

SFC CLERK RECORDED 02/23/2023
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SANTA FE COUNTY

BOARD OF COUNTY COMMISSIONERS

REGULAR MEETING

January 10, 2023

- Anna T. Hamilton, Chair - District 4
- Justin Greene - District 1
- Anna Hansen - District 2
- Hank Hughes - District 5
- Camilla Bustamante - District 3

BCC MINUTES

PAGES: 58

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for
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Witness My Hand And Seal Of Office
Katharine E. Clar

Deputy



County Clerk, Santa Fe, NM

SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

January 10, 2023

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

B. Roll Call

Roll was called by County Clerk Katharine Clark and indicated the presence of a quorum as follows:

Members Present:

Commissioner Anna Hamilton, Chair
Commissioner Camilla Bustamante
Commissioner Anna Hansen
Commissioner Hank Hughes
Commissioner Justin Greene

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Hamilton and the Moment of Reflection by Michael Delgado of the Sheriff's Office.

Chair Hamilton asked for a moment of silence for the widow of former Commissioner Ed Moreno, Janet Wise. Commissioner Hansen asked for a moment of silence for May Montoya from the Agua Fria Village.

F. Approval of Agenda

CHAIR HAMILTON: Are there any changes Manager Shaffer?

GREG SHAFFER (County Manager): Thank you, Madam Chair. We did post the initial agenda for today's meeting last Tuesday and posted the amended agenda

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on Saturday this week prior to 2:00 p.m. The changes from the original agenda to the amended agenda were to move two items from the Consent Agenda to Miscellaneous Action items. Those were the final order in the matter of Case #21-5140, and the affordable housing agreement for La Tierra Antigua Subdivision. Those items were again, move to Miscellaneous Action items from Consent and they are now at items 6. C and 6.D.

In addition, packet material was updated for the final order, for the Public Hearing item 12. A. Packet material was added after the initial agenda was posted and I think further revised and that material provided to the Board in advance of today's meeting for the ICIP. And finally, two additional items were added to the executive session agenda, items 11. A. 3 and 4. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you very much.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve the agenda with all of the changes.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second.

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

2. APPROVAL OF MEETING MINUTES: November 29, 2022

CHAIR HAMILTON: Are there any changes? Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, I move to approve the meeting minutes of November 29th.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: I have a motion and a second. Under discussion, Commissioner Greene.

COMMISSIONER GREENE: As I wasn't Commissioner at the time, I think I'm going to abstain, just for a matter of purpose.

COMMISSIONER BUSTAMANTE: Madam Chair, me too.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

The motion passed by unanimous [3-0] voice vote with Commissioners Bustamante and Green abstaining.

3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS

- A. Resolution No. 2023-001, a Resolution in Support of the Investigation and Prosecution of Persons Responsible for the Effort to Criminally Interfere with or Overturn the Results of the 2020 Presidential Election that Culminated in the January 6, 2021, Violent Attack Upon the United States Capitol; and Calling for the Passage of Federal and State Laws to Eliminate the Risks of Future Insurrections and Efforts to Delay, Disrupt, or Overturn Elections, and to Better Protect and Safeguard the Election Process**

CHAIR HAMILTON: I'll go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I think it's really important that we do not forget what has happened on January 6, 2021 and that we continue to keep that in our minds. This was brought to me by a number of my constituents who are now in the audience and I would personally like to ask, Madam Chair, if we could just have a few words from a few of the members who have come here to support this resolution.

CHAIR HAMILTON: Yes. That's fine. If there's no objection from any other Commissioners, I will split Matters of Public Concern into two pieces and open it at this point for matters having to do with this resolution.

8. MATTERS OF PUBLIC CONCERN

COMMISSIONER HANSEN: Mr. House, would you like to say a few words briefly.

CHAIR HAMILTON: I appreciate everybody coming. If you could just state your name for the record.

JOHN HOUSE: My name is John House and I'm a Santa Fe County resident and member of Indivisible Santa Fe. Good afternoon, Madam Chairperson and Commissioner Anna Hansen, other members of the Board, County staff and my fellow Santa Fe County residents who are here today. I want to thank Commissioner Hansen for bringing this forward today. I also want to thank her constituent liaison, Laura Jagles, the County Attorney's Office staff, and other County staff who have worked on this resolution.

As we all know, last Friday was the second anniversary of the violent attack on our United States Capitol on January 6, 2021, and on that day, the people's house was invaded and desecrated, property was destroyed or stolen. One person was killed and dozens were injured. Ultimately seven people lost their lives as a result of what occurred on that day. And then just a few days ago, on the anniversary or that three things happened of note. One, a rally was held on the steps of the Capitol to memorialize the terrible events of that day, dire threats to our democracy that it presented. And later that afternoon, President Biden awarded much deserved medals of honor to members of law enforcement who defended the Capitol on that day and also election workers who have been threatened just for doing their job.

That night, interestingly, the new Speaker of the House was finally elected after four days and 15 rounds of voting. Only after he ceded power and authority to a group of congresspersons, almost all of whom continue to deny or question the legitimacy of the 2020 elections, and most of whom voted against confirmation of the electoral vote.

The point I'm trying to make is the extreme danger posed to our American democracy by those events continues to this day, and another attempt to subvert our democracy is likely to happen in the future, maybe even as early as next year. So, there are two things that we must do. We must hold accountable all of the persons who conceived, conspired or participated in those events, and second, we must enact laws to deter or hopefully prevent things like that from ever happening again.

I also want to highlight the importance and historical significance of this Board adopting a resolution like this. In the history of the United States many important legal and social changes did not begin at the federal level. It began, rather, with local or state governments initially. Women had the right to vote in New Jersey until it was taken away in 1807, and then in certain jurisdictions of Kansas in the 1830s were given the right to vote in school elections. And women in Wyoming had the right to vote 100 years before the US Congress affirmed that right in 1920.

Similarly, before the rights of interracial and non-heterosexual couples to marry was recognized by the federal government. That right was recognized in various towns, cities and states around the country.

In adopting this resolution the Board would be continuing on the proud tradition of local governments being the springboard for meaningful social change, protection of individual liberties, and defense of our American democracy. Madam Chair and other members of the Board, I thank you for considering the resolution today.

CHAIR HAMILTON: Thank you very much, Mr. House. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, John, also. And so with that, I think you understand what this resolution is about and where it's going and why I'm bringing it forward. Our own election official here has also felt pressured by what has happened on January 6th and I think that it is an important statement for us at a local level to address many of the issues that happen on the federal level. As this Commission knows, I have worked on federal issues since the beginning of my tenure as a County Commissioner because I see the direct relationship that affects us and how we affect the federal level. And so I think it's important for this to start from a grassroots level and be brought up through legislation in New Mexico and that is why we will be sending this to the Governor and to our local representatives so that they see that we have taken a stand on this position that what happened on January 6th is not an acceptable thing to happen in this country.

And with that I will move for approval.

COMMISSIONER HUGHES: And I'll second it.

CHAIR HAMILTON: Thank you. So I have a motion and a second, and I will go to Commissioners under discussion, but I first want to officially say that I'm temporarily closing Matters of Public Concern and will reopen it at its regular place for any other comments on other matters, on its regular place on the agenda.

3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS

A. Resolution No. 2023-001 (cont.)

CHAIR HAMILTON: So under discussion, Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Commissioner Hansen. I have two thoughts on this measure and I would like to bring it to everybody's attention. The first is that we are up here at this Board election officials and we certify elections with the County Clerk to make sure that our County is represented properly and that is part of the process of democracy, and so we want the community and for the federal government to uphold those choices that our community makes and that we certify. So that is the first point.

And the second one is I was lucky enough to come back from Brazil a couple weeks ago and was watching some of the incidents in Brazil in the past 24 and 48 hours, and this is some of the bad behaviors that can happen in a democracy with sort of delusional protests. And so we need to be careful, make sure that we communicate clearly and do the best practices to make sure people believe in and respect the votes around us. And in the case of this resolution, everything is adjudicated properly and this resolution supports law and order. So I appreciate that and thank you very much.

CHAIR HAMILTON: Thank you, Commissioner. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just wanted to say I support the resolution and I'm also very proud that we have a County Clerk who takes our elections so seriously and works hard to make sure that everything is fair and legal and taken care of. I was very impressed at one point when we got a rundown of all the things that we do to make sure every vote is counted and found to be counted correctly. Thank you.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair and Commissioner Hansen, thank you very much for bringing this forward. Mr. House, thank you for your good words. It's very important and I can't say enough. When I first got elected, I had someone assure me that there would be "a revolution." And I think it is absolutely at this ground level that we have to have these conversations, because I simply looked and nodded and moved on. But it's very important that we're all aware that these are real threats and I sincerely appreciate bringing this to all of our attention and the good work that our County Clerk does for our County. So thank you very much.

CHAIR HAMILTON: Excellent. Is there further discussion?

COMMISSIONER HANSEN: I just want to say that I think it is really important that we as elected officials listen to our constituents and I am grateful to have constituents of this group who has brought this forward, and we worked on it with the County Attorney to make this resolution succinct. And so I also want to recognize our County Attorney, Jeff Young, for his work on this resolution so that everything was to form and following the exact rules that we all abide by. So I just want to recognize him for that also.

CHAIR HAMILTON: Excellent. Thank you so much. Thank you for bringing this forward. I have a motion and a second.

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

[Clerk Clark provided the resolution numbers throughout the meeting.]

4. CONSENT AGENDA

- A. Request Approval of Out-of-State Travel for Commissioner Anna Hansen's Attendance at the Inaugural Cities Summit of the Americas, April 25-28, 2023 (County Manager's Office/Laura Jagles)**
- B. Request Approval of Out-of-State Travel for Commissioner Hank Hughes' Attendance at the National Low-Income Housing Committee Policy Forum, March 21-23, 2023 (County Manager's Office/Olivia Romo)**
- C. Resolution No. 2023-002, a Resolution Requesting a Budget Increase to the Lodgers Tax Advertising Fund (215) in the Amount of \$4,667 (Finance Division/Yvonne S. Herrera and Community Development Department/Lisa Katonak)**
- D. Resolution No. 2023-003, a Resolution Requesting an Increase to the Corrections Operations Fund (247) in the Amount of \$225,000 (Finance Division/Yvonne S. Herrera and Public Safety Department Detention Center/Derek J. Williams)**
- E. Resolution No. 2023-004, a Resolution Requesting a Budget Increase to the Fire Protection Fund (209) for Various Fire Districts in the Amount of \$2,574,677 (Finance Division/Yvonne S. Herrera and Fire Department/Chief Jacob Black)**
- F. Resolution No. 2023-005, a Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$165,669 (Finance Division/Yvonne S. Herrera and Public Safety Department Fire Department/Jacob Black and Martin Vigil)**
- G. Resolution No. 2023-006, a Resolution Requesting an Increase to the Alcohol Programs Fund (241) in the Amount of \$3,000 (Finance Division/Yvonne S. Herrera and Community Services Department/LeAnne Rodriguez)**
- H. Resolution No. 2023-007, a Resolution Requesting an Increase in the Amount of \$70,425 to the Alcohol Programs Fund (241) (Finance Division/Yvonne S. Herrera and Community Services Department/Sebastian Adamczyk)**

CHAIR HAMILTON: That takes us to item 4 which is the Consent Agenda. So as usual I'll ask does anybody have any question or any items on the Consent Agenda that they want pulled for any reason for discussion?

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve the Consent Agenda as presented.

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COMMISSIONER BUSTAMANTE: Second.

CHAIR HAMILTON: Thank you. So I have a motion and a second.

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

5. APPOINTMENTS/REAPPOINTMENTS

None were presented.

6. MISCELLANEOUS ACTION ITEMS

A. Request for Approval of Comments from the Santa Fe County Board of County Commissioners to the US Department of Energy's National Nuclear Security Administration re: Surplus Plutonium Disposition Program Draft Environmental Impact Statement

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. All three of us – Commissioner Hughes and Commissioner Hamilton – have worked on this by holding townhalls with our constituents and recognizing that the transportation impacts by radioactive material and diluted and disposed process should Los Alamos National Laboratory for that process could be very dangerous to our constituents, and that they have a great concern. I have consistently made comments whenever possible on this issue. I want to thank, once again, the County Attorney's Office and Jeff Young for working on this with me. I supplied him with a draft and he came up with a fantastic letter, so I want to recognize him again for that.

And I feel like it's really important. The NNSA is not very forthcoming or accessible and so therefore it is really important to make comments, although they will be in town on January 26th holding a public hearing but unfortunately, they are only holding it in Los Alamos. I find that really challenging for my constituents to have to drive up that hill at the end of January. It is unknown whether there will be snow on the road or not and that road is not the safest. So the fact that they have elected to hold public hearings in Carlsbad and Albuquerque and Los Alamos and not in Santa Fe is very concerning to me and I do have a call scheduled with NNSA on Thursday expressing my concerns about that. So that is one of the reasons why I wanted this letter to be done because the deadline is, I believe, January 23rd, although I have a lot of deadlines in my mind for letters. But I also know and I appreciate Commissioner Greene has a few changes that he would like to present on this letter and I am willing to entertain those comments. So Commissioner Greene.

COMMISSIONER GREENE: Thank you, Commissioner Hansen. I appreciate the work that went into this. Thank you all. One of the aspects that I think our environment would be impacted by the increase of Los Alamos for this is the impacts on our regional housing crisis. And as we all know here that we do have a regional housing crisis most acutely in Los Alamos with spillover effects here in Santa Fe County. So as one of the aspects that I would hope to have included in this, I prepared a paragraph that would be speaking to the regional housing crisis that deals with both the commuting, the

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cost of living, the impact on our roads, the impact on our air that additional commutes would have and if you would entertain me I'll read it for the record and I actually have prints for everybody if you'd like to have your very own.

CHAIR HAMILTON: Please, I think it would be better to read it. I think handing it out to everybody because I think seeing it is important before it's voted on.

COMMISSIONER GREENE: Thank you. So a paragraph would be added towards one of the end of one of the impacts, impact on our regional housing crisis. The Santa Fe and Los Alamos region have experienced an acute and lasting shorting of housing that has impacted housing prices for rental and owned homes in the area. Home prices and rental rates have increased to levels beyond the capability of the local population to afford, resulting in the displacement of many who cannot afford to remain in the area. Increasing the operations and the workforce at LANL to accommodate the SPDP will continue to pressure the housing market and result in increased unaffordability for existing residents, making longer commutes for those who remain in the area and pressuring many to relocate to more affordable communities. Increased commutes will result in increased air pollution through the use of fossil fuel based transportation and through increased impacts on the degradation of our regional road system. Displacement by long-term residents will disrupt our cultural heritage and traditional family structures built in our area over centuries. Resulting sprawl will also impact the landscape and environment of the area.

If it is amenable to the Board, if that would be included, if that is pertinent and I'd love to have that included.

COMMISSIONER HANSEN: Commissioner Greene, where would you suggest we put that, or do we want a new heading?

COMMISSIONER GREENE: So that would be under one of the impacts, so there are bullet-pointed impacts, so this would be potentially the last bulleted impact.

CHAIR HAMILTON: So I have some questions and I'd like to entertain questions and discussion before that decision is made. Has this gone through Legal?

COMMISSIONER GREENE: No, I prepared it last night.

