going to go. It's going to sort of veer off into nothing if it's along the frontage road. So those are my thoughts. Thank you.

MR. MANZANARES: Thank you.

CHAIR BUSTAMANTE: Thank you. What makes this metro?

MR. MANZANARES: Madam Chair, it's funny that was just always the name it had since I believe 1983. I think it was always envisioned to be more of a metro area. It was kind of ahead of its time as far as being in the County's growth area. I think it foresaw that there was going to be, you know, County utilities, there was going to be good streets out here, but it's just always retained that name since its beginning.

CHAIR BUSTAMANTE: And the same with the boulevard.

MR. MANZANARES: Correct.

CHAIR BUSTAMANTE: Is there any interest or willingness to accommodate something more reflective of the location? I mean, I'm asking the owners if

MR. WHEELER: My curiosity has overcome me. And that's not a decision we could make tonight, but we would like to consider. What might be some of your thoughts?

CHAIR BUSTAMANTE: Well, being a resident across the highway and when I think of when we say, Well, the community needs things. When we think of those types of things that the community needs, and I'm very familiar now with what the pueblo is doing across the road, but they don't have a plan for something that's more of a plaza type of environment that is more inviting of community and builds people. I'm not trying to sell it, but even if it's metro, it sounds inner city, plaza, camino, I don't know. I'm just thinking something that's reflective of the community that lives there. And if it's commerce with any residential, how can it build community? And I think that's part of what the conversation of the walking paths. I will say, knowing that people drive 55 on that road, I also ride my bike on that road. It's such minimal traffic at this point though once it's Metro Boulevard it might not be but that's tongue and cheek but I'm wondering it sounds aspirational but I'm wondering what it would mean for this to be aligned and reflective of the community and because I'm familiar with the area very well and I think it

has a real opportunity to be something that you know that people would want to be at and it would be a healthy wonderful thing for the community. But, you know, I'm asking the question.

MR. MANZANARES: Madam Chair, thank you for your comments and as stated when we are addressing Commissioner Greene's concerns, we do have opportunities for that further south of the site and we're looking at doing that exact thing, communal areas, parks, plazas, you know, so on and so forth. It's just this area in particular is already that commercial area. But, you know, once you go to the south there will be a different mix of uses and things like that. And we can definitely look at changing the name. I just think that it's an established name and area and I think a lot of people know it as the metro area. But nothing said –

CHAIR BUSTAMANTE: No disrespect, not a lot of people know it as the metro area.

MR. MANZANARES: I guess I know it cuz I've been working on it.

CHAIR BUSTAMANTE: And to call it established since the 80s just only speaks to all of our age. There's nothing established about it. But when I think of the things that people need in the area and when we don't have and I'm just really thinking about it more as an opportunity, you know, there's no place to go get a dinner that's not 10 miles away. And I guess they've gotten closer with those that are just north of Walmart. But if we're going to call something Metro Boulevard, what kind of resources are going to be available to the community that create community that invite people to have breakfast on their way out of church and stop and eat? I mean that that's an opportunity that I see for this location that Metro Boulevard sort of speaks to, but to call it established in probably the most rural part of southern Santa Fe proper, I don't know if that's I think that established at all in it.

MR. MANZANARES: We'll definitely take those comments into consideration with the next part of this.

CHAIR BUSTAMANTE: Appreciate that. Thank you.

MR. MANZANARES: Thank you for your comments, Madam Chair.

CHAIR BUSTAMANTE: Yeah, thank you. Anyone else? Do we have anyone from the public who would like to speak to this matter? Do we have anyone online? Any further questions, comments, concerns?

COMMISSIONER JOHNSON: I'll make a motion to approve case number 25-5150.

CHAIR BUSTAMANTE: Do we have a second?

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: We have a second. I second it. We have a motion by Commissioner Johnson, a second by Commissioner Cacari Stone. All in favor?

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

CHAIR BUSTAMANTE: Motion carries. Thank you.

