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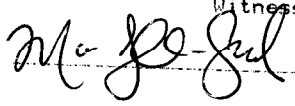
SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
October 10, 2023

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



COUNTY OF SANTA FE) BCC MINUTES
STATE OF NEW MEXICO) ss PAGES: 109

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Katharine E. Clark
County Clerk, Santa Fe, NM

SANTA FE COUNTY

REGULAR MEETING

BOARD OF COUNTY COMMISSIONERS

October 10, 2023

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

B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. O'ga P'ogeh Owingeh Land Acknowledgement

F. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Hansen, and the Moment of Reflection by Gerald Mitchell of Treasurer's Office. Chair Hansen acknowledged that this building and Santa Fe County as being in the original homeland of the Tewa people also known as O'ga P'ogeh Owingeh, "White Shell Watering Place." She noted that the previous date was celebrated as Indigenous Peoples Day, and also asked for prayers for peace in the world.

G. Approval of Agenda

GREG SHAFFER (County Manager): Thank you, Madam Chair and Commissioners. The initial agenda for today's meeting was posted last Tuesday, October 3rd, and the amended agenda was posted on Friday, October 6, 2023 at about 4:54 pm which is more than 72 hours in advance of today's meeting as required by the Open Meetings. Act.

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In terms of substantive changes, item number 6.F, the title of that agenda item was updated to more accurately reflect that some of the costs associated with the proposal would go towards the existing Public Safety facility as well as the new Regional Emergency Communications Center.

In addition, we reorganized items 6. F, 6.G, and 6.H, so that the RECC-related items were grouped together. Finally, under Matters from the County Attorney, this is agenda item 11.A we did add one item under executive session. And those were the substantive changes to the agenda from the initial to the final.

CHAIR HANSEN: What's the pleasure of the Board?

COMMISSIONER GREENE: Move to approve as presented by the County Manager.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: I have a motion from Commissioner Greene, a second from Commissioner Hamilton.

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

2. Approval of Meeting Minutes

A. Request Approval of the September 8, 2023, Board of County Commissioners Special Meeting Minutes. This Agenda Item Contains an Attachment.

CHAIR HANSEN: What's the pleasure of the Board?

COMMISSIONER HAMILTON: Move to approve the minutes.

COMMISSIONER GREENE: And I'll second.

CHAIR HANSEN: I have a motion from Commissioner Hamilton, a second from Commissioner Greene.

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

B. Request Approval of the September 12, 2023, Board of County Commissioners Regular Meeting Minutes

COMMISSIONER HUGHES: Madam Chair, I move to approve the September 12th minutes.

COMMISSIONER GREENE: And I'll second as well.

CHAIR HANSEN: I have a motion from Commissioner Hughes, a second from Commissioner Greene.

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

3. Consideration Proclamations, Resolutions, and/or Recognitions

None were brought forward.

4. Consent Agenda

- A. Resolution No. 2023-101, a Resolution Authorizing the Disposition of Fixed Assets Worth Less Than \$5,000 in Accordance with State Statute (Finance Division/Yvonne S. Herrera) This Agenda Item Contains an Attachment.**
- B. Request Acceptance of Grant #23-H3185 Received from the State of New Mexico, Department of Finance and Administration for Sheriff Plate Readers in the Amount of \$600,000 (Finance Division/Yvonne S. Herrera) This Agenda Item Contains an Attachment.**
- C. Request Acceptance of Grant #23-H3188 Received from the State of New Mexico, Department of Finance and Administration for Santa Cruz Housing Site Improvements in the Amount of \$594,00 (Finance Division/Yvonne S. Herrera) This Agenda Item Contains an Attachment.**
- D. Request Acceptance of Grant #23-H3189 Received from the State of New Mexico, Department of Finance and Administration for the Espanola Pathways Shelter Project in the Amount of \$702,900 (Finance Division/Yvonne S. Herrera) This Agenda Item Contains an Attachment. ISOLATED FOR DISCUSSION**
- E. Request Acceptance of Grant #23-H3195 Received from the State of New Mexico, Department of Finance and Administration for the Airport Road Facility, Elections Area in the Amount of \$796,950 (Finance Division/Yvonne S. Herrera) This Agenda Item Contains an Attachment.**
- F. Request Acceptance of Grant #23-H3358 Received from the State of New Mexico, Department of Transportation for the Eldorado Roads Project in the Amount of \$650,000 (Finance Division/Yvonne S. Herrera) This Agenda Item Contains an Attachment.**
- G. Resolution No. 2023-102, a Resolution Granting the County Manager Authority to Sign All Documents Necessary for the Acquisition of a 0.3915-Acre Parcel of Land Located at 2515 NM-14, Madrid, NM in Santa Fe County Required for the Installation of an Underground Water Tank for Training Purposes and Fire Suppression (Public Works Department/Scott Kaseman and Curt E. Temple) This Agenda Item Contains an Attachment.**
- H. Request Approval of County Utility Line Extension and Delivery Agreement Between Santa Fe County and Copacabana Development Company, LLC (Public Works Department/Michelle Hunter) This Agenda Item Contains an Attachment.**
- I. Request Approval of County Utility Line Extension and Delivery Agreement Between Santa Fe County and Santa Fe Global Partners, LLC (Public Works Department/Michelle Hunter)**

CHAIR HANSEN: Are there any items on the Consent Agenda that anyone would like to have removed?

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COMMISSIONER GREENE: Madam Chair, I'd like to have item D, the Espanola Pathways Shelter removed so we can discuss briefly.

CHAIR HANSEN: So Commissioner Greene would like to have item D removed –

COMMISSIONER GREENE: Removed for discussion.

CHAIR HANSEN: Removed for further discussion.

COMMISSIONER GREENE: Yes, please.

CHAIR HANSEN: Okay. Are there any other items that anybody would like to have pulled? Okay, could I have a motion to approve A, B, C, E, F, G, H, and I on the Consent Agenda?

COMMISSIONER GREENE: So moved.

COMMISSIONER HUGHES: Second.

CHAIR HANSEN: I have a motion from Commissioner Greene, I have a second from Commissioner Hughes.

The motion to approve the Consent Agenda with the exception of item D. passed by unanimous [5-0] voice vote.

4. **D. Request Acceptance of Grant #23-H3189 Received from the State of New Mexico, Department of Finance and Administration for the Espanola Pathways Shelter Project in the Amount of \$702,900 (Finance Division/Yvonne S. Herrera) This Agenda Item Contains an Attachment.**

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. First off, I just want to start with congratulations to our staff and the staff of Espanola Pathways Shelter for going to the legislature to get \$702,900 to go towards the remodeling of this transitional housing project up in Espanola. This is a new type of program that will funnel through Santa Fe County and so on top of the congratulations for us and Espanola Pathways Shelter to go and lobby for this money at the legislature, I also wanted to have the cautionary warning for us to do this right because it's an initial type of program where we are helping a young organization do something that we are not able to do ourselves in the Espanola Valley but is definitely needed up there. And I know that Christian from Espanola Pathways Shelter is here today and Paul Olafson might be able to answer further questions if we have them but in general, just a word of encouragement for us to do this right and make it a successful project and let's go get this money and let's go help them administer it and build a beautiful transitional housing project.

And with that I'll make a motion to approve item D, request for acceptance of grant #23-H3189.

COMMISSIONER HUGHES: And I'll second that.

CHAIR HANSEN: Okay, so I have a motion from Commissioner Greene, a second from Commissioner Hughes. Under discussion. Is there any other reason you wanted this pulled off?

COMMISSIONER GREENE: Madam Chair, I had had some questions

but I had discussed it with the folks from Espanola Pathways Shelter and staff prior to the meeting, and so if anybody else had had further questions I was willing to pull it off, but I definitely wanted to congratulate them and to make sure that we recognize that this is a new and innovative program for Santa Fe County to engage in with an outside third party non-profit to fill a segment of our housing need.

CHAIR HANSEN: I completely agree and one of the things that makes me really happy is to read in this background information is that there's one percent for the arts in public places as part of this grant. And I hope we see one percent for art in public places in every single grant from today moving forward.

COMMISSIONER GREENE: Madam Chair, there's a beautiful mural on the front of the building already and I'm sure they will keep it and make it even more colorful. Or something else. Or additional work.

CHAIR HANSEN: Is there any comments from Paul or Rachel or Jennifer? Okay.

The motion to approve item D. passed by unanimous [5-0] voice vote.

[Deputy Clerk Gantz provided the resolution numbers throughout the meeting.]

5. **Appointments/Reappointments**

None were presented.

6. **Miscellaneous Action Items**

A. **Resolution No. 2023-103, a Resolution Identifying Santa Fe County 2024 Legislative Priorities Related to Health and Community Services. This Agenda Item Contains an Attachment.**

CHAIR HANSEN: Welcome.

RACHEL O'CONNOR (Community Services Director): Good afternoon. Madam Chair, members of the Commission, on behalf of the Community Services Department we're bringing forward a resolution a legislative agenda in the area of health and human services for Santa Fe County. And I wanted to go over the specific items and answer any questions that you might have with regard to what we're bringing forward.

Madam Chair, the first two items are really requests for appropriations and I want to state this is the first time the Community Services Department has really gone to the state requesting program appropriations, but we are mindful of the fact that it is both within our strategic plan and the County's strategic plan to diversify our funding in a variety of areas, and specifically, we're requested \$800,000 for flexible funding for the CONNECT program. We have requested \$400,000 specifically for the County's law enforcement assisted diversion program engage.

And I want to just speak a little bit about those two items, because I think it's important to note that the state itself is moving forward in replicating the CONNECT program in other areas of the state. But as such, we do not receive any dollars from the State of New Mexico to operate our CONNECT program. And secondly, the engage

program previously had and currently does receive program funds from the Behavioral Health Services Division from the Human Services Department. Those funds are coming to an end prematurely, and we are looking for funding to continue that program.

In addition to that, Madam Chair, we have two other requests. One is specific to your support as we had last year in the alcohol excise tax increase as a means of reducing the number of deaths in Santa Fe County and New Mexico that are alcohol involved, and secondly, we have in our discussions come to the conclusion that the reimbursement rates for youth mental health services are low, and we are asking for your support for any legislation that may increase the reimbursement rate for youth services, particularly for those youth that are involved with CYFD.

Madam Chair, both Jennifer Romero, our Health Service Director, and myself would be happy to answer any questions.

CHAIR HANSEN: Questions from the Board?

COMMISSIONER HUGHES: Madam Chair,

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: Yes, this sounds like a very worthwhile ask of our legislature. I just had one question about CONNECT now that we've done it for a few years. I was wondering what we spend most of the money on or what the main requests are that we get from people for help with.

JENNIFER ROMERO (Health Services Director): Madam Chair, Commissioners, right now, the bulk of funding that we pay for is for navigation services. We are paying for reimbursement for the actual navigation that our organizations are providing. Now, when it comes to flexible funds, which are use for items such as – I would say tires, a car battery, utilities, rental assistance – those tangible items that go towards individuals' needs. Currently we spend about, on the County end, about \$240,000. That isn't the whole CONNECT network as it is a City and County partnership.

There are other funds that we leverage that are available in the community. I would say the most requested areas are rent assistance and utility assistance. They're huge needs. Transportation is another area that we get lots of requests on, and we have found some areas of relief, but it's just a hard area to resolve because Santa Fe is rural. There are many areas that aren't services in Santa Fe County.

COMMISSIONER HUGHES: Thank you. So the \$800,000 we're asking for, would that be a mixture of navigation and flexible funding, would it be more one or the other?

MS. O'CONNOR: Madam Chair, Commissioner, we were hoping to use the funding we received from the state for flexible funding, which is direct service. And to continue to support our navigators with County funds.

COMMISSIONER HUGHES: That sounds great because I'm sure the need for rent assistance and all the other things is much, much greater than what we're putting on so far.

MS. O'CONNOR: Madam Chair, Commissioner, I think it's important to note that during COVID we spent \$8 million through CONNECT. So we had a time where we had a lot of funding coming in to support people. Obviously, the needs have changed, but we would like to be able to provide support for people that are really in dire

circumstances.

COMMISSIONER HUGHES: Thank you.

CHAIR HANSEN: Any other questions? Commissioner Greene

COMMISSIONER GREENE: Thank you, Madam Chair. Just a slight logistics question. Is this going to be part of our legislative ask going through, like Legislative Finance, or is this going to be something that goes as junior money. They sound like junior money requests, but if there's a risk of no junior bill this year.

MS. O'CONNOR: Madam Chair, Commissioner, generally what happens with an appropriation request is it can go in a number of different ways. It can be placed in the House Bill 2 or in the agency budget. And generally, what happens is everything goes to Finance, it's tabled, and the appropriation requests are rolled in. So it can go in as an independent bill. I think that we'll certainly defer to the County Manager's team as to how to best handle the appropriation budget, but yes, we would prefer going as the County request.

COMMISSIONER GREENE: And then so item number one and number two are direct monetary requests, but the other two, the Medicare rate for CYFD and so on, that's just a request to increase those rates as a statewide thing.

MS. O'CONNOR: Madam Chair, Commissioner, there will be specific bills that will come forward with regard to those issues and we would request support from Santa Fe County for those issues.

COMMISSIONER HUGHES: Perfect. Thank you.

MS. O'CONNOR: Thank you.

CHAIR HANSEN: So I have a few questions. Since CONNECT is a County and City program, will any of these funds that we're requesting help with the City issues?

MS. O'CONNOR: Madam Chair, Commissioner, the funds that we would be allocated would be flexible funds and would fund likely through contractors, and would be available to anyone who came through CONNECT, but would not be specifically allocated to any other body.

CHAIR HANSEN: Okay. Do you think it's enough?

MS. O'CONNOR: Madam Chair, Commissioner, I think it's – if we were to receive \$800,000 in flexible funds we would be overjoyed, to be frank.

CHAIR HANSEN: That's a great answer.

MS. O'CONNOR: I don't know if it's enough but it's a darn good start, so thank you.

CHAIR HANSEN: I think that Santa Fe County has shown that this is exemplary program that really can benefit the community by the work that you're doing. And so I think that it's really important that we're able to make sure that we continue to provide those services.

MS. O'CONNOR: Madam Chair, thank you.

CHAIR HANSEN: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, if I may, I also want to just share with the Commission how much I have learned that the Santa Fe CONNECT leverages support from all of those entities, including agencies, non-profits, etc. that work with them. So the dollar amount that they're asking for actually is exponentialized, if you

will, in their ability to work with other partners who then take it to the next level. So it's the dollar amount that's being requested but it really does grow past that amount.

CHAIR HANSEN: Okay. Any other questions? Commissioner Hughes.

COMMISSIONER HUGHES: Madam Chair, I'll move to approve item 6.

A.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Hughes, a second from Commissioner Bustamante.

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

CHAIR HANSEN: We'll get this on the lobbyist's list of things to work on and I'm very happy that we're doing this.

MS. O'CONNOR: Thank you all.

CHAIR HANSEN: Thank you.

6. **B. Resolution No. 2023-104, a Resolution Repealing and Replacing Resolution Nos. 2016-137 and 2018-15, and Authorizing Certain Employees to Enforce by the Issuance of Citation and by Prosecution Violations of Santa Fe County Ordinance 2023-06, the Santa Fe County Fire Code. This Agenda Item Contains an Attachment.**

CHAIR HANSEN: Hi, Chief Black.

JACOB BLACK (Fire Chief): Good afternoon, Madam Chair. Madam Chair, Commissioners, the Fire Department is requesting the proposed resolution to repeal and replace Resolution 2016-137 and 2018-115, which authorizes certain employees to enforce the International Fire Code. With the passage of Ordinance 2023-06, which adopted the 2021 International Fire Code, the Fire Department is requesting the approval of the proposed resolution which provides an updated list of current Fire Prevention staff involved in enforcing the Fire Code. I do want to note that our Fire Prevention staff does an incredible job at inspections as well as public education and outreach.

Our main goal is to provide education to our citizens so that we can help our citizens to comply with the Fire Code through education first and foremost. And so in past practices, we have brought forward this resolution naming the specific employees that are involved in code enforcement with the Fire Code and the resolution before you and the packet material is doing just that, updating the list of employees. And with that I stand before you for any questions.

CHAIR HANSEN: Any questions? Commissioner Hamilton.

COMMISSIONER HAMILTON: Yes. It is obviously something we need to do and these are obviously the right people to do it. They're good and well trained. And I assume – how much experience do they end up getting in doing enforcement?

CHIEF BLACK: Madam Chair, Commissioner Hamilton, they gain quite a bit of experience. They're out doing plan review and site inspections, as well as go through a number of official certification classes as well.

COMMISSIONER HAMILTON: So I would like to move to approve.

CHAIR HANSEN: Thank you.

COMMISSIONER GREENE: Second.

CHAIR HANSEN: I have a motion from Commissioner Hamilton and a second from Commissioner Greene.

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

6. C. Resolution 2023-105, a Resolution Providing Notice of Determination Not to Update Land Use Assumptions, Capital Improvements Plan or Impact Fees for Santa Fe County Fire and Rescue Impact Fees. This Agenda Item Contains an Attachment.

CHAIR HANSEN: Hi, Maxx. Welcome.

MAXX HENDREN (Growth Management): Thank you, Chair Hansen and Board of County Commissioners. This is a request to review and approve a resolution providing notice of determination not to update land use assumptions, the capital improvements plan, or the current fire and rescue impact fees. In 1995, Santa Fe County approved the Fire and Impact Fee Ordinance 1995-04 to create a mechanism for the County to collect funds in unincorporated areas of the County for capital improvements related to fire, rescue, and emergency medical service provision via an impact fee, a process governed by the New Mexico Development Fees Act.

The intent of Ordinance 1995-04 was to collect fees based on the gross covered floor area of development in order to partially fund fire and rescue facilities and equipment. The demand for these resources is generated by growth in the 14 designated fire protection districts. Since its inception, this program has been an essential means to fund growth-driven capital improvements in each of the Fire Department's 14 Fire Districts.

In accordance with the New Mexico Development Fees Act, reviews and possible updates of the Land Use Assumptions, the LUA, and Capital Improvements Plan, CIP, that support the impact fee are required every five years. The Act requires that, as a part of this process, a Capital Improvements Advisory Committee review the LUA and CIP and submit written comments on them to the Board of County Commissioners. The last review was completed and approved by the Board in 2018. At that time, the renewal of the fire impact fees, the committee recommended and the Board agreed not to update the fees. At that time it's because the LUAs were based on optimistic growth projections that were not realized due to the 2007-2009 economic downturn. The current review and update is due now in October 2023.

During 2020-2021, the County conducted a Nexus Study that included a comprehensive 20-year Capital Improvements Plan to examine current and future capital needs for the County to present a potential structure for the County's review of impact fees on a Countywide basis, but this study has not yet been reviewed or considered for adoption by the Board.

The CIAC met on September 26, 2023, to review the existing, 2008 Land Use Assumptions and Capital Improvement Plan with staff. Based on the review of those

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documents, the CIAC made a determination that the existing 2008 LUA and CIP for fire impact fees should not be updated at this time.

The CIAC recommends maintaining the existing Fire Impact fees. The CIAC encourages the County to conduct an updated study of countywide Land Use Assumptions and a Capital Improvements Plan in the future and to review the Fire Impact Fee structure when that new data is available. The CIAC has submitted their written recommendations to the Board to support this determination. The Development Fees Act allows this course of action.

Staff requests approval of the resolution providing notice of determination not to update land use assumptions, capital improvements plan or impact fees for Santa Fe County fire and rescue impact fees, and we stand for questions.

CHAIR HANSEN: Questions from the Board? Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Maxx, and thank you, Chief. In general, I'm a believer that we should have growth pay its way and there is definitely a philosophy that says it will pay its way through property taxes, so I just want to make sure that as these things don't get so out of line that you feel short-changed and that we're tracking how much any recommendations that could come forward to increase our impact fees is impacting your bottom line. So if you said it was a million dollars we need to sort of make up for that somewhere. So whatever that number is. A million dollars might not be the right number. It probably is not the right number. So I'm generally in support of this because in a time when people are complaining about all these fees coming in and suppressing housing development this is a way to keep fees down, encourage the development and get the money on the backside through property taxes. So at this point I'm in favor of this, but I'm cautious that we just don't want to short-change our fire protection. Thank you.

CHAIR HANSEN: Thank you. Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. So I don't know which one of you might want to answer the question, but it's great to have a recommendation that the land use assumptions and the CIP for the Fire Department should be reviewed. I know Chief Black has a huge amount on his plate but we're kind of – among the things that are on your plate you're heavy into re-evaluating a lot of things needed in the Fire Department. And then we have this kind of ongoing strategic planning. So how are you seeing that integrated and in a timeframe that might even address Commissioner Greene's concern about knowing we're getting what we need?

CHIEF BLACK: Madam Chair, Commissioner Hamilton, excellent question. So to address that, there is a lot going on with the Fire Department as we're moving things forward. As we look back, in 2022, the County I believe partnered or hired a consultant to compile the nexus study, which was an exhaustive process, a pretty extensive process to go in and start looking at and start making recommendations. And so as we move forward that is something I would like to work with Growth Management on and explore the option of having a third party come in potentially, to assist with that so that we can do a full evaluation of data on projected growth and how that would then impact the County and bring forward any recommendations at that time.

COMMISSIONER HAMILTON: Great. Thanks. Thank you, Madam Chair.

CHAIR HANSEN: Thank you. My question was when do you plan to do the review?

MS. HENDREN: Chair Hansen and Board, at the will of the Commission we will move forward.

MANAGER SHAFFER: Madam Chair and Commissioners, we briefly touched upon this at our strategic planning session and our hope would be in not too short order to bring forward to the Board some decision making level of data relative to what you could anticipate at very potential fee levels, as well as what that translates into to various types of development, so that we can get some concrete direction on that philosophical question that Commissioner Greene referred to as to how much do we want development to pay upfront for the provision of County infrastructure and facilities versus making it up, if you will, through increased property taxes, primarily as well as the other anticipated growth to our tax base that comes from new development. So we hope to get that to you in short order which would be an incremental step before we do a full blown analysis and bring forward a rate structure. I hope that provides context.

CHAIR HANSEN: Okay. Thank you. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, I have a follow-up question. I don't know if this would be the County Manager or who would answer this. But in light of the environmental changes that we're seeing and continued development, to what end would this prepare us for the seasonal changes and pending fires, etc. recognizing that there will be continued development and are we prepared to that end, and how much would this actually take that into consideration?

CHIEF BLACK: Madam Chair, Commissioner Bustamante, so the fire impact fees are specifically growth-related. So when we look at the nexus study that we did in 2022 that Maxx addressed that had not been fully presented and/or adopted, we took into consideration the types of hazards of that new construction. For example, if it was a lumber yard it would be very different than if it was an auto mechanics shop or different types of structures. And so there were fees that were associated with that, and so that is something that I would suggest would require a much deeper dive than the environment that we're currently working in.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR HANSEN: What's the pleasure of the Board?

COMMISSIONER HAMILTON: Madam Chair, I'd move to approve.

COMMISSIONER GREENE: I'll second it.

CHAIR HANSEN: Okay, I have a motion by Commissioner Hamilton, a second by Commissioner Greene.