CHAIR HAMILTON: Okay. My second question is – housing prices issues are hugely important. It sounds like it's written like it's not an impact of the plutonium handling. It's the increased employment that would impact housing. And that sounds like we can't have more employment because it's going to displace – because it's going to impact housing. It doesn't really make very much sense to me.

COMMISSIONER GREENE: To you point, yes, I agree that that does increase employment, which employment is beneficial. However, we make choices of what type of employment we try to recruit into our community and this would not be aligned with our mission and our goals of the community, of a healthy community and so on.

CHAIR HAMILTON: That's a separate point. That's not the point of this paragraph. That is a valid argument of not wanting the employment from plutonium. That's not the argument. It's the secondary aspect of it that is –

COMMISSIONER HANSEN: So one of the comments – if I may interject, and I did share this with Commissioner Greene – one of the aspects of writing these kinds of letters is really addressing what they are asking you to address. Otherwise,

it just gets disregarded. But I'm not opposed to having this go through Legal and adding it if we can make it – does Legal have a copy?

CHAIR HAMILTON: They can get a copy. I'd like to interject right back, I kind of agree with that. The housing issue is an important issue and the type of employment is an important issue. But if it's not perceived as the direct issues of the EIS I think it does have the potential to dilute the impact of the comments. But that would be your call in my mind.

COMMISSIONER HANSEN: So do you understand where I'm going, Commissioner Greene?

COMMISSIONER GREENE: Absolutely. This was my comments on it and as a novice on my first day here I appreciate listening to this and entertaining this, but if this is not the time and the place for this specific letter, that's fine as well.

COMMISSIONER HANSEN: I think there is a time and a place for this comment. Just because we are commenting on a specific issue of the EIS, they do not address housing as one of their issues. Otherwise, Attorney Young would have probably address that and he did shake his head that they do not address that. Just – it's like with the Forest Service, if you don't address their issues and why you're objecting, they throw out your letter. And I don't want this letter thrown out because it's important for this Board to comment on the transportation of surplus plutonium through our communities, and it does impact people's homes, definitely, but I think we address that in some way.

COMMISSIONER GREENE: I'm okay withdrawing it if it eases this and gets it in front of the wide people faster and more effectively. So no problem.

COMMISSIONER HANSEN: I want to thank you, Commissioner Greene, for your diligence and commitment to coming up with ideas for this. I'm not – I don't want to stop seeing that.

CHAIR HAMILTON: I second that. Thank you very much.

COMMISSIONER GREENE: Thank you.

CHAIR HAMILTON: So is there further discussion on the resolution?

COMMISSIONER HANSEN: No. If I could I'll make a motion to approve.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: So I have a motion and a second. Is there further discussion or questions? And once again, thank you, Commissioner Greene. It was very well done.

COMMISSIONER HANSEN: I believe Commissioner Greene also said there are a few typos.

COMMISSIONER GREENE: There are. Those are minor and I can, if it's okay, just to go over with Legal. There's a plural and an extra N somewhere in there.

COMMISSIONER HANSEN: Okay. That's great.

CHAIR HAMILTON: And under discussion, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you. I just wanted to mention that the townhall that we held on this issue was the best attended townhall we had since I was elected. So this is a very deep concern among many of our constituents and I'm glad that we're commenting and that Commissioner Hansen and Legal took the time to write a really thorough letter on it. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, if I may, I sincerely want to thank our green Commissioner – we’re both green – for the thought that was put into this. These are issues that are very real. I’m going to just say, and openly disclose, 26 years ago I lost my father today to leukemia that was through a dose reconstruction from the work. I also absolutely benefited from the national lab being up the road. So there are gives and takes for what we see at Los Alamos and I want to commend Commissioner Greene and Commissioner Hansen and the rest of the Commission for such a thoughtful letter to make sure that it doesn’t get thrown out, and it is unfortunate that the meetings are not being held in our community because it has been made very clear that the laboratory understands that it has both positive and negative impacts in our community. So we have to really – I was about to say stay aware of that, but I’m grateful because it’s clear you are. So thank you, and that’s all I would have to say. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much. If there’s no further discussion we have a motion and a second.

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

6. B. Resolution No. 2023-008, a Resolution Amending the Santa Fe County Road Map and Certifying a Report of the Public Roads in Santa Fe County

CHAIR HAMILTON: Welcome, Mr. Snyder.

BRIAN SNYDER (Public Works): Madam Chair and Commissioners, annually, Santa Fe County is required by a state statute to submit its roads listing to NMDOT by April 1st. We are bringing forward to you the resolution in the packet that we submit annually. This is in order for us to obtain funds that are generated by gas tax and motor vehicle tax, so we provide this by state statute. It’s a roads listing of all the roads by district maps and then linear feet and miles of roads, based on the classifications. And that’s in the packet before you today.

As of April 1, 2023 Santa Fe County maintains about 557 miles of road and the main difference, as summarized in your memo, between 2022 and 2023 there’s two of them. County Road 119 South changed from dirt – that’s in Commission District 1 – changed from dirt to chip seal. We did that as part of an LGRF chip sealing project earlier in 2022. And then the only other major change was as part of the closure of the Tesuque transfer station, that dirt road was removed from the listing, because it’s on Tesuque Pueblo land, so it’s no longer a County-maintained road.

As I summarized earlier, the exhibits in your packet include a resolution, a total summary of miles, and the types of roads by district and the types of whether they be paved, gravel, basecourse road, dirt road, and the length of the roads, by district. Moving forward in 2023, some of the Commissioners have been on – I’ve heard this before. We recently – we have a road rating system, it used to be a PASER road rating system. We’ve recently switched to LIDAR, and that LIDAR takes out the subjectivity of the road maintenance and looks at the cracks and looks at the condition of the road, plus the sub-base of the road and can give us a non-subjective assessment of the roads, and so

we're going to take that information and that's going to help us inform – in the next couple months we talk about budget, that will help us inform our maintenance budget requests as well as we'll fine-tune this annual report on lane-miles and widths of roads.

So as we get this more accurate data it will help us improve not only our reports but it will also help improve how we do business in Public Works. With that I'll stand for any questions you may have.

CHAIR HAMILTON: Thank you. Does anybody have questions?

Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair, and I'm glad we're using the data and getting better data and I just wanted to confirm that there's no use for LIDAR on dirt roads, is there? Or is there?

MR. SNYDER: My understanding, not that I'm aware of. It's on the paved roads. And that's to get an assessment and a rating system so we can know when they're ready to move to a next level of failure, the goal being not to allow it to move to the next level of failure. We can do maintenance. It's part of our operating budget to maintain the roads at that level, to maintain the life expectancy of the road, or better maintain the life expectancy of the road.

COMMISSIONER HUGHES: And so do we have – something, maybe not as good as LIDAR, but do we have a rating system for our dirt roads as well, to sort of keep track of when they need to be upgraded or improved, or graded or anything like that?

MR. SNYDER: Madam Chair, Commissioner Hughes, I'm not aware of a rating system that we utilize or that we have. What we have done recently, and we've spoken with you about this during our quarterly meetings is that as part of our Lucidity maintenance work order system we've put those reoccurring roads that need to be graded into our Lucidity system so they come up on whatever frequency – say it's monthly, quarterly, to grade those. It doesn't get at your question of a road rating system but we're trying to use the information and the tools we have to better maintain those roads.

COMMISSIONER HUGHES: Okay. Well, thank you. And I appreciate all the work that goes into not only listing the roads but maintaining them and I would go ahead to make a motion to approve the road map for Santa Fe County.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HAMILTON: Me too. I have a motion and a second. Is there further discussion? Further questions? Seeing none.

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

6. C. **Final Order in the Matter of Case #21-5140 Esencia Subdivision Conceptual Plan. Esencia Holdings, LLC, Applicant, JenkinsGavin, Agent, Requested Conceptual Plan Approval for a 710-Lot Residential Subdivision to be Completed in Five Phases on a Total of 277 Acres More or Less. The Property is Located within the Community College District, East of NM14, at the End of Camino Vista Grande and at the End of Vista del Monte (South of the Intersection of Avenida del Sur and A Van Nu Po), within Section 30,**

Township 16 North, Range 9 East (Commission District 5)
[Exhibit 1: Esencia Order]

CHAIR HAMILTON: We have Penny Ellis-Green and anybody else to back you up.

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Madam Chair, Commissioners. Roger is actually handing out copy of the final order, the one that was uploaded initially onto BoardDocs was missing one page. So it has been corrected on BoardDocs but in case you're looking for a hard copy this is the final version.

This is the final order for a subdivision conceptual plan for the Esencia Subdivision. The Board heard this case in September 2022, public comment was taken and a public hearing was held. The subdivision is a 710-lot development on 277 acres, and is located within the Community College District, which is the County's growth area. So after a land use case decision, that decision is brought back in front of the Board with a final order for the BCC to approve. The subdivision was approved subject to 20 conditions that are listed on pages 4 to 6 of the final order, and the Board also added two additional conditions in paragraph 20 on pages 6 and 7. Staff recommends approval of the final order as this case was approved on September 13, 2022 by the Board. And I'll stand for questions.

CHAIR HAMILTON: Excellent. Thank you. So are there questions from anybody? Yes, Commissioner Greene.

COMMISSIONER GREENE: Thank you. I appreciate pulling this from the Consent Calendar and giving us a chance to debate it and discuss it. One of the problems I have is that coming from an architecture and a planning background, having a visual land plan actually attached to this would be very useful for us, and so at any time that anything can be showing us a plan and showing us where open space is, what clustering means, how the road connections and the network are actually impacted. We drive down roads and we look at maps but we don't read so neighbors and people that are watching tonight, it would be useful to be able to see a plan here. So that's a first comment.

I do have a couple questions that may be for you or the applicant that have to do with the restrictions or some of the conditions of what they're planning over there. And if I may. Are there going to be any restrictions or encouragements for additional dwelling units or accessory dwelling units there to allow for a different type of rental housing or secondary units on any property? Are there going to be any restrictions in the covenants or anything like that?

MS. ELLIS-GREEN: Madam Chair, Commissioner Greene, this is in the Community College District so the lots are already pretty small, so I think the intention is the 710 as the total number of units. There will be a variety of housing types, so some of them may be on larger lots, some of them may be on much smaller lots as townhomes.

COMMISSIONER GREENE: Okay. But no specific restrictions in the covenants or the homeowners' docs that would restrict accessory dwelling units?

MS. ELLIS-GREEN: I don't believe they were proposed, but I think the 710 is the total that they could have here. If they wanted more they would need to come

back and amend their conceptual plan.

COMMISSIONER GREENE: So the County would require them to come back, not just by right application to have a rental unit added into the back of these homes?

MS. ELLIS-GREEN: Madam Chair, Commissioner, yes, that would be correct. The code reads, under the accessory dwelling units section that unless the studies, reports and assessments for a major subdivision included accessory dwelling units, you can't have them. So in the Community College District it's not that common to see properties have accessory dwelling units. There is no limit on the total number of units allowed in the Community College District. There's more of a minimum level rather than a maximum level, so the applicant could come back and amend that plan. We would see the final layout as each phase of the plats come in and we'd be able to see if there was more than one home on any lot.

COMMISSIONER GREENE: Okay. Just as a follow-up and less of a question, but accessory dwelling units are a great opportunity for people to live by example, live by example and to have yes in my backyard and to apply for a rental home for their own family or for anybody in the community. So I would hope that there weren't restrictions there. Do we know what the targeted price point of this is? How affordable the retail price is going to be for these homes at this point?

MS. ELLIS-GREEN: So the retail ones, I don't have that information. The applicant's agent is here today and that may have been part of the discussion during the actual public hearing, but I'm not aware of exactly what the price point will be.

COMMISSIONER GREENE: That's fine. And as I've seen in past hearings, you can put a price out here today and then by the time they go vertical that price is much higher or it doesn't get built if it's much lower. And then the road mix, I wish there was a map that showed the road network and solutions to this but I'm sort of flying a little blind here with just text to it. Are there any trails approved for this? Is there an incorporated length of trails that interconnect with other neighborhoods and the other trails in the district?

MS. ELLIS-GREEN: Let me just check the initial report that went through. Related to the plan set, when we actually have a public hearing, we definitely provide all of that. It's not usual to do that with the final order. And I apologize; I should have realized that the new Commissioners would want to see that.

COMMISSIONER GREENE: And that was on Consent. So I understand. So no problem. Understood.

CHAIR HAMILTON: All that is still available on the September 2022 BoardDocs, electronic files, but if nobody told you that it doesn't help.

MS. ELLIS-GREEN: I believe there is a trail along the major road connection that goes from the Vista del Monte connection to Avenida del Sur that's going to be made as part of this subdivision, and they will be north-south as well, though there's nothing directly south of this project at the moment.

COMMISSIONER GREENE: Two more questions. One, what is the closest supermarket and grocery store available to this location?

MS. ELLIS-GREEN: This is right on the corner, just back from where the Allsup's is at 14 599 and kind of like the I-25 area, so I would assume it's one of the

grocery stores along Cerrillos Road.

COMMISSIONER GREENE: I recognize that location, and in our guidelines in the SLDC, it's discouraged for sprawl, and specifically I think there was some testimony that that was not considered sprawl. But without amenities within walking distance or within at least a mile or two, and to be as far away as four or five miles, this becomes technically sprawl. So having something incorporated in the future in the area would be a best practice for making a community as opposed to just a bedroom community. It's one of the problems that some of our communities around town that they don't have a market within three, four, five miles, and it's unwalkable at any level. So this is an unwalkable, technically sprawl sort of bedroom community. But it's far along, so I just –

MS. ELLIS-GREEN: Madam Chair, Commissioners, the Community College District is laid out to be able to have those commercial areas. In fact most of the subdivision areas in the Community College District do have platted commercial, non-residential areas. The problem that we've seen is that the number of rooftops that are needed to keep a supermarket or something like that going are not yet in existence in that area. So it is our area that we don't want cookie-cutter kind of 2.5-acre lots. We do want small lots, open space and trails between them, with the hope that in the future we will get those commercial areas built out and there will be some services.

COMMISSIONER GREENE: I would recommend in future projects that come down the pike that we do reserve some for – they don't have to be for a 50,000 square foot Allsup's and supermarkets, but there are smaller players that can do community-size supermarkets and restaurants and smaller community-based commercial spaces.

Lastly, are there any amenities provided for in the plan, such as parks and trails, recreation facilities, community pools, dog parks or playgrounds? I say that because this is near – in the Community College District and this 700 homes could overburden the Community College's athletic facilities or the Genoveva Chavez facility which is in the city, but as a good partner and neighbor we should be working with them to address overburdening those facilities. Is there anything in this – is there a clubhouse with some workout equipment? Is there anything to support the community in recreation? Tennis courts? Pickleball courts? Dog parks?

MS. ELLIS-GREEN: The Community College District does require 50 percent open space and so within this development they do have a 6.9-acre community park. Three and a half acres of that is active recreation areas. As this is a conceptual plan, we don't have final design on that. They have a neighborhood park of 3.7 acres, and I believe there's four different neighborhood parks, and then they have native open space of about 131 acres. So that's where it would be left more natural. But the neighborhood and community park would be an actual active recreation area.

And I did want to point out with this subdivision, they do require 15 percent affordable housing which is a total of 80 affordable units.

COMMISSIONER GREENE: That's great. The open space is not a park and open space is generally useless except it looks great. So I'm all for open space if you're clustering the homes, but parks are useful and recreation facilities are an actual asset. Open space is just reserved. So there's a definitional and use difference there. So I

would recommend that there playgrounds and specific details to make this a much more community-centric and allow the community to build amongst itself as opposed to overloading its neighbors. So with that, I appreciate the time and the information here. Thank you.