**11. Matters from the County Attorney**

**A. Executive Session. Limited Personnel Matters, as Allowed by Section**

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**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) Potential Participation as Amicus Curiae in *Pueblo of Sandia v. City of Rio Rancho et al.*, A-1-CA-42977; (2) Competitive Sealed Proposals for Multi-Line and Law Enforcement Coverages; (3) *Baldwin v. Morrissey, et al.*; and (4) *Santa Fe County v. Turquoise Trail Community Ass'n*, Cause No. D-101-CV-2023-01243.**

ATTORNEY BOYD: Good afternoon, Chair and Commissioners. On today's close session agenda, we have four items up for discussion. The basis for going into closed executive session to discuss those items is one, discussion of contents of competitive sealed proposals pursuant to the procurement code during contract negotiations as allowed by Section 10-15-1(H)(6) of the Open Meetings Act and threatened or pending litigation in which Santa Fe County is or may become a participant as allowed by Section 10-15-1(H)(7) of the Open Meetings Act. And I'll note for the record that those items are one potential participation as amicus curiae in *Pueblo of Sandia versus city of Rio Rancho et al.*, competitive seal proposals for multi-line and law enforcement coverages, *Baldwin v Morrissey et al* and *Santa Fe County v Turquoise Trail Community Association* cause number D101 CV 231243.

So I'd appreciate a motion and it will require a roll call vote.

CHAIR BUSTAMANTE: Do we have a motion to go into executive session?

COMMISSIONER HUGHES: I move we go into executive session to discuss the items mentioned by the attorney.

CHAIR BUSTAMANTE: We have a motion by Commissioner Hughes. A second?

COMMISSIONER CACARI STONE: I second it.

CHAIR BUSTAMANTE: Second by Commissioner Cacari Stone. May we have a roll call vote, please?

**The motion to go into executive session passed by unanimous [5-0] roll call vote as follows:**

Commissioner Cacari Stone  
Commissioner Greene

Aye  
Aye

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Commissioner Hughes	Aye
Commissioner Johnson	Aye
Chair Bustamante	Aye

[The Commission met in executive session from 6:21 to 8:00.]

CHAIR BUSTAMANTE: Yes, a motion to reconvene.

COMMISSIONER JOHNSON: I'll make a motion to leave executive session noting that we have only discussed the items that were listed on the agenda and we made no decisions.

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

COMMISSIONER CACARI STONE: I second it by Commissioner Cacari Stone.

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

CHAIR BUSTAMANTE: We are back in session. Attorney Boyd, you are on.

**B. Request Approval of Proposed Amendment to Settlement Agreement Resolving *Santa Fe County vs. Turquoise Trail Community Ass'n*, Cause No. D-101-CV-2023-0143**

ATTORNEY BOYD: All right. Thank you, Commissioners. Item 11B on the agenda is request is a request for approval of proposed amendment to settlement agreement resolving *Santa Fe County v Turquoise Trail Community Association* cause number D-101- CV- 2023-01243.

And by way of short explanation, the parties to this settlement agreement initially agreed as part of a trail development process that that a wall would be constructed alongside a trail being constructed by the County. And the other party to this agreement, the Turquoise Trail Community Association, I understand, no longer desires for a wall to be constructed. And so I would be seeking the Commission's approval to amend the settlement agreement to dispense with the requirement that the County construct a wall. And so the form of motion I'm requesting is a delegation of authority to the County Attorney to modify the settlement agreement to dispense with the construction of a wall.

COMMISSIONER HUGHES: And I make a motion to delegate to the attorney to not require the building of a wall.

CHAIR BUSTAMANTE: And we have we have a motion by Commissioner Hughes.

COMMISSIONER GREENE: And I'll second.

CHAIR BUSTAMANTE: We have a second by Commissioner Greene. All in favor?