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

6. D. Resolution No. 2023-106, a Resolution Adopting the Santa Fe County Developer Assistance Program Regulations Providing for the Provision of Housing Assistance Grants and Loans to Acquire, Develop, Convert, Rehabilitate or Preserve Affordable Housing, to Finance or Support Infrastructure Improvements for Affordable Housing, and to Allow Santa Fe County to Provide Donations of Land, Buildings and Other Assets for the Creation of Affordable Housing Pursuant to the County's Affordable Housing Plan, Santa Fe County Ordinance 2023-05, the New Mexico Affordable Housing Act and the New Mexico Mortgage Finance Authority Act Rules. This Agenda Item Contains an Attachment.

CHAIR HANSEN: Hi, Jordan. Nice to see you.

JORDAN BARELA (Housing Director): Madam Chair, members of the Board, good afternoon. The Community Development Department is here today to request approval of a resolution adopting the County's Developer Assistance program regulations. So for a little bit of background, on July 25, 2023, the Board of County Commissioners approved Resolution No. 2023-083, which formally adopted the County's 2023 Affordable Housing Plan. At the same meeting the Board also approved Ordinance No. 2023-05, which formally adopted the County's Housing Assistance Grant and Loan Ordinance. Both of those documents were put together pursuant to the New Mexico Affordable Housing Act and the New Mexico Affordable Housing rules and they went through the review process through the New Mexico Mortgage Finance Authority to ensure their compliance with State requirements.

Collectively, these documents allow Santa Fe County to provide various forms of financial assistance to private or public entities for the creation of Affordable Housing within the County, so long as the affordable housing project being provided meets a community housing need that's identified in the County's Affordable Housing Plan.

With that said, the Developer Assistance Program is intended to provide financial assistance for the creation of affordable housing projects within the county and for the purposes of this document, an affordable housing project is defined as any work or undertaking, whether new construction, acquisition of existing residential housing, remodeling, improvement, rehabilitation or conversion, which provides housing to persons or households of low to moderate income,

The primary purpose of these regulations is to describe the regulations, processes, and administrative requirements associated with issuing housing assistance grants or loans for affordable housing projects within the county. The regulations cover a number of areas including issuing requests for proposals for affordable housing projects, determining applicant eligibility, prescribing application requirements, determining the process for the review of applications, certificating qualifying grantees, issuing notices of awards, providing for the securitization of public funds or assets issued through this program, determining the affordable housing requirements of an qualifying grantees, outlining grantee compliance in the long term, and describing processes for infrastructure cost reimbursement.

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These regulations also lay out the review process. Part of this is establishing a Developer Assistance Review Committee that will look at all proposals and make recommendations to the Board, but I will state that any assistance, grant or loan provide through this program pursuant to MFA requirements would require Board approval. So the committee would do an evaluation of the proposals, make a recommendation to the Board, but any funding provided through this program would require BCC approval at the end of the day.

Furthermore, these regulations define the eligible uses of grants or loans provided through this program, and to provide some additional information on what types of projects could be funded, these grants can be used to support the cost of acquiring land, an existing building or other real property for the purpose of developing affordable housing; developing or constructing an affordable housing project; converting a building not initially created for affordable housing into an affordable housing project; rehabilitating a building, whose primary purpose is to provide affordable housing or affordable housing services to persons or households of low to moderate income; preserving a current affordable housing project, that otherwise would lose its designation as affordable housing if the project were not preserved; to finance or support infrastructure improvements necessary to effectuate affordable housing; and lastly, to allow the County to provide donations of land or existing buildings for the purpose of developing affordable housing.

And with that, staff does recommend approval of this resolution. And that concludes my presentation and I will stand for any questions.

CHAIR HANSEN: Any questions from the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: So what is the magnitude of these – it's a loan program as opposed to a granting program?

MR. BARELA: Madam Chair, Commissioner Hamilton, the ordinance was written as a housing assistance grant or loan program. Assuming that the County could have the discretion to do either/or, provide a grant or a loan. We sort of bundle grant and loan in this particular project with construction costs, depending on the type of project. It may not be the Board's direction to provide all of the funding via a grant alone. There may be a portion of the funding that's a grant, another portion of the funding that's a loan. So we left the language both in the ordinance and the program regulations open assuming that the County could have the discretion and the Board could have the discretion to provide either type, depending on the project and the amount of financing that's being requested.

COMMISSIONER HAMILTON: Thanks.

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Following up on that, when you grant the money, would you still structure it as a loan, the way MFA does so that it's a loan that doesn't have to be repaid unless you happen to like not use it for affordable housing anymore and then it's due to be repaid?

MR. BARELA: Madam Chair, Commissioner Hughes, the long-term compliance and the security instruments that would be used to sort of bind the qualifying grantee to the affordability requirements mirrors MFA's requirements to a T. And so we

actually use the MFA requirements as the template. Depending on the project there could be different types of instruments used. Sometimes a mortgage, a LURA, a lien, but at the end of the day, the affordability periods are in accordance with MFA, all of those long-term requirements, and they really coincide with the amount of funding that's being provided. So for this particular program, we're probably talking about pretty large-scale grants, and so anything in excess of \$100,000 would require an affordability period of 20 years.

COMMISSIONER HUGHES: Thank you. And do we have a budget for this program or are we going to be looking at that in the future?

MR. BARELA: Madam Chair, Commissioner Hughes, there is a small budget built into this year's affordable housing budget, but we will be looking to identify a number that could effectuate one or two projects moving into next fiscal year, and so now that the program is actually off of the ground there will be associated budget requests because of course any approvals will be dependent on the appropriation of funding that's available for this particular program.

COMMISSIONER HUGHES: Okay. Thank you. Those are all my questions. But I can continue if you want to.

CHAIR HANSEN: No. Does somebody else have questions?
Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Jordan. Happy to see this come forward as part of the affordable housing plan, and part of the tool kit that we're going to be having to offer to developers. Does this also offer technical assistance in facilitating some land use help, and any sort of non-financial assistance aspects?

MR. BARELA: Madam Chair, Commissioner Greene, within this particular program, because it falls under the guise of the Affordable Housing Act and those rules, the program itself is really geared towards – well, there is technical assistance built in for the application process. Not to say that there's not technical assistance that we're looking at providing and actually coordinating a team to assist with the Land Use side, and of course that would be a collaborative effort between Community Development, Public Works and Growth Management. That team is kind of already being put together to help with the more technical concerns, so though not specifically in this program regulations, that process is happening simultaneously.

COMMISSIONER GREENE: Okay. Great. As I joked earlier with you all, I want to put square jars around the County that whenever you use the word capacity in a negative light that we would all put \$5 in a bucket and hire a project manager at the end of that. But this will help us in a way and I look forward to seeing the results of this, so thank you.

CHAIR HANSEN: Okay. I have a few questions. Maybe they've been answered. I was having a little technical difficulties. I apologize. So one of the things I was concerned about this loan and grant for affordable housing is my constituents in the Village of Agua Fria and making sure that they'll be able to apply for possibly a grant, not a loan, to get grinder pumps, to get help with connection to the sewers, because of the census tract that exists there and the recognition that it is an underserved community. So that's not going to take anything away from them, right?

MR. BARELA: Madam Chair, no, it will not take anything away. And though this is the first program that's being proposed from staff related to the affordable housing plan, that particular issue we foresee being dealt with through the Home Rehabilitation and Energy Efficiency program. So this program – and both home rehab, energy efficiency, down payment assistance, as well as foreclosure prevention, we anticipate having those resolutions to the Board by the end of the year. So this will not take away from that. The reason that this program was actually presented first is one, because it has the potential to have the largest impact because we are talking about projects in the very short term. Secondarily to that, there were actually some projects potentially in the pipeline where the County would act as a fiscal agent and we need a program and a mechanism by which to actually administer those monies.

So that was the impetus for this, but the program in particular to address that issue will be coming shortly, within the next couple of months.

CHAIR HANSEN: Okay. That makes me feel better. So with that, what's the pleasure of the Board?

COMMISSIONER GREENE: I will move to approve a resolution adopting the Santa Fe County Developer Assistance Program Regulations providing for the provision of housing assistance grants and loans to acquire, develop, convert, rehabilitate or preserve affordable housing, etc.

COMMISSIONER BUSTAMANTE: I second this motion.

CHAIR HANSEN: Okay. So I have a motion from Commissioner Greene, a second from Commissioner Bustamante.

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

6. E. **Request (1) Approval to Utilize an Outside Contract with Motorola in the Amount of \$808,528, Inclusive of NM GRT, for the Equipment Move and Microwave Installation at the New Regional Emergency Communications Center and (2) Delegation of Signature Authority to the County Manager to Negotiate and Sign All Necessary or Proper Agreements and Purchase Order. This Agenda Item Contains an Attachment.**

CHAIR HANSEN: Welcome, Elias.

ELIAS BERNARDINO (Deputy County Manager): Good afternoon, Madam Chair and Commissioners. I'm going to speak about items 6. D, 6. F, and 6. H. The County Manager had a great idea to do a presentation to describe what these three items will do for RECC. What you see in front of you is what the Santa Fe Regional Emergency Communications Center is going to look like from the front or the entrance of the facility. What you see on the left is what we call the RECC administration space. You can see that they are right next to each other. There's no cubicles so if one person is speaking to a constituent or somebody internally within the County, they can hear one another. And the one on the right is the other side of the building, within the same side. So one is facing west and the other is facing east.

This is a short video of what the dispatch center, if you have not had the opportunity to see it, this is a slow-motion view of the dispatch center. And you can see how they are literally right next to each other and the gentleman there is actually walking a little bit faster than that, just so you know. They're also getting prepared for Halloween.

As you can see, there's not much natural light to all lighting. You'll probably see at the top corner, the only windows within this office space. Pretty tight.

This is what the new dispatch center is going to look like. You'll see on the right-hand side, it's a wall of windows, so they'll have a lot of natural light coming in and be able to see outside of their cubicle, if you will. On the left-hand side there's six monitors, I believe. We're definitely going to have six, so we'll be able to see what's happening in the county, whether it's city, county or Town of Edgewood.

This is the other side facing and you can see how much room the dispatch center is going to have to run the operations. Currently we don't have future training room. This is what the training room will look like in the future state. Currently our training marshal has to find a conference room and just hop around, one place to another, or use Roberto's office or use another dispatch console to do some of the training, and they're all in one space, so it's very difficult to move around.

Again, this is the entrance of the facility, and the items that I want to speak about is 6. E and 6. F. 6. E is the Motorola contract to all us to move the IT equipment relocation and installation cost. ITConnect is to help us move additional systems within the data center of RECC. ConvergeOne, which is within 6. H, and it's under – we're able to provide services and can get that contract as it's below the County Manager's signature authority. Gocero and Lumen is covered by DFA, the New Mexico Department of Finance.

Any questions about items 6. E and 6. F and 6. H? I will also add that 6. G is for the ADF, which is adult detention facility. It's a contract to augment our wi-fi within the Corrections Facility, and 6. H is the BAR that encompasses all three of those items into a BAR. Any questions so far?

CHAIR HANSEN: Any questions from the Board at the moment?

MR. BERNARDINO: And the County Manager also had a great idea to kind of cover over what are the projects that RECC has experience or has gone through this fiscal year. We had a computer aid dispatch storage upgrade, and that has been completed. We have the consoles, which is the desktops, have also been completed. The City of Santa Fe radio core relocation to the state system has been completed, and what's in progress is the new Santa Fe RECC building which has proposed completion of December 2023. We're trying to align the relocation of the IT equipment roughly around that same period of time, and the IT equipment relocation and installation, pending your approval today. We also have Federal Engineering doing an assessment of operations, IT in governance, we completed Phase 1 of four, and currently in the planning phase we have Santa Fe County radio core relocation to the state system, and we have the Santa Fe County radio tower's upgrade, which is also being planned as we speak. Any questions, Madam Chair?

CHAIR HANSEN: Thank you, Elias. It's helpful. And those of us who have seen the RECC know that it is in desperate need of the new building. Something

that has been planned for some time. And now we're going to go to Mr. Taylor, and he's going to give us more details.

BILL TAYLOR (Purchasing Director): Thank you, Madam Chair. The item before you right now is the approval to utilize an outside contract to procure the communication system and services in the amount of \$808,528 inclusive of tax for relocation of communication equipment, microwave installation, various other things, at the new Regional Emergency Communications Center, as well as work that's going to be involved at the current Public Safety facility expansion. And so due to the amount of that, we're asking delegation of signature authority to the County Manager. We got a contract that is approved by our Legal, Finance, and the contractor for the services. And I'll stand for questions regarding this portion of the RECC and Public Safety project.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: No questions, Madam Chair. I'll just move to approve 6. E.

COMMISSIONER GREENE: And I'll second.

CHAIR HANSEN: Okay. Under discussion?

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

- 6. F. Request (1) Approval to Utilize the Statewide Price Agreement with IT Connect in the Amount of \$292,142, Inclusive of NM GRT, for the Wiring, Antenna, and Other Costs Associated with the New Regional Emergency Communications Center and Existing Public Safety Facility and (2) Delegation of Signature Authority to the County Manager to Negotiate and Sign All Necessary or Proper Agreements and Purchase Order. This Agenda Item Contains an Attachment.**

MR. TAYLOR: Thank you, Madam Chair. Again, utilizing an outside contract, statewide price agreement with IT Connect in the amount of \$292,142 for wiring, antenna, and other costs associated with the Regional Emergency Communications Center and the Public Safety Complex expansion as part of the overall project. And with that, Madam Chair, I'll stand for any questions.

CHAIR HANSEN: Are there any questions from the Board?
Commissioner Greene.

COMMISSIONER GREENE: Just as a point, I was really happy to see in the RECC redesign, and I had a question about the redesign. Are we still going to have a reserved parking space for the rudest employee? I don't know if you picture showed up the rudest employee parking space. But with that I will make a motion to approve item F, a request for approval to utilize a statewide price agreement for IT Connect in the amount of \$292,142.

CHAIR HANSEN: And delegation of signature authority to the County Manager.

COMMISSIONER GREENE: Thank you very much for completing this.
COMMISSIONER BUSTAMANTE: Second.

CHAIR HANSEN: Okay, we have a motion and a second. Under discussion.

COMMISSIONER HUGHES: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HUGHES: I'd just say I'm glad to see all these projects moving forward and that RECC will be set up in much improved circumstances.

CHAIR HANSEN: Amen.

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

- 6. G. Request (1) Approval to Utilize the Statewide Price Agreement with IT Connect in the Amount of \$339,445.42, Inclusive of NM GRT, for the Wi-Fi Upgrade at the Adult Detention Facility and (2) Delegation of Signature Authority to the County Manager to Negotiate and Sign All Necessary or Proper Agreements and Purchase Order. This Agenda Item Contains an Attachment.**

MR. TAYLOR: Thank you, Madam Chair. This request again is utilizing the outside contract state price agreement with IT Connect. This is to upgrade the majority area of the adult detention facility for wi-fi services in that facility. We also are entering into our own County contract with IT Connect for the work, and we're asking for delegation of signature authority to the County Manager to sign that agreement. And with that I'll stand for any questions.

CHAIR HANSEN: Any questions from the Board? I have a question. Is there any way we can start using our own IT like REDI-Net, besides Century Link:

MR. TAYLOR: Madam Chair, I think that's a question maybe for Mr. Sanchez.

COMMISSIONER HAMILTON: Okay. I hated having you sit in the back there and not get up.

DANIEL SANCHEZ (IT Director): Thank you, Madam Chair. I was getting tired back there, so thank you. The infrastructure that's proposed today is for the internal wi-fi network, so it's not anything coming into the County as far as Century Link or REDI-Net or anything else. This is for wi-fi within the facility. Historically we didn't have access point to access it on the inmate's side. It was only in the admin side. So this is taking it to access it for the inmates' sections of the facility, for the internal network.

CHAIR HANSEN: Okay. But I did see Century Link on the previous –

MR. SANCHEZ: Century Link is the internet provider for that location. They have a remote circuit there at that location from Century Link as well as a few other locations. REDI-Net doesn't currently have the infrastructure to support that location. If it becomes available we could certainly look at it.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: And just to sort of answer part of this. I think that part of the plateau build up Highway 14 will connect to this and we'll potentially be able to provide open network access and maybe save us some money. I

don't know if it would be officially a REDI-Net build but it would be open network through Plateau.

MR. SANCHEZ: Thank you, Commissioner. Yes. They've been identified as an anchor institution on that, down Highway 14.

CHAIR HANSEN: Okay. That sounds good.

COMMISSIONER GREENE: I will move to approve item G, request for approval to utilize the statewide pricing agreement with IT Connect for the amount of \$339,445.42, inclusive of GRT, for the wi-fi upgrade of the adult detention facility, and the delegation of signature authority to County Manager to negotiate and sign all necessary and proper agreements and purchase order.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Greene, a second from Commissioner Hamilton.

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

6. H. Resolution No. 2023-107, a Resolution Requesting Budget Adjustments to Various Funds in the Amount of \$1,534,288

CHAIR HANSEN: Welcome, Yvonne.

YVONNE HERRERA (Finance Director): Madam Chair, Commissioners, I'm here before you to request approval of a BAR to support the previous three items. We've got three funds that are impacted. The corrections operations fund – the increase there would be \$339,445.42. RECC operations fund, an increase of \$1,172,006. And then finally, the law enforcement operations fund in the amount of \$22,836. And with that I stand for any questions related to the BAR. Oh, and the funding will come from existing cash balances within each of those three funds.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Yvonne. What will be the remaining balances on these three funds? Is there – do you have that?

MS. HERRERA: Madam Chair, Commissioner Greene, I'm sorry I don't have that, but I can get that. Each of the funds, due to vacancies the increased revenue, they do have substantial fund balances to be able to absorb these increases. I'll get that for you.

COMMISSIONER GREENE: Any time we do a BAR based on reserves it would be great to know what percentage of reserves this is, leading into a reference point. Thank you.

COMMISSIONER HAMILTON: Madam Chair.

CHAIR HANSEN: Yes.

COMMISSIONER HAMILTON: It's not really reserves, right?

MS. HERRERA: Madam Chair, Commissioner Hamilton, no. It would be part – well, each of these funds are special revenue funds so any fund balance they have is already restricted in nature, because a fund balance can only be used for the specific activities for RECC, Sheriff's or Corrections. So we do split out the fund balance to

account for the committed fund balance which the Board approves in June, and then there's also a classification called non-spendable. Basically it's like pre-paid where we've already done the cash outlay and most of the time it's just insurance. And the rest of it is restricted. Just in general, restricted for Corrections, RECC, so Commissioner Hamilton is correct. It's not necessarily a percentage but what we could do I indicate how much of that fund balance is being used for these BARs.

COMMISSIONER GREENE: Thank you. I stand corrected. But thank you for clarifying that.

COMMISSIONER HAMILTON: But that was what I was interested in getting. So that was good.

COMMISSIONER GREENE: Great. Thanks.

COMMISSIONER BUSTAMANTE: Madam Chair, I motion to approve.

COMMISSIONER HAMILTON: Second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Bustamante and a second from Commissioner Hamilton.

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

7. Presentations

A. Presentation on 2023 Regular Local Election

CHAIR HANSEN: County Clerk's Office, Katharine E. Clark, our County Clerk.

KATHARINE CLARK (County Clerk): Hello. Good afternoon.

CHAIR HANSEN: Welcome.

CLERK CLARK: So this presentation is something that we are actually giving to all of our departments in an effort to do some stakeholder management as well as let people know how elections work and all the preparation that goes into it. So I thought I would give you the current version of the presentation. When we get feedback from departments then we add more frequently asked questions. So we'll begin.

So we're going around to the different County departments. I think we've already done GIS. We're going to do IT, so we're trying to get the word out about voting and the regular local election.

So we talk about the team and we also talk about what it takes to administer elections. So one of the things that the Election Assistance Commission, which is the federal entity, which we've won two awards from, is really interested in doing is documenting how elections have changed. I think we've had more election laws in the last ten years than we've had since the Greek Era, from voting, where we used to put rocks into a jar. That's how we used to vote in ancient Greece.

In the last ten years we've seen significant changes to election technologies, which means that the competencies around running an election have increased. So you'll see things on there like finance, ADA, security, right? Emergency management. These are all the things now that go into planning and executing an election properly.

So the Local Election Act was passed by the New Mexico Legislature in 2018. It was recognized that there are tons and tons of special elections throughout the year, and

people have a really hard time keeping track of them. And so they had very, very low turnout. There was also an objection to the idea that we would have school board elections separately, because that was a vestigial leftover effect of the idea that women should not vote, but it would be okay if they voted for a school board because women have an interest in schools. So we saw that school board races were separate from regular elections, which meant that we were sort of continuing a vestigial sexism. And so the idea around the Local Election Act was that we would consolidate all the elections to make it easier for people to vote because they'd know, like clockwork, in November, there would be a general statewide election.

So what you see in the regular local election are all of the non-partisan races that don't normally run in a primary and then a general. So during the odd-numbered years from municipalities that have opted in, school board races, County Commission races, local questions, we will see non-partisan races every odd-numbered year.

So there are different types of voters: in-person, absentee, federally qualified electors – those are people who are military or living abroad. We have some visually impaired voters, those are people who have a certain kind of mechanics at home, an assistance device. We email them a ballot so that way they can read their ballot and mark it at home and then mail it back to us. We also have safe at home. These used to be confidential voters. These are voters who may be in a domestic violence situation or are being stalked and they need to keep their identity secret, so we don't know who those voters are. We just have a number that's kept secret by the Secretary of State and when those ballots are requested to our office, we actually send them to the Secretary of State's printer and they print them out. So we absolutely have no idea who those voters are other than which district they're supposed to be voting in. We have language minority voters and voters with disabilities.

And so typically what you'll see during this period, which is the voting that started today, this is called absentee in-person voting. And this is the way we could get early voting into law. So it used to be that you could only vote early absentee in person if you had an excuse that you couldn't vote on election day. So that is why we call it early in-person absentee, but now it doesn't matter anymore. We should just call it early voting. But the laws are still vestigially called that. So you'll see sometimes in the law they continue to call it early absentee in person, but really, in our office we're calling it early – we call it absentee, which sometimes you'll see it interchanged with mailed, and that is the idea that we have no-excuse absentee voting in New Mexico, meaning that you can request an absentee ballot, and starting today we'll start sending them out to you, which is a mailed ballot, and you can return it by mail, or you can drop it at any open polling location, or you can drop it in one of our many drop boxes around the county that are open 24 hours.

And then of course there's this idea of in-person – this is left over from the law. So it used to be that we called it absentee early, and then in-person early, but now we're starting to call it expanded early voting. And we're trying to kind of get around this idea that in law there's all these vestigial terms and sometimes the newspaper use what is the old language in the law, and you'll see that Clerk's Offices are trying to message absentee, early, and election day voting to make it a little clearer for voters, because it is very confusing.

What we always like to say is we want you to make a plan. Studies show that when you make a plan about voting you're more likely to vote, and we also say that it's good to vote early, because what we like to see is people who can vote early, who've decided early can vote. It means that campaigns will take you off their list. It also means that the campaign that you're supporting or the initiative that you're supporting can take you off the list and not spend any time trying to get you to vote. It also leaves election day voting for people who can really only take election day off because they're allowed to in statute.