CHAIR HAMILTON: Thank you very much. Is there other –
Commissioner Hughes.

COMMISSIONER HUGHES: Thank you. Well, first of all, I want to thank the staff for capturing the two Board conditions very well in the final order. And just to note for Commissioner Greene's benefit that the original design that was rejected by the Planning Commission did not have the multi-family townhome area and that was added to provide – not accessory dwelling units but that smaller sort of unit that could be rental or starter homes for people. And I think the other thing is I used to live in Rancho Viejo and so far, most of the commercial efforts in that area have failed. There was a little supermarket that failed. There was a coffee shop that is no longer there. And so I think Penny is right that there is going to need to be a few more houses before the commercial lots get the development to support those kinds of businesses. But that's definitely the idea, that people would be able – and when I lived there I was happy that I could walk to the supermarket or the coffee shop and it's too bad for the people who live there now those aren't there, but hopefully they'll come back when there's more people.

CHAIR HAMILTON: Excellent. Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I want to kind of weigh in on that as somebody who worked on a lot of urbanism and new urbanism is that in Oshara Village we really tried very diligently in the early 2000's to get a supermarket, to get even a restaurant, and finally, on the Oshara Plaza, there is now a Pantry restaurant. But still, we all – and I agree with you, Commissioner Greene – that we want this new urbanism and smart growth and to provide amenities to people. But unless the market can bear the weight and bring the services to the people, somehow we need to figure out a way to encourage that because it didn't work so far also in Oshara, although the great recession did not help matters.

But at least we do have a restaurant in Oshara which is progress, and I hope someday to see that they get more amenities out there. So I understand your concerns.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner.

COMMISSIONER HUGHES: I move for approval of the final order.

CHAIR HAMILTON: Thank you. I have a motion –

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: And a second. Is there any further discussion?

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

6. D. Request Approval of the Affordable Housing Agreement for the Tierra Antigua Subdivision (Case # 22-5170)

CHAIR HAMILTON: Thank you, Penny. Are you going to do the next one?

MS. ELLIS-GREEN: I am. So on December 13th the Board approved the preliminary and final plat for the Tierra Antigua Subdivision. It was a 23-lot subdivision on 44.51 acres off of Camino La Tierra in SDA-2. The property is zoned residential estate. When we did the noticing for that and when we did the agenda for that subdivision there was an error in the noticing on the agenda and the request for approval of the affordable housing agreement was not included in the agenda caption.

The code does require that the BCC approve an affordable housing agreement so we are now bringing that back to the Board for approval in accordance with the SLDC requirements. The subdivision request was for 23 lots based on density bonus calculated in Section 8.12 of the code. They provided 50 percent of open space within the subdivision, and therefore the density went from one dwelling unit to 2.5 to one dwelling unit to 1.875 acres.

So in accordance with the code, they were required to provide 1.84 affordable units and that is rounded up to two affordable units. The code also allows that if an income range 1 affordable dwelling is provided it would count as two affordable dwellings, and the applicant will be providing one income range 1 affordable dwelling. So it does satisfy the affordable housing obligation.

Recommendation: The BCC has approved the preliminary and final plat for this subdivision. The affordable housing agreement was part of the platting application. The applicant and Legal Department have signed the agreement. The Affordable Housing Administrator has reviewed and approved the agreement, and therefore staff recommends approval of the affordable housing agreement. And I stand for questions.

CHAIR HAMILTON: Excellent. Thank you very much. So are there questions?

COMMISSIONER HANSEN: Madam Chair, I move to approve.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you. If there's no discussion, I have a motion and a second.

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

7. PRESENTATIONS

A. RISE Re-entry Services Offered by the Life Link

CHAIR HAMILTON: I'm not sure – who – Janelle Bohannon an Analyn Schwaegel.

ELIZABETH PETERSON (Community Services): Good afternoon, Madam Chair, members of the Commission. I'm Elizabeth Peterson. I'm the Law Enforcement Assisted Diversion Program Manager for the Santa Fe Community Services Department, and I'm also the contract manager for the RISE program at the Life Link. With me is Janelle Bohannon, the outreach services program manager at the Life Link. She's going to introduce you to a new and promising program [inaudible] 2022. It's a program that's really assisting individuals that have behavioral health needs who are at the re-entry pod at Santa Fe County detention. And it's based on the experience of a re-entry navigator that the County has funded, I think since 2019.

This individual, Analyn Schwaegel who is not here today because she's traveling back from a well earned vacation, she experienced successes and failures within our community and within our Community Services. And she came up with an idea for RISE. So we are here today to introduce the RISE program and with that, here's Janelle Bohannon.

JANELLE BOHANNON: So, disclaimer, I'm super-awkward and I hate presenting but I have to name it to tame. Okay.

CHAIR HAMILTON: We're glad to have you.

MS. BOHANNON: Thank you. So of course like Elizabeth was saying, the RISE program was developed from the perspective of our re-entry specialist, Analyn Schwaegel. She goes by "Bagel" so you'll hear me say that a lot more. Analyn is not natural for me. She has her own criminal history and what she reported was that it was a lot easier for her to just return to jail than try and make it through, to get back on her feet. And so in doing the work and also having the lived experiences, she saw that the barriers were housing, employment, and finding community resources.

RISE is designed to equip individuals with those things. So the New Mexico recidivism rate is at 49.1 percent. In the last – it was from the beginning of 2021 to about September of 2021 our re-entry specialist Bagel served 65 clients and then as of September 2022 only four had returned to the jail, and that was reported from the clinical director there.

So the overall goal of RISE is to address the higher barriers faced by our clients exiting the jail. This includes the lack of adequate shelter – both short- and long-term, limited employment, transportation and accessibility to resources, including just navigating systems. Our County navigator is currently in the jail one day a week and during that time she builds rapport with the clients so that they get prepared and they have a familiar face to meet on the outside. So that's very helpful in getting people to return to her.

So the overall structure is that prior to release, clients that are identified by the re-entry team inside the jail are entered into a Matrix pod which serves as a – it gets them prepared for release and they also have to be sober for 30 days. And so what they had seen in the jail is that when people went through the Matrix pod and they were sober they didn't want to go back to general population. And so they created the re-entry pod. So it's a pod of clients that are all working towards the same goals and all sober.

And so our program is broken down into a 90-day program. In the first 45 days after release they have to meet these goals that we've set and that they are also setting, such as opening a bank account and saving money that would eventually become moving costs for themselves. They have to engage in supportive services and then work on their independent living skills. And so we did secure a home with a kitchen and all that, so we're going to have like chore charts, and you have to cook and do dishes and really get back on your feet.

In the second 45 days will begin the housing search and they can apply for programs through the Life Link, such as rapid rehousing, and then any other housing programs that we offer if they qualify, such as PSH, which is for those who are chronically homeless, or Linkages, which is for people who have a disability and are precariously housed. And then during the second 45 days they also continue their

supportive services. The goal is that our support will continue past the 90 days. Grants being things we hope that we could have – sorry, Bagel is so much better at saying this than I am – but have like a community for these people. So that it's not just natural to return back to jail but they have something to live for outside.

And that's it. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much. You may feel Bagel does a better job but honestly, you spoke to us so well. I really got a lot from what you said and really appreciate that you took the time to be here. Do we have questions? Commissioner Hughes, then Commissioner Hansen.

COMMISSIONER HUGHES: Thank you, Madam Chair. I was just – I think this sounds like a great program. I just have a couple questions. What does the initial housing look like when they get out of jail? Do you have a half-way house? Or what do you have for them to live in?

MS. BOHANNON: Madam Chair and Commissioner Hughes, so yes. We did secure our own house that's a three-bedroom, two-bath home and that's what it's going to be like, a transitional living for that 90 days.

COMMISSIONER HUGHES: And how many people can you house there?

MS. BOHANNON: Ideally six, so that's two to a room.

COMMISSIONER HUGHES: Okay. And the other question I have is – I don't know how you can not be sober in jail, but why is there a requirement for sobriety? You have to be part of the Matrix program to do this? Is that what it is?

MS. BOHANNON: Commissioner Hughes, so ideally, yes. So the individuals are selected by their re-entry team inside the jail, and they are kind of screened as to who would be a good candidate. So that's kind of the way it's going through. However, if there's another individual that kind of meets the same criteria they can get into our program as well.

COMMISSIONER HUGHES: Okay. So they don't have to be part of the Matrix program. It's just that's what's happening so far.

MS. BOHANNON: Yes. That's just kind of where our referral is coming through at this time.

COMMISSIONER HUGHES: Okay. Thank you.

CHAIR HAMILTON: Good question. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you, Janelle. Thank you, Elizabeth. It's nice to see both of you again. You did great. Don't worry. Sometimes I have a hard time reading the screen in front of me. You did great. I was also concerned about this half-way house. I think this is something that is really important when people are released from jail. This is definitely a way for people to transition, and I think this RISE program is really important to help people get out of jail. What I'm wondering – I had a townhall last night with constituents in my neighborhood, Casa Alegre. They are very concerned about the Lamplighter and the re-entry and concerns about Life Link, etc., because they all live right around there. So I feel like it's my responsibility to express their views, but they are quite concerned that – who's going to live at Life Link? I don't think that the Lamp Lighter is going to be a half-way house and I did not suggest that in any way. But I do think these half-way houses as homes for

people to make the transition are so important for homelessness and all the other issues.

I've mentioned this before, but in the past, in the forties and the thirties, we had boarding houses where people had the possibility to have a roof over their head. We have a different model of people being able to enter housings. Boarders was one way that people entered the housing market. So we really need to look at more forms and alternative forms of housing for people because one half-way house is not going to suffice.

So I'm glad that we have one but I do think that we need more. So I really appreciate the presentation. Appreciate attending the gala. It was a really great event for Life Link, and thank you all for your work, and thank you Elizabeth for being at the County. It's always good to see you. Thank you, Madam Chair.

CHAIR HAMILTON: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you for the presentation. I appreciate what you guys are doing and the data that you provided. I hope that you work deeper into the data as this program progresses, such as the first time somebody goes to jail, hopefully jail teaches them as much as your program gives them a transition, and then the folks that are repeat offenders, as may be, can this change their behavior. Right? Can this give them a new leg out of jail? Right. Sometimes jail would probably scare a good percentage straight, but it's the people that have been in multiple times, recidivists, and that maybe your program can track to see if they're the ones that are repeat offenders or whether you're having a real impact on them. And I'd love to see data on that in the future. And you did a great job. I'm just as nervous as you are up here. This is my first day, so thank you very much.

CHAIR HAMILTON: Thank you. Commissioner Bustamante, did you have anything.

COMMISSIONER BUSTAMANTE: Madam Chair, just for the opportunity to say Bagel Schwaegel, thank you. I have to concur, you did a great job and I am completely grateful for the work that you do. I'm not unfamiliar with the difference that you make in people's lives. I want to commend you and Bagel Schwaegel for the work that you all have brought for us to learn about today. Thank you.

CHAIR HAMILTON: Excellent. I did have – and I know Rachel O'Connor is on Webex and I'll call on her in a minute. I had a question though and that was – 65 people. That's a great number. It seems like a lot to have served in a year, and it's a really good recidivism rate, but I'm guessing that it's not a high percentage of the total population. So that sounds like this is a good start but it's essentially at a pilot level? That makes sense.

MS. BOHANNON: Madam Chair, it's definitely at the pilot level and we're looking at creating a program, Commissioner Greene, where we really are looking at data and recidivism date. It also means that we're working hand in hand with the re-entry team, which is really important. They're providing us with information and we are able to use that in order to create the best services in the county, in the community.

CHAIR HAMILTON: Excellent. Thank you. Director O'Connor, you're on Webex?

RACHEL O'CONNOR (Community Services Director via Webex): Madam Chair, thank you very much. I just wanted to add a few small things if I could to

this presentation, which was very nicely done I thought. It's been an incremental growth, both at the jail and within Life Link, to do re-entry work. If you can recall maybe six or seven years ago we funded the first internal re-entry team at the jail, and of course there was additional work put into re-entry with the development of the Matrix program. And of course the re-entry pod that now exists at the County jail.

I think one of the nicest things about this program is that its relationship with the Santa Fe County jail is positive. A very good working relationship between the jail and Life Link really allows for a warm hand-off, which is so important when somebody's leaving a period of incarceration. And then the other two things I wanted to mention is we did start this program as a pilot. We are expanding it based on the initial numbers, so while we have one Bagel we will soon have several more. Maybe not exactly like Bagel who I think commands presence just on her own, but the program is expanding to try to serve additional people that are leaving the jail.

And the last thing I want to say is one of the reasons that we decided to expand this program is the incredible reception from the community and the fellow providers that Life Link has. For example, our La Sala crisis center has great respect and we're experiencing intimately with Life Link on this program. The jail works respectfully and hand in hand with this program. Many of the community providers have asked for expansion of this and have a great respect for the work that Life Link is doing to assist people that are moving out of Santa Fe County jail. So thank you for letting me add that.

CHAIR HAMILTON: Excellent. Thank you so much, Rachel. Are there other questions on this? This was – it was really great to hear about this. I imagine how – I really appreciate getting presentations like this from the real people who are doing the real work, and getting the updates. So I find this very valuable. Thank you so much for being here.

8. MATTERS OF PUBLIC CONCERN

CHAIR HAMILTON: So that takes us back to Matters of Public Concern. And so I'm going to re-open Matters of Public Concern. First I'm going to ask is there anybody here in chambers who wanted to speak to any issue? If you could come forward. We typically provide three minutes. If you would introduce yourself and then speak to your issue.

CHRIS MECHELS: I'm very hard of hearing so if I act like I can't hear you, I can't hear you.

CHAIR HAMILTON: Thank you for letting us know.

MR. MECHELS: Thanks to the Board for letting me address you today. The issue I have is I think of a vital concern so I hope I get your attention, and I think it requires your action. And I think it's going to require in the near future, it's going to require an agenda item so you can put some time on it, which it needs. The item is that you have a defective OMA resolution in spite of the fact that you passed it in December. It isn't a surprise that it got passed in December because your OMA resolution has been, as far as I can tell from some research, defective since 2013. That's when you changed it in response to the OMA law being changed by the legislature.

The attorney who no longer works for Santa Fe County did a hack job on it and he

got it all wrong. It's not only out of compliance with the Attorney General guidance on the matter, it's also illegal, and it's been passed down from 2013 until today, basically unchanged, and people will pass it around and pass the hat, passed it over, and have not looked at it, including Greg Shaffer, your current County Manager, who was County Attorney.

So all these people and the Board have stamped this OMA resolution, which is a terrible resolution, every year reliably. Bring it up on your Consent Agenda or something and you say, okay, next on the agenda, and you never look at it. It's time you look at it. I ran into it because I attended a meeting of the Ethics Board, which most of you are familiar with, which has an admirable goal, which is to see to ethics in the County. I'm not having much time here so I'm going to tell you that the Ethics Board right now, as far as I can tell, is unethical, mostly by the fact that they're misguided by the County staff, who themselves are misguided by things like the OMA resolution.