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

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

ATTORNEY BOYD: Thank you. The next action item for discussion is the potential participation as Amicus Curiae in *Pueblo of Sandia v. the City of Rio Rancho and Office of the State Engineer* A1CA 42977. And by way of background to this request, an action item, The State Engineer has issued in 2003 a master permit to the City of Rio Rancho allowing it to draw around 20,000 acre-feet of water per year to supply the water needs of its citizenry. As part of that permit approval, the State Engineer required the City of Rio Rancho to purchase offsets, essentially find other water rights, other surface water rights on the Rio Grande and essentially retire those rights in order to offset the depletion of surface water caused by its well. That that happened in 2003. And since then, in the decades following, the City of Rio Rancho has been, as I understand, purchasing water rights to comply with its obligations under the permit. Recently the City of Rio Rancho purchased water rights and sought to transfer those water rights upstream from Valencia County. And in the proceeding before the State Engineer the Pueblo of Sandia appeared and objected to the water right claiming an impairment of its water rights. That case was then appealed to district court after the State Engineer approved the City of Rio Rancho's application and the district court held a trial on the matter and held that there was an impairment and said that the State Engineer should not have approved this transfer of water rights.

What I'm asking the Board to consider today and what I'm asking leave for the Board to pursue is participation in the appeal of the district court's decision to the court of appeals and we would not be participating as a party to the case. We would be participating as what is called an Amicus Curiae, known as a friend of the court. And the purpose of this participation would not be to essentially take sides in the dispute between the City of Rio Rancho and the Pueblo of Sandia. We have no dog in that fight. The purpose of this participation would be to point out to the court of appeals that the County of Santa Fe has its own interests that may be affected by its decision. And those interests are again well rights that have been approved over the decades past that require the County of Santa Fe to purchase and retire Rio Grande basin surface water rights. And the County has been doing that in reliance on that permit. It will continue to do that in reliance on that permit. And so again, the narrow purpose of this participation is to allow the County to present its interests and remind the court of appeals that the district court's decision if affirmed would have consequences outside of the dispute between the Pueblo of Sandia and the City of Rio Rancho.

CHAIR BUSTAMANTE: Attorney Boyd, would the motion be to authorize participation as Amicus Curiae in the Pueblo of Sandia vs. City of Rio Rancho. Would that be the motion?

ATTORNEY BOYD: That that would be the motion and it would be in support of reversing the district court's decision.

CHAIR BUSTAMANTE: In support of reversing sorry, what was that last part?

ATTORNEY BOYD: In support of reversing the district court's decision.

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CHAIR BUSTAMANTE: In support of reversing district court's decision. I'll take make that motion.

COMMISSIONER HUGHES: Second.

CHAIR BUSTAMANTE: We have a second by motion by Commissioner Bustamante, second by Commissioner Hughes. All in favor?

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

**13. Informational Items / Reports**

- A. Community Services Department September 2025 Monthly Report
- B. Community Development Department September 2025 Monthly Report
- C. Finance Division August 2025 Monthly Report
- D. Growth Management Department September 2025 Monthly Report
- E. Human Resources and Risk Management Division September 2025 Monthly Report
- F. Public Safety Department September 2025 Monthly Report
- G. Public Works Monthly Report September 2025 Monthly Report
- H. Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 2019, Chapter 194 (HB 364)

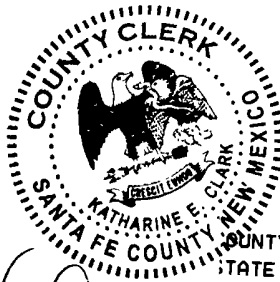
There were no comments or questions on the informational reports.

**14. Concluding Business**

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

Upon motion to adjourn by Commissioner Cacari Stone and second by Commissioner Johnson and with no further business to come before this body, Chair Bustamante declared this meeting adjourned at 8:06 p.m.

Approved by:



*Camilla Bustamante*  
Camilla Bustamante, Chair  
Board of County Commissioners

ATTEST TO:

*Katharine E. Clark*  
KATHARINE E. CLARK  
SANTA FE COUNTY CLERK

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss  
: Hereby Certify That This Instrument Was Filed for  
Record On The 4TH Day Of December, 2025 at 03:47:55 PM  
and Was Duly Recorded as Instrument # 2072760  
If The Records Of Santa Fe County

BCC MINUTES  
PAGES: 67

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

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Respectfully submitted:  
Karen Farrell, Wordswork



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