So we're hoping to convince people that early voting is convenient. Your vote will count the same, but it's also a way of freeing up access to other people who have to vote on election day.

So now in New Mexico we also have what's called same-day registration, so this is the big day where online registration and paper registration are cut off, meaning we can no longer register you. So the way to register if you are not already registered or you're not registered in the correct district, is to use same-day voter registration. It's available anywhere that the polls are open, even on election day, and you can change your registration using the same-day registration process if you bring an ID or a utility bill, or a combination.

And what's also important to note is that voting convenience centers – this is something we've had a long time in Santa Fe County, but this just became law for the entire state in 2023, but essentially any voter from any part of the county can go to any voting convenience center and get the ballot they're supposed to get and cast their ballot. You don't have precinct voting anymore, which means that you don't have to go to a specific location in order to cast your ballot. So if there's a line at one location you can always go to another location and conveniently cast your ballot.

We also have more drop boxes per capital than any other county, meaning that in Santa Fe County we are really pushing for access and the ability to cast your mailed ballot at any time and we're the only county to have drive-up drop boxes. Meaning that four out of our eight drop boxes, you can drive up. So you don't have to get out of your car. You can just drive up to it in your pajamas and drop that ballot off in the drop box. That's really important for ADA access because I have personal friends who just to get out of their car it takes 45 minutes, and it doesn't cost us anything to make that drop box a little closer to the street so that people who have difficulties with mobility can not have to get out of their car. They can just drive up to a drop box and drop off their ballot.

So we go a little bit over what it means to have a district, right? So a district is a type of administrative subdivision. A district is made up of precinct and precinct parts. So in this election we have 257 precinct parts, and we have 179 precincts. And the idea around that is that not every district overlaps where we have the precinct boundaries. And so we often have these precinct parts where some of the precinct is in the city; some of the precinct is not in the city; some of the precincts are in one school board; some of the precincts are not in another school board, so we had to proof 257 ballot styles in order to make sure we have the correct, exact combination of races and candidates and questions on the ballot so that way we'll make sure that you're voting for the correct thing.

So to administer this election in terms of precincts and precincts parts is actually more complicated than it would be in the primary and the general, where because of

redistricting after the census, everyone followed the precinct boundaries, so the ballot styles were a lot more simple.

So ranked choice voting. People have a lot of questions about ranked choice voting and how did it come about. Originally it came about as the city voted for it, they approved it in 2008. Then it was said that there wasn't the technology available to administer a ranked choice voting race. So it wasn't until there was a lawsuit in 2017 and 2018 essentially that forced the City to agree to use ranked choice voting because the technology did exist, and it was very convenient for them because they also then could opt into the regular local election. So they gave it to the county clerks to run.

And so we've been running ranked choice voting in the regular local elections since 2019. We have very high turnout for ranked choice voting, but unfortunately, what we have seen is that we don't actually get that much ranking. So in 2021 and in 2019 we did not see anyone needing to go to a second ballot. And that means that when a candidate wins outright more than 50 percent, they win outright. We don't run a second round. Typically what would happen is that if you don't get the 50 percent then you take the lowest candidate, we look at the second choices of the lowest candidate – so if you've ranked the first candidate first and they lost, and they're the least vote-getter, you look at their second rank and then you distribute it between who got the second rank. So then you just have three pots instead of four pots, essentially, of votes.

And then we run it again, and if someone doesn't get 50 percent, then we do another round, and then the lowest candidate is eliminate, and their third choice ranks go to different pots of choice, so we eliminate it down to just two people and one of them will have over 50 percent.

So essentially it's a way to distribute votes, and it's a way of having a more democratic process in a way. That's the argument for it. So that way the people who have a candidate that's eliminated still have buy-in for who wins the race.

So this is where you register to vote, and NMVote.org. That's pretty straightforward. Your driver's license, Social Security number and your date of birth. It's also where you can update your voter registration, but that gets cut off today so if you want to register after today you're going to have to go and use the same-day voter registration.

This is what the NMVote portal looks like. It's very convenient. You can check for your sample ballot, you can look at that ballot, download it, mark on it and bring it into the polling site. You can also look for your voter location, so essentially where the local polling sites are, and this is where you can also request an absentee ballot. So the electorate, we sent them all an election notice. We sent every single voter an election notice last week, and they woke up over the weekend, so we have over a thousand absentee ballot requests between Saturday and Sunday so we actually worked all day yesterday until about 9:00 pm on our day off because we were trying to process all these absentee ballot applications to make sure we can send out those ballots as soon as possible.

So this is one of our pages on our website. This tells you how many – we screen-captured this, so this will say days left until voting, because that flips over on the first day of voting. But essentially we have what's on the ballot. It's very easy to find. It tells you who's on the ballot, it tells you what ballot questions there are, and then if you want to

know the specific races then you would go to nmvote.org and look at your sample ballot.

So polling locations – so we have a map, a rural map of all the polling locations, and we also, if you look at the early polling locations and wait times, if you click on that link it shows you how long voters are taking to get through the line. Typically, in Santa Fe County no voter waits more than 14 minutes. That's sort of a measurable goal of ours, except for maybe the fairgrounds. Sometimes we see after work it gets a little busy, but in other places you can wait two to three hours to vote but in Santa Fe County most voters cast their ballot within five minutes of arriving at the polling site.

So it's very easy to find. We have new early voting locations. Santa Fe Community College, to sort of account for all the neighborhoods that are growing out on that part of town, and we also have a new election day site at Mandela Magnet School, so that folks who are driving home on Agua Fria hopefully will see it and stop and vote on election day.

So our easy to remember URL is santafe.vote. It's our one-stop shop as we call it. We want it to be easy to remember. We want people to go their first so that they don't try to cobble together other information. This is where you can find maps to see which district you're in. This is where you can find election frequently asked questions. This is where you can find polling locations and the hours. This is where you can look for your secure drop box location. If you've got an absentee ballot and it's the day before election day and you know you shouldn't mail it, because we won't get it on time. Because as you know in New Mexico if I don't have that ballot back by 7:00 pm on election night it will not count. So we tell voters not to mail their ballots after October 31st this year. Please drop it.

And then you can track your vote by sms. This is the program that we had our vendor create. Essentially if you want to know when we receive your ballot, when it's qualified and if it needs to be cured, we will send you a text or email letting you know that that's happening, so instead of having – when you go to the Secretary of State's website, that's only tracking the mail. It is not tracking the internal checkpoints that we're doing in our office, so if you want to get the internal checkpoints of what's your ballot's status, you would sign up for track for ballot.

Okay. Other resources. This is more of the history of ranked choice voting. We have it as a little brochure so we can hand it out for people who are confused about what ranked choice voting is. We also have an RLE handout we've been handing out to various community groups to get interest in voting and also what's on the ballot in hopes of promoting this election and making sure we have high turnout. Santa Fe County does try to win the team turnout award every year among the clerks. It's a friendly competition to see who has the highest turnout in the state -- you can request an absentee ballot. The portal is open. You can look at your sample ballot. You can view polling sites. However, I would say santafe.vote is better because of the map and you can track your absentee ballot fully as it goes through the mail. And we're always looking for ways to improve our website, so if you have any suggestions please email us at clerk@santafecountynm.gov.

And where you can always go for election results since we don't post them on our website other than to link to the Secretary of State's website. This is where we are uploading data on election night as soon as 7:01. So we upload most of our absentee data

and all of our early voting right at 7:00 on election night. You can see that data real time, so there's a five-minute refresh, so within five minutes you'll see what's going on with our election results on election night.

And so here's some myths we hear about voting. The first is that absentee ballots are only counted if the race is close; that's not true. We count every ballot. We have until 11:00 pm to get all those ballots counted by the absentee board, and if, after 11:00 we have not counted those ballots then we have to come back the next day and continue counting those ballots. So we really do try to get all of those ballots back from all of our polling sites and drop boxes as early as possible so we can count them and upload them on election night.

Registering to vote will put that voter on the list for jury duty. That is also not true. They're doing it through income tax returns, so voting has nothing to do with whether or not you're called for jury duty. So please register and please vote.

Myth number three is ranked choice voting is too complicated for voters to understand. I think once people understand that you are essentially creating buckets and the lowest vote-getter is eliminated and then in the second round is where you distribute their vote. It's fairly straightforward and most voters, as we're going through and doing a regular local election, less and less people seem to be feeling confused by it.

So we're doing a lot of community events throughout the county, trying to get people to register to vote, trying to get people to know there is an upcoming election. A lot of people when they think about elections think just the primary and the general, but this is an important election that has direct impact on your day-to-day life – those who are doing your school board and your municipal races, this is where the rubber meets the road and a lot of decisions affect your day-to-day life, so we're trying to promote that and make sure people vote in the regular local election.

When we are preparing for the election, we have to visit every single voting site. We test the internet. We test the set-ups. We test the power to make sure everything is compliant. You can see they're testing how much power is at each of the plugs so we can make sure that the tabulators don't get a surge and damage the tabulators. We do a lot of training. So we train 400 people every election to run an election and they have to get it exactly right. So essentially we are trying to create a system in which no matter which polling site you go to, no matter which poll worker you talk to, you get the same experience, no matter who you are and what party you are, whether you're ADA or not. So the idea is that we have to have training that is online and in person with refreshers and we work on project management, polling site management with the presiding judges to make sure that we're executing this election as exactly as possible.

These are our sticker design contest winners. So we had high school students and middle school students submit designs. The county then voted by ranked choice voting who their favorites were and these are the two winners. So we are now using these at our polling sites. So future voter are people who are under 16 who can't vote in an election. They will get a future voter sticker, and then those who are first-time voters, typically someone who is 17 or 18 who's voting for the first time will get one of these spicy chili voter first-time voter stickers.

So this is a map that's kind of interesting to show that because we are a very, I'd say, international city we have quite a bit of federally qualified electors. These are people

who are living abroad or who are military who are registered to vote in Santa Fe County, and from all over the world we have folks who are living in many countries who are voting abroad. Typically voters vote by email. We send them a ballot and then they email it back, and then we put it in an absentee envelope and give it to our absentee board to hand tally, but these are where our federally qualified electors come from in Santa Fe County.

So if anyone has any questions I'd be happy to respond, but this is essentially what we are presenting to different divisions and then we're building on it every time we get feedback and more questions from the different divisions, so that people know the basics about what the regular local election is.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: Great. Good presentation. Are you finding, or do you have any way to know yet, whether some of the outreach, the training, on what a regular local election and some of the other stuff you're doing to try to build voter response during an election? Do you have any feedback on how that's going?

CLERK CLARK: We're trying to. I think voters might be annoyed if we sat there with a survey and said, while you're here, how did you hear about this election? We know that the law changed so we can send a notice to every single registered voter this election, so that is when what I would say the electorate woke up this weekend, and a lot of people applied for an absentee ballot. So I'm hoping that as we get kind of the confluence of the press – we do do radio ads, we do newspaper ads and we have the endorsements from the press, so I'm hoping that the confluence of all those things sort of start getting traction and voters start showing up to vote.

From the campaign world they say you can't mail someone once. You have to mail someone five times before the voter pays attention. So we're hoping radio, mail, Facebook, the campaigns, all of us are on team turnout, as I like to – so we did actually train the campaigns too and say we're all on team turnout and these are best practices, what you should do to help us with team turnout. So we are hoping to increase our turnout this year. Yes.

COMMISSIONER HAMILTON: That's great. Increasing voter turnout might be one of the best things we could do anywhere, all over the country. So I don't know, we're putting this effort into it is really good to see but I guess in a way there's no way to know until you see how many people turn out.

CLERK CLARK: Well, it is not a mayoral race, so we do think it will be a little lower than a typical mayoral race, but to give you some context, I think some of the turnout in other counties for regular local is somewhere around three to 11 percent, and we got 25, 26 percent, so we're really hoping for a little bump. In the city there's one ranked choice voting race and since there's four candidates that may provide some excitement because this time we may actually see some ranking. I don't know. But we do want people to take the regular local election seriously because these are folks, as you know, in local government, who are making direct impact on your day-to-day life and it's important to vote.

COMMISSIONER HAMILTON: Thank you.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you,

Madam Clerk. I just want to give a shout out, having been a beneficiary of an election a year ago. It was great to take part in that and your office did a great job running that election. And to give a little anecdote to the scene, my wife became a citizen, and the same day she took the swearing in ceremony down in Albuquerque we drove back to Santa Fe and she was able to vote, and she got to vote for me. So that was really – that was one of the more rewarding days of my life. I think to hers too.

CLERK CLARK: This time she could have got a chili sticker.

COMMISSIONER GREENE: Last year I joked. I said, oh, you voted for me seventh, because there were seven people that voted for me on the ballot. And I was just – you should have jumped on the ballot to me. But anyway, thank you very much. You did a great job last year and I'm sure you're doing a great job this year.

CLERK CLARK: When we talk to voters in our Democracy 101, our new, too-soon-to-vote voters, we do tell them to vote the back and the front so you don't forget. Any other questions?

CHAIR HANSEN: So you said – one other comment that I think you've heard this from me before. I would like to see the County logo. Is that on your website?

CLERK CLARK: Is that on our website? I think so but I can double-check. It is in various places, including a lot of our signage. So.

CHAIR HANSEN: Because I don't see it except for at the end of your program, which I appreciate very much. But I think it's really important to know that the County Clerk is located in the Santa Fe County. Because they don't always get that.

CLERK CLARK: We do make sure all of our signs have the County logo on it. We do a logo situation.

CHAIR HANSEN: Thank you. I appreciate that very much. Okay. Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just wanted to add that it's nice to see all the things we're doing to make it easier for people to vote – register on the same day, the boxes that people can drive up to. It's great to live in a county and a state and a country, but especially in a county where we're doing everything we can to make it easy for people to vote, because that's so important. It's the basis of our democracy and it's unfortunate that around the world we don't have that everywhere. But we do have it here. So thank you.

CLERK CLARK: So vote early so that people who can't vote early have the access they need. That's what we keep telling people: Vote early.

COMMISSIONER HUGHES: Yes, just not often, right? Vote early, but just once.

CLERK CLARK: That is a myth and I will say our ballot demand systems, I know in three seconds when you've checked in, so there are no repeat ballots.

COMMISSIONER HUGHES: That's good to hear. Thank you.

CHAIR HANSEN: Yes, I wake up every day feeling grateful that I live in Santa Fe County, the State of New Mexico, where we have a great Secretary of State and a good County Clerk. It really makes our lives better here. And voting makes your life better, because you can express what you believe and who you want to represent you.

CLERK CLARK: Yes. *Tu voto es tu voz.*

CHAIR HANSEN: So thank you very much, and thank you for the good

presentation.

CLERK CLARK: Thank you. Thank you, Commission.

9. **Matters from the County Manager**

A. **Miscellaneous and COVID-19 Updates**

MANAGER SHAFFER: Madam Chair, Commissioners, I have just one update, actually. It relates to the regular local election. We are scheduling a canvassing board meeting for Friday, November 17th at 2:00 pm to approve the results of the 2023 regular local election. So that's my one miscellaneous update. Thank you.

8. **Matters of Public Concern**

CHAIR HANSEN: I have a list of people who want to speak but most of these people are for the evening public hearings. So if there is anybody online or in the audience who wants to make public comment, please come forward. Okay. I figure most of them are waiting for this evening.

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 HANSEN: Commissioner Greene.

COMMISSIONER GREENE: First off, I'd like to send out our condolences for the Pueblo of Pojoaque and the family of former governor Raymond Romero. He was a former governor and was a key member of their community and he passed away in the last few days and our condolences to the pueblo and his family out there.

I think that's all I really have, other than a big thank you to staff for putting on the strategic plan from last week. That was a great exercise. Pretty intense and it was a great opportunity. I've put a few scoping sheets together and I encourage you all to do that as well. Thank you.

CHAIR HANSEN: Thank you very much. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just wanted to again thank Assistant Chief Martin Vigil for an excellent presentation last week, October 5th at the fire station on Rancho Viejo Boulevard. We again covered fire preparedness and evacuation planning and the Ready, Set, Go Protocol. The meeting was well attended, both in person and online and I think we will try to have – we weren't able to record it at the time but we will perhaps have Chief Vigil do a recorded version that can be viewed at any time. It's an excellent presentation. And in this era of increased fire danger I think it's important for everybody in the county to be aware of how they can protect themselves and their property if there is a fire. And that's all I have, Madam Chair.

CHAIR HANSEN: Okay. Commissioner Hamilton.

COMMISSIONER HAMILTON: No, I don't have anything beyond

agreeing with Commissioner Hughes. It's an important time to really pay attention to what we can do all be prepared for things that, no question, are going to happen.

CHAIR HANSEN: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: I agree, Madam Chair. I also want to do a little bit of a shout out and take the opportunity to bring attention to the work of our community organizations and our registered organizations and the importance of making sure that, now that there has been a change in the oversight of the community buildings, the use of the community facilities, to make sure that those organizations have access and are able to pre-schedule their standing meetings. There has been a little bit of a change in – they pay a certain amount, they get a schedule. They put out that they meet the first Monday of each month, etc. and one of those things that people definitely know is that during voting season the community center is not going to be available so they've moved the date there, but when other things come up, such as a wedding for someone who's working – who knows somebody who works for the County and then a community organization gets bumped. Something like that.

I'm not saying it happened, but similar things have happened that the community organizations' schedules are abided by and I promised that I would bring to the BCC some opportunity for us to really think about making sure that those organizations who actually do quite a bit of the community work. They do community planning. Most of those community planning organizations have a planning district, if you will, things that they're actually involved in, and one of them in particular, and we're about to have two, have asked for townhalls that also involve our representative and our senator in those particular areas asking about very specifically crime or in this particular case it's a townhall about what can the legislature do about crime, and we couldn't get a date for the use of the center, given even already having had that particular Saturday.

So I think that what we want to do is make sure that we're working with Public Works who now oversees that, maybe have a conversation about how do we make sure that these organizations, as they do work for the County in a lot of respects. They are our pipeline directly into the community. And allow and assure – allow for the use of those facilities and assure that they have access to them in somewhat of a priority fashion. It's a priority have voting. It's a priority to have County-sponsored events, and I think in many regards we might want to start thinking about any of the community organizations' use of those facilities when they're doing things like having townhalls with representation from our legislative representatives and senators, that they would have access to the facility as a priority to something like a – I'm not saying that individual family members or weddings, funerals, etc., birthday parties aren't important, but when it's a community organization that's trying to do something on behalf of the County in a lot of respects, or on their own behalf but helps us at the County, that we would look to make that use a priority.

And I don't know that anything like that exists yet, and if it does, it's not being followed. But there's been some change and it's just about making sure that some of that consideration is put in that place for those community organizations, specifically those who are registered for planning, and then we have others that are registered organizations who may have an interest and a need to use the facility. If it's something that is clearly of benefit to the County, whether it be planning process or something that would structurally

be at an acequia or organization or whatever, structurally affect the County's work, I think those should be priority uses as well.

So I bring that up in the interest of having us consider maybe moving forward with something that would make the community centers accessible but priority use for those things that directly affect those elements that require the County's work, oversight, process, whatever the case may be. Thank you.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: On that point I'd like to support that as well. I've had some community members who are way up in the north with a community center in their neighborhood. I think there's a process where they have to give a deposit in a physical check, all the way down here at the Treasurer's Office to go reserve something up there, and to put the cleaning deposit, and we need to create a better process where maybe there is a retainer. They do one deposit and it's held for once a year, sort of subscription for those organizations that are community organizations to make it easier for them to have those last minute things without having to come all the way down to Santa Fe just to get a check and then to have to get reissued a check. It's an extra bunch of steps. But I appreciate that. Thank you.

CHAIR HANSEN: I'm going to have Brian come forward. Mr. Snyder, since this is now your department and I think this is something that we all care about, how the community centers are operating. But I thought we changed the policy on having to come down for a check, and we had streamlined some of that process.

BRIAN SNYDER (Public Works Director): Madam Chair and Commissioners, we're working on the process of incorporating the community centers into our utility billing system so that we can utilize our credit card payment. I can't speak if that's implemented yet but I know we're driving towards that. That's the ultimate goal and so we don't have to physically come in to make payments. They could do that online through a payment portal like you would paying your utility bill with a credit card.

CHAIR HANSEN: I too agree that communities, villages – Agua Fria Village, we use the Nancy Rodriguez Center and I know La Cienega and the many of these community organizations – I agree with Commissioner Bustamante that they're doing County business and trying to improve their community and we should be working with them to make sure that they have access to a meeting space. And I understand that people do reserve those spaces and we're not going to kick somebody out who's already reserved the space, but just making it aware.

MR. SNYDER: And Madam Chair and Commissioners, to Commissioner Bustamante's comments as well, we're in the process of – we're governed or our processes are governed by a resolution that the Board of County Commission has approved. Not this Board, a previous Board. Since we've taken it over, the operation of community centers in July, we've been hearing different things, seeing different things that don't work. We've redlined that in a draft internally that we haven't even routed through Legal and the County Manager's Office, but our intention is to bring that resolution forward to BCC for your consideration, taking into consideration some of the things we've talked about. There's all kinds of nuances between community centers and community centers that are attached to senior centers, and the hours of operation and how far you can book things in advance. A whole bunch of different complexities.

We want to try to streamline it. We have – we’ve heard this and we’ve experienced it on our personal lives, and when we try to rent a community center, but we’re also trying to come up with a solution that can avoid having people line up outside our building at 5:00 am, waiting for our doors to open at 8:00 and so they can come in and be the first in line to reserve a center. We don’t have necessarily the best solution yet, but we hope to bring something forward for your consideration to alleviate that. I think that’s not providing good community service.

My understanding on the various groups and entities that are doing the good work of the community, that they are allowed to book out a year in advance and reserve centers, whereas currently, as I’ll call an individual community member that wants to reserve a community center can only do that three months or 90 days in advance.

So looking at what makes sense and what doesn’t, and trying to make sure we meet the needs of the community, but we’ll bring something forward with some redlines for your consideration and seek input.

COMMISSIONER BUSTAMANTE: Madam Chair and Brian, I recognize that your operation isn’t used to overseeing this, but it was brought to my attention that an already scheduled use had been bumped and the details didn’t sound like it made sense. It was something that it sounded like it was for a family type of event and they asked that the La Cienega Valley Association specifically move its date, which they do schedule out in advance, so I think we just want to be considerate of those things that are community organization related and maybe new people who feel the power of the pen. I don’t know. But just to make sure that we’re – I do sincerely hope that the community organizations should have priority even if it came up later over – we don’t want to displace anyone’s birthday party or funeral, but it’s just a bigger picture that I’m trying to address here. Thanks.

MR. SNYDER: Madam Chair and Commissioner, that’s definitely our intent to make sure that we’re following the resolution. We’re also putting systems in place, whether it’s paying with credit card, updating the calendaring system. The existing calendaring system that we have now, multiple people have access to it, and I wouldn’t know who made the change on those kinds of things, but putting certain controls in place so that we can make sure that we’re following it and providing good community service.