At this point, based on two meetings in November where I attended of the board – oh, by the way, the only member of the public apparently that ever bothered to show up because of things like your defective OMA resolution. So to this point, they have violated the OMA, Open Meetings Act. They have violated the IPRA Act, the Public Records Act. The Code of Conduct has been violated, and the Act for People with Disabilities, the federal act, has been violated. So you've got four violations. That's in two meetings. That must be a new record.

So please take this up. It deserves your attention. You need to pass a new, legal, compliant OMA resolution, and you really need to take a look at the ethics of this County because right now, I'm having a hard time running into anybody that's ethical. So I hope you're ethical and will take this up. So thank you for your attention.

CHAIR HAMILTON: Thank you very much.

MR. MECHELS: I really can't answer questions because I'm pretty much deaf.

CHAIR HAMILTON: That's fine. Thank you very much. Is there anybody else here in the chambers who wants to speak to Matters of Public Concern? Seeing none, is there anybody on Webex from the public who wishes to speak to the Board? Daniel or Laura, do you see anybody on who might want –

DANIEL FRESQUEZ (Media Specialist): Madam Chair, I don't see anybody on Webex indicating that they'd like to speak.

CHAIR HAMILTON: Okay. Thank you so much, Daniel. I'm going to go ahead and close Matters of Public Concern.

9. MATTERS FROM THE COUNTY MANAGER
A. Miscellaneous and COVID-19 Updates

CHAIR HAMILTON: Manager Shaffer.

MANAGER SHAFFER: Thank you, Madam Chair and Commissioners. We'll just use this as an opportunity to remind the public that the window to lodge challenges to the FCC national broadband map is closing on January 13th. I think at this point everybody is being inundated by communications from different sources, but we've done our part at the County to try and get the word out of the opportunity for consumers

to challenge the FCC's broadband data, relative to both fixed and mobile broadband service. I would encourage again consumers and our constituents to go to our website for additional information as to how you can do that. It's pretty simple in terms of the process and it's significant to our community because the accuracy of that data will help determine how federal funding for high speed internet infrastructure investments are allocated. So it's important that everyone take a few minutes to do their part to make sure that the data is accurate.

I want to provide a heads-up that Santa Fe County will be featured on PBS's Travel with Darly's special tenth anniversary season. Episodes will be broadcast on January 28th at 10:00 a.m. and February 4th at 10:00 a.m. and will feature a variety of tourist attractions and events in the Santa Fe area. It's a great opportunity for our tourism group to spread the word relative to Santa Fe County as a tourist destination.

I do want to note that the 2023 omnibus appropriations bill did include \$2.4 million for the re-stucco of public housing communities in Santa Fe County and managed by Santa Fe County, so a special thank you to Senators Lujan and Heinrich for including that congressional direct spending request in that bill.

And looking forward to the beginning of the legislative session next Tuesday and we'll be reaching out to Commissioners to ensure that we're coordinating with you relative to lobbying activity.

Relative to COVID-19 updates, I would note that the Governor has extended the statewide public health emergency for COVID-19 through February 3rd of this year and would just again urge caution, both for County staff as well as our community with the level of respiratory illness that is in our community. It's not just COVID; it's the flu, it's RSV, what have you, to remain vigilant so that we can all stay well and do our part to minimize the burden on our first line health responders. That's all I have. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Thanks so much. Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, County Manager, I'm surprised there's not a legislative update so that we could talk about legislation. I'm sorry I missed that on Friday, that I didn't see that we normally have a legislative section so that we can talk about legislation that's coming up and I did want to mention some things so I'll mention that later under my Matters from the County Commission.

MANAGER SHAFFER: Thank you, Madam Chair and thank you for that feedback, Commissioner. Our intent was to begin that as a regular item of business beginning with the next meeting and I regret of there was a desire to start that at this meeting. But we will note that for the future. I appreciate the feedback.

CHAIR HAMILTON: Thank you so much.

10. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

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

CHAIR HAMILTON: Do you guys want to go first or last? We'll let them

go first. Okay. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So I have a few things on my list but I will start with the legislative update. I would have liked to have been able to talk about a couple of the bills that are being introduced, especially one on the sound of mufflers and noise that I believe has been introduced, and so I'd like an overview from Hvtce at the next meeting on that, and where it stands. There is a movement afoot in the legislature to bring forward a bill that would do an inspection of Class A counties on noise and mufflers from automobiles. It's brought forward by the City of Santa Fe and then Senator Wirth is carrying it.

I don't know how I feel about it. I have mixed feelings about it but it is a huge issue, concern of my constituents is the amount of noise from the mufflers that have a certain level of – there is a state law that requires that they be below a certain decibel point and I don't know how really we're going to solve that problem but it is an issue that's afoot.

So I will move on from there and go to Saturday was probably one of my most favorite days. In the *New Mexican*, on the front page, the WOTUS rule, which is Waters of the US, was finally released and rewritten and this is something I have advocated for on the federal level and on the state level for the last 5 ½ years, and to see that we got a new WOTUS rule, Waters of the US, is so important to me because it is important to all of the New Mexicans, because we are the ones who are going to benefit from this new rule. It now is willing to recognize intermittent and ephemeral as part of the waters of the US in certain designations.

So that was the first thing that was in the paper, then the next thing that was in the paper, and I have shared this with many people but I have not had a chance to share this on the dais was the fact that the National Heritage Area Act was reauthorized in Congress on December 22nd. It was a miracle. It was against all odds that on December 20th, the Senate, unanimous consent, passed the National Heritage Area Act.

And then the next day President Zelinsky was here but it went to the Rules Committee in the House and the Rules Committee passed it out of the Rules Committee and one of the things that has been stopping us on the higher level was the Republicans did not want to include the National Heritage Area Act in the omnibus bill or in the MDA and I had also worked with NACo for the last 2 ½ years to have a resolution at NACo supporting all the national heritage area. It was passed out of the Arts and Culture Committee and out of the Environment, Energy and Land Use, and therefore NACo started writing letters. I was on the email and the phone with NACo saying I need you to call all these Republicans. I need you to call leadership, and they did it, and then, the National Heritage Area Act, on December 22nd, passed out of the House 326 to 95, which is a miracle. And Republicans said, and I think this is a sign of how anything is going to get through the House in the next two years is that they were willing to support standalone bills.

So that was in the *New Mexican*. It was in the *Taos News* today. It was also in the *LA Post*, so we got a fair amount of coverage. And the Northern Rio Grande National Heritage Area is now secure for the next 15 years with a minimum of \$500,000 yearly budget, which means that we have to raise another basically million dollars to match that, but that is money that we can distribute in northern New Mexico and I can't tell you how

happy it makes me to know that we can benefit communities in the north.

And then the last was that I had a letter to the editor on the Santa Fe Mountain Resiliency Landscape project, and working together and how we, as a community, care about the forest. There's been a number of criticisms about the listening session that Commissioner Hamilton and I held, and I felt that there was a need to set the record straight, and part of setting the record straight was that the Fireshed Coalition was clearly invited to the listening session and they declined to participate. So they have been criticizing us for holding the listening session and not being able to participate, but they themselves declined to participate. So I find it a little odd, but I was very happy to have all of that happen on one day. I had a wonderful day on Saturday. I just want you to all know it made my day. So I'm going to leave it there for the updates at the moment.

I do have some more ideas for later on but I'll leave it there, and thank you, Madam Chair and Commissioners, for allowing me to indulge you with all my good news.

CHAIR HAMILTON: Excellent. Thank you so much, Commissioner Hansen. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just have a couple items. One is that I believe the gentleman who just spoke to us in the Matters of Public Concern is the one who's been emailing us and I guess I would request that our Attorney just take a look at our Open Meetings Act resolution and tell us if it's good enough or if it needs a little tweak. I don't think it's an utter disaster but I do think he had maybe – from the email I couldn't understand it but I think he maybe had one little complaint about it. So it would be good to check on that.

We had a townhall meeting in my district at the Rancho Viejo firehouse last week. It was mainly around legislative issues and Senator Stefanics was there along with Representative Reena Szczepanski and Representative Matthew McQueen. Commissioner Bustamante and I attended and it was very well attended, standing room only. There was an almost equal number of people with county issues as state issue and it was a lot of good discussion. People were bringing concerns about land use cases and we deferred them to try and speak to those at the appropriate time, which they mostly honored. Not quite all, but mostly.

I wanted to mention that I'm meeting with staff next week to work on perhaps a tweak to the road adoption policy that may be needed to adopt the one road in my district that I know is in terrible shape and I think our Transportation Planning, Brett Clavio has made a list of I believe ten roads that might be up for adoption over the next few years to keep our roads in good shape and I think as a growing county we ought to be willing to adopt a road every now and then to keep everything moving.

And finally, I just want to mention that I did talk to Senator Stefanics about introducing a bill to change the rules to make the way we run our Public Housing Authority comply with the way the state expects, and she agreed to do that. And for those of you who don't know I think this is the way it happened. I think that the County took over the Housing Authority many years ago when it was in trouble and basically incorporated it into the County so that the County Commissioners are board members of the Housing Authority. I think it was after that happened that the state passed rules for Housing Authorities that said elected officials should not serve on boards of housing

authorities. None of us understands – at least in Santa Fe County we don't know why they would have put that prohibition on there. So we're going to ask that that be removed and we're starting a little late so I don't know if this will make it all the way through this year but at least we can get started on that process.

And thank you, Madam Chair. That's it for me.

CHAIR HAMILTON: Excellent. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I forgot to mention and Commissioner Hughes reminded me. I am having a townhall with Representative Chandler, Representative Lujan, and Representative Romero, Andrea Romero, tomorrow night at the Nancy Rodriguez Center, 5:30, and everyone is invited. So please join us. It will be basically a legislative session but I'm sure there will be people who want to talk about County issues also. So thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, Commissioners.

Thank you for this opportunity. The one thing that I learned as I was going through the process of determining whether or not I was going to run for office were the number of times as president of the La Cienega Valley Association we would bring up an issue and the answer was yes, and that's happening throughout the county. So one of those issues is drag racing and traffic control. And that's been an issue now – I am incredibly rural. Our area, District 3, is I would say probably the most rural. It is the most rural.

A lot of the old roads and areas are these old cattle runs. I remember when Los Pinos Road was literally a grass, rutted road. I rode a little dirt bike on it and now it's almost a freeway. I'm looking out and I can tell there are people who probably remember when it was grass rutted and now they can go 70 miles an hour on it. People do. So I'd like to see for future purposes going over the recent thing that we just looked at with regard to the roads and the number of dead-ends, last year in December – I believe it was last winter if it was not the one before, but it was below freezing and we had a fire sustained on Paseo de C de Baca. And it was very cold but the brush was dry. And yes, we had moisture this past year but when it's below freezing it's difficult for a fire usually to hold and start to continue to burn. It creates a problem in an area like that because of the egress. It's a dead-end. And going through the road list that we approved earlier in this meeting, it raises the flags for me or raises the concerns of those areas that are dead-ends and that may be heavily brushed and have a lot of foliage that will be dry and what do we do to make sure that people are able to safely leave and evacuate in the event of an emergency?

To that end, in the conversations that we started last year in La Cienega, we have now on the 28th of January, the La Cienega Valley Association, with our Emergency Manager, Chief Vigil and his team will be conducting an evacuation similar to Smoky Bear. Thank you for your leadership on that. Former Commissioner Linda Grill and I went to observe what was happening at Smoky Bear One. We will now do Smoky Bear Two on the 28th and the community will evacuate and the emergency services will come in and we'll see how well people are able to get out and how many people – how safely the emergency services will be able to get in.

So I'm asking for future purposes and having discussed this with Public Works and I will acknowledge there are a lot of places where I do have more to learn and

understanding with Public Works that there are priorities, but also ensuring that when we look at these priorities, where might we have the type of issue of egress and concern for an emergency evacuation, as well as looking at traffic calming in our road areas, that type of concern.

Those have been long on the agenda in La Cienega. I will say I can go back to 1993 when we first started having conversations about just increased traffic. We have right now quadrupled the population since 1993 at least and it will be really important to understand how we will make sure that we have safe roadways as these more rural areas become more populated and essentially become neighborhoods. So I appreciate that.

And with that, I just want to thank you all for the opportunity to work with you. Thank you.

CHAIR HAMILTON: Excellent. Thank you so much, Commissioner. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, everybody up here on the dais who may think this has been a great experience to start and I look forward to four years working closely with you. First off, I'd like to thank staff for making me feel, and I'm sure Commissioner Bustamante feels the same, but thank you for welcoming us and making us feel comfortable up here and transitioning us into being your newest County Commissioner. The staff has been wonderful, and it's been a great experience so far and I look forward to working with you all as things go on.

I'd like to congratulate Governor Milton Herrera of Tesuque Pueblo and Lieutenant Governor Floyd Samuel as the new leaders of Tesuque Pueblo, and the new tribal council at Tesuque. They have been installed in office since January 1st and I want to congratulate them for leading their community as part of my constituency as well.

I'd also like to give a shout-out to Speaker Egolf who will be finishing up his speakership in the next week or so. He did a great job for our community as my representative as well as a great representative for the state of New Mexico. And so Speaker Egolf, congratulations and thank you very much for doing all the work you did for Santa Fe and New Mexico as a whole.

Over the past few weeks I've been able to reach out to some constituencies. I've spoken to a number of pueblos and a number of communities, speaking with the City of Espanola, some of the pueblos, as mentioned, and it's been a great conversation to have and I encourage everybody to reach out to me to continue that and to tell me your concerns so I can voice them up here.

Tomorrow we've organized a tour of the Nambe-Pojoaque Valley water treatment facility that is under construction at the San Ildefonso Pueblo. We're going to be meeting with the Bureau of Reclamation who is constructing it and we have a number of attendees from the legislature and from the constituent communities that will be served by this, being the pueblos and Santa Fe County. I'm very happy that we have Commissioner Hansen to join us and County Manager Greg Shaffer is going to be there and I encourage folks from the pueblos to show up as well and the leadership of anybody in the water department to show up as well.

Some of the issues that I hope to work on in the next few weeks and months will be a broadband plan, a five-year and ten-year plan so we can reach potentially 80 percent of the county with broadband and fiber over the next few years. There's historic money

coming in from the feds right now and a lot of coordination through the state, and so we really need to set to planning this so we can put a plan together that we can execute over the next few years to get broadband to everybody.

I'd like to work with the tribes and to do some outreach in some of the underserved communities, Spanish speaking and some of the Native American tribes on economic development. They haven't been attended to over the past few years and with conversation with them they seem to be ready and willing to discuss ways that the County can partner with them and facilitate some major economic development. Some strategic housing initiatives that would be focused on housing for our critical workforce. Those would be police and sheriff's deputies, our Fire Department, our teachers and our medical staff. If we don't have a home for them in our community we don't have a safe and healthy community. So they are the most critical part of the workforce that we need to focus on and I hope to work with the school district and the City and bring the County along so that we can partner and provide housing for these critical workers.

I hope to work with LANL and the regional partners for a DOE collaboration center. There'll be more about that in the next few months, but this is a facility to work on collaboration across the DOE spectrum to focus on sustainability and global sustainability projects at a local level but across the globe. I'm also working to get some ADU incentives. Again, we talked about this earlier – accessory dwelling units are a great opportunity for people to step up and be YIMBYs – yes in my backyard, and put a guesthouse in their backyard. It is the typology of architecture and home that we need in this community. Single-family homes are wonderful and apartments are great and townhomes are great but the entry level home for a lot of people is somebody's guest unit in their backyard and it makes for a great entrepreneurial experience for people to earn some income off of their property.