CHAIR HANSEN: Thank you very much, Brian. Appreciate it. So one of the things I realized this last week that Fin del Sendero was no longer on the CIP, and it had been in the previous years, and I don’t know how it – for road improvements, but I did have a conversation with Brett about the larger area of La Tierra and I’ve brought this up before, because I do think that some work needs to be out there.

We are working on trying to schedule a ribbon-cutting at the end of the month, possibly the 27th or the 28th at Romero Park, which is now going to be finished, which I think is wholeheartedly deserving of a ribbon-cutting. I just want to make sure that we do it at a time when community members can come, so we’re trying to schedule either a Friday afternoon or a Saturday late morning, something like that.

On October 16th the Agua Fria wastewater village meeting is happening at 6:00 pm at the Nancy Rodriguez Center and I believe a number of us are going to go to the Food Policy Council meeting on October 19th, so that might be something that needs to be noticed. And then I believe a number of us might be attending the outdoor recreation

conference on the 23rd through the 25th. So if you haven't registered, please talk to your liaison and I know that Commissioner Bustamante and I both plan to be there. So check in with your liaison about that.

And then I want to take a moment to remember Suby Bowden, who passed away. She was a good friend of mine, somebody I've known for many years. She was an architect. She worked on the railyard. She worked on numerous things. She cared deeply about the homeless situation and problems, and I know that all of us on this Board probably have had some interaction with her at some point in the time that she has lived here and I just want to remember her. I didn't remember her earlier in the meeting, but I wanted to take this time and recognize her contributions and the importance they gave to Santa Fe County and City. And that is all I have. If anybody else would like to say something about Suby –

COMMISSIONER HUGHES: Well, I don't have much to add. I'm sorry to hear she passed. I know she did some planning work for the County and was involved in several effort to help build housing for homeless people in Santa Fe and we will miss her.

CHAIR HANSEN: Definitely.

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

CHAIR HANSEN: We had a presentation by the Clerk. I don't see Daniel here, and so Evonne, do you have anything you want to say but I think a lot was covered.

EVONNE GANTZ (Deputy County Clerk): One or two things were covered. No, we're just happy voting has started.

CHAIR HANSEN: Good. Great.

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. Potential Acquisition of Real Property for a Solid Waste Convenience Center and Other Governmental Purposes

CHAIR HANSEN: Jeff, you're on.

JEFF YOUNG (County Attorney): Thank you, Madam Chair and Commissioners. I would ask that we go into executive session this afternoon to discuss the purchase, acquisition or disposal of real property or water rights as allowed by Section 10-15-1 (H)(8) NMSA 1978, including the potential acquisition of real property for a solid waste convenience and other governmental purposes.

COMMISSIONER GREENE: And I will move to move into executive session pursuant to the County Attorney was just mentioning.

COMMISSIONER HUGHES: Second.

CHAIR HANSEN: I have a motion from Commissioner Greene, a second from Commissioner Hughes. Roll call vote, please.

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

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

[The Commission met in executive session from 3:55 to 5:01.]

CHAIR HANSEN: I would like to have a motion to come out of executive session.

COMMISSIONER HAMILTON: I move that we come out of executive session assuring that the only things that were discussed in executive session were those that were listed by the County Attorney and no actions were taken.

COMMISSIONER GREENE: And I'll second.

CHAIR HANSEN: Okay, I have a motion from Commissioner Hamilton, a second from Commissioner Greene.

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

12. **Public Hearings**

- A. **Case # 16-5282 Arroyo Hondo de Santa Fe (Oshara Village Phase 2) Phase 2A Final Subdivision Plat. Santa Fe Global Partners, Applicant, through JenkinsGavin, Inc., Agent, Request Approval of a Final Plat for Phase 2A and Approval of the Affordable Housing Agreement of the Arroyo Hondo de Santa Fe Subdivision. The Applicant also Requests the Removal of a Condition Imposed on the Preliminary Plat Approval (Condition # 20). The Preliminary Subdivision Plat for Phase 2, Approved by the BCC on March 8, 2022, Comprises 250 Lots and Provides for Phased Development in Five Sub-Phases. Phase 2A Comprises 70 Lots on 31.59 Acres, the Community Center, and 17.50 Acres of Open Space. Access to the Project Will Be Via the NE and SE Connector Roadways. The Property is Located within the Community College District (CCD), within a Planned Development District, East of Richards Avenue and South of Rabbit Road, Within Section 16, Township 16 North, Range 9 East (Commission District 4) This Agenda Item Contains an Attachment.**

CHAIR HANSEN: Welcome, Jose.

JOSE LARRAÑAGA (Building & Development Supervisor): Thank you, Madam Chair. On March 8, 2022, the BCC approved a Preliminary Subdivision Plat and Site Development Plan for Phase 2 of Oshara. The approval included a Preliminary Subdivision Plat for 250 residential lots on 111.12 acres.

The applicant submitted an application for Phase 2A Final Subdivision Plat and Development Plan for Arroyo Hondo de Santa Fe. Phase 2A comprises 31.596 acres, of which 17.5 acres or 55 percent is designated as open space. Phase 2A includes 70 residential lots inclusive of eleven affordable units; a net density of 4.97 dwelling units per acre; and a 4,400-square foot community center. Accessory dwelling units are not being proposed with this development.

The applicant states, "The project is designed as a series of compounds with clusters of residential lots. A mixture of housing types will be interspersed throughout including detached single-family homes, attached single-family homes, patio homes, townhomes, and stacked condominium units. In order to accommodate this range of housing types, residential lots range in size from 1,400 square feet up to over 7,500 square feet in Phase 2A. The project includes a 4,400 square foot community center on the south end of the proposed 0.693-acre plaza in the southern portion of the project area. The community center will include resident fitness facilities, lounge areas, meeting space, and an outdoor pool."

The applicant also requests that condition of approval No. 20 from the Preliminary Plat and Development Plan approval be removed. Condition No. 20 reads as follows: the intersection of Rabbit Road and the project's north access road shall be designed and constructed as a roundabout as shown on the Conceptual Plan. The design of the roundabout shall be submitted for review and approval prior to Final Plat approval. The applicant states that the roundabout is not warranted at this intersection,

noting that the TIA and an addendum to the TIA indicate that a roundabout would have undesirable impacts.

The applicant has submitted the following studies, reports and assessments: environmental impact report, adequate public facilities and services assessment, traffic impact assessment, and a fiscal impact assessment. The applicant has addressed the applicable design standards for the development and staff has responded to the applicant's comments.

Building and Development Services staff has reviewed the application for Final Plat for Phase 2A of the Arroyo Hondo de Santa Fe Subdivision for compliance with pertinent Sustainable Land Development Code requirements and found that the facts presented support the request: review agency comments conditionally support the request; the application meets the submittal requirements illustrated in the SLDC; the submittal meets the requirements outlined in the approved Preliminary Subdivision Plat.

Based on the addendum to the TIA, Public Works Staff has determined that Condition No. 20, imposed on the Preliminary Subdivision Plat is not required and a T intersection is acceptable at the intersection with Rabbit Road. Staff has established findings that this application for Final Plat for Phase 2A of the Arroyo Hondo de Santa Fe Subdivision is in compliance with criteria set forth in the SLDC.

Staff recommends approval of the request that the condition imposed on the Preliminary Subdivision Plat which stated: "The intersection of Rabbit Road and the project's north access road shall be designed and constructed as a roundabout as shown on the Conceptual Plan. The design of the roundabout shall be submitted for review and approval prior to Final Plat approval," be removed as a condition of approval.

Staff recommends approval of the request for a Final Plat for Phase 2A of the Arroyo Hondo de Santa Fe with the following conditions. Madam Chair, condition No. 4 in the conditions should read: The Applicant shall comply with all protective SHPO requirements prior to the issuance of a development permit. All proposed treatment of archeological sites and the creation of easements of these sites shall be approved by SHPO prior to the issuance of a development permit. All construction-related requirements shall be satisfied during construction. All easements shall be identified on the Final Plat.

[The conditions are as follows:]

1. The Applicant shall be responsible for all construction costs associated with the construction of bike lanes and trails from the Rail Trail west up to the County Northeast Connector project in accordance with the Northeast Connector layout and cross-section. Design plans must be submitted for review with the Phase 2 final plat application.
2. The Applicant shall be responsible for all design and construction costs associated with the construction of all intersections along the Northeast and Southeast Connectors connecting to the subject property which the State and County are not designing and constructing.
3. Construction of the roundabout along the Southeast Connector must be to the edge of eastern R-O-W. Applicant must also designate/dedicate applicable access

- easements, and R-O-W easements required to ensure accurate build-out of the Southeast Connector.
4. The Applicant shall comply with all proactive SHPO requirements prior to recordation of the final plat. All proposed treatment of archeological sites and the creation of easements of these sites shall be approved by SHPO prior to requesting recordation of the Final Plat. All construction-related requirements shall be satisfied during construction. All easements shall be identified on the Final Plat.
 5. No development shall take place within the designated 100-year floodplain, and residences in the subdivision must be set back at least 75 feet from the floodplain boundary. Streambed and bank stabilization measures, designed by a New Mexico Professional Engineer to reduce the required 75-foot setback set forth in the SLDC, must be submitted with the Final Plat submittal. Required setbacks must be shown on the plat and noted in the disclosure statement.
 6. The Final Plat shall identify, and Applicant shall maintain, a 100-foot no-build buffer area adjacent to the Arroyo Hondo West subdivision. An additional 100-foot buffer area (thus establishing a 200-foot buffer zone) between the development and Arroyo Hondo West shall be limited to one dwelling per acre, being the western 100 feet of the 200-foot buffer. The 200-foot buffer area shall be identified on the Phase 2A Final Plat.
 7. No vertical construction for single-family residences will be permitted until the NE and SE Connectors are approved and open for public use.
 8. The Applicant shall comply with all Santa Fe County and State conditions of approval.
 9. An updated Water Service Agreement and a Sewer Connection Agreement must be approved by the BCC prior to Final Plat approval.
 10. The Applicant must correct the current intersection design within the proposed subdivision to eliminate any offset intersections prior to Final Plat approval. The Applicant shall provide an easement and build-out for an emergency access connection for Arroyo de Hondo, which will terminate at the eastern property line.
 11. An Affordable Housing Agreement must be submitted and approved by the BCC with the Final Plat. Affordable units shall be integrated throughout the development and not clustered into one area.
 12. Applicant shall address all redline comments from Staff and Review Agencies to Staff's satisfaction. Redlines must be returned and approved by Staff.
 13. All utilities serving the development must be underground.
 14. A final drainage report for the project shall be submitted and approved prior to Final Plat approval.
 15. 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 ensure adequate storage of stormwater.
 16. All future phases and sub-phases shall submit a revised TIA and shall address all traffic and review the need for a roundabout at the NE connector.

17. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site, this agreement shall be signed by the Administrator, recorded and referenced on the plat. Water restrictions and conservation covenants shall be filed in the County Clerk's office and referenced on the plat.

MR. LARRAÑAGA: This report and the exhibits listed below are hereby submitted as part of the hearing record. And I stand for any questions, Madam Chair.

CHAIR HANSEN: Any questions from the Board?

COMMISSIONER HUGHES: Shall we ask now or wait for the public hearing?

CHAIR HANSEN: We can ask a couple questions now. Go ahead, Commissioner Hughes.

COMMISSIONER HUGHES: Well, just a quick question. What is the reason for the change of recommendation about the roundabout? What are the undesirable effects that the Department of Transportation is citing?

MR. LARRAÑAGA: There is a letter from our Public Works Department as one of the exhibits. They reviewed it with the addendum for this phase. It's not needed, the roundabout. There is a condition in here among the conditions, condition #17, All future phases and subphases shall submit a revised TIA and shall address all traffic and review the need for a roundabout at the northeast connector. So in other words, for this phase, Phase 2A final plat, 70 lots, the roundabout is not warranted.

COMMISSIONER HUGHES: But it might be warranted in the subsequent phases.

MR. LARRAÑAGA: Madam Chair, Commissioner Hughes, correct.

COMMISSIONER HUGHES: Okay. Thank you.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: This may come up later, but this is the strangest bit of urbanism I think I've seen in a long time, with this plan of just this giant snake of a road with only one intermediary street helping cut through the big, giant S plan. And I like Lorn Tryk but this seems a little strange. You'll address this later? Okay. I'll leave that question for later, but that seems strange.

CHAIR HANSEN: Okay. I have a question about the SHPO and the archaeology sites that exist in this area. I didn't feel like you were very clear. Has SHPO commented on those sites?

MR. LARRAÑAGA: Madam Chair, they did. I'll find the exhibit here. The SHPO comments are on page 10 and 11 of the exhibits, and there is – I'll find where the review comments are.

CHAIR HANSEN: I see that. Okay. So the applicant is willing to agree to all of SHPO's recommendations on the site?

MR. LARRAÑAGA: Madam Chair, that's what I understand. The applicant will say that. They will agree to it, plus the revised condition #4 that they'd have to have it approved by SHPO at development permit also.

CHAIR HANSEN: Right. Okay. So I'm going to go to the applicant.

[Duly sworn, Jennifer Jenkins testified as follows:]

JENNIFER JENKINS: Good evening Commissioners. My name is Jennifer Jenkins. My address is 130 Grant Avenue, and I state that I am under oath. Again, good evening, Commissioners. I'm Jennifer Jenkins with JenkinsGavin. I'm here this evening on behalf of the Arroyo Hondo de Santa Fe Subdivision and Santa Fe Global Partners. Before I jump into my presentation I would like to introduce the owner of the property, Bob Gorlow, and he just would like to introduce himself and say a couple of quick words. Thank you.

[Duly sworn, Robert Gorlow testified as follows:]

ROBERT M. GORLOW: My name is Robert M. Gorlow. My address is 1213 Camino Rivera, Santa Fe, New Mexico, and I am talking under oath. I want to thank you. We first started working on this project in 2012. It's been a really enjoyable ten years and frankly, working with the County and working with your staff has been just really great. They've been a great group of professionals and we look forward to building this project. Thank you.

MS. JENKINS: Okay. So this is the final subdivision plat for the first sub-phase. So Phase 2, which the preliminary plat was approved by this body last year is being developed in five sub-phases. So this is our first sub-phase. I just have a few quick introductions of the project team. You met Mr. Gorlow and of course me. Our land planning as pointed out, aptly, by Commissioner Greene and the architectural design provided locally by Lorn Tryk. Civil Engineering by Souder Miller and Associates. Traffic Engineering by Civil Transformations. And landscape architecture locally by Groot Studio.

I'm probably not telling you anything that you don't know but this property is in Sustainable Development Area 1, because it's in the Community College District, and the Community College District was identified as SDA-1 in the Sustainable Growth Management Plan as well as in the SLDC as the County's primary growth area, where growth is desired, where we need to generate housing and services relative to the availability of public infrastructure.

So this is the Community College District and you can see Oshara Village right there, kind of central, right to the north, adjacent to I-25 and Rabbit Road. And then zooming in, this is the Community College District zoning map for Oshara Village. So Phase 1 of Oshara is right down here. I think everybody knows where Phase 1 is, right off of Richards Avenue, which is kind of in the southwest corner of Oshara. Phase 2 is in the northeast corner, as you can see there.

So this is relative to our vicinity. You can see Phase 1 there on the left side of Oshara Village and there we are in the northeast corner, just north of the Santa Fe Community College, and then of course further development in Rancho Viejo a little further south.

And zooming in a little more you can see that we are surrounded by the Arroyo Hondo to the south. There is undeveloped property to the west, and then we have existing neighborhood to the east and the northeast connector/Rabbit Road to the north.

We amended the conceptual plan for Phase 2 and it was approved by the BCC back in 2021, just modified our mix of housing types and adjusted some things around commercial square footage and institutional uses, so that was done back in 2021, and then we proceeded with the final – the preliminary subdivision plat for Phase 2. So this kind of

shows Phase 2 in relationship to Phase 1. What is reflected here is the northeast and southeast connector projects, so the roundabout just south of the northeast connector, that is really the front door to this community.

This I think is the perfect time to address Commissioner Greene's question about the access. Originally, the original design did not include our snake-like roadway connection up to Rabbit Road. We had a secondary connection between the two roundabouts on the southeast connector, and through the preliminary review process – this was probably back in 2017, the Public Works said they did not want a connection because of proximity to the two roundabouts. So we were advised at that time by Public Works that we needed to bring the connection up to Rabbit Road. So that is the design that – it's going to be great for traffic calming because it's a tad circuitous, but like I mentioned, the roundabout on the southeast connector is our front door. That is our main entrance, and then the access to the northeast connector at the north end of the site is going to serve more as a secondary access.

Did you want to ask me a question about that? Okay. So we have our front door here at the partially constructed roundabout on the southeast connector, and then the secondary access here on Rabbit Road. Phase 2A, our first phase, sits right in here.

CHAIR HANSEN: Your first phase is off of the southeast connector second roundabout.

MS. JENKINS: Yes. Right off that roundabout. Exactly.

CHAIR HANSEN: Where it says open space and where your plaza is.

MS. JENKINS: Yes. And I've got another image that's going to show that a little bit better. And this shows the phasing so you can see Phase 2A kind of right – it's really the heart of the project. It also includes our plaza area and amenity center, and then the future phases kind of wrap around in sort of a horseshoe fashion here.

Okay, now we're really zoomed in. So you can see our roundabout access here. These are the 70 lots that we are platting right now. This is our park/plaza area, our amenity center that really overlooks the Arroyo Hondo. It's going to be really beautiful.

The archaeological area is right here, kind of in the southwest corner of the subject property, and so we are going to be doing data –

CHAIR HANSEN: So where are you pointing to? I don't see it on our phase.

MS. JENKINS: So it is, if you were just to go west of the amenity center into that open space, that's adjacent, kind of near the west boundary, that's where the archaeological site is located. So it's kind of the southwest corner of the subject tract. So it's right in here.

CHAIR HANSEN: That makes sense.

MS. JENKINS: Yes. It's kind of on the edge of the Arroyo Hondo, and we will be completing data recovery prior to issuance of a County development permit. So that was the corrected condition of approval that Mr. Larrañaga mentioned for correcting condition of approval #4.

And then zooming in we have our plaza area and the amenity center that's going to have resident amenities around fitness, pool, kind of community round space and co-work space that is going to all work together as a lovely neighborhood amenity here.

So this phase is a little over 30 acres with 70 lots. Fifteen percent of the homes

will be priced affordably, which totals 11 lots for this phase. Totally all of Phase 2 will have 38 affordable homes. We do have a really nice variety of housing types, everything from single-family detached, patio homes, townhomes, condominiums, so we're really touching on a lot of different housing needs for different types of families, different types of homebuyers, and then the minimum open space requirement in the Community College District is 50 percent. In this phase we're actually a little over at 55 percent.

So with respect to utilities, we're obviously going to be developing water and sewer infrastructure that will be dedicated to Santa Fe County. We're connecting into the Santa Fe County system. So what you can see here is the pink and green lines are referencing water and sewer and we also are connecting in, as you can see, to make that connection between Phase 1 and Phase 2. And so that is that interconnect between the two phases. And then future phasing will connect off of those extensions as well.

And then as you may recall, there is also a new significant sewer line extension that is going to be constructed by Santa Fe County from Richards Avenue, kind of following a westerly path and then following the arroyo all the way down to the Colibri Subdivision. This is a really critical piece of new County infrastructure to serve the County's primary growth area, and this extension will serve not only Oshara Village, it will allow the Phase 1 of Oshara to abandon and decommission their private wastewater treatment plant and hook up their infrastructure to the County sewer system and this will allow the Saleh project that is located up kind of northwest of Oshara also to connect to County sewer infrastructure. This is a really critical improvement for the Community College District.

And then this shows, you can see, Commissioner Hansen, the archaeological, we're probably not going to need an easement anymore because we're actually going to go in and excavate and do all the data recovery that is necessary. So originally we thought we were just going to preserve it in place but then SHPO had other ideas. So they have asked us to go in and actually do the work.

So that concludes my presentation. I would be happy to stand for any questions. Thank you so much.

CHAIR HANSEN: Thank you. I'm going to go to public hearing on this project for Oshara for Arroyo Hondo de Santa Fe. Is there anyone here in the audience who wishes to speak? Please come forward.

[Duly sworn, Robert Detwiler testified as follows:]

ROBERT DETWILER: My name is Robert Detwiler, or Bob Detwiler, and the address, 11 Craftsman Road in Oshara Village, and I'm under oath. I recognize that I'm under oath. I'm here primarily as a resident of the community and as far as anyone knows, we are all in favor of the proposed development, Phase 2A. And eventually maybe a second part of that. In particular I represent the Oshara Mutual Domestic Wastewater Association of MDWA which provides wastewater services for the community and also provides return/reuse waster, which is used for irrigation and our homes and public spaces.

We are happy to have to have the prospect of connecting with the County sewer plant which is planned or to be expanded about five miles to the west. We are looking forward to having Phase 2A, the Arroyo Hondo de Santa Fe project join us and the sewer interceptor line which Jennifer Jenkins has just shown on the maps. Our sewer plant is 18

years old, will be by the end of this year. It's provided good services but they are expensive. The last several years we've spent about \$135,000 total to operate each year. To expand the plant to serve the new development, the Arroyo Hondo de Santa Fe would be prohibitively expensive and we're happy to join with the County. That's basically why I'm here is to express support for the planned development. Are there any questions from the Board?

CHAIR HANSEN: Thank you. We'll have questions later.

MR. DETWILER: Thank you. Then I would like to move on.

CHAIR HANSEN: Next, Beth.

[Duly sworn, Beth Detwiler testified as follows:]

BETH DETWILER: My name is Beth Detwiler. My address is 11 Craftsman Road in Santa Fe County, in the village of Oshara Village and I am under oath. I understand that this project has taken years in development and that it has told untold hours of work by the developers, their associates, and County staff also. Understanding all that, I would like to say this about this proposed plan. I think this plan is an absolute beauty, and I think it will be a wonderful addition to the area that we live in. There are things about the plan that I think are very important in developing a new modern community, such as sustainability, walkability, the ability to bring people together in a cohesive community, and some of the things that are added to this plan that I think are really important are a generous amount of open area, the protection of the archaeological sites that are on this plot of land, a great gift to us all to be able to benefit from the data that could be provided by those, and also the buffer zones that the plan has put in between this new development and existing communities. I think that will allow a separation and definition of the new plan and the existing communities that will allow them to maintain their individual personalities and one of these communities is Oshara Village, which will be a neighbor to the Arroyo Hondo de Santa Fe.

One of the benefits to us is that I believe that having a new community just up Rabbit Road from us is going to stimulate the development of our commercial areas and create a beautiful place for small businesses to encircle our beautiful plaza creating some sparkle and liveliness and cohesiveness in our community. And we're very grateful for the new energy that this community development of Arroyo Hondo is going to bring into our area. I think that it will be good for my neighbors and I think it will make them happy to have the commercial areas developed. And I want my neighbors to be happy, and I care about them a lot. I consider my neighbors to be my extended Oshara family, and I think that the neighbors that come to live in the Arroyo Hondo are going to be a part of my extended Oshara family also because it is technically Oshara Phase 2.