I hope to find a solution to the Tesuque Valley's solid waste problem. The closure of the transfer station left a lot of people up in Rio en Medio and the Tesuque Valley a little inconvenienced, to say the least, and I've heard from a number of constituents, and I hope to find a solution there, having spoken to some folks at Tesuque pueblo I think there is a solution to reopen the existing or the pre-existing transfer station, as well as working with them to clean up the old open air dump that is there that needs to be remediated and the County can step up to help the pueblo to do that.

There are some wastewater issues as the Commission has heard over the past few years in the Tesuque Valley. We're going to hear, I think, later about the opera needing some wastewater facilities. Bishop's Lodge Resort needs some updating of their wastewater facilities, and Tesuque Pueblo. Those three major anchor tenants, as it may be, in that valley have an opportunity to collaborate in a way that could actually create a wastewater treatment facility regionalized for the community that would then be able to harvest the return flow credits in a way that would be beneficial for all of those in that neighborhood. So I hope we can work together with that.

And lastly, I am very happy to see something on the ICIP list to work with Rio en Medio to help with their rebuilding to find a win-win solution for the folks that live up there, given them a safer valley to live in, as well as provide access to the folks that love hiking on the Rio en Medio Trail up into the national forest.

And then one last thing. I hope to work with HR and to really look at the amount

of money that's coming in from infrastructure and opportunities in broadband and infrastructure to make sure that the County has the capacity to get grants and to spend the money so that this once in a lifetime and this historic opportunity can be maximized by the County and that we can take advantage of that. Thank you again, everybody. I'm really encouraged by working here and thank you, everybody up here.

CHAIR HAMILTON: Thank you so much. I wanted to add to a couple of things. I'm really grateful to hear that you're doing another Smokey Bear Two. Chief Vigil did just a fabulous job planning and implementing that exercise in my district last year, and I just wanted to point out, I have a couple – several – but a couple of very sort or at least one very infamous one-way-in/one-way-out areas in the La Barberia area, and I've been working with Public Works who's well represented here today, closely. They did a great job helping plan out an idea for getting a project on the ICIP that would allow for the further planning and development of that, and they worked with Chief Vigil and attended the exercise, took notes, and so it was this great collaboration between Public Works for implementation, and our Emergency Management group for really understanding the problems.

And so I wonder if that might be something – I imagine Public Works would be perfectly willing to do that second thing. I know we're working on a second ingress/egress issue in the Arroyo Hondo area but it's the same sort of thing. Those things are really important and we're going to have many, many more pressure from those sorts of emergencies, right? And it's the details, it's the reality of how you implement them. So it's fabulous that you're already dealing with that. And I just wanted to share that because I have tremendous concerns and interest in trying to – as you well know – in trying to address these things.

COMMISSIONER BUSTAMANTE: Madam Chair, if I may just really thank Chief Vigil for showing up, knowing that he is completely – he's very understaffed right now, and has been in our community every month since we started these discussions at least six months ago. So I just really want to commend him for that effort as well, as well as the discussion about a countywide plan for how we would address these issues.

CHAIR HAMILTON: Yes. That's a definite need and we have some things to talk about. Commissioner Hansen and I are actually working on a resolution regarding emergency management needs there. And so we could and maybe should talk to you about including some of that.

And the other thing is I wanted to reiterate what Manager Shaffer brought up and now Commissioner Greene has also alluded to. The broadband issues in my district and the whole county are just really critical. And Commissioner Greene is right. This is an unprecedented time for how many resources are being provided. Some of our departments have actually done writing grants for this sort of thing and they've been squashed because of misinformation by the industry. And it's a real challenge. And so this opportunity, as remote as it seems, as disconnected as it seems to get online and address FCC information about what kind of service you get for broadband, it's probably a critical thing to do and if there's anybody online listening I just fully – I just wanted to reiterate what Manager Shaffer already said, that this is really critical because the County is really working – this has been important to almost all the Commissioners and it's really encouraging to have yet another Commissioner who actually has a huge amount of

experience in this in Commissioner Greene to further our attempts to improve our broadband service.

We've been trying to step up and those efforts get thwarted by misinformation and so I just wanted to point out how important these next three days of opportunity might be in trying to address that. If there's nothing else from the Commissioners I'm going to slip right on to 10. B.

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

CHAIR HAMILTON: I see our Clerk made good her escape but we have our Deputy Clerk.

EVONNE GANZ (Deputy County Clerk): The Clerk will be back. She's on a Clerks' meeting with the other county clerks. We have nothing today, but thank you, Madam Chair.

CHAIR HAMILTON: Excellent. Thank you. I don't see any other elected officials present in chambers but are there any elected officials on Webex who wish to speak on matters they may have? It's always a little bit of a blank state. Daniel, do you see any other elected officials on Webex?

MR. FRESQUEZ: Madam Chair, I do see Treasurer Manzanares online.

CHAIR HAMILTON: So not to put anybody on the spot, but Treasurer, if you're there, if you would care to speak at this time please feel free to unmute yourself. Okay. And if not, that's great, but thank you for attending. Really appreciate your presence.

10. C. Election of Board of County Commissioners Chair for 2023

CHAIR HAMILTON: At the beginning of every year we re-elect the chair and vice chair for this respected body and item C is election of the Board of County Commissioners' Chair for 2023. And I would like to start out by saying, by thanking everybody for the honor of leading this respected Board for the previous year and would like to do something the Chair doesn't usually get to do which is to initiate something. I'd like to nominate Commissioner Hansen as Chair.

COMMISSIONER HUGHES: I will second that, and I also want to thank you for serving as Chair. You've done a great job and I think it's interesting that on the last meeting you finally got all the resolutions. You never forgot once on your last day you never forgot a resolution.

CHAIR HAMILTON: At the very end, but thank you for noting that. At least once.

COMMISSIONER HUGHES: I'm happy to second your nomination.

CHAIR HAMILTON: Excellent. Thank you. Is there any discussion?
Commissioner Greene.

COMMISSIONER GREENE: Just to thank you. This is great for our first meeting. I got to be with you as the Chair for a little while. So this is wonderful. Thank

you. And I got to witness a couple meetings and you did a great job. So thank you for passing the baton and doing a great job.

CHAIR HAMILTON: Thank you. So we have a nomination, a motion and a second.

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

10. D. Election of Board of County Commissioners Vice Chair for 2023

CHAIR HAMILTON: That would take us to 10. D, which is election of the Vice Chair. Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I would like to nominate Commissioner Hughes as Vice Chair.

COMMISSIONER GREENE: And I will second that.

CHAIR HAMILTON: Excellent. So I have a motion and a second.

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

CHAIR HAMILTON: So I take this opportunity to congratulate Commissioner Hansen and Commissioner Hughes. Thank you very much for being willing to serve.

10. E. Appointments of County Commissioners and Staff to Boards and Committees for 2023 [See page 40 for additional appointment]

CHAIR HAMILTON: And that takes us to what can potentially be the messier part of it because there's so many and it's a lot to deal with. We welcome Sara Smith to walk us through the appointments of boards and committees.

SARA SMITH (County Manager's Office): Thank you Madam Chair. Good afternoon, Madam Chair and Commissioners. You know me well, but this is my first time presenting. I'm here to present this item requesting appointments of Commissioners and staff to the County's boards and committees for calendar year 2023. Your packet material includes a memo which summarizes each of the boards and committees for which appointment is needed and a matrix that lays out last year's appointments for references. I will not repeat all this information for you now, but I would like to call your attention to the following three boards which require attention as former Commissioners Henry Roybal and Rudy Garcia, and former staffers served as primary representatives. The Estancia Valley Economic Development Association, the North Central New Mexico Economic Development District, and the REDI-Net Board.

Staff would like to make two recommendations. First, County staff recommends that Commissioners be appointed as the primary and alternate representatives to the REDI-Net Board rather than staff. That recommendation is based upon the importance of broadband access to the County from a policy perspective. While appropriate staff from the Community Development Department would support the Commissioners on the REDI-Net Board, County Commissioner representation on the REDI-Net Board would

help establish a policymaker bridge between REDI-Net and the Board of County Commissioners to this important area.

In addition, Commissioner Greene has served on the REDI-Net Board as the representative of another member so he has the requisite experience.

Secondly, County staff recommends that Manager Shaffer remain as the County official to the New Mexico Counties Insurance Authority Board of Directors. Greg has served on this board since 2019, including the last two years as the vice chair and during that time he has learned a lot about the insurance industry and is well positioned to help NMCIA address the coverage needs of Santa Fe County and other member counties. In addition, his training as a lawyer and previous service as a judge is useful to the board when evaluating claims.

So I am available as well as Manager Shaffer is to answer any questions that you have.

CHAIR HAMILTON: Excellent. So in recent previous years we've made great progress on this by sort of cutting to the chase to the things that are changes. And you did a great job starting us out on that. So it would certainly make sense – there are certain committees and boards that at this point is really beneficial to not make changes on. So each person can speak to their own desires. I know that the boards that are important to me to stay on are the Buckman Direct Diversion, and then Audit and Investment. And frankly, I have gotten a lot out of serving on SWMA, but I'm one of the primary representatives. That is one that would also be good experience for new Commissioners. I certainly agree with – is it fair to say elephant in the room that Commissioner Greene has served on the REDI-Net Board. That just makes a lot of sense to me. I don't know if you have any interest in that.

COMMISSIONER GREENE: Absolutely. I would be honored to serve and I would hope if there's somebody else on the Commissioner wants to serve or if another staff member wants to be the alternate, that would be great. I'm happy to bring people as much up to speed. I haven't been on the REDI-Net Board for a few years now but I did serve a few years a few years ago. So I'd be happy to serve again.

CHAIR HAMILTON: Okay. Great. So I just think the statements of what you're willing – something you're willing to put out for trade, which I just did with SWMA, if there's serious interest from a new Board member that doesn't feel like they have enough things that really challenge them.

COMMISSIONER BUSTAMANTE: Madam Chair, if I may, I would like to offer being on SWMA.

CHAIR HAMILTON: Okay. Well, that totally makes sense to me. So there we have one switch that I'm perfectly willing to make. And so I'm going to go to the other two senior Commissioners and see what they have to say and then we can – basically, it's just the things that have to change that we can swap around. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So I too of course feel very strongly about myself and Commissioner Hamilton remaining on the Buckman Direct Diversion. I'd be happy to share any information about that but in the six years that we have served on that board we have won a \$70 million lawsuit, which would not have happened if Commissioner Hamilton and myself had not been on that

board. And we are now in the process of working on the issues of changing or distributing that money and repairing Buckman and I think it's very important that we continue to represent the County on that board.

I am elected chair of the Coalition of Sustainable Communities and therefore I would like to stay since I am the chair and I have been a founding member of getting the County involved in that board and in my term and I'm honored to be elected by a number of other officials as the chair of that community, the Coalition of Sustainable Communities including Los Alamos, Albuquerque, Las Cruces, Taos, county and city, and the City of Santa Fe.

I also would like to stay on the Metropolitan Planning Organization. I think that I have been the primary and the alternate to the North Central New Mexico Economic Development District and I think that that would be a great place for Commissioner Greene as a primary and there's two alternates, and if nobody else is interested in one of those alternates I would be willing to continue to serve on that. I am also the president of the Northern Rio Grande National Heritage Area and I feel completely committed to that organization and having had this huge win, I would like to stay there. I'm happy to stay on SWMA or not but we have three primaries and one alternate, so I think there's plenty of room on SWMA for new Commissioners.

CHAIR HAMILTON: Right. And I just traded out my primary to Commissioner Bustamante.

COMMISSIONER HANSEN: And then on the Audit Committee, Commissioner Hamilton and I have sat on the Audit Committee for the last six years and Commissioner Hughes has expressed interest in being on the Audit Committee and I think it's a good time to transition on that. I find the Audit Committee really interesting. I have learned a tremendous amount on there but I think that it's the time for me to let somebody else serve on the Audit Committee. So I'm giving that up to Commissioner Hughes, because he has expressed interest in that.

CHAIR HAMILTON: Do we have an alternate on that?

COMMISSIONER HANSEN: I don't see it on the list.

MS. SMITH: The Audit Committee has two primary members.

CHAIR HAMILTON: Is there an alternate? Which number is it?

COMMISSIONER HUGHES: It's 14.

CHAIR HAMILTON: Oh, I see it. Yes, we don't have an alternate. Okay. Great. Commissioner Hughes.

COMMISSIONER HUGHES: Okay, thank you, Madam Chair. Yes, as mentioned, I would like to be on the Audit Committee and I'd like to keep my other committees except for I am willing to trade out SWMA to Commissioner Greene if he still wants to do that. I was going to trade it to Commissioner Bustamante but you beat me to it.

CHAIR HAMILTON: I didn't mean to jump in front of you there.

COMMISSIONER HUGHES: I'm happy to continue on the Metropolitan Planning Organization or not, depending on the interest of others. I do definitely want to continue on the Regional Transit District as I am the vice president and also chair of the Finance Committee for the Regional Transit District.

CHAIR HAMILTON: Excellent. So have you guys kept track of this?

COMMISSIONER GREENE: Somewhat. I've been encouraged to take some but I will give my feelings if I may.

CHAIR HAMILTON: Okay. I was just going to go down the line.

COMMISSIONER GREENE: So, REDI-Net, yes that would be wonderful. I'm honored to do that. North Central, I would agree. I would be encouraged to work with them and to be our representative there. One of the other committees that I've been known as a groupie to go show up as a member of the public is the MPO, the Metropolitan Planning Organization so I would really love to be on that and to be one of our representatives and primaries there if that is available. And then the Audit Committee, I would love to be on that as well, but I understand there's only two positions so that's fine.

CHAIR HAMILTON: I'm sorry. What was the last one?

COMMISSIONER GREENE: The Audit Committee.

CHAIR HAMILTON: I think it would be good for us to trade out – I'd be perfectly willing to trade that next year with you, but I think maybe two new all at once is not the wisest thing to do. Is that good with you?

COMMISSIONER GREENE: I agree.

CHAIR HAMILTON: Okay. So I'd like to go down the things that Commissioner Roybal was on. He was on the Extraterritorial Land Use Authority.

COMMISSIONER GREENE: I think everybody's on that, but yes.

CHAIR HAMILTON: Yes. Everybody's on that. Okay. Never mind. You're right. Everybody's on that.

COMMISSIONER HANSEN: Madam Chair, so what we do need is – are we talking about ELUA?

COMMISSIONER HUGHES: Yes.

COMMISSIONER HANSEN: Okay. So what we do need is we need one alternate. So we need four members and one alternate.

CHAIR HAMILTON: Before I've been the alternate and I'm willing to stay there unless somebody's not – so that shouldn't be an issue unless somebody doesn't want to be the primary, in which case I'll take it. So it's fine. That one's easy. Good point that that one's easy.

So Commissioner Garcia was on the MPO as a primary and Commissioner Roybal was the alternate. So there's no logic – Commissioner Bustamante how do you feel about the MPO? There are two open positions. I don't think there's any precedent for whose district it is in but I think you and Commissioner Greene should look at each other and decide who wants to be the primary and who wants to be the alternate.

COMMISSIONER HANSEN: I thought, Commissioner Hughes, you didn't want –

COMMISSIONER HUGHES: And I offered if they both want to be primary on MPO I could be the alternate then.

CHAIR HAMILTON: No. You're still on it. You're a primary.