I consider them to be my cousins that I have not yet met and I look forward to meeting them, and I look forward to forming relationships and to watching their new community blossom. And thank you for listening to my opinions about the benefits that this new community can bestow on our area and I wish you well in making your decision at this time.

CHAIR HANSEN: Thank you, Beth. Is there anyone else who would like to make public comment at this time? Do you have anyone on line that wants to speak to this development?

MR. FRESQUEZ: Madam Chair, I'm not seeing anybody online

indicating that they'd like to speak, however, we didn't really announce it. Now one person is raising their hand. If you would like to speak during this item please raise your digital hand. If you're using a cell phone please hit star 3. There's one person who wants to speak, George Brown.

[Duly sworn, George Brown testified as follows:]

GEORGE BROWN (via Webex): My name is George Brown. I live at 49 Craftsman Road in Oshara Village and I understand that I am under oath. I just wanted to make a brief comment. I'm the president of the homeowners association here for about 200 residents and we're quite happy with the idea that this Oshara Phase 2, Arroyo Hondo is coming in. For one thing we recognize that the Community College District is going to necessarily be built out and filled in and we see other developments in our area that didn't have the sensitivity or the thoughtfulness and the responsiveness that this development has shown over these last few years. This is exactly the type of development that we want, especially given that we know that it's inevitable in this area. So I just wanted to say, just sort of echoing what Beth Detwiler said as well, that these are going to be our good neighbors and friends and we look forward to developing a larger community network with them as well. So, yes, we're looking forward to the completion of this project. That's all. Thank you.

CHAIR HANSEN: Thank you, Mr. Brown. Is there anyone else? Okay, so I am going to close public comment and go back to questions from Commissioners. Commissioner Hamilton.

COMMISSIONER HAMILTON: So I don't have a question so much as I assume the issue is going to be retraction for the requirement for the roundabout. I thought it was clear when it was put in before that the data didn't support the need for a roundabout. As I recall I voted against it so I have no problem with taking it off. I recognize that that means that there's some time in the future that it might have to be developed if it's required in the future, but isn't that the way things are supposed to work?

CHAIR HANSEN: Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Just on that topic, since I think that is the question, or the only question I have about this project. Otherwise I think it looks very nice. And I did not see in the packet – I saw where our traffic person put in the roundabout would have undesirable effects on traffic. Jennifer, do you know what those undesirable effects are?

MS. JENKINS: Thank you, Madam Chair, Commissioner Hughes and Commissioners. So the type of roundabout that was contemplated previously is a modern roundabout, not dissimilar to the roundabouts that are proposed along the northeast and southeast connectors. Modern roundabouts are for traffic control, like a traffic signal controls cars moving through an intersection to ensure safety and to ensure proper traffic flow. And our traffic engineer analyzed our access to Rabbit Road and the level of service, as determined by the traffic study was fantastic. It operates beautifully as a T intersection. So the level of a traffic control that a roundabout provides was absolutely unnecessary and not warranted. And that's what we rely on traffic studies to do. The traffic study is what informs us about what are the improvements? Do you need to put in a signal? Do you need to put in a right turn lane? Or doing a left turn lane? So as you're

coming west on Rabbit Road you'll be a left turn lane so you can safely pause in order to turn left into the community.

And so when we have – we've all driven through neighborhoods where the proverbial kind of unnecessary stop sign. When traffic improvements are built that aren't warranted by the data they do not increase safety. They actually do just the opposite. And my traffic engineer is online, Timothy Simmons. He could probably speak to this because I am not a traffic engineer. But I'd be happy to have him speak to this in a more detailed fashion but that's really fundamentally what we're talking about. And as this phase develops out and the future sub-phases we will continue to analyze the traffic, and we'll have opportunities to analyze the southeast connector once it's operational and we're putting cars on the road, and if something changes in the circumstances and all of a sudden our access to Rabbit Road, that level of traffic control is required then that's what we will address at that time.

COMMISSIONER HUGHES: Okay. I understand that it may not be warranted but it's hard for me to imagine any adverse effects from having it there. I just wondered what they were. But it seems more – I can understand that it might not be warranted because you're not actually building any houses right near that part in this phase, and so I understand that. I just would say – I understand a stop sign that's where you don't need a stop sign. People would just blow through it. It would be a little harder to blow through a roundabout. I don't really think it would cause any problems but I do understand that it might not be needed right at this point. But you're okay with considering it for later?

MS. JENKINS: Like I said, we're going to let the data inform it and we're prepared to do that.

COMMISSIONER HUGHES: Okay. Those are my questions for now, Madam Chair.

CHAIR HANSEN: I'm going to go to Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, Jennifer, I'm sorry, I'm not hearing – I hear the problem. If you have a stop sign that people will blow through but roundabouts, we have them when they're preplanned for an area that we know is going to continue to be developed. And I have been spending at least the last – I'm going to say off and on, over the last almost 20 years looking at traffic studies in our neighborhoods growing out in these more rural areas. Because most of the big straight-aways are straight-aways that have been there since we were running cattle through them.

So I have to say, honestly, that I'm drawn back a little bit thinking, yes, when the data shows it. It's easier to put in a roundabout or traffic control method like a roundabout – because I hear what you're saying with people running through something that doesn't belong there, but a roundabout you don't really get to. And there are a number of examples near Capitol High where the roundabouts are there because we know we're going to build that out. It's harder to put it in after the fact.

I'm looking at some of these old – District 3 was very rural and some of these old roads that were long cattle runs don't have these roundabouts and we're looking at how are we going to control traffic later. I cannot say that I am o the ilk that putting in something after the fact could actually make sense and if we can control that traffic in that drag way. Having commuted back and forth from the Santa Fe Community College

and understanding how people do like to pick up speed wherever they get a good straight-away, I'm not really sure that the logic behind putting it off makes a whole lot of sense in the interest of just assuring public safety to the start at a neighborhood location.

If this was the next stretch from one residential area to the next furthest residential or even to the Community College I would start to understand it a little bit better, but what I do know is that we are putting in that extension in that roadway. So not putting something in because the traffic studies not don't call for it, knowing that there is build-out planned, I think it's just a whole lot harder to put it in after the fact.

So I'm not hearing what the ill effects would be, other than something like something people would blow through if there's nobody around. That's a whole different thing with a traffic roundabout.

MS. JENKINS: And I think – thank you, Commissioner Bustamante, Madam Chair and Commissioners, so a couple of things. I think what I'm hearing is we're talking about two different things. We're talking about traffic calming, like how do I slow down cars. That is a completely separate issue. And there are traffic circles, medians, on street parking, curvy roads – there are a lot of measures and strategies that can serve as a traffic calming device. This type of roundabout is not a traffic calming device; it is a traffic control device. It is a veritable traffic signal in this location. The control is what has to be determined by the traffic study and our addendum to the traffic study was for the entire Phase 2, and yes, that traffic study is going to age out, so as new phases come in, time passes, we'll go out, we'll do fresh traffic counts. We will come in to staff when we come in with Phase 2B we're going to say here we've updated the traffic study. The southeast connector is operational. We have a whole new traffic pattern in this part of the community. Right? So we're going to reassess that.

But to talk about traffic calming, a \$354,000 traffic calming measure, that is not warranted by the data, is very problematic. It's really problematic. I think we all know what's going on with construction costs right now, so to be building something because maybe some day we might need it – when we have time to build it. We own the property that's adjacent to Rabbit Road. We can grant the right-of-way that would be necessary to accommodate a roundabout. There's no issues there because are that frontage of the road. And so doing it when we do Phase 2B or Phase 2C should it become warranted is an easy thing to accomplish.

So all we're asking is let the data tell us, because if my client is required to drop \$15,000, \$20,000 on a traffic study, which they are required to do, then the traffic study needs to matter. It needs to count for something. So all we're asking is, look, we're all looking at the same data. Public Works looked at the data. Growth Management looked at the data and everybody determined, you know, we don't need this right now. Maybe we will. Time will tell. And we're prepared to do whatever improvements are going to be required of us as the project progresses.

CHAIR HANSEN: Commissioner Hamilton.

COMMISSIONER HAMILTON: It's almost – actually was going to say exactly what Ms. Jenkins said in the last few sentences. It's like we require the studies so that we not asking for things that are not needed. Because that's arbitrary and capricious governing, which as you all know, I'm not very much in favor of. So I apologize for being repetitive, but then again we all have our things that we think are important. And

this would be – traffic is supposed to flow. The northeast connector is a major artery, right? Traffic is supposed to flow on it. But I don't like cars that go fast. I think every 200 feet we should put a speed hump on the northeast connector, because there are other streets that are rural that have traffic that goes too fast. Well, the northeast connector, I think we should put big speed humps and everybody has to go down and go over every speed hump. A traffic study would say that's a dangerous and unwarranted thing to do but I want it.

And that's what I think – this is not a traffic calming. It's a traffic circle and it's a T intersection. So most of the traffic is going to go up and down. When people have to turn into the development or come out of the development, it's like people who drive cars have been doing that for a long time. You stop and you look both ways and obviously, you have to yield to the main thoroughfare. That's why the traffic study showed what it did. So I don't get – we need it other places. People are in love with traffic circles. They're a good calming place. It's just not needed here. So we're asking for something that's arbitrary in my opinion.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. So first I'd like to congratulate you for incorporating so much of an extensive trail system. I think that's actually the one aspect of this that's to me, pretty positive about this plan. And then I get into the question of what are the amenities that you're planning? Is there anything for anybody under 15 years old? Is there going to be a playground.

MS. JENKINS: We are still working on the plaza area. We're still kind of working on some of the programming that's going on there. We've kind of had a landscape palate that we've developed for that, but it's still a little bit in process, and it's also a function of wanting to understand – since this is a long-term project, right? We have 250 homes here. This is our first 70 homes. We want to be able to respond to what is our demographic and who are our homeowners and who are our buyers. And so we're starting where we're starting and the other amenities include swimming pool, fitness, and other types of amenities inside the community building.

COMMISSIONER GREENE: Sounds like you're building stuff for retirees, without grandchildren.

MS. JENKINS: I think kids like to swim.

COMMISSIONER GREENE: Okay. I'm just making a point that I'm going to push. I'm going to say that if you don't build it they won't come. So you're building this for down-sizing retirees without families trailing behind them. I find a problem with that. How far is it to the closest coffeehouse?

MS. JENKINS: How far is it to the closest coffeehouse? I do not know.

COMMISSIONER GREENE: I'm going to guess it's well over a mile, so it's not walkable. How far is it to the closest supermarket of any size? Bodega? Supermarket?

MS. JENKINS: I'm going to guess that the closest supermarket is at Zia and St. Francis, which is probably about three miles away.

COMMISSIONER GREENE: Okay. Closest school? You probably do a little better there with –

MS. JENKINS: Amy Biehl School, would be the closest school.

COMMISSIONER GREENE: A little better. Again, playground, even if it's not on your property, where is the closest playground?

MS. JENKINS: I'm going to guess Ragle is probably the closest, I'm going to guess.

COMMISSIONER GREENE: Okay. So pushing that on to city amenities as opposed to a county amenity. I bring these up because to me, these all should be, instead of putting them off-site, you should have something on-site. When you have a site that is over 100 acres, which is larger than Santa Fe when it was founded, and 250+ homes or so, you should have some of those amenities on-site and making it walkable. So we talk about wanting to be a sustainable community. This is a 4,000 linear foot road with two exits. It should probably have four exits, maybe five. There's two ways out of this project and there should be at least three, probably four, maybe five.

I find it ironic that you're going to be presenting another case in about an hour that is fighting the other aspect of this, right? And so this is a great example of where 250 homes should have at least another exit into the community and a better road network, and another example would be an interior road. There's one interior road that helps you cut this strange S-shaped 4,000 linear foot road and I find that if this was preliminary approved with this design, this is everything that we should be fighting against. There's zero amenities. Zero sustainability. Literally people are going to drive an extra half mile to get home. Just to get home. Just to get out of their neighborhood. Let alone –

MR. GORLOW: Excuse me. May I address some of those?

COMMISSIONER GREENE: You're the property owner –

MR. GORLOW: The amenity center is supposed to be for the whole community, which will include children and we'll program it as such. The trail system makes it walkable. The whole area you can walk anywhere, the whole place. The plaza which was designed – and I think it's starting to come into its own by Alan Hoffman, is a place where the commercial activity – and it's definitely a walkable distance to the plaza.

COMMISSIONER GREENE: How far is that then? What is a walkable distance to you, sir?

MR. GORLOW: A half mile.

COMMISSIONER GREENE: Half mile. Okay. I'm going to guess it's well more than half a mile to get there –

MR. GORLOW: But even if it were a mile, you can't distribute a grocery store and a coffee shop on every other corner because they'll fail. The commercial requirements for an enterprise to be successful was conceived pretty well with the original, I believe, and that's one of the reasons I'm here, with the original plaza. And that plaza was meant to be walking distance throughout all of Oshara Village and apparently – I think it is. I don't know if other people think it is. Also, we're marketing to families. We're not looking to retirees. We think this is a great place to live because the children and everybody else has a whole area to walk instead of putting all the area into enlarged backyards or front yards or something like that. We collect it and put it into this trail system. So the whole community – and that's open to all Santa Fe. All Santa Fe can walk through this if they want.

So I use to be a solar architect and I still have the skills, and we looked to make this a sustainable community. So I think you bring up some good points and there are

things we should focus on, especially for the amenities for the children at the amenity center. That's certainly an excellent point that we probably haven't developed as far as we should have to this point. But I'd like to think that we stand for walkability. All my projects all over in other places are all about walkability and sustainability. So we're going to offer a solar package for those folks who want it. Of course it's going to be shielded so it doesn't reflect into other people's homes. But I really welcome your comments focusing on things that need to be done, but this was not an attempt to do something for a bunch of people who look like me, over the hill and need to be retired, but it's meant to be for families and for the enjoyment of the entire community.

So we certainly welcome your suggestions on that.

COMMISSIONER GREENE: Thank you. Thank you for addressing that. I appreciate that. And I did recognize the trail system. I do think that that is the strongest part of this design. We're approving or we're listening to a portion of Phase 2A. And so 2A has this intermediary street that allows this to cut through – the little cut-through there. I think it is 2E and 2D or something in there has the opportunity to incorporate something like that as well, to allow for a lot less traffic and making somebody drive literally half a mile to get out of their neighborhood. This is almost a mile long of asphalt with two things like this, but you've made it into an S to –

MR. GORLOW: [inaudible/away from microphone]

COMMISSIONER GREENE: No, I understand. So the third exist I would love to see as well, but having an intermediary road network so not everybody has to pass everybody. There's a variety of ways in to progress through there. It's a future phase I do not –

MS. JENKINS: And we're happy to explore that as we get into the future phases.

COMMISSIONER GREENE: Then looking at these amenities. It's 250 homes, whether it's a pickleball court, whether it's a playground, whether it's a basketball court, whether it's all these things that are now being – that burden is being shifted. I encourage you to incorporate that into this in a way that allows for this to be an attractive community that is not shifting the burden to other parts of the county or other parts of the city that when they give us grief and they say, well, why is everybody going to Genoveva Chavez? So, well, maybe we need to go incorporate that into our development plans, or we need to start building our own recreation facilities in the county. And so having that thinking – once you're at 250 homes you're at a critical mass where some of those things should be incorporated into this.

MR. GORLOW: We plan on having a tennis court and a pickleball court. One of the things about sustainability is keeping cars off the road. The idea is can you create a community where people don't want to leave your community.

COMMISSIONER GREENE: So great. Build a pickleball court and you're going to sell out in two seconds. No joke. But I just – I'm concerned that you're making a bedroom community, and to your point about keeping cars off the road, it's also distance traveled. So if everybody has to go four miles to get to a market of any size, that's not right. So you can incorporate somewhere along the southeast connector, or somewhere into your master plan, a commercial lot. Who knows whether it gets built; no requirement that you build it, but you have incorporated some opportunity so if

somebody wants a daycare center because families decide to move there. Or whether it's a coffee shop, or somebody decides to put a bar or market or anything – of even if it's a law firm or it's JenkinsGavin decides to relocate that. It at least has some employment opportunity incorporated into your plan.

And it's okay. No, no. I'm just throwing things out there for you and sort of speaking to my vision of where a sustainable land use plan that we purport to support is not being upheld by our code reviewers and the architects that come here and design these things.

Lastly, you could grant the right-of-way right now for the roundabout so we wouldn't have to go through that in the future. We don't have to build it now, but we could easily put that into this now.

MS. JENKINS: Sure. We could totally do that.

COMMISSIONER GREENE: If that's something so we don't have to deal with that in the future.

MS. JENKINS: We could totally do that. That would not be a problem.

COMMISSIONER GREENE: That's the easiest ask I can come up with and I knew you could say yes to that.

MS. JENKINS: I think that's a great idea actually.

COMMISSIONER GREENE: Thank you for hearing me out on this. I really wish you were adding more amenities into this. You can do this in future phases. I hope there's a little bit more of a road network instead of a literally like – this is pretty impressively suburban. Not sustainable. Thank you.

CHAIR HANSEN: Thank you. I'm going to take – since everybody else has spoken. So I have a few questions. One, are the residents of Oshara 1 going to be able to use the pool at the amenity center?

MS. JENKINS: No. That will be private for Phase 2A, because there'll be separate homeowner associations and so it's for the Phase 2A residents.

CHAIR HANSEN: Okay. So one of the things that's happening in the City of Santa Fe and the County of Santa Fe is that we have people drag racing, and we have a horrible situation with mufflers. And you are encouraging that by making this long stretch, and we are encouraging it by making this long stretch of roadway on the northeast connector. However you want to define the roundabout, as whether traffic calming or traffic control, traffic control is actually quite important. Especially on this road that has a heavy, heavy use already. Not just your development. It is heavily used to get to the Community College. And we all know that from the 18 years of traffic that exists that goes through the village right now.

So I'm glad that you think the traffic study is adequate but I don't and don't think it's capricious or any of those other words that have been used to request and require a roundabout on the northeast connector, because you only have two entrances and exits. I agree with Commissioner Greene that one roundabout at one end and a T intersection at the other – are you making sure? Are we building you a turn lane into your community on the northeast connector?

MS. JENKINS: No, we are building – we are constructing a left turn lane in Rabbit Road. So our connection is just east of where the northeast connector project ends, or begins, whichever way you want to look at it.

CHAIR HANSEN: You're right on the other side of the federal highway right-of-way?

MS. JENKINS: Yes, exactly.

CHAIR HANSEN: Okay. And you're building that?

MS. JENKINS: Yes, we are.

CHAIR HANSEN: And so there's going to be – I'm trying to remember – the sight distance there is not that great if I remember. I did have the pleasure of driving through Oshara Village Phase 1 and it is beautiful and it made me feel really good about how beautiful and what a great job Alan Hoffman did in his vision of putting together a village and having amenities. And as you well know from the last time, I was really quite unhappy with the fact that you removed so much of the commercial space. I'm still unhappy with that. That hasn't changed. And so I agree with Commissioner Greene in the fact that you have made just another bedroom community. That's not really the idea behind Oshara and this whole vision of sustainability.

And I'm glad that you have a solar packet for people but I think it should be required for people to put solar in, and I also think that you should get rid of the gas and make sure that these homes are electrified, because I know that Commissioner Hughes and I both see gas as a real problem for the future. We are in a climate crisis and that is not disputed. At least it's not on this board. We have joined the Paris Accord. We are meeting agreements of the 2015 Paris Accord, Santa Fe County, and we want to see developers be in harmony with us. That is important. The climate crisis is not a joke. We know what happens. Everybody here who's never had air conditioning for 50 years, 400 years, now needs to have air conditioning in the City of Santa Fe or in the county.

So the planet is warming. You're building a lot of asphalt. More parks. I only see a plaza. That's the only park that I see at the moment. The trail system we talked about last time before Commissioner Greene joined the Board and I agree that it is a good system, but I feel strongly that it's better to build the roundabout now. It actually saves you money and it's a speedway, and that's what we're going to see.

So I think the rest of the plan is great but I would like to see some other – Commissioner Hamilton, I see you. I feel like you've done some really good things here but I think you know how I feel about roundabouts or about control of traffic, and I would like to see you be more responsible to the entire community and I agree that designing it or having it platted now is a good thing at least, but I don't know where the rest of the Commission stands but I certainly think that a roundabout is warranted now.

And I would like to see more sustainability features in this because that was one of the things that you – that the Oshara Ranch and the whole vision was about was to have a sustainable community, and this just looks like another bedroom community. Now, Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. I actually find it rather offensive that we require professional level studies to be done and that our regulations say that we will base what we require on the results of those professional level studies. And then we say that we know better than those studies, that no matter what those traffic or other kinds of studies say, we know that goes on out there and we're going to require what we think is good based on that. I just think that is poor governance.

And I'm sorry that you don't care for the words I use, but the fact is I think that

the point about having only two entrances, exits, makes sense, but from what I understand, that's what was required by our County staff for whatever reasons. If we disagree with those trade-offs, but it was County staff who required those and asked those to be moved.

So there's clearly room for discussion there, but when it comes to things like we don't like bedroom communities. All the recent work on walkable cities and doing them as little pods, and that's really interesting stuff. It is not currently reflected to the extent that it's being discussed tonight in our SLDC. So it would be a great thing if we want to revise the SLDC and encourage that, but we – what's in the SLDC is what we currently require, and it is not appropriate or fair to require beyond what our regulations currently require. And so I would like to make a motion to approve this including the staff recommendation to remove the requirement for the roundabout.

CHAIR HANSEN: So I don't hear a second, so I'll move on to another motion.

COMMISSIONER HUGHES: Madam Chair, I was not ready to make another motion I was just was looking at thinking about what Commissioner Hamilton is saying and I agree with some of it. I also agree that a roundabout is going to be needed there. I'm looking at the staff's recommendation, condition #17 that says all future phases and sub-phases shall submit a revised TIA and shall address all traffic and review the need for a roundabout at the northeast connector. I'm wondering if we can revise that somehow that – I mean I guess the question I have is, like let's say none of the future traffic impact analyses show that the roundabout is needed for the development, but we still feel that it's needed to control traffic on – or traffic calming on Rabbit Road. Would it be appropriate for them to dedicate the land for the County to build the roundabout?

COMMISSIONER HAMILTON: If they're agreeable to that, that's fine. But if you're talking about – suppose a study found it was needed in 20 or 30 years from now. The idea that it's cheaper to put it in now is just not true. There is no technical basis for saying that it's a financial benefit for them to put it in now instead of 20 or 30 years from now. But if they're completely willing to dedicate the easement now – suppose 20 years from now a calming circle is determined to be beneficial, but now what we're requiring now. What's on there now is excessive for what's needed.

So, yes, I'm with you. I understand everybody likes roundabouts but everybody likes speed humps too.

COMMISSIONER GREENE: I personally hate roundabouts and speed humps. I honk at speed humps.

COMMISSIONER HAMILTON: I'm proud of you I think.

CHAIR HANSEN: Okay, okay.

COMMISSIONER HUGHES: I guess I'm wondering if we could add something to #17 that makes it a little stronger. We want a roundabout there one way or another, whether we have to build it or they have to build it 30 years from now or –

COMMISSIONER BUSTAMANTE: Madam Chair, when you're amenable. I just – I'm sorry. I don't agree. And I don't love speed humps. I was right there when it was completely appropriate to put the 599 crossing the west frontage road, only to wait until we have the fatalities build up. I don't buy it. And there were traffic studies that were well funded to make sure that everybody knew how safe it was going to

be. I promise myself and I promise anyone in the community, I will not wait until we start seeing what the traffic studies are going to turn up by way of one accident after another. I respect traffic engineers. I get what people have paid for.

To make something that ultimately – I go with the initial statement that Commissioner Greene made that development should pick up a cost for the development. If we're going to do that, and it's going to put people at risk, and I'm not saying anything about the rest of the development itself as far as its sustainability. I trust that the developers should get there from here. I really believe that that's in their values, but I just don't buy going back to try to do some type of reclamation, if you will, for lack of a better term, on a traffic study that could determine that it might be a danger at that time, after having been called to actually testify on having complained on traffic situations that have left people laying in the road.

And I'm not exaggerating. So that being said, I really respectfully – I'm not really here interested in trying to just strong-arm something, but I can't say yes, I don't trust the traffic studies or I do. I trust that we know that traffic is going to increase. That the developer has a responsibility for addressing the new impact that we're going to have in traffic in that area, and if we're on a committee that has the responsibility of assuring the future safety of that location, it's pretty clear where my hand stands on that. That's my view.

CHAIR HANSEN: And I do agree with you on the fact that 599 was supposed to have numerous overpasses and we couldn't get anything put in there, but we've had numerous fatalities that actually have used more traffic situations to protect residents. Via Veteranos is a perfect example of an incredibly dangerous intersection. So I don't see traffic control and traffic calming as exactly two different things. This is where we're stuck at the moment. We're stuck on do we want a roundabout there or do we not?

COMMISSIONER BUSTAMANTE: Madam Chair, if we're not going to have a second on the last, I'm prepared to make a motion and we'll see where that lands.

COMMISSIONER HAMILTON: Can I say something those.

CHAIR HANSEN: You may comment.

COMMISSIONER HAMILTON: The fact that there was something needed at 599 is perfectly true. And as a matter of fact there are certainly places where there are traffic issues. I personally have run on gruesome deaths of people that I knew very well at the intersection of 84/285 and Vista Grande. Which is a lighted T intersection. But because there's a problem there doesn't mean that that conclusion holds here. And so now you're saying it's better for an individual who's had a horrible experience, and I've had probably more of them, where I know there are problems, doesn't mean that conclusion is valid at this intersection and we're going to require an expensive –

COMMISSIONER BUSTAMANTE: My view is not anecdotal. Sincerely it is not that I just felt it. It was something that I literally committed –

COMMISSIONER HAMILTON: I understand, but that doesn't mean that it's required everywhere. You can hold true to your commitment without agreeing that it's required everywhere. And the point is, I know that maybe there are traffic studies that have been wrong. And there are people who drive crazy. But the requirement to say that

you're not going to take any traffic study – I'm really sorry. Just because Commissioner Hansen doesn't know the difference between a traffic circle and traffic calming, that's because she's not a traffic engineer. She doesn't need to know the difference.

CHAIR HANSEN: I do know the difference. I don't know if this is the situation or the place where I would put a traffic circle.

COMMISSIONER HAMILTON: I thought you said that. I wasn't accusing you of not knowing. I was literally thinking that you said that and there is a differentiation. And so it's important to differentiate. It's a big amount of money. For a group that wants to encourage affordable housing to put unaffordable requirements based on somebody's unprofessional gut feeling is inappropriate.

CHAIR HANSEN: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Madam Chair, I'm going to refrain from taking an unprofessional gut feeling as a result of why I believe in traffic calming. But as it may be your opinion, I would say I've spent a lot of time looking at traffic issues. With all due respect. So it's not an unprofessional gut feeling that I work from. But thank you.

CHAIR HANSEN: Did you want to make a motion?

COMMISSIONER BUSTAMANTE: Madam Chair, I'd motion to accept the proposal as written with the inclusion of the traffic circle as something that would still be required as a condition of the approval.

CHAIR HANSEN: Do I have a second?

COMMISSIONER HUGHES: Second.

CHAIR HANSEN: Okay. Under discussion.

COMMISSIONER HAMILTON: I think it's an entirely unrealistic requirement.

COMMISSIONER HUGHES: Madam Chair, I'm okay doing it now or later. I just think we need it sometime.

COMMISSIONER HAMILTON: You just seconded.

COMMISSIONER HUGHES: No, I know. I'm explaining my second. And I think that now is probably better, preferable. I also think that when we first heard this, staff was recommending the traffic circle, so I'm assuming it's going to be needed at some point, even if –

COMMISSIONER HAMILTON: No, actually they weren't when we first did this. This was required for the same reason it's being required up here. It wasn't needed before and it's not needed now.

COMMISSIONER HUGHES: But I think staff thought it was desirable. I guess maybe it wasn't in the study. Anyway, I made my second. I'm just explaining what I was thinking.

CHAIR HANSEN: Okay, we have a motion and a second. Commissioner Greene, I saw you had your hand raised.

COMMISSIONER GREENE: So, sadly, I think we're fighting over the wrong things. So I'd just put it that way. I think that this is – the traffic circle at a T intersection is not so necessary. I think a Sheriff's deputy out there ticketing people drag racing will do just fine, if we had coverage. But again, our issues are the wrong ones for a community that talks about sustainability this is not a sustainable plan. This is a cutting

corners and building less asphalt, which there's a value to that, but a real road network is the right way and having walkable amenities within – incorporated into 250 homes is the way to keep these people from having to go out into that intersection, right? Incorporate it into this project. You make sure, and maybe as a condition of this, a condition that says this development can never be gated. Right? And never be exclusive to the 250 homes that are there, so that the trails are not like something fenced off from the rest of the community and it's part of a regional network of things. So we're really starting to discuss the wrong issues in my opinion.

Anyway, you all get to vote, we'll all get to vote on this in a second. You can probably guess where I'm going. So thank you.

CHAIR HANSEN: Okay.

The motion passed by majority [3-2] voice vote with Commissioners Bustamante, Hughes and Hansen voting in favor and Commissioners Greene and Hansen voting against.

CHAIR HANSEN: The motion carries. Okay, so with all conditions was what the motion was.

MR. LARRAÑAGA: That's with the correction on condition #4 that I read out aloud?

CHAIR HANSEN: Yes.

12. B. **Case # 23-5170 Muse Fine Wine Spirits and Wine Wholesaler Liquor License. Muse Fine Wine, Applicant, Micaela Maestas, Agent, Request Approval of a Spirits and Wine Wholesaler Liquor License to be Located at 21 Bisbee Court, Unit G. The Property is within the Planned District Santa Fe Community College District (PD-CCD) and is Zoned as an Employment Center Sub-district (EC). The Site is Within Section 24, Township 16 North, Range 8 East, SDA-1 (Commission District 5) This Agenda Item Contains an Attachment.**

CHAIR HANSEN:

MR. LARRAÑAGA: Thank you, Madam Chair. Muse Fine Wine is seeking approval of a spirits and wine liquor license to be located at 21 Bisbee Court, Unit G. The applicant holds a current Santa Fe County business license. The zoning for this property is regulated by Ordinance No. 2016-9, the Sustainable Land Development Code, Chapter 8, Section 8.10.3, Planned District Santa Fe Community College District. The site is located within the employment center zone within the PD-CCD. Section 8.10.19, CCD Use Matrix, allows the sale of beer and wine and liquor for off-premises consumption and the use of a warehouse or storage facility as permitted uses. The CCD Use Matrix defines a permitted use as permitted by right within the zoning district. Permitted uses are subject to all other applicable standards of the SLDC.

The State Alcoholic Beverage Control Division granted preliminary approval of this request in accordance with Section 60-6B-4, NMSA of the Liquor Control Act. The Liquor Control Act requires the local option district to conduct a public hearing on the

request to grant a spirits and wine wholesaler liquor license at this location. In accordance with the Liquor Control Act, BCC may disapprove of the license if the location is within an area where the sale of alcoholic beverages is prohibited by laws of New Mexico, the issuance would be in violation of a zoning or other ordinance, or the use would be detrimental to the public's health, safety and morals of the residence of the local option district.

Growth Management staff has reviewed this request for compliance with pertinent code requirements and finds the following facts to support this submittal: the SLDC, CCD Use Matrix allows for the sale of beer, wine, and liquor for off-premises consumption, and the use of the warehouse or storage facility as a permitted use within the employment center subdistrict. The applicant has met the State of New Mexico requirements for noticing, the site is .3 miles from the nearest church and 2.8 miles from the nearest school.

Staff recommendation: Staff recommends approval of a spirits and wine wholesaler liquor license to be located at 21 Bisbee Court, Unit G. I stand for any questions.

COMMISSIONER HUGHES: Thank you, Jose. Are there any questions from the Board? No questions. Does the applicant want to say anything before we go to the public hearing? Okay. The applicant said no. So let's go to the public hearing. Is there anyone in the audience who wishes to speak about this matter? I don't see any hands raised in the audience. Do we know if there's anybody online? Daniel are you available somewhere? Matt, do you see anybody online? Okay, no one online to speak to this matter. We'll close public hearing. Are there any questions from the Board at this point? Would someone like to make a motion?

COMMISSIONER GREENE: I'd like to make a motion to approve the liquor license application for Case #23-5170, Muse Fine Wine and Spirits, and wine wholesaler liquor license to be located at Bisbee Court.

COMMISSIONER HAMILTON: I'll second.

COMMISSIONER HUGHES: Okay, we have a motion and a second. Commissioner Hansen is about to return so we can count her vote.

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

12. C. **Case # 21-5070 Reality Profit Sharing Plan. (Ron Sebesta), Applicant, Nathan Manzanares, Agent, Request (1) Approval of an Affordable Housing Agreement and (2) Preliminary and Final Subdivision Plat Approval for a 23 Single-Family Lot Subdivision. The 80.71 ±-Acre Property is Comprised of Four Separate Parcels Known as Love Ranch LLC. The 80.71-Acre Site is Zoned as Residential Estate Zoning District (RES-E). The Site is Located at 10 & 15 West Camino del Cielo, and 7 & 16 East Camino del Cielo, within the Vicinity of Camino La Tierra and within Township 17 North, Range 9 East, Section 18. SDA-2 (Commission District 2) This Agenda Item Contains an Attachment. [Exhibit 1: Applicant's Self-Imposed Conditions; Exhibit 2: Sierra Vista Power Point Presentation]**

CHAIR HANSEN: Thank you, Commissioner Hughes.

JOHN LOVATO (Building & Development Supervisor): Thank you, Madam Chair, Commissioners. Summary: This subdivision is classified as a Type 3 Major Subdivision containing 6-24 parcels where any parcel is less than 10 acres in size. The applicant requests Preliminary and Final Subdivision Plat approval to create 23 single-family residential lots with 22 primary dwellings, and one affordable lot with a duplex.

The parcel is within the general area of the Tres Arroyos del Poniente Community Overlay District but the parcel is not within the overlay district. Therefore, the applicant does not need to comply with the standards of the Tres Arroyos del Poniente Community Overlay District.

The current plat entitled Land Division for Love Ranch Partners LLC of 80.71 total acres was created in November 6, 2006 and recorded in the office of the Santa Fe County Clerks, in book 639, page 029. The Land Division created four parcels which are labeled Tract A, 20.38 acres, Tract B, 20.12 acres, Tract C, 20.20 acres, and Tract D, 20.00 acres, for a combined total of 80.71 acres.

The Applicant has the potential to subdivide the parcel into 32 2.50-acre parcels. However, the applicant proposes 14 2.50-acre lots and nine 5.00-acre lots for a combined total of 23 lots. The proposed 23 lots state that eight of the proposed market-rate lots will have accessory dwelling units. Lots 6, 7, 9, 10, 13, 17, 18, and 19 will have accessory dwellings and Lot 5 is the affordable lot with a duplex as approved by affordable housing.

The proposed access is directly off of South Wildflower Road which is a 24 feet in width and bisects the property. There is a looped internal road network that serves the four existing lots. Two of the 20-acre lots are accessed off East Camino del Cielo and the other two 20-acre lots are accessed off West Camino del Cielo.

Applicable requirements under the Santa Fe County Sustainable Land Development Code, SLDC Ordinance 2016-9, which governs this application are the following: Chapter 5.7, Preliminary Plans, Major Subdivisions, 5.8, Final Plat.

Studies, reports and assessments, the following studies, reports and assessments were required as part of the application: adequate public facilities and services assessment, water service availability report, and traffic impact assessment.

Sustainable design standards: The application was reviewed for compliance with applicable standards set forth in the SLDC as follows: access and road design standards, fire protection, landscaping and buffering, lighting, signs, solid waste, parking and loading, water supply, wastewater and water conservation, water harvesting, open space, protection of historic and archaeological resources, terrain management, and affordable housing.

Agency review: The following groups reviewed this project: NMED with approval; County Public Works, approval; County Fire Marshal, approval with conditions; County Utilities, approval; Soils and Water, approval; Santa Fe Public Schools, no opinion; and County Affordable Housing, approval.

Recommendation: The Affordable Housing Agreement has been reviewed and approved by the Affordable Housing Administrator and the Legal Department. Therefore, staff recommends approval of the Affordable Housing Agreement attached as Exhibit 7. Building and Development Services staff reviewed this project for compliance with pertinent SLDC requirements, and find that the facts presented support the applicant's request for preliminary and final plat approval for a 23-lot subdivision on 80.00 acres. Therefore, staff recommends approval of the Applicant's request subject to the following conditions. Madam Chair, may I enter those conditions into the record?

CHAIR HANSEN: Yes, you may.

MR. LOVATO: I have an amendment, Madam Chair, for conditions 7 and 8 to be read as follows: condition 7: Lots 6, 7, 9, 10, 13, 17, 18, and 19 shall be allowed 0.50 acre-feet of water per dwelling. And condition #8: Lot 5, affordable house shall be allowed .050 acre-feet per dwelling. [This was clarified and withdrawn at motion.]

CHAIR HANSEN: Okay, because they have an accessory dwelling. That's the reason. And the affordable lot, because it's going to be two –

MR. LOVATO: Madam Chair, that is correct.

CHAIR HANSEN: Okay. I get it.

[The conditions are as follows:]

1. The final plat shall expire 24 months after the final order is filed. Any time extensions shall be in conformance with the SLDC.
2. Compliance with applicable review comments from the following:
 - a. County Public Works
 - b. County Fire Marshal
 - c. County Utilities
 - d. County Affordable Housing
 - e. NMED
3. Final Plat with appropriate signatures shall be recorded with the County Clerk's office.
4. All staff redlines and comments shall be addressed prior to plat recordation.
5. No further Subdivision of the lots shall be allowed.
6. Lots 6, 7, 9, 10, 13, 17, 18, and 19 are allowed accessory dwelling units.
7. Lots 6, 7, 9, 10, 13, 17, 18, and 19 shall be allowed 0.25 acre-feet of water per dwelling. [Revised at staff report and revision retracted at motion.]

8. Lot 5 (Affordable Homes) shall be allowed 0.25 acre-feet per dwelling. [Revised at staff report and revision retracted at motion.]
9. Grading and Drainage plans shall be submitted with each individual lot at time of development.
10. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site, this agreement shall be signed by the Administrator, recorded and referenced on the plat. Water restrictions and conservation covenants shall be filed in the County Clerk's office and referenced on the plat.
11. A financial guarantee shall be submitted for all off-site and on-site improvements, prior to Final Plat recordation.
12. All roads being created with the subdivision plat shall be named and rural addresses shall be obtained prior to plat recordation.
13. All utilities shall be installed underground.
14. A Stormwater Pollution Prevention Plan (SWPPP) will be required at the time of Development Permit Approval.

MR. LOVATO: I stand for any questions you all may have.

CHAIR HANSEN: Any questions right now from anybody? We'll go to the applicant.

[Duly sworn, Nathan Manzanares testified as follows:]

NATHAN MANZANARES: My name is Nathan Manzanares. I'm with New Mexico Land Solutions, located at 915 Mercer Street, Santa Fe, New Mexico, and I understand I am under oath.

Good evening, Commissioners. Thank you for your time. I have a brief presentation to go over with you. I also handed out some hard copies of this presentation. I'd like to thank John. As alluded to in the staff report, this project has had a lengthy history. Has gone through a number of revisions, but I think we've worked well with staff to get it over the finish line. Right now, we're presenting 23 lots as noted by John, with the Sierra Vista Subdivision.

So this is a unique property. It was, as John mentioned, developed as the Love Ranch Development back in 2006. So back in 2006 all of this existing infrastructure was permitted and installed. This included paved roads, extension of lines for water, and what we're going to do – the only real infrastructure improvement that needs to be done in this project is teeing up this road right here. And you'll see that on the next plat. But other than that –

CHAIR HANSEN: What road are you going to clean up?

MR. MANZANARES: We're going to align West Wildflower with East Wildflower to the north edge, and you can see that on this slide here. So that off-set will now be teed up to have a safer passage for the intersection. So really the only infrastructure improvement that's going to take place is the repaving of this section of road. Everything else is existing and already installed.

CHAIR HANSEN: What's already installed?

MR. MANZANARES: These lots will have private septic tanks. There will be no community sewer. We did reach out to Las Campanas to acquire community

sewer and that request was denied.

CHAIR HANSEN: This is not part of Las Campanas?

MR. MANZANARES: No. I'll go into that a little further as we – I think that's the next case, Madam Chair. This is outside both Las Campanas and the Tres Arroyos Community District. But as noted, I've highlighted the lots. We have 23 lots. We have the lots that are allowed accessory dwelling units highlighted in yellow, and we also have the affordable housing lot highlighted in red on Lot 5. As John stated, the ELIDA for this was approved on August 14th by the Board which allowed for the lots without accessory dwelling units to have .25 acre-feet, and the lots with accessory dwelling units to have a half acre-foot, as well as the affordable housing lot.

So as mentioned, this is zoned Residential Estate. You can see here this is the Residential Estate within the Santa Fe County district. It is outside of the Tres Arroyos Community District and has a 2.5-acre minimum lot size. This is it relative to the Tres Arroyos Community District. So directly south you do have the Tres Arroyos Community District. I think that the concern – there's some letters of opposition from the surrounding area that they want to maintain consistency with the TAP, and our client is willing to do that.

This is what his dimensional standards are by right, per the Residential Estate zoning district. They have a 24-foot height maximum. We're actually willing to impose an 18-foot height restriction. That's not required, but we think to be good neighbors and be consistent with the area, we are going to adopt and self-impose the Tres Arroyos design and architectural standards as special building notes on our final plat. This actually holds more teeth than if they were included in private covenants, because private covenants can be changed, and this also provides a mechanism for staff to make sure that these regulations are met.

So, as noted, we're going to limit the size of accessory dwelling units to be below 2,000 square feet with a maximum height of 18 feet. We'll meet the architectural design standards for light reflectivity, as well as ensuring that all buildings will have neutral brown, beige, or earth-tone stucco, or adobe material as the prominent colors. We'll also reduce light reflectivity from any peaked or angled roofs. And we feel like that really does address a lot of the neighbors' concerns. I would like to request that in addition to staff's conditions as amended and stated in the staff report that the following conditions also be self-imposed for this application, which includes the 18-foot height maximum for all buildings within the development, as well as abiding by the architectural and design standards of the Tres Arroyos Community District that is directly south of this development. And with that I stand for any questions. Thank you.

CHAIR HANSEN: Thank you. Any questions from the Board? I want to go to public hearing. Okay, I want to open this up for public hearing for this development only. Do we have anyone? Okay, please come forward. You'll have to be sworn in.

[Duly sworn, Lisa Phifer testified as follows:]

LISA PHIFER: My name is Lisa Phifer. My address is 3 Star Splash, which is in La Mirada, just to the south of the property we're talking about, and I am under oath. So thank you, Madam Commissioner and Commissioners for being here and taking public input. I'm speaking on behalf of the La Mirada Owners Association.

We are a registered organization. We have been following this proposal from the start, way back when the preliminary was done, and of course when Mr. Sebesta purchased the property and this particular iteration of the subdivision started. We do oppose the subdivision, which we submitted comments in writing. I know we're not the only ones to do that.

We've long known there's going to be a subdivision there. We know there's going to be affordable housing there. That is not what we oppose. What we oppose is actually the use of the land as described in the application. The application states that this will have 23 single family homes, but once you add the additional dwelling units, the ADUs and the affordable housing duplex, you're really talking about a 32-family subdivision. I realize that he is allowed to build a 32-home subdivision on 80 acres but we feel that the additional standards that will apply to that higher density usage should be taken into consideration.

Those 32 units, along with the described detached garages, studios, barns and corrals could result in well over 100 structures on this 80 acres and that density is very inconsistent with the surrounding neighborhoods which are all single-family homes. The plat currently as it was defined does not reflect the current RES-E setback of 25 feet on the side and the rear, and that really further reduces the buildable areas in the lots that are described on the plat. Not only is this inconsistent with the surrounding subdivisions but we feel that the water, sewer and parking needs for that larger number of units on the property really haven't been addressed in the application.

The water budget doesn't provide anything for the horses, the barns and the corrals and the pastures that would be required to support them. The wastewater plan doesn't address the additional dwelling units, nor does it address the rental units, the duplex. It also doesn't respond to staff's request that they consider using the Las Campanas sewer system. That sewer system does run along the eastern edge of the property already and serves La Mirada. It could easily serve that subdivision should they choose to.

In addition, the maximum height – Mr. Manzanares addressed that point saying that they would self-impose conditions to reduce to the TAP CD limit. I think my neighbors probably would welcome that change, but that was news to us. That's not something that was presented to us earlier, even though we have tried to get that kind of concession for 2 ½ years now. Pitched roofs are still there and that does further exacerbate our concerns about visual impact on other neighborhoods that basically look through them to see the Jemez.

We feel that parts of the application do not completely comply with the codes pertaining to drainage, outdoor lighting, fences, walls and parking, and Mr. Manzanares talked about the single infrastructure improvement needed to realign the roads. That's not East and West Wildflower, actually; it's Camino del Cielo. Those roads are in terrible shape now, and I would hope that they build a subdivision they would also improve the conditions of the roads as they are today.

These concerns are not new; we've raised them all along. Not just our registered organization but several others, many individual lot owners as well. And now you'll hear from many of my neighbors after I finish speaking. It is disappointing to us that we came here tonight having not gotten a single conversation with Mr. Sebesta over the

last year. We did have an initial conversation 2 ½ years ago but since then he's been reluctant to engage with us to hear our concerns, to be responsive and to try to be a good neighbor. So we are happy to see the self-imposed conditions; I want to acknowledge that, but at the same time, that is not our only concern. All the structures associated with horse-keeping and the density of the buildings is also of significant concern for us.

We respectfully ask the Commission to require compliance to all of the aspects of the code that do apply, and before approving the application we also hope that in making changes that the subdivision application may be a little bit more harmonious with the surrounding neighborhoods. We further ask that any conditions you do apply, apply directly to the plat. We are somewhat concerned that some of the conditions, for example, a designation of particular lots to be horse-keeping lots, not be in just the covenants but in the plat itself so that they cannot change as will. Thank you for your consideration.