COMMISSIONER HUGHES: I know, but I'm offering –

COMMISSIONER HANSEN: There's actually three –

CHAIR HAMILTON: Yes. I know. I'm handling this reasonably. There are two departed – not departed – Happily departed –

COMMISSIONER BUSTAMANTE: I would be happy to be primary, please, on the MPO.

CHAIR HAMILTON: Are you willing to be the alternate?

COMMISSIONER GREENE: I would like to be a primary if possible.

COMMISSIONER HUGHES: I can be the alternate then.

CHAIR HAMILTON: Okay. That's settled. Good.

COMMISSIONER BUSTAMANTE: Thank you. Thank you for the opportunity. So I have a question, because I would strongly recommend that Manager Shaffer remain as the County Insurance Board, number 7. Manager Shaffer, what's the story with number 8? Do we have you and a Commissioner on that?

MANAGER SHAFFER: Madam Chair, Commissioners, that is how we have divided the responsibility, I think since the New Mexico County Insurance Authority, if my memory serves, was created as a single entity to oversee all of the offerings made from a coverage perspective. Staff has been appointed to the board of directors and that has been me since 2019, and then we have designated a County Commissioner to be the general representative in the event that there are significant issues relative to the basic structure – JPA amendments, bylaw amendments, things of that nature. It has been a County Commissioner. I don't believe that they have much business that comes before them as a general member and to the extent they do, it's at the annual meetings. So it's not a heavy lift, and again, it has to do with high level issues surround governance for the New Mexico County Insurance Authority.

CHAIR HAMILTON: Okay. Great. So that structure is recommended to stay the same, a Commissioner on number 8. Do either of you new Commissioners have interest in that? Do any of you senior have interest in that? I will only step up if absolutely necessary.

COMMISSIONER HUGHES: Madam Chair, maybe we should come back to that.

CHAIR HAMILTON: I was just waiting for everyone to get really uncomfortable before I moved ahead with it.

COMMISSIONER HUGHES: Obviously, we all just love insurance.

CHAIR HAMILTON: Yes, and know so much about it. That's my feeling exactly. Okay, we're going to skip right ahead. So similarly, the Northern Area Local Workforce Development Board has been completely vacated by the turnover. Who would want to do that?

COMMISSIONER BUSTAMANTE: Commissioner, yes, please.

COMMISSIONER GREENE: And I'd offer to be the alternate.

CHAIR HAMILTON: Okay. Great. That's solved. You guys rock. So similarly, the primary – Commissioner Hughes you were an alternate on the Economic Development Board, and if you don't mind repeating. Are you interested in staying on that? This is number 10? Are you interested in stepping up to be the primary? What was your –

COMMISSIONER HANSEN: I recommend that Commissioner Greene –

COMMISSIONER HUGHES: Yes, I think I don't need to step up to be primary. I'm happy being alternate.

CHAIR HAMILTON: Okay. I semi-remembered that. But I wanted to

check with Commissioner Hughes first. So Commissioner Greene, did you want to be primary on that?

COMMISSIONER GREENE: That leaves you as alternate and you wanted to retain that, right?

COMMISSIONER HANSEN: Yes, I'll stay as an alternate.

CHAIR HAMILTON: Okay. So that's done.

COMMISSIONER HUGHES: And I'm just wondering if Commissioner Bustamante wants – I didn't actually do anything as alternate on that board.

COMMISSIONER BUSTAMANTE: I cannot be on that board.

COMMISSIONER HUGHES: Oh, that's right. You work for them. Yes. Never mind.

CHAIR HAMILTON: That solves that one.

COMMISSIONER BUSTAMANTE: Since everyone's gone down their wish list, if I may.

CHAIR HAMILTON: Yes, please.

COMMISSIONER BUSTAMANTE: Just to fill in the gaps. So let's see, we're looking at the Local Area Workforce, I would like to be the primary on that. If Commissioner Hansen is amenable, I would be interested in being the alternate for the North Central Regional Transit, unless those are –

COMMISSIONER HANSEN: Madam Chair, I'm more than happy to let you be the alternate.

COMMISSIONER BUSTAMANTE: Thank you. And SWMA was the other that I –

CHAIR HAMILTON: Yes. You're on that. I'm on that.

COMMISSIONER BUSTAMANTE: Oh, as well, the Estancia Valley Economic Development Association is in my district and I've been attending those meetings as well already anyway.

COMMISSIONER HANSEN: Thank you.

CHAIR HAMILTON: We already did that, right? Did you already get that Sara? Okay, good. Does anybody recognize any holes that we have left? Commissioner Hansen, I see you reaching –

COMMISSIONER HANSEN: I was going to ask Sara how she was doing.

MS. SMITH: With my tracking?

COMMISSIONER HANSEN: Yes.

MS. SMITH: It's a little messy, but I'm going to go back and watch the YouTube video just to clarify that what I have in front of me is accurate.

COMMISSIONER HANSEN: I've been keeping notes myself.

CHAIR HAMILTON: Good. That's fabulous. I appreciate that.

COMMISSIONER HANSEN: I'm going to go through from number 1. On Buckman, Commissioner Hansen and Commissioner Hamilton are primary and Commissioner Hughes is the alternate. Coalition of Sustainable Communities, I am the primary. Commissioner Hughes is the alternate. And I want to say that anybody can come to the Coalition of Sustainable Communities meetings because we do roundtables and we have workshops and they are very beneficial

Number 3 is Estancia Valley and that is Commissioner Bustamante.

Extraterritorial Land Use is all of us and Commissioner Hamilton is the alternate. Metropolitan Planning Organization, the primaries are Hansen, Greene, and Bustamante, and alternate is Commissioner Hughes. New Mexico Association of Counties –

CHAIR HAMILTON: That's a voted position.

COMMISSIONER HANSEN: Okay. And I believe that our Clerk has been elected to that position. And then New Mexico Insurance, we have Greg Shaffer, and did anybody sign up for that? The Insurance Authority?

CHAIR HAMILTON: No. We're working back to that. How many meetings a year are there, Manager Shaffer?

MANAGER SHAFFER: Plan for one and it's actually at the legislative conference next week, so you don't have to go far.

CHAIR HAMILTON: I'll do that.

COMMISSIONER HANSEN: So New Mexico County Insurance Board of Directors, you're going to be one of the primaries?

CHAIR HAMILTON: The primary on the second piece, number 8.

COMMISSIONER HANSEN: Okay. You're the primary on that.

CHAIR HAMILTON: The general member.

COMMISSIONER HANSEN: Okay. The North Area Workforce, I have Commissioner Bustamante, and Commissioner Greene as alternate. North Central New Mexico Economic Development, I have Commissioner Greene as the primary and Commissioner Hughes and Hansen as the alternates. North Central Regional Transit District, primary is Commissioner Hughes with alternate being Commissioner Bustamante. North Central Rio Grande Heritage Area, Commissioner Hansen is the primary and there's never really been an alternate by Commissioner Hughes has an alternate by his name.

REDI-Net is Commissioner Greene, and do we want an alternate? If we do I'm willing to be the alternate on that board as something that I have been working on at NACo and I care [inaudible] in my district.

CHAIR HAMILTON: That's great. Go for it.

COMMISSIONER HANSEN: Okay. And then the Audit Committee is Commissioner Hamilton and Commissioner Hughes. Santa Fe Investment Committee is Commissioner Hansen, Commissioner Hughes and alternate is Commissioner Hamilton. And is there anybody else that wants to be an alternate?

CHAIR HAMILTON: Are you talking about the Investment Committee?

COMMISSIONER HANSEN: Yes. The Investment Committee, I believe it is automatically the Chair and the Vice Chair.

CHAIR HAMILTON: Oh, I'm sorry. You're right. Of course it is.

COMMISSIONER HANSEN: And since you are interested and since I have been an alternate, you would be the alternate.

CHAIR HAMILTON: Yes. I wasn't thinking. That's great.

COMMISSIONER HANSEN: Okay. And is there anybody else on the Commission who wants to be an alternate to the Investment Committee? Okay, so Commissioner Bustamante. And then on number 16, Solid Waste Management, I believe that at the moment it is Commissioner Bustamante, Commissioner Greene, and myself and Commissioner Hughes as the alternate. Is that a fairly good wrap up?

CHAIR HAMILTON: That nails it. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. A question for Greg and for Sara. Did we find any clarity as to whether the RPO is a standing board and that we need to reconstitute?

MANAGER SHAFFER: Madam Chair, Commissioner Greene, we have not, and if it is, we will bring that forward at a future meeting.

Commissioner Greene: Okay. Thank you very much. Sorry. If I may just for clarity's sake. The RPO is the Regional Planning Organization. It is similar to the MPO but it deals with land use issues. It has membership in the past of the County, the City and the Pueblo of Tesuque. Similar to the MPO, the state is not involved and it kind of could work like the Extraterritorial Land Use Authority but it had its own JPA and it's just been sort of defunct for about a decade now.

COMMISSIONER HANSEN: We've tried numerous time so revive that and so I'm all for reviving that.

COMMISSIONER GREENE: And I encourage us to do so because the City has said that it's because the County has not stood up, and that they have people ready for it, and so I would encourage us to put people forward if that is the case.

CHAIR HAMILTON: Sara, did you just raise your hand?

MS. SMITH: I did. Madam Chair, I just want clarification on 15, the Santa Fe County Investment Committee. I have primary Commissioner Hansen and Commissioner Hughes, and alternate of Commissioner Bustamante. This does require a second alternate.

CHAIR HAMILTON: I'm the second alternate.

MS. SMITH: Is that you? Okay. Thank you.

CHAIR HAMILTON: So we have that completed.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I would like to make a motion to approve the appointments to the respective boards that we have just gone over.

COMMISSIONER HUGHES: I'll second.

CHAIR HAMILTON: Great. I have a motion and a second.

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

CHAIR HAMILTON: We did that fairly reasonably. I'm very proud of us all.

COMMISSIONER HUGHES: No blood on the floor.

13. INFORMATIONAL ITEMS/REPORTS

- A. **Community Development Department November 2022 Monthly Report**
- B. **Community Services Department November 2022 Monthly Report**
- C. **Finance Division October 2022 Monthly Report**
- D. **Growth Management Department November 2022 Monthly Report**
- E. **Human Resources Division November 2022 Monthly Report**

- F. Public Safety Department November 2022 Monthly Report**
- G. Public Works Department November 2022 Monthly Report**

CHAIR HAMILTON: Before we go to executive session, we have monthly reports and I really appreciate that so many of our departments stay here and wait for any questions. Do any of the Commissioners have any questions on the monthly reports?

COMMISSIONER HUGHES: Madam Chair, it looks like these monthly reports as listed are old. Is that true or are we just now getting November reports?

MANAGER SHAFFER: Madam Chair, Commissioner Hughes, we're making up for the fact that there wasn't a second meeting in December, so we're simply providing reports of this first meeting that you would have ordinarily received in December had we had a second meeting. You'll get a second batch of reports at the end of the month for the month of December. So this is just a catch-up item to recognize or to compensate for the fact that we didn't have that final meeting in December.

COMMISSIONER HUGHES: Okay. Thank you. And I don't have any questions.

CHAIR HAMILTON: Okay. Great. Well, I really thank everybody and that really clears that up in case some departments need to leave.

11. MATTERS FROM THE COUNTY ATTORNEY

- A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:**
 - 1. Breach of Settlement Agreement and Related Agreements Related to Annexation**
 - 2. Tolling of Shot Clock Under the Federal Telecommunications Act of 1996 Concerning Applications by New Cingular Wireless PCS, LLC**
 - 3. Executive Management Personnel Issues**
 - 4. Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Concerning AFSCME 1782**

CHAIR HAMILTON: Can you read us into what we're going to do?

JEFF YOUNG (County Attorney): Thank you, Madam Chair and Commissioners. I would request we go into executive session this afternoon to discuss limited personnel matters as allowed by Section 10-15-1 (H)(2) NMSA 1978; Board deliberations in administrative adjudicatory proceedings 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) NMSA 1978; 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 specifically including breach of settlement agreement and related agreements related to annexation; tolling of shot clock under the Federal Telecommunications Act of 1996 concerning applications by New Cingular Wireless PCS, LLC; executive management personnel issues; discussion of bargaining strategy preliminary to collective bargaining negotiations concerning AFSCME 1782, and I think that's it, Madam Chair.

CHAIR HAMILTON: That's excellent. Before I entertain a motion I just want to congratulate our Clerk, Katharine Clark, for winning the election to be our representative for the New Mexico Counties. Thank you very much for that. And so I would entertain a motion to go into executive session.

CHAIR HAMILTON: Madam Chair, I move that we go into executive session and discuss the items that the County Attorney provided us with.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: I have a motion and a second. Can I have a roll call please.

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

Commissioner Bustamante	Aye
Commissioner Greene	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye
Commissioner Hamilton	Aye

[The Commission met in executive session from 4:26 to 6:10.]

COMMISSIONER HANSEN: Madam Chair, I want to make a motion to come out of executive session and the only thing that was spoken about was items on the agenda and no decisions were made.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: Thank you very much. I have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Greene was

not present for this action.]

11. B. Potential Action on Items Discussed in Executive Session

CHAIR HAMILTON: First order of business, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I move that the Board authorize the County Manager to sign an agreement with New Cingular Wireless, PCS LLC, also known as AT&T tolling the Federal Communication Commission shot clock's deadline until 11:59 pm on January 19, 2023 to allow time for the County to review and act on AT&T's conditional use permit and variance application.

CHAIR HAMILTON: Thank you. I have a motion.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: I have a motion and a second.

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

10. E. COMMISSIONER HANSEN: Madam Chair, I would like to revisit item

CHAIR HAMILTON: If no other Commissioner objects, let's go to 10. E.

10. E. Appointments of County Commissioners and Staff to Boards and Committees for 2023 (cont.)

COMMISSIONER HANSEN: I'm making a motion to make Commissioner Hughes a primary and Commissioner Bustamante the alternate.

CHAIR HAMILTON: Can you specify the number, please?

COMMISSIONER HUGHES: For the Metropolitan Planning Organization.

COMMISSIONER HANSEN: For the Metropolitan Planning Organization, item 5 on the list that I have here. And so we would change it to Commissioner Bustamante would become an alternate and Commissioner Hughes would become the primary.

CHAIR HAMILTON: And just for clarity, that was based on their preferences, their agreement.

COMMISSIONER HUGHES: That's correct.

CHAIR HAMILTON: So you made a motion.

COMMISSIONER HUGHES: Second.

CHAIR HAMILTON: And I have a second. If there's no further discussion.

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

12. PUBLIC HEARINGS

A. Resolution No. 2023-009, a Resolution Adopting Projects for Inclusion in Santa Fe County's Infrastructure Capital Improvement Plan for Fiscal Years 2024-2028; Authorizing Submittal of Plan to the New Mexico Department of Finance And Administration; and Replacing Resolution 2022-062

CHAIR HAMILTON: We have Maxx Hendren. Welcome, Maxx.

MAXX HENDREN (Growth Management): Thank you, Madam Chair and Commissioners. My name is Maxx Hendren. I am the Capital Planner for the Growth Management Department. On August 9, 2022, the Board of County Commissioners adopted the infrastructure Capital Improvements Plan for fiscal years 2024 to 2028 via Resolution 2022-062, which was accepted and approved by the New Mexico Department of Finance and Administration/Local Government Division, and is Exhibit B in your packet.