CHAIR HANSEN: Thank you very much. Are there other people to speak? Can I see all the hands raised who want to speak on this topic? Okay. I'm going to give everyone two minutes. Please come up and speak.

[Duly sworn, Linnea Wall testified as follows:]

LINNEA WALL: My name is Linnea Wall. I live at 2 Light Air in La Mirada and I am under oath. Thank you, Madam Chair and Commissioners. As I said, I live at 2 Light Air which is in La Mirada directly south of the proposed development, and my home will be significantly and negatively affected by Mr. Sebesta's development as it's proposed. Along with the La Mirada Owners Association, I oppose this development as it's proposed. I'm very disappointed that despite Mr. Sebesta's claims of compromise, we have not seen any meaningful changes to his plans.

For example, despite our concerns that we have shared with him his covenants still encourage pitched roofs, two-story homes with multiple out buildings and lights that are totally out of touch with the covenants and the character of the surrounding neighborhoods. Sadly, Mr. Sebesta's plans show disrespect for his neighbors and disregard for a beautiful Santa Fe desert community. I encourage the Board of County Commissioners to vote no on Mr. Sebesta's application as proposed, and I thank you for your time.

CHAIR HANSEN: Thank you. Next. Please come and line up, those people who want to speak.

[Duly sworn, Lori Whittaker testified as follows:]

LORI WHITTAKER: My name is Lori Whittaker. My address is 13 Morning Breeze in La Mirada and I am under oath. Thank you, Madam Commissioner and Commissioners. I am here today to oppose the Sierra Vista application. My husband and I who live in La Mirada, we live in a property that directly abuts the Sierra Vista property and so we are immediately impacted by the proposals. I do appreciate the adoption of the Tres Arroyos statutes that as my neighbor, Lisa Pfeifer indicated is news to us but we do appreciate that concession regarding the height limits. A 24-foot height limit was completely out of character with the surrounding neighborhoods, but 18 feet still remains higher than most of the surrounding developments.

Rather than go through all of the same concerns that Lisa has expressed I

thought what I'd do is just paint a general picture of how Sierra Vista would contrast with our development, La Mirada, and most of the other surrounding developments. So for example, the height restriction in 18 feet – in La Mirada we have a 14-foot height restriction and all the houses are cut into the surrounding landscape to fit into the contours of the land. We have flat roofs; he's proposing pitched roofs with unspecified materials for the roofing.

We don't allow fencing of any kind other than courtyard walls. He is proposing apparently unlimited amount of fencing in a variety of materials including metal fences, coyote fences. We do not allow fences, not just for the aesthetics, although that's a big part of it, but also for environmental reasons. We have a lot of wildlife that traverse through our neighborhoods and the Sierra Vista property is actually a wildlife corridor for coyotes and jack rabbits and rabbits and a variety of other animals, and is also home to many nesting birds. So fencing is going to impact the wildlife. We take great pride in preserving our open spaces, which are then contiguous with all of our surrounding houses and there's no fence barriers.

The lighting. Lighting apparently in Sierra Vista can be up to on ten-foot poles. Our height restriction for lighting is 18 inches. They also say that lights can be on from dawn to dusk as long as they are shielded from the neighbors. Well, we look down over this property and I don't see how they can be shielded, and they will impact our dark skies, which we take extremely seriously.

We don't allow excess vehicles to be parked on our lots. He is proposing that extra automobiles, trailers, boats, recreational vehicles and similar structures be allowed but they must be shielded by fencing. That just provides more fencing.

The ADUs, there's very little information about that. Are they going to be used by the families who own the properties or are they going to be rental units? Are they going to be short-term rentals? We don't feel that it's been specified so presumably anything goes with that.

CHAIR HANSEN: Thank you.

MS. WHITTAKER: Thank you. The one last thing I just wanted to mention is a lot of these issues are related to the fact that he wants them to be equestrian estates, and horses and all of the accompaniments of raising horses such as corrals, fences, barns, lighting, etc. could be mitigated by simply taking horses out of the equation, which is one thing that we would strongly recommend. And I do appreciate that I have only two minutes, but I will say that we've waited 2 ½ years to be able to have our grievances heard, and I feel that you should make sure that you're giving everyone an adequate amount of time. Thank you.

CHAIR HANSEN: Thank you. Next, please.

[Previously sworn, Steve Goldman testified as follows:]

STEVE GOLDMAN: My name is Steve Goldman, 2 Light Air. I know I'm under oath. I live just south of Mr. Sebesta's development and I'm significantly impacted and negatively impacted. I stand with the homeowners association opposing the application. Let me explain briefly why. I invite Mr. Sebesta to come out, maybe for a sunset walk with my wife and I one of these nice fall evenings and watch the sun go down, and see what we have here, all the way from La Mirada up to La Serena, La Vida, all the way to Las Campanas. The covenants sort of paint a nice picture. It's a

park-like setting and I wish maybe he would come and understand what's going on here.

If he's an early riser he might like to see the sunrise on a clear morning right off the peaks of the Jemez Mountains. It's a beautiful area and it would give a little more sensitivity maybe to the natural landscape. Mr. Sebesta's project would be more harmonious to us, I think, to all of us. We all win. But as it stands I think it's out of tune and I must encourage the Board of Commissioners to vote no on this application. Thank you, Madam Chair and Commissioners.

CHAIR HANSEN: Thank you very much, Steve. Next please.

[Previously sworn, Dan Kratish testified as follows:]

DAN KRATISH: My name is Dan Kratish. I live at 10 North Star Gazer, and I am under oath. First, I fully support my homeowners association position on this new development. I have concerns about the impact of horses, with their attendant structures. Fences are a major concern. My biggest issue though is potential for light pollution. My house is immediately adjacent to the Sierra Vista property and one of my hobbies is astronomy, and I do a lot of astro-photography through my telescope which is permanently mounted about 50 feet from the edge of the Sierra Vista property line. Any ambient light from that property will affect my ability to do quality photos.

I understand the new development will not have streetlights, but individual homeowners can still have outside lighting which will impact our dark sky. There are a limited number of nights where you can really do astrophotography properly. It has to have a new moon. You have to have no clouds and darks skies, obviously are critical. Light winds. So on those limited number of nights, if I'm out doing my astro-photography and some homeowner has a bright light on their home, it's going to have a big impact on what I can do.

So one of the things I would like to do, to be pro-active, we want to be good neighbors. I would like the ability to build a contact, either the homeowner or the homeowner's representative from the association. Maybe it's inadvertently he left a light on. It's impacting me. I'd like to be able to make that phone call, not the next day or a week later but that night, because again, there are a limited number of nights where I can really go out there and do what I like to do and that one light could impact me. So I would like to see some sort of ability to be able to make that phone call, have a light turned off, and again, try to be a good neighbor without causing any conflict. So those are my concerns. Thank you.

CHAIR HANSEN: Thank you very much. Is there anyone else in the audience who would like to speak on this case? Is there anyone online?

MR. FRESQUEZ: Madam Chair, we have two users online. The first speaker is a Adair Waldenburg.

[Duly sworn, Adair Waldenburg testified as follows:]

ADAIR WALDENBURG (via Webex): Adair Waldenburg, 11 Morning Breeze, and I am under oath. Thank you, Commissioners and others that are willing to listen to the community surrounding this development. You have listened more than the developer has. The initial meeting did not include all the invited neighbors that should have been there, and that was the only meeting 2 ½ years ago. The developer, as La Mirada submitted, several provisions violate the Santa Fe Sustainable Land

Development Code. His flagrant ignoring the code, the plat he submitted had 10-foot setbacks instead of 25. There are various things that were not on the plat, and he's just ignoring not only the code and the neighbors, but any input that those would provide.

We ask that the County Board consider tabling this and asking him to come back with a complete accurate plat, and that he comply with all the provisions of the SLDC. That code, I was part of the League of Women Voters that spent a lot of time along with great staff in the County formulating that code. It's very important that everybody be held accountable for making an application that is consistent with that code. In this case, we have been ignored and parts of the code have been ignored, and that is deeply distressing in our county. So Commissioners, I ask you not to approve this submission. Thank you for your time.

CHAIR HANSEN: Next.

MR. FRESQUEZ: Madam Chair, our next speaker is Mark.

CHAIR HANSEN: Hi, Mark.

MARK(via Webex): I have to rush off to the airport. I didn't realize it would drag this long. I support all of the other neighbors with those oppositions.

CHAIR HANSEN: You have to be sworn in.

MARK: I have to run. I have to run. Sorry.

MR. FRESQUEZ: Madam Chair, we have one more speaker. Sorry, two more speakers. The next one is Ed Goff.

[Duly sworn, Ed Goff testified as follows:]

ED GOFF (via Webex): Hi, my name is Ed Goff. I live at 5 North Star Gazer. I am under oath, and I'll make it simple. I live in La Mirada and I am one of the neighbors who support what my neighbors have been saying tonight. I look forward to our being able to work with the developer to help him finalize plans that are consistent with County rules and regulations and state standards, and also be good neighbors. Thank you very much.

CHAIR HANSEN: Thank you, Ed. Next.

MR. FRESQUEZ: Madam Chair, our next speaker is Steve Zappe.

[Duly sworn, Steve Zappe testified as follows:]

STEVE ZAPPE (via Webex): My name is Steve Zappe. I live at 3 Escopeta Court in the Cuatro Vias Subdivision just south of the proposed development, and I am under oath. I'd just like to share some of the comments from neighbors that I have in Cuatro Vias, specifically concerned about horses and the inconsistency with what we have on residential lots surrounding them. We are concerned with the inadequate notification. We only received notification through La Mirada and our association except for the very first time that we got mail from the developer. And also there was no updating of the signs that were posted that were not updated for tonight's meeting. Again, we would have had very little opportunity to be involved in commenting on this.

We're asking the County to support the preservation of the covenants and the preservation of Las Campanas/La Mirada/Cuatro Vias neighborhoods by requiring Sierra Vista to adopt the set of restrictive covenants that we impose on the surrounding subdivisions. That's all I have to say. Thank you very much.

CHAIR HANSEN: Thank you, Steve.

MR. FRESQUEZ: Madam Chair, there are no more speakers on Webex.

CHAIR HANSEN: Okay. Thank you. Is there anyone else in the audience who wants to speak to this matter? You're the applicant. Seeing none, I'm going to close public hearing then I will – Nathan.

MR. MANZANARES: Madam Chair, Commissioners, I'd just like to make a closing statement. Thank you for your time and consideration tonight. We do have a project that has been vetted by staff and fellow review agencies with recommendations of approval. The setbacks can be addressed via condition #4 as we move forward with the plat redline comments. We will note all applicable setbacks on that plat. I apologize for that not being on the current plat, but that's a simple fix.

As stated, I believe the adoption of the self-imposed conditions to be consistent with the Tres Arroyos Community District really goes above and beyond what's required of Mr. Sebesta and the SLDC. And with that I thank you all. Thank you.

CHAIR HANSEN: Okay. Thank you. I'll go to comments or questions from Commissioners. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair, and I guess the thing that caught my eye about this project was that it's going to be on septic systems and there's going to be horses. I see that NMED, the Environment Department gave their approval but were they aware of – did they investigate the potential for groundwater pollution from 32 septic systems and 23 horse farms on 80 acres?

MR. MANZANARES: Madam Chair, Commissioner Hughes, yes, and just to clarify, there's going to be 22 dwellings and one duplex. So it will be 23 septic tanks. The lots with accessory dwelling units will have to share septic. That's a requirement of the SLDC. We were asked by County Utilities to reach out to Las Campanas. We did so. We provided a rejection memo to staff. Las Campanas was not interested in allowing that connection. So that was looked at.

CHAIR HANSEN: Isn't there another connection that they could make? Did they give you a reason? I'm sorry if I didn't read the letter of why Las Campanas Co-op rejected your application because I know they're underutilized.

MR. MANZANARES: Madam Chair, Commissioners, I believe that the reason was that if that connection was made it could allow for 32 lots, and for full build-out of the allowable density. I don't believe Las Campanas had any desire to have more than 23 homes out there, so they rejected that plan to not allow the developer to fully build out the 32 lots allowable by right and by density. That was the rationale I received from Las Campanas.

CHAIR HANSEN: But now you're only building 23. So did you –

MR. MANZANARES: We presented the subdivision as is but they also realized that by allowing the potential for both community water and community sewer it opened the door for more dense development in that area.

COMMISSIONER HUGHES: I think I still officially have the floor.

CHAIR HANSEN: You still do have the floor.

COMMISSIONER HUGHES: I wanted to hear what Mr. Lovato had to say on that subject.

MR. LOVATO: Madam Chair, Commissioner Hughes, when it comes to the Environment Department they typically don't look at issues as such. If they were

running a boarding school for horses or some kind of boarding facility that's something they would probably take into effect on their application as it came through. These are personal horses, if any are going to be on these lots, which the County does not govern for personal horses. So that kind of moots that situation from our standpoint in terms of our review. Certainly the Board has the discretion to do what they feel is necessary.

COMMISSIONER HUGHES: Do we put any limit on how many personal horses somebody can have?

MR. LOVATO: Madam Chair, Commissioner Hughes, I believe that is left up to the Livestock Board. But in terms of horses, I think we allow up to two on our side, and up to 12 horses that any one particular property can have without any type of boarding.

COMMISSIONER HUGHES: So up to 12 horses per property. I understand not everybody's going to have horses who lives here. I was kind of wondering what the limits are. Thank you.

MR. LOVATO: Commissioner Hughes, thank you.

MR. MANZANARES: Madam Chair, Commissioners, we're also willing to – we're only looking at two horses per lot that's eligible for horses. Not every lot will have horses but through the covenants and disclosure statement we will state that no more than two horses are allowed per lot, and if need be, we can incorporate that into the conditions as well. Thank you.

COMMISSIONER HUGHES: Thank you. Those are my questions for now, Madam Chair.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, Nate, for the presentation and I do want to give you a shout-out for incorporating ADUs in here. I think that that makes a different mixed type of housing stock in a single-family area. So whether it's somebody who wants to have a home business, okay. If somebody wants to have somebody that is taking care of their horses live on property, that's even better. So there's a lot of flexibility with the ADUs helping our housing crisis.

So just to ask a question about the setbacks. What are the setbacks that would be incorporated on the plan? And Nate, you said that you would be incorporating that into the final plat?

MR. LOVATO: Madam Chair, Commissioner Greene, the required setbacks are 25 feet within the zoning district. That being said, the applicant is going to be putting open space around those so that does not get developed in any such way. And I just wanted to also touch base on clarifying an issue about drainage that was brought up in the meeting. This isn't the typical subdivision that Santa Fe County sees coming through here. This was set up with the get-go, thus the infrastructure being in place and what not. So one of the more restrictive conditions Santa Fe County has imposed is that each lot will be required to submit a grading and drainage plan by a licensed engineer to ensure that no drainage or no terrain erosion control or measures affect property owners as much as possible. Along with that is a SWPPP plan for each residence that goes in place.

COMMISSIONER GREENE: I think that the fact that the road is pretty

much in there will cut down on a lot of terrain, drainage issues and like SWPPP mitigation during construction. So 25 feet from the neighbors and 50 feet between structures, essentially between home lots, correct?

MR. MANZANARES: Madam Chair, Commissioner Greene, in the Residential Estate as well as the Tres Arroyos Community District, it's a 25-foot rear and side setback, and a 10-foot front setback. We will be noting those setbacks on the plat. So the intention of those setbacks is to try to cluster the development to the center of the property to help provide that buffer.

COMMISSIONER GREENE: Okay. Is there consideration of sort of a night sky sort of regulation to require that all exterior light is below ten feet. So even if you have an 18-foot tall building you don't put a light at the apex of the structure?

MR. MANZANARES: Madam Chair, Commissioner Greene, as stated, each home will be reviewed individually for a single-family permit. The requirement of the code is that there shielded and downward facing. We're also committing to being below 900 lumens, which is also a requirement of the County code. I think that that would mitigate a lot of the concerns. There's not going to be any flood-lighting, spotlighting, anything like that. Everything will be shielded and downward facing.

COMMISSIONER GREENE: Okay. Great. Thank you. And then, so the current road was reported to be in substandard condition. Are you going to resurface it and to repair it up to County road standards, or –

MR. MANZANARES: Madam Chair, Commissioner Greene, there are some improvements that have been provided with grading and drainage plans. Ultimately, we're going to have to conduct a site inspection with staff to determine that, but part of this application will be, when we move forward with the improvements and the realignment of Camino del Cielo, we'll have to post a letter of credit and any improvements or any repairs that are deemed necessary by staff will be included within that letter of credit. But that will be contingent upon a site visit with staff and walking and if there are some areas that are chipped or need to be resurfaced, they will do that

COMMISSIONER GREENE: Thank you. As an equestrian-focused development, where is the closest equestrian trail?

MR. MANZANARES: Matt, I don't know if I can put up the presentation again, but it's basically going to run along the internal street of Wildflower. There's a ten-foot equestrian trail. That's actually a requirement within the Tres Arroyos Community District, so there's a number of equestrian trails that are being built in that area, and I think the closest would probably be Los Suenos Trail, if I'm not mistaken.

MR. LOVATO: Madam Chair, Commissioner Greene, this falls within our official mapping area, and so as required an equestrian trail or such, some sort of trail system that ties into what would be proposed trails down the line. In this case, it's not going to tie into anything but it's a requirement, much like the case that came before you several months ago, Rancho Cerro Grande. Similar situation.

COMMISSIONER GREENE: So the easement will be established and the trail will be built at some point. Are the developers required to build it?

MR. LOVATO: Madam Chair, Commissioner Greene, the developers will be required to build it out, and it will be platted as well, along with the easements.

COMMISSIONER GREENE: Great. I ask also because I think that this loop road here, the Cielo Loop or whatever it's called, would make a great opportunity for an equestrian soft-pack loop for the folks in that neighborhood to just trot along that look in the neighborhood, a walking path for humans as well.

MR. MANZANARES: Madam Chair, Commissioner Greene, that would be a private amenity to the community and could be forthcoming, but we were showing the public trail along the South Wildflower access, but that is a good idea and we'll take that into consideration. With it being – that could easily be accomplished and we'll look at that.

COMMISSIONER GREENE: I think that would be the amenity to show that it's a really equestrian facility that you could walk your horse out of your property and get to West Wildflower on the soft pack and have that amenity to really put in an amenity that follows what you say your community is focused at.

MR. MANZANARES: Great idea and we'll definitely take that into consideration,

COMMISSIONER GREENE: Would you be willing to do that as a condition of approval right now?

MR. MANZANARES: Yes, sir.

COMMISSIONER GREENE: Thank you. I appreciate that.

MR. MANZANARES: Add that to the other self-imposed conditions.

COMMISSIONER GREENE: And I wouldn't want to see it as a private amenity per se. It should be for everybody in the neighborhood to go turn the horses around and – [inaudible remark from audience] We understand that there aren't any current trails but I think that they're saying that there is a trail network being –

CHAIR HANSEN: Please. Okay. Commissioner Hamilton.

COMMISSIONER HAMILTON: So there were a lot of questions about the lighting, John. We have night sky light restrictions, right?

MR. LOVATO: Madam Chair, Commissioner Hamilton, that is correct. Each light will be required, for residential use be down shielded and under a certain lumen. I don't have that off of my head.

COMMISSIONER HAMILTON: Oh, I know that. I just want to know, does this actually comply with all those requirements.

MR. LOVATO: Absolutely.

COMMISSIONER HAMILTON: Including lights on homes.

MR. LOVATO: Madam Chair, Commissioner Hamilton, absolutely.

CHAIR HANSEN: Okay, I have a few questions. So it does concern me about the fencing around the property. I know that that area is pretty open and so I wonder – I understand why you would fence your horse in, and I understand why you would have a small fence around your home, like a courtyard fence or those kind of things, but am I to understand that you're going to fence each piece of property? That seems excessive and unnecessary.

MR. MANZANARES: Madam Chair, there is no intention to put a perimeter fence around the entire development. Any fencing will be directed toward containment of horses, via corrals or stables, but there is no intention to provide perimeter fencing around the entire development or each lot within the development. So

I don't know where that came from but that's not proposed.

MR. LOVATO: Madam Chair, it is one of those situations that's hard to govern, because within the SLDC you are allowed to build a fence up to six feet without a permit, and anything thereafter requires permitting. So it's one of those tight situations, but as you heard from the applicants it sounds like they're not going to do so.

CHAIR HANSEN: Okay. So I'm also, along with everyone up here, I think we are all concerned about the Dark Sky Ordinance and it being followed and being clear with residents, that that's respect. I live right in the city. I wish that the night sky was a little more followed in the city.

MR. MANZANARES: Madam Chair, Commissioner, I think that it's pretty standard practice, but if you want extra reassurance, lighting cut sheets could be provided with each single-family residence. That's already kind of a requirement of staff to do that in certain cases, but we can definitely provide that with each application and to verify that they are indeed shielded and downward facing and meet the lumen maximum in that area.

CHAIR HANSEN: Okay. And that they will not have their lights on all night.

MR. MANZANARES: We've give up a lot, Madam Chair.

CHAIR HANSEN: You can have your lights on all night? Okay. That's too bad. So my other question about the pitched roofs. That seemed to be another concern. If you're reducing the maximum height to 18 feet and the surrounding neighborhood if 14 feet, that doesn't give you very much room for a pitch.

MR. MANZANARES: Madam Chair, each lot will be a custom-built home and designed per that individual homeowner. As stated, the allowance is 24 feet. It will really be contingent upon designing around the terrain and that will be up to that individual owner whether or not they want to do a pitched roof. It will be tight to do. I agree, but I guess we've given up a lot.

CHAIR HANSEN: But you're going to do an 18-foot?

MR. MANZANARES: Maximum. Yes.

CHAIR HANSEN: Okay. Yes, go ahead, Commissioner Greene.

COMMISSIONER GREENE: Can I clarify that, because I know in the city the 18-foot has a different meaning. Is that the peak will be the maximum of 18 foot, or the median point of the roof:

MR. LOVATO: Madam Chair, Commissioner Greene, it will be the peak. That's how it's calculated in the county.

COMMISSIONER GREENE: So it could start at 12 and go up six feet or something like that. So it's not the whole volume.

CHAIR HANSEN: Okay. And are there other horse facilities around this area? Or horse equestrian developments?

MR. LOVATO: Madam Chair, the nearest horse facility, I would say is close to Aldea. The Aldea and Tessera Subdivision. Right there they have a boarding area. I'm not sure what the business is called. But that's probably the closest place that has horses. It's probably maybe two miles in distance.

CHAIR HANSEN: What about Las Campanas?

MR. MANZANARES: Madam Chair, you recently approved another

development that was an equestrian development known as Rancho Cielo Grande that was located via Los Suenos Trail that also connected into some additional equestrian trails in that area. That is less than two miles from this site. It's actually probably about a mile from this site, and I believe that a lot of that land is state-owned land that backs into Rancho Cielo Grande. So there are opportunities to go out and ride and do a long ride in that area.

CHAIR HANSEN: How far is Las Campanas?