Staff was directed to consider additional projects for the fiscal years 2024 to 2028 ICIP in accordance with the capital planning process that is outlined in Resolution 2019-103 for the 2023 legislative session, and it is Exhibit E. The ICIP is required of all local governments for inclusion of potential projects in the New Mexico's Legislature's capital outlay process. The Capital Planning Committee met to consider the additional projects and reviewed and ranked the projects in accordance with the capital planning process, which includes the County's four population goals: provide a safe community, promote a sustainable and healthy community, be a proficient, transparent and accessible government.

The recommended projects for inclusion into the fiscal years 2024 to 2028 ICIP are displayed in Exhibit C. They are Rio en Medio Santa Fe County open space restoration and flooding prevention; the Espanola Pathways Shelter; Nambe Pickleball Courts, Santa Fe Animal Shelter and Humane Society; the Santa Fe County Clerk warehouse; and the Santa Fe Opera wastewater treatment system.

The committee also considered current projects on the ICIP that require additional funding due to an increase in the project costs, which were identified by County staff due to numerous factors including increased construction project costs based on the County's recent bid projects, the updated Exhibit D handout that identifies the projects on the current ICIP that require increases to total project costs and estimated funding gaps. The updates on the Exhibit D handout were made to the estimated funding gap column. The edits were necessary to provide consistency with what is on the DFA ICIP website and the cost increases were conveyed on to the updated Exhibit A handout.

The updates to the Exhibit A handout include the project increases from Exhibit D and there were two forms totaling six pages. The first two pages of Exhibit A are the spreadsheet that will be included with the potential 2023 resolution adopting the ICIP, and the remaining four pages of the Exhibit A are the updated ICIP fiscal year 2024 from the DFA ICIP website, and it is the Santa Fe County project summary list. The Santa Fe County project summary list is important because it also identifies what the County is requesting per fiscal year.

So consistent with the planning process, these projects have been scoped, evaluated, prioritized and recommended for inclusion in the fiscal years 2024 to 2028 ICIP by the Capital Planning Committee, and as presented in the updated Exhibit A handout. Both of the forms in the Exhibit A handout incorporate the additional projects and the staff recommendations to increase the costs of project.

At this time staff is respectfully requesting from the Board a review and approval of the 2023 resolution adopting projects for inclusion in the Santa Fe County's Infrastructure Capital Improvements Plan for fiscal years 2024 to 2028 authorizing the submittal of the ICIP to the New Mexico Department of Finance and Administration, and replacing Resolution 2022-062. We do have County staff available from Public Works, the Community Development Department, Housing Authority and Growth Management, and we stand for questions.

CHAIR HAMILTON: Excellent. Thank you very much. Do people have questions, comments? Commissioner Greene, I don't know if that was a yes or a no.

COMMISSIONER GREENE: Thank you, Madam Chair. I appreciate the staff reaching out to me to discuss some of the issues that I thought were important and including them on here, and really appreciate that many of the new additions are in fact in District 1 so thank you very much. That's wonderful

I specifically asked about the opera's wastewater treatment that is a large ticket item, and having spoken to some folks up and down that valley and know some of the folks that operate the utilities at Tesuque Pueblo, I'm wondering if there has been any discussion about trying to create a regional system that includes the pueblo, the resort, the casino and the opera as the four major anchor tenants of a system. I know that the casino actually has double or triple the capacity right now until the build a hotel there and I know that Tesuque Pueblo has \$5 million in hand to do their own system right now. And so we have this opportunity right now to convene everybody and start to look comprehensively. John, if you would answer for the opera, I guess.

JOHN DUPUIS (Utilities Director): Madam Chair, Commissioner Greene, there has been discussion about having some regional solution to wastewater in the Tesuque region and also that we do not have that in place currently, but that if it's something that is meaningful to the community we can prioritize and expedite some process to accomplish that. I'd be fully supportive to try and help that occur.

COMMISSIONER GREENE: Thank you. And is there – do you know what the timeline and the urgency in the case of the resort? The resort seems to be having an urgency and they came to the Commission to try to get some funding as well. It seems that the pueblo has money and capacity and willingness to take this on a little bit from my conversations, and there's obviously urgent needs on the private sector side of these things.

MR. DUPUIS: Madam Chair, Commissioner Greene, the discussions that we had with the opera, they were very supportive of trying to think through on how to accomplish that on their timeline and us help them to be reassured they could meet that timeline if they were awarded funding, and that we also wanted to have the Bishop's Lodge property owner involved because they needed some solution as well, and when we approached them most recently they were not interested in pursuing that; they wanted to move forward with their own plant on site and we haven't reached out to Tesuque Pueblo

regarding the specific details that you've provided tonight, but I'd be more than willing to see how we can make that work.

COMMISSIONER GREENE: Anything I can do to work with you to make those introductions, there's an opportunity there to combine this and I think the upside is solving two problems with one solution and also return flow credits that would be aggregated by having four major users and all the people up and down that valley as well as helping the wastewater for everybody outside of those four users. So thank you. I just wanted to make sure that we can maybe go get this money for the opera but then maybe contribute it to a regional solution. Is that available? So if the opera gets this money, is it their system or would it be our system? And would we be able to then maybe aggregate it with the pueblo, with the resort, with all the players in this area?

MR. DUPUIS: Madam Chair, Commissioner Greene, I think there's opportunity to work through those details, and currently our contract with the opera is that we own a percentage of it based on the percentage contribution of initial capital funds and that we would need to work through a similar amendment to that agreement, and that while doing that we will make sure that all the options are laid out and the best one chosen.

COMMISSIONER GREENE: Thank you very much.

CHAIR HAMILTON: Thank you, Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Since Jordan is here and he's waited so patiently I have a question for him. On the Nueva Acequia multi-family development infrastructure, it's listed as total cost \$10 million, funding gap \$10 million, and I think maybe those numbers are a little out of date. I guess I was wondering what the total project cost might be and then what we might expect to get from four percent tax credits so that we had a more realistic funding gap if a legislator wanted to help out with that.

JUSTIN BARELA (Housing Director): Madam Chair, Commissioner Hughes, so the overall project cost as it's currently estimated is right in the ballpark of about \$40 million. Based off of the initial numbers that were provided to us from the financial consultant, the initial funding gap was about \$5.5 million, and that was the initial ICIP request. What that didn't take into consideration was the loss of the QCT designation, which lost us about ten percent of the overall project costs, which totaled about \$4 million. So in and of itself the loss of QCT designation increased that gap from about \$5.5 million to about \$9.5 million.

So as far as I know, Commissioner Hughes, we talked to our financial consultant about this back in December and that looks like the realistic gap for the time being for the four percent. Now, we are also looking at options of potentially looking at a nine percent, what that may look like in terms of what equity that would bring, and of course with that additional equity that would shrink that gap. But this project as designed was designed as a four percent and based off the current numbers we have, \$10 million is close to the gap funding that would be required to bring that project to fruition.

COMMISSIONER HUGHES: Okay. But the total cost is more like \$40 million, you said?

MR. BARELA: That's correct. Right.

COMMISSIONER HUGHES: Okay. Thank you.

CHAIR HAMILTON: Excellent. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you very much for increasing Agua Fria Village utility sewer expansion. It makes me incredibly happy, wherever you are, John and everybody else who made this happen, thank you.

Then so I had the same question Commissioner Hughes had on Nueva Acequia. Shouldn't it be estimated TTIP project cost at \$40 million instead of \$10 million? And then the funding gap is \$10 million? Or am I not reading this right?

MR. BARELA: Madam Chair, Commissioner Hansen, so the funding for this project is a little unique in the sense that this is all finance. So none of the money through the tax credit property has actually been appropriated at the time being. And really when we were looking at what the gap was we were focusing on infrastructure, because that's the hardest component of the project to finance. So really, in terms of the scope for the project that is being submitted in ICIP, we are primarily looking at infrastructure costs. So that would include rainwater catchment, a graywater system, solar to support the facility as well as carports for solar. And then the other item would be the upgrade and improvements to the roadway. So both Camino de Jacobo and San Ignacio Road.

So, yes, the total project cost would be \$40 million, but specifically looking solely at the infrastructure component we outlined that just as \$10 million for that gap need.

COMMISSIONER HANSEN: Okay. I get it and I just want to be able to lobby for it. So I need to know all those details. So I appreciate that. I'm happy to see the San Isidro Crossing right-of-way design and construction at \$4 million. Is that enough? And also is that the total cost of the project?

P.J. MONTANO (Public Works): Madam Chair, Commissioner Hansen, yes, that is the total amount of the project what you're seeing there. Is that the question?

COMMISSIONER HANSEN: Yes. I know there's some grants out there. Do you see applying for those or do we need a grant writer to get some of those grants?

MR. MONTANO: I believe that there is a grant that we're looking into. Kurt Temple is looking into that to put towards this project.

COMMISSIONER HANSEN: Okay. So there's a grant writer. We can get a grant writer from North Central Economic Development to help us in any way, so if that's needed I'm more than happy to reach out to them and talk to them.

MR. MONTANO: Madam Chair, Commissioner Hansen, we'll take that into consideration and we'll reach out to you if we feel it's necessary.

COMMISSIONER HANSEN: Okay. And I see that we have \$5.5 million for public housing at Camino Jacobo. I want to thank you very much for adding La Familia Medical Clinic energy efficiency solar. That is definitely – I know it's not a basic need but if we can get that taken care of for them they will have more money to spend on their clients and provide more services in the community, which to me is incredibly important.

And then I see we reduced the Fin del Sendero which is between Commissioner Greene and myself and I hope in the future we will look at that road again and hopefully make some improvements to it.

And I think that's all the comments I have right now. Thank you, Madam Chair. Thank you, staff. Thank you everyone for your hard work. Thank you, Maxx, for all of

these changes that you made. I'm really grateful.

CHAIR HAMILTON: Thank you. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Maxx. Thank you, staff for your work on this. Thank you, Chairperson. I'm going to get used to this. Somebody said something about not making decisions on an empty stomach so pardon me. But I do want to thank you all. I see a number that had been discussed in previous meetings prior to my sitting here and I have a couple questions about – one I understood was going to be included and I don't see it, was the Calle Debra all-weather crossing. Was that removed from the ICIP? We have been reported to in the community that the Calle Debra was going to have an all-weather crossing in La Cieneguilla.

BRIAN SNYDER (Public Works): Madam Chair, Commissioner Bustamante, Calle Debra, currently we have \$1.2 million in funding for that for a bridge renovation, and rather than seeking additional funding at this time we're working internally with staff as well as the property owners in that area along with the return flow pipeline and really looking at what the water is in that area, and the beavers, and the challenges that are around that ecosystem there. It's our belief right now with the existing flows in the river, if the water was in the river and going under the existing bridge it probably would be adequate, but prior to seeing additional funding on top of the \$1.2 million we have we want to know and understand and work with the property owners as well as understand what impacts may be involved with the return flow pipeline. So that's why we didn't add any additional funding to that but we do have \$1.2 million which is earmarked for that project already.

COMMISSIONER BUSTAMANTE: Thank you for that. Also, with regard to the Los Pinos all-weather crossing, what specifically would that entail with regard to understand that it is a modification of the repairs that were done more recently but when we have the concerns of traffic calming, what will be done to assure that this doesn't get repaired to a speed zone? Do you understand what I'm saying? In other words, people can't just race through because now there's no longer the dip that there use to be in the road.

MR. SNYDER: Madam Chair, Commissioner Bustamante, the design for that project is nearing 100 percent. And the goal of that project is to make sure that when the waters flow in that area that there's access. It is a nice sharp turn in that area. I'm not aware of any specific design changes or design elements that are included to look at speeding, because the goal, the focus of that is to make sure that access is maintained to the community during heavy rainstorms. But we can discuss that with the design team.

COMMISSIONER BUSTAMANTE: Thank you, Madam Chair. I will just say one thing that I recall is bad roads make good neighbors. If there is something more to whatever end, and in the discussions that we've had in the last few years regarding those types of improvement is to have both obviously engineered by community informed so that those repairs – and I appreciate all the good work that Public Works has done through the years and in some cases smoothed it so that it's even smoother to drive and unfortunately it results in different types of hazards. So I want to thank you both for that. Thank you, I appreciate it.

And then lastly, with regard to the San Pedro Community Park in proximity to the ever so discussed shooting range, do we know approximately where that park is going to

be in San Pedro? The approximate location for their plan for that? Much needed, but it is a risky neighborhood for those of you who are familiar with the area.

COMMISSIONER HANSEN: Madam Chair, Commissioner Bustamante, some of the discussions that have happened with BLM and the consulting, there has been some talk about tribal interest in some of that area, and so there is ongoing discussion about San Pedro and that area and I'd be happy to share that with you offline.

COMMISSIONER BUSTAMANTE: Thank you. Madam Chair, still for this purpose of the \$462,000, do we have a location? So will that affect that?

PAUL OLAFSON (Community Development): Madam Chair, Commissioner Bustamante, the direct answer there is this was a community request and the concept would be that the County would request BLM change the designation of that shooting area to a public purpose and put a park on there. It's a very preliminary concept and there's a lot of moving pieces on it. Frankly, I haven't been working on it for several years now but that's kind of the original history of it.

COMMISSIONER BUSTAMANTE: Madam Chair, thank you, Paul.

CHAIR HAMILTON: And that's it. That's something that obviously has ongoing – it's good to bring it up.

COMMISSIONER HANSEN: It's an ongoing discussion and the consultation also meetings that are taking place, and actually the cooperation meetings that we're having with BLM and Game & Fish and others and I hope you will start to attend those.

COMMISSIONER BUSTAMANTE: Madam Chair, Commissioner Hansen, I look forward to that.

CHAIR HAMILTON: Great. So just for clarity, internally and for constituents, this is a great idea. We've been this rolling several years of ICIP and they're ranked year by year which I love to see. But obviously, even this year there were some things – two things. There were some additions, and there's always going to be some additions, right? It's a rolling issue and re-evaluations. But some things – there are price uncertainties, for example. Right? So like even in 2025, the Glorieta Village collection system. That was probably costed out a couple of years ago. You could probably pull almost anything. So is our intent to approve this and then it's a rolling approval so it's updated each year anyway?

LEANDRO CORDOVA (Deputy County Manager): Madam Chair, since I'm standing up here I'll try to answer that. Yes, part of what we brought to you today were price increases or to close some funding gaps in projects that are higher up on the list. Those other projects will certainly be evaluated deeper and asked for the greater amount as we get closer to actually being able to implement and construct and complete those projects.

CHAIR HAMILTON: Right. I think the main principle I wanted to get across sort of on the record, partly because it's my assumption, which could always be in error. As likely as that is, right? Thank you for laughing. We're approving it now because the evaluation and the rankings are really important, right? They give us a path forward in long-range planning, but it is still reassessed each year, not to wholly throw anything out but to make improvements as needed, or revisions.

MR. CORDOVA: And Madam Chair, if I may, this might be the

appropriate time to also staff as you guys have. I really have been grateful for the hard work they've put in. As you can tell, we have a great team, great subject matter experts and we work well together to get this done. I just wanted to make sure the Board was aware that the projects that were added were vetted. We did make sure we followed up with all the applicants that came in after the deadlines to make sure that we met our ordinance requirements, especially Maxx, Robert, they did a lot of work following up with especially the non-profits that we aren't as closely related to to get our answers.

And so we also are learning as we got through these process the best ways to kind of fine-tune the process and make sure that going forward we are able to look at capturing some of these last-minute additions accordingly, but also with a little bit more time for staff to do this appropriately and not be under such a crunch. So any advice, any suggestions, by all means feel free to reach out to me or Robert or Maxx and we will do our best to incorporate those going forward so that we continue to make the process even better. But it's quite a robust process. We followed all of our steps in a very short amount of time and I'm really grateful for the hard work of staff and being able to bring something here today that you guys can trust. So I just wanted to make those comments and thank our wonderful staff.

CHAIR HAMILTON: Okay. Great. So at this point I think it's time to have the public hearing part of this. I'll go ahead and open the public hearing. So first of all is there anybody from the public here in chambers that wants to speak to the ICIP list? If not, is there anybody on Webex who's joined us who wants to speak to the ICIP list? Daniel or Laura, whoever's still managing this, do you see anybody on Webex from the public who may want to speak to this matter?

MR. FRESQUEZ: Madam Chair, I don't see anybody from the public indicating that they'd like to speak to this matter.

CHAIR HAMILTON: Okay. One more time, is there anybody here or on Webex from the public who wants to speak to the ICIP list? Sir, if you want to come forward, and if you could give your name.

MATEO PEIXINHO: Madam Chair, Commissioners, my name's Mateo Peixinho and I too want to thank your staff for working with us on the Espanola Pathways Village project. It's helps guide the non-profit very well and I'm hoping all of you will help us as we go through the state process. It's a wonderful project and much needed, and I just really appreciate this process being open to citizens to help make a difference in our community, so thank you so much.

CHAIR HAMILTON: Excellent. Thank you so much for coming, Mateo. Is there anybody else on Webex, because I know there's nobody here in chambers from visual inspection that wants to speak during public comment. Hearing none, I'm going to close public comment. Are there further questions or comments from the Commissioners, or what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair, I move to approve and adopt projects for inclusion in the Santa Fe County Infrastructure Capital Improvement Plan for fiscal year 2024-2028, authorizing submittal of the plan to New Mexico Department of Finance and Administration and replacing 2022-062.

COMMISSIONER GREENE: And I'll second that.

CHAIR HAMILTON: Excellent. Thank you.

COMMISSIONER GREENE: I would love to make a comment to thank Pathways Shelters for showing up, but that's my only comment.

CHAIR HAMILTON: That was it? Okay. Great. Thank you. Definitely appreciate them being here. So I have a motion and a second.

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

14. CONCLUDING BUSINESS

A. Announcements

CHAIR HAMILTON: Does anybody have any announcements?

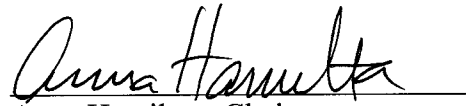
COMMISSIONER HANSEN: Madam Chair, I want to thank the new Commissioners for your participation in our meeting tonight and I'm grateful to have been elected Chair and I really completely appreciate your support. And I have to keep talking, so Commissioner Greene, I look forward to serving with you on the REDI-Net Board and having broadband move forward in our community. Commissioner Bustamante, I look forward to working with you on Calle Debra and anything I can do to help since that is the border of our districts. So I look forward to working on that with you also. And Commissioner Hughes, I always look forward to working with you.

CHAIR HAMILTON: Is there any other concluding business?

B. Adjournment

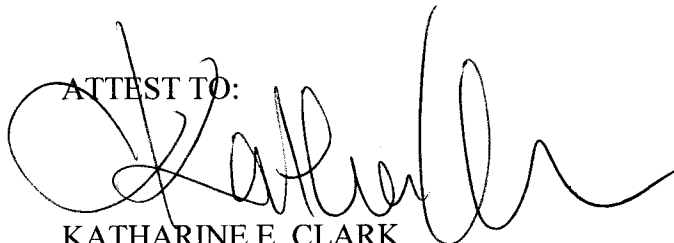
Upon motion by Commissioner Hansen and second by Commissioner Hughes, Chair Hamilton declared this meeting adjourned at 6:45 p.m.

Approved by:



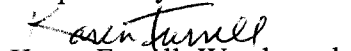
Anna Hamilton, Chair
Board of County Commissioners

ATTEST TO:

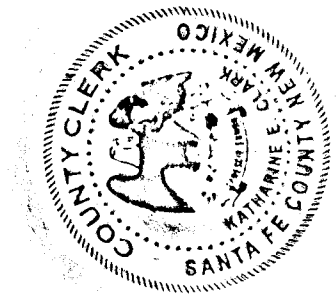


KATHARINE E. CLARK
SANTA FE COUNTY CLERK

Respectfully submitted:



Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501



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Justin S. Greene
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Camilla Bustamante
Commissioner, District 3



SANTA FE COUNTY

Anna T. Hamilton
Commissioner, District 4

Hank Hughes
Commissioner, District 5

Gregory S. Shaffer
County Manager

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS

CASE #21-5140 Esencia Subdivision Conceptual Plan
Esencia Holdings, LLC, Applicant
JenkinsGavin, Inc., Agent

ORDER

THIS MATTER came before the Santa Fe County Board of County Commissioners (“Board”) for hearing on September 13, 2022, on the request of Esencia Holdings, LLC, (“Applicant”) for Conceptual Plan approval for a 710-lot residential subdivision to be completed in 5 Phases on a total of 277 acres ± (the “Project”). The Board, having reviewed the Application, supplemental materials, and staff report, and having conducted a public hearing, finds that the request is well-taken and should be GRANTED subject to the conditions stated herein, and makes the following findings of fact and conclusions of law in support thereof:

1. The Applicant, by its agent, Jennifer Jenkins, requested Conceptual Plan approval for a 710-lot residential subdivision to be completed in 5 Phases on a total of 277 acres ± in accordance with Chapter 8.10.3.4 of the Sustainable Land Development Code (“SLDC”), Ordinance 2016-9.

2. The property is located within the Community College District, East of NM Hwy. 14, at the end of Camino Vista Grande and at the end of Vista Del Monte (south of the intersection of Avenida del Sur and A Van Nu Po), within Section 30, Township 16 North, Range 9 East (the “Property”).

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3. The Applicant presented the Application to the Technical Advisory Committee (TAC) on March 19, 2020, at the regularly scheduled meeting, as required by Chapter 4, Section 4.4.3 (Pre-Application TAC Meeting) and Table 4-1.

4. On May 20, 2021, as required by SLDC Chapter 4, Section 4.4.5 (Pre-Application Neighborhood Meeting), a Pre-Application neighborhood meeting was held so that Applicant could present its plans for the Project to neighbors, community organizations and registered organizations. A second neighborhood meeting was held on May 10, 2022 to further discuss the Project, as well as some changes that had been made since the first neighborhood meeting, including an increase in the number of lots/dwelling units. In accordance with SLDC Section 4.4.4.5, the Applicant submitted with its Application an agenda of the meeting, a list of individuals in attendance, material that was presented by the Applicant, and a summary of discussion from those in attendance.

5. The Applicant complied with the notice requirements in Chapter 4, Section 4.6.3, General Notice of Application Requiring a Public Hearing, and Section 4.6.5, Specific Notice Applicable to Subdivisions. In advance of a hearing on the Application, the Applicant provided an affidavit of posting of notice of the hearing, confirming that public notice posting regarding the Application was made for twenty-one days on the Property, beginning on August 19, 2022. Additionally, notice of hearing was published in the legal notice section of the Santa Fe New Mexican on August 29, 2022, as evidenced by a copy of that legal notice contained in the record. Notice of the hearing was sent to owners of land within 500 feet of the Property.

6. The Property is located within the Santa Fe County Community College District (SFCCD or CCD). The Community College District Plan was adopted in 2000 in accordance with the 1999 County Growth Management plan which identified the CCD as the County's primary growth area where adequate public facilities exist or are planned. A fundamental principle of the CCD plan is to establish an alternative to suburban sprawl through the creation of development patterns of compact

interconnected villages (in keeping with historic, traditional village development patterns and scale) where the most efficient use of infrastructure and public services can be achieved.

7. Following the adoption of the CCD Plan, the BCC approved the SFCCD Ordinance which provided for land use and zoning regulations for the Community College District. The CCD Ordinance includes minimum density requirements, land use zoning map, circulation map (roads, trails and transit) and requirements for public water and wastewater systems to ensure compact development patterns. The Community College District regulations were incorporated into the Sustainable Land Development Code. The SFCCD has been the County's primary growth area for the last 20+ years.

8. SLDC § 8.10.3.5. states: "The criteria for approval of a conceptual plan in the CCD are as follows:

1. Conformance to the Sustainable Growth Management Plan as amended by the Community College District Plan;
2. Viability of the proposed phases of the project to function as completed developments in the case that subsequent phases of the project are not approved or completed;
3. Conformance to this Section 8.10 and other applicable law and ordinances in effect at the time of consideration, including required improvements, proposed roads and trails, community facilities, design and or construction standards, and open space standards."
9. The Applicant adequately addressed the Conceptual Plan criteria of Section 8.10.3.5.
10. The Environmental Impact Report prepared for the Project meets the intent outlined in SLDC Section 6.3, Environmental Impact Report.
11. The Adequate Public Facilities Assessment prepared for the Project meets the intent outlined in SLDC Section 6.4, Adequate Public Facilities and Services Assessment.
12. The Water Service Availability Report prepared for the Project meets the intent outlined in SLDC Section 6.5, Water Service Availability Report.

13. The Traffic Impact Analysis prepared for the Project meets the intent outlined in SLDC Section 6.6, Traffic Impact Assessment.

14. The Fiscal Impact Assessment prepared for the Project meets the intent outlined in SLDC Section 6.7, Fiscal Impact Assessment.

15. On April 20, 2022, the Application was presented to the SLDC Hearing Officer. The Hearing Officer's decision was to recommend approval of the request for a conceptual plan to allow a 710-lot residential subdivision, subject to staff conditions with some amendments and additions.

The Hearing Officer's amended conditions are as follows:

- Condition # 3 as recommended by staff (see para. 17 below) shall be modified to state: ~~Connection to A Van Nu Po on east side of property shall be obtained at the time the owner dedicates property for access rather than during Phase 2.~~

- Condition # 19 as recommended by staff (see para. 17 below) shall be modified to state: Signage shall be allowed for each "Subdivision" (phase or portion) in the development.

16. At the September 13, 2022, BCC meeting, there were six members of the public who spoke in opposition to the Project. Their concerns were traffic, roads, the need for trails, flood management, high densities, water supply and a potential increase in property taxes.

17. At the September 13, 2022 meeting, Staff recommended that the Board approve the Applicant's request for Conceptual Plan approval, subject to the following conditions, which did not include the recommended changes by the Hearing Officer:

1. The Applicant will be responsible for building out Avenida del Sur beginning with the roundabout at A Van Nu Po to the western boundary of the Esencia property as part of the Phase I improvements. The road must be built to CCD standards, as approved by Public Works and shall match the cross section intended for the connection to Vista Del Monte/SR14.

2. The driving surface of Avenida del Sur/Vista Del Monte from Esencia's western property boundary, west to the County maintained portion (at the approximate intersection of Vista del Monte & Browncastle Ranch) shall meet a width of 22' with a base course surface as part of the Phase I improvements.

3. Connection to A Van Nu Po on east side of property must be made in Phase 2.
4. The entire portion of Vista del Monte/Avenida del Sur (the western boundary of the project to SR14) must be built to CCD standards for a Village Connector road matching the cross section intended for this project per Public Works, to be built out with Phase 3 improvements.
5. The design and construction of Avenida Del Sur, A Van Nu Po and Vista Del Monte connections shall be coordinated with Public works and may involve an agreement for the applicant and the County to work together to ensure the connections are made and easements are obtained.
6. A Traffic Impact Analysis will be required for subsequent phases to ensure signal optimization is obtained and defined.
7. The main access point into this subdivision from Avenida Del Sur shall be through a roundabout constructed in phase 1.
8. The Affordable Housing Plan shall be updated with the application for Subdivision Plat for each phase, reflecting the final lot count and affordable unit distribution for that phase.
9. An Affordable Housing Agreement must be submitted and approved by the BCC at the time of Final Plat approval for Phase 1. Affordable units in all phases shall be integrated throughout the development and not clustered into one area.
10. The Applicant shall comply with all Santa Fe County and State Agency conditions of approval.
11. A Water Service Agreement and a Sewer Connection Agreement must be approved by the BCC prior to Final Plat approval of Phase 1.
12. Applicant shall address all redline comments from Staff.
13. A final grading and drainage plan and report for each phase of the project and the project as a whole, shall be submitted with the preliminary plat application.
14. Roads shall not be gated.
15. A Geotechnical Report will be required with the Preliminary Plat application covering each phase of the development.

16. Water use will be restricted to 0.184 acre-feet per year per lot, as stated in the proposed water budget. Water restrictive covenants shall be recorded with each Final Plat.

17. All on site drainage structures/ponds shall require bi-annual inspections by a New Mexico Professional Engineer. A bi-annual report on the findings shall be submitted to Santa Fe County to insure adequate storage of storm water.

18. The Applicant shall submit a revised and minimized lighting plan with each Phase which demonstrates compliance with Section 7.8 of the SLDC.

19. A separate sign will not be allowed for each phase or portion of the subdivision. Only 1 sign is allowed per entrance to the Esencia Subdivision. A revised signage plan meeting SLDC requirements will be required with each phase of the development.

20. An updated Traffic Impact Study shall be submitted for NMDOT review when the connection from the Esencia roundabout on Vista del Monte towards NM-14 is completed.

18. All facts presented support the request for Conceptual Plan approval; review agency comments conditionally support the request for Conceptual Plan approval; and the application meets the submittal requirements and the design standards as set forth in the SLDC.

19. The Board finds and concludes that the Hearing Officer's suggested revisions to Staff conditions No. 3 and No. 19 are reasonable and appropriate.

20. The Board further finds and concludes that two additional restrictions on construction are appropriate, which restrictions should be identified as additional conditions as follows:

- a. No vertical construction shall begin until Avenida del Sur is completed to County standards from A Van Nu Po to State Road 14 which includes the construction of bike lanes and walking paths. (to be identified as Condition No. 21)

- b. No construction of any kind will occur until a gravel road is constructed from the end of pavement on Vista del Monte to the project site. (to be identified as Condition No. 22)

WHEREFORE the Board hereby approves, by a unanimous vote of 4-0, the Applicant's request for Conceptual Plan Approval for a 710-lot/unit development to be completed in 5 phases on a total of 277 acres± subject to the conditions stated in paragraph 17, as amended in paragraph 15, and as supplemented by the two additional conditions set forth in paragraph 20.

IT IS SO ORDERED.

This Order was adopted by the Santa Fe County Board of County Commissioners on this ___ day of _____, 2023.

THE SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS


By: _____
Anna T. Hamilton, Chairperson

ATTESTATION:

Katharine E. Clark, County Clerk

Date: _____

APPROVED AS TO FORM:



Jeff Young, County Attorney

SFC CLERK RECORDED 02/23/2023

NOTICE OF RIGHT OF APPEAL

Any person aggrieved by this Final Order may appeal pursuant to NMSA 1978, Section 3-21-9, by filing a Notice of Appeal in the New Mexico First Judicial District Court, Santa Fe, New Mexico, within thirty (30) days of the date of filing of the Final Order in accordance with NMSA 1978, Section 39-3-1.1, and Rule 1-074 NMRA.