MR. MANZANARES: Maybe two miles.

CHAIR HANSEN: Okay, I think that's all the questions I have.

Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. So to the point of the fencing aspect, would you be willing to put a setback condition for fencing, so it isn't just – like fencing not up to the road and not up to your neighbor of, say, 15 feet between neighbors and at least 15 feet at the back property line?

MR. MANZANARES: Madam Chair, Commissioner, I think we're really starting to flirt with the County imposing restrictive covenants on certain developments and not others. I understand that there are concerns, but as John alluded, if someone were to build a fence under six feet, that would not require a permit, and therefore it would be really hard to track and enforce. I don't believe that there's any intention to do that. There's not going to be any perimeter around the entire 80 acres that's going to encompass the subdivision. I just would like to remain consistent with other developments and not set precedents that could be construed as the County kind of pushing their weight around on certain developers and not others. Thank you.

COMMISSIONER GREENE: I appreciate that. I just thought I'd go fishing. But this is not a fishing development. This is an equestrian facility. So any other –

CHAIR HANSEN: Any other comments?

COMMISSIONER GREENE: Given the amenability to the addition condition, I'm going to make that as a part of my motion of approval. So you all are amenable to this and agreeable, and I really appreciate that. So I'd like to make a motion approving the Case 21-5070, Reality Profit Sharing Plan, and adding a condition of approval that all public roads including the – Cielo Grande? Name of the road?

CHAIR HANSEN: What's the circle of the road in the center of the plat?

MR. MANZANARES: Madam Chair, Commissioner Greene, so the only public road is actually South Wildflower. Camino de Cielo is actually a private road.

COMMISSIONER GREENE: So let me withdraw my motion in the need to clarify just for this. Were you willing to put an equestrian trail around that Camino Cielo loop?

MR. MANZANARES: There again, I think with it being public right-of-way, we can do it along Wildflower. When you start mixing public amenities with private amenities, it just gets sticky.

COMMISSIONER GREENE: Is it a public road?

MR. MANZANARES: Only Wildflower. Not the loop road that is used for the internal access of the subdivision.

COMMISSIONER GREENE: So Wildflower already has the requirement to build a trail?

MR. MANZANARES: Yes.

COMMISSIONER GREENE: So you're not so amenable, so I won't be either.

COMMISSIONER HUGHES: Madam Chair, I just want to make a comment that I think we heard all of the neighbors' concerns but I don't know that we have any ability to impose anything that's not already in the SLDC regarding that. Especially we talked about the dark skies but that's already in there and I don't know that we can impose anything else. I just wanted to make that comment.

CHAIR HANSEN: I think we've tried to address a number of the residents' concerns here. We're limited in what we can do by the SLDC. I don't know where they're not in compliance. So if there's anywhere where they're not in compliance, John, can you tell me?

MR. LOVATO: Madam Chair, upon my review, I believe they're in compliance with everything. That's why this case is before the Board tonight.

CHAIR HANSEN: Okay.

COMMISSIONER GREENE: We don't have to approve everything, right? This is like saying you have to approve something because – you can extract concessions and things. Yes, there is a debate to be had there. We will have a session about that soon. But you don't have to say yes today. Somebody's got to make the motion. I was willing to make it if there was a loop around Camino Cielo, but –

CHAIR HANSEN: I know it's my district. I'm well aware of that.

MR. MANZANARES: Madam Chair, Commissioner Greene, by all means, we'll do the private loop. I just think there's a lot of liability of making that a public trail within private property. That's our concern. We will provide that as a private amenity to the residents of Sierra Vista, but like I said, those precedents and mixing public and private is kind of unheard of, to be honest.

CHAIR HANSEN: Riding their horses out of their property on to a private road.

MR. MANZANARES: On to public road.

CHAIR HANSEN: No, private road, because not every single house is going to be connected to Wildflower.

COMMISSIONER HAMILTON: Madam Chair, I'd like to make a motion to approve this application as recommended by staff.

COMMISSIONER BUSTAMANTE: I'll second that.

MR. MANZANARES: With the self-imposed conditions?

COMMISSIONER HAMILTON: No. Just with the staff conditions.

CHAIR HANSEN: The self –

COMMISSIONER HAMILTON: No. Just with the staff conditions.

CHAIR HANSEN: No.

COMMISSIONER HAMILTON: You can't tell me no. I made the motion.

CHAIR HANSEN: I mean I'll vote no. Under discussion, they've made numerous concessions and I think we should accept them.

COMMISSIONER HAMILTON: I am unaware of any concessions.

COMMISSIONER BUSTAMANTE: The self-imposed –

COMMISSIONER HAMILTON: I'm not aware of any. I thought they just withdrew it.

COMMISSIONER BUSTAMANTE: No, no, that was only the -

COMMISSIONER HAMILTON: Oh, yes. The height things, yes. With those. Yes.

COMMISSIONER GREENE: They also just – if I may – they also just offered to build a private equestrian loop around the Cielo road loop.

COMMISSIONER HAMILTON: How about if we just make the motion with the self-imposed conditions on height and style that they made at the beginning of the presentation. Would you second that?

COMMISSIONER BUSTAMANTE: I second that.

COMMISSIONER HAMILTON: Thank you. There's a motion and second. Point of order.

MANAGER SHAFFER: If I could interject for one second. I usually try very hard not to do this. But relative to the changes in the water usage, those are expressed as – the recommendation at the beginning was to up those to .5 per dwelling unit. That actually doesn't make sense because they're expressed per dwelling unit. So if you're allowed two dwellings on a lot you would get .5 acre-feet per lot if you built both dwellings. So I think the condition as initially proposed by staff is sound and so I think staff would keep it as written. If you could just address that. Because I don't want there to be any confusion on that score.

COMMISSIONER HAMILTON: I didn't understand. Somebody misspoke. I thought it was –

MR. LOVATO: Madam Chair, Commissioners, yes, that is correct. It should be per dwelling. So the .025 carries on for both dwellings. So they get initially 0.50 for each one. So it's 0.25 per dwelling.

COMMISSIONER HAMILTON: That's what I thought it actually was. So yes. That's included in my motion.

COMMISSIONER BUSTAMANTE: That I second.

CHAIR HANSEN: Okay.

The motion passed by majority [4-1] voice vote with Commissioner Hansen casting the nay vote.

COMMISSIONER GREENE: I will say aye for this but I wish we had more willingness to discuss with –

CHAIR HANSEN: I will oppose. It's been approved with all the conditions, that you self-imposed, plus making clear that the water is .25 per dwelling, not .5 per dwelling. I thought the way it was explained, and I'm just going to make this clear, is that it was per lot, and if it was per lot, that would make sense but if it's per dwelling that's too high of a water budget. And we monitor the water budget. Just so

you know. I have papers at home that show La Pradera's water use, Oshara's water use, water use in Las Campanas. I'm well aware of what's going on so I want that to be clear. Okay, thank you.

12. D. **Case # 23-5160. The Village at Las Campanas Preliminary and Final Subdivision Plat. La Tierra Assoc., Inc., Applicant, JenkinsGavin Inc., Agent, Request Preliminary and Final Subdivision Plat for the Proposed Village at Las Campanas. The 104.64-Acre Parcel is Within the Las Campanas Planned Development District (PD-16). The Proposed Subdivision Comprises 100 Single-Family Residential Lots, Plus One Open Space Tract and Three Reserve Tracts for a Total of 104 Lots. The Development will Access Via Las Campanas Drive and Via Paseo del Aragon. The Site is Within Township 17 North, Range 8 East, Section 12 Township 17 North, Range 8 East, Section 15 (Commission District 2) (Packet Material Added) [Exhibit 3: Letters of Opposition]**

CHAIR HANSEN: We're going on to case #23-5160, the Village at Las Campanas, preliminary and Final Plat. This is Kenneth Quintana.

KENNETH QUINTANA (Case Manager): Good afternoon, Madam Chair. Before you today we have La Tierra Assoc., Inc., applicant, JenkinsGavin, agent, request Preliminary and Final Subdivision Plat for the proposed Village at Las Campanas. The 104-acre parcel is within the Las Campanas Planned Development District. The proposed subdivision comprises 100 single-family residential lots, plus one open space tract and three reserve tracts for a total of 104 lots. The development will access via Las Campanas Drive and Via Paseo del Aragon. The site is within Township 17 North, Range 8 East, Section 12 Township 17 North, Range 8 East, Section 15.

The subject property is part of the Las Campanas Master Plan, which was approved on April 14, 1992 for 1,419 lots. The Master Plan was accompanied by a development agreement, recorded on March 5, 1993 as Instrument #806016. On January 13, 2009, a 170-lot subdivision of Parcel D, Concierto at Las Campanas, was approved by the Board of the County Commissioners as Case #S 07-4411, which never moved forward due to the recession

The applicant is requesting a Preliminary & Final Subdivision Plat for the proposed Village at Las Campanas. The 104-acre parcel is within the Las Campanas Planned Development District. The proposed subdivision comprises 100 residential lots on 104.64 acres, inclusive of open space, two drainage tracts, and two remainder tracts. Roadways will be private and will be maintained by the Las Campanas Master Association. The proposed lots range in size from 0.23 to 1.6 acres. No accessory dwelling units (ADU) are being proposed with this development.

The applicable requirements under the Sustainable Land Development Code, Ordinance 2016-9, Ordinance 2017-7, which governs applications are the following: Chapter 4, Section 4.9.5, Subdivisions; Chapter 5, Section 5.7, Preliminary Plat; Chapter 7, Sustainable Design Standards; Preliminary Plat Review, Section 5.7, and Section 5.8, Final Plat.

This application has been reviewed for compliance with the applicable standards as set forth in Chapter 7 of the Sustainable Land Development Code, of Ordinance 2027-7, Road Design Standards as follows: access and roads, fire protection, landscape and buffering, lighting, signs, parking and loading, water supply, wastewater, water conservation, open space, protection of historic and archaeological resources, terrain management, flood prevention and flood control, solid waste, affordable housing.

Letters of opposition have been received with concerns with the TIA performed by Bohannon Huston, Inc. in regards to the entrance located at Paseo Aragon. The TIA has addressed the locations of the proposed access points and provides adequate levels of service of A and B, this meeting SLDC requirements.

Agencies review: Agents who reviewed this application are as follows: SHPO, approval with conditions; NMED, no comment; County Public Works, approval; County Fire Marshal, approval with conditions; County Utilities, approval; County Planning Divisions, approval with conditions; Soil & Water, no comment; Santa Fe Public Schools, no comment.

Staff's recommendation: Staff has determined that this application for Preliminary and Final Plat to allow a 100-lot residential subdivision known as the Village at Las Campanas Parcel D to be developed in a single phase is in compliance with the subdivision and design standards as set forth in the SLDC and therefore recommends approval of the applicant's request for preliminary and final plat approval, subject to the following conditions. Madam Chair, may I enter these conditions into the record?

CHAIR HANSEN: You may.

[The conditions are as follows:]

1. The boundaries of the development area shall be clearly marked on site with limits of disturbance (LOD) and fencing or construction barriers to be approved by Staff prior to any grading or clearing and before starting construction in accordance with submitted engineered Grading & Drainage Plan.
2. Applicant must provide an approved Storm Water Pollution Prevention Plan (SWPPP) with the permit application for infrastructure construction.
3. Mass grading of the site will be prohibited and noted as "Special Building Condition" on recorded Final Plat and transferred to any other plats associated with Village at Las Campanas.
4. Limits of grading shall be shown on Final Grading & Drainage Plan.
5. Pavement arrows and turn lane markings should be added at Las Campanas and Paseo Aragon and at Las Campanas and Village Road, to help denote the lane usage. These markings shall follow the Santa Fe County standards.
6. Any improvements should be designed to satisfy the latest version of the Manual on Uniform Traffic Control Devices (MUTCD) and the American Association of State Highway Transportation Officials (AASHTO) design standards.
7. All residences built on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 will require on-lot ponding.
8. Applicant must comply with all Review Agency's Comments and Approval Conditions.
9. Applicant must build all roads within the Village at Las Campanas Parcel D to a SDA-2 "Local Road" standard.

10. Final Plat shall be recorded within twenty-four (24) months after its approval or conditional approval or the Plat shall expire. Prior to the expiration of the Final Plat, the subdivider may request, from the Board. An extension of the Final Plat for a period of time not exceeding thirty-six (36) months.
11. Applicant must submit a cost estimate to be approved by staff and a Financial Guarantee prior to Final Plat recordation.
12. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site, this agreement shall be signed by the Administrator, recorded and referenced on the plat. Water restrictions and conservation covenants shall be filed in the County Clerk's office and referenced on the plat.
13. Accessory dwelling units are prohibited within this subdivision. This shall be noted on the Final Plat and in the disclosure statement.
14. All staff redlines and comments shall be addressed prior to plat recordation.
15. All roads/easements being created with the subdivision plat shall be named and rural addresses shall be obtained prior to plat recordation.
16. If the impervious area on any lot exceeds 10,000 square feet, then on lot ponding for the excess will be required.
17. All dwellings shall conform to the energy efficiency standards of the SLDC, including all affordable homes.

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

CHAIR HANSEN: Any questions from the Board now? Okay. I'll go to the applicant. Welcome, Ms. Jenkins.

MS. JENKINS: Thank you, Madam Chair, Commissioners. I am still Jenifer Jenkins and I am still under oath.

CHAIR HANSEN: We're glad.

MS. JENKINS: On behalf of Las Campanas Residential Holdings a request for final subdivision plat for a proposed 100-lot subdivision that is within the Las Campanas Master Plan. So just a few introductions. As I mentioned I'm here on behalf of Las Campanas Residential Holdings, I am with Jenkins Gavin; civil engineering services provided by Oralynn Guerrerortiz and Design Engenuity; traffic engineering provided by Bohannon Huston; and landscape architecture provided by Design Office.

So this is the subject parcel. It is a little over 100 acres. It is at the far southwest corner of the Las Campanas Master Plan area. So this is Caja del Rio that comes up from the 599 frontage road, winds all the way up and terminates at Las Campanas Drive. And then you see Las Campanas Drive circulates around the west side of the subject property, and continues north and kind of looping through the Las Campanas Master Plan area.

The property is zoned Planned Development District, which is basically the entire Las Campanas Master Plan area. When the SLDC was adopted was assigned a PD designation, which means that development in Las Campanas is governed by the approved master plan that was approved in 1992.

So as Kenneth mentioned, the master plan was approved in 1992 for 1,419 lots, and then subsequently in 2008 this subdivision was approved of this particular parcel for 170 lots, was approved by the BCC in 2008, and due to the recession that we all know,

kicked in right at that time, this particular project did not move forward. When the current owners of the property were looking to develop this tract – it's one of the last tracts in the Las Campanas Master Plan to be developed, they went back to this entitlement, which is still valid today, and looked at the design and looked at the layout and the unit mix and all of the things, and determined that they would prefer actually a little bit less density and wanted the opportunity to create some tracts for some potential future community amenities. And so this plan kind of was the starting point and then moved on from there to redesign and come in with a new application.

So as you can see here, this is the type of drawing if you were pursuing – interested in buying a home in Las Campanas you would see a drawing similar to this and you can see the Concierto plan shown here in the bottom left corner because that was the current plan approved for the site. And then zooming in you can see that relative – so it's here and then the Los Santeros community is just to the north, here.

CHAIR HANSEN: Are you pointing to Tract 2A?

MS. JENKINS: Yes.

CHAIR HANSEN: Okay.

MS. JENKINS: Thank you. So this is the proposed site plan. So there are some similarities with the previous approved plans but also some significant differences. We are proposing three access points and connections to the existing roadway network: coming north from Caja del Rio, this will be kind of the front door, the main entrance into the community that will come here, and then as you get in there will be a mailbox area where residents can turn in and get their mail, and then they either would go straight or take a right on Sunset Loop into the southeast area of the project.

And then as I mentioned, we are setting aside some parcels – we've been working with the homeowners association to identify some potential desired additional community amenities. And so this Tract D has been set aside and then we have Tract C, which as you come in the main road on Caja del Rio is right to your left.

We also have an open space tract, Tract F, which kind of connects in to the community mailbox area, and we have, as mentioned, our lots range in size. The lots here along Sunset Loop, most of them are about between a quarter of an acre and a third of an acre in size, and then we have the estate lots along the south side of Twin Hills Boulevard, and then we have the golf course lots along the north side of Twin Hills Boulevard.

The roadways include – we have sidewalk improvements, we have pedestrian pathway improvements along Twin Hills Boulevard as well, and I think that's pretty much – I can obviously come back to this image if you want to ask any more questions about the site plan itself.

So the over development program, like I said, the parcel is a little over 100 acres, and we have about 32 acres set aside in the reserve tracts. We have a little under eight acres of open space and drainage areas, and so the subdivision itself is isolated in terms of the lots and the roadways on 64 acres.

And we have the 100 lots, so 23 golf course lots, 15 estate lots, and then the 62 casita lots on the southeast side of the project, and we are being served by the Las Campanas Water and Sewer Cooperative, so we will be connecting to those co-op utilities. And this parcel already has a water allocation from the co-op of 51.8 acre-feet

per year, and our water budget for the 100 lots is just under 26 acre-feet per year, and the balance is being set aside to accommodate any future amenity improvements.

And then on the right side of the screen I've zoomed in our proposed connection to the existing Paseo Aragon, which is on the east side of the project. So Aragon connects to Las Campanas Drive, and there is an entry there, and then the entry kind of separates, if you want to go to their mailbox area or you can continue straight forward, and so there is – it's an existing three-way intersection. So there is Thundercloud, which goes off to the east, and we are proposing to basically convert this to a four-way intersection, and proposing a stop condition at the new connection, and there is an existing stop sign at Thundercloud.

So we're going to hear a little bit about Paseo Aragon this evening so I thought it might be useful to be able to zoom in on those existing conditions.

So we of course conducted a traffic study under the direction of the County Public Works Department. The following intersections were analyzed. We went all the way down to the 599 frontage road, all the way down to the beginning of Caja del Rio, and then we analyzed Caja del Rio at Las Campanas Drive, and our proposed south access point. We analyzed Las Campanas Drive at Paseo Aragon, and then we also analyzed Las Campanas Drive and our proposed west access. And so as I know everybody understands and is aware, traffic studies analyze intersections because those are the choke points. That's where delays in traffic flow and such. So if the intersections are operating properly then that is considered a high level of service, high level of operation.

So it's basically a grading system, A through F, and it's based upon delay. So the least amount of delay that you have, if you move through an intersection, whether it's a stop condition or unsignalized, you get an A, and then as the delay gradually increases a little bit the grading goes down from there.

So these are the levels of service that we have in the existing conditions today, based upon our traffic counts, we look at the a.m. peak hour, which is the morning rush hour, and we look at the p.m. peak hour, which is the late afternoon/evening rush hour. And so you can see in the existing condition, we have fantastic levels of service. In the build condition, in 2027, we also again, maintaining excellent levels of service, and then in the no-build – so basically we look out to the implementation year and say, okay, if this project didn't get built, what are the conditions going to be three years from now. And so we do that comparison.

So for example, you can see in the p.m. at Caja del Rio and 599, it goes from an A to a B but it's going to do that whether this project is built or not. So again, the results of the traffic study are excellent, maintaining really good levels of service at all the intersections.

So we had several meetings with the Las Campanas community and the Los Santeros community, and there was some concern expressed about our proposed connection to Paseo Aragon that is reflected in the current approved subdivision. And so that was not an intersection that Public Works asked us to analyze, but based upon the concerns we heard, we said, well, let's analyze it. So we did. So we looked at that intersection, not at Las Campanas Drive, but interior to Paseo Aragon where Thundercloud intersects. And as you can see, the levels of service are fantastic. They're all levels of service A, which means there is minimal delay moving through that

intersection.

We also did what is called a queue analysis, because there were concerns as people are entering from Las Campanas Drive, that working their way through the vehicular gate, that cars can – it can be slow and cars can back up a little bit on to Las Campanas Drive. So we looked at that and we found that the longest queue happened in the morning entering Paseo Aragon, which is kind of odd, because the people are going to work, who's coming home at 7:45 in the morning? Well, it is typically not residents coming home at 7:45 in the morning, but what was observed is that 50 to 60 percent of the cars were contractor vehicles. Whether it's a plumber, a roofer, or somebody working on a subdivision within Los Santeros for new construction. So that was kind of interesting and what's also really curious, as you can see, if any of you have driven up Caja del Rio at Las Campanas Drive, you see this sign. Los Santeros construction entrance, go left. There's supposed to be a designated construction entrance for Los Santeros, meaning the contractors aren't supposed to be using Paseo Aragon.

So we thought that was curious. So I went back and did a little research. So this is the Los Santeros Subdivision plat, and what you can see on the left that I've highlighted there is Calle Gonzales, and it calls out that Calle Gonzales is supposed to be the secondary access into Los Santeros. I'm like, huh? That's curious. And I went through all the plans and there's plans, there's design for the secondary access going into Los Santeros. So this is Calle Gonzales. It's gated. There are no gates identified in the Los Santeros plans. This is not identified as a gated access, which is interesting, and most of the communities in Las Campanas do have gates. But this is not a developed Las Campanas resident entry. This is used by contractors and presumably for emergency access, potentially.

So concerns have been expressed that Los Santeros only has one access point at Paseo Aragon. But according to the approved plans for Los Santeros, it's supposed to have two, which would help distribute traffic. The SLDC is very clear about the importance of roadway connectivity, as we did talk about a little bit earlier this evening. And so I hear the concerns about Paseo Aragon as we can see, there are not traffic jams per the traffic study happening at Paseo Aragon. But I do think that there are potentially some things that maybe need to be improved with respect to a secondary access that was never finished or completed or developed with respect to those approved plans.

So we and I believe that more connectivity is better. All intersections operate better when we distribute traffic among multiple access points. That is crystal clear. We have an existing subdivision that my clients could build that today, 170 lots with three access points. It's not their preference. They prefer to build 100 lots with the three access points as were approved. Again, more connectivity, better functioning intersections, in accordance with the Public Works recommendation for approval, and in accordance with Growth Management's recommendation for approval of the design as presented.

So with that I'd be happy to stand for any questions. Thank you very much for your time.

CHAIR HANSEN: Questions or public comment? Okay, I'm going to go to public comment. How many people are here to make public comment? Okay, I would like you to all get sworn in at the same time. If you would please stand and raise your right hand.

[Those wishing to speak were placed under oath.]

JANE COUTTS: We are a tag team. My name is Jane Coutts. I live at 22 Paseo Aragon, which is in Estates 4 of Las Campanas, and I am under oath. Commissioners, thank you for your time. I know it's been a long day. While we were welcome our new neighbors in the village I am here to voice strong opposition to a third gate opening into the village using our Paseo Aragon gate. Actually, I misspoke. They do not have a gate planned for their – it's completely open access.

This may be déjà vu for you Commissioners. As was mentioned, a plan was approved in 2009 and many plans have been bounced around since that time. The number of homes that was approved in 2009 as was mentioned was 170, and at that time Los Santeros had about 20 homes in it, so much has changed since that time. The number of homes in the village is to be 100, so reduced by 40 percent, and the number of homes in Los Santeros has gone from about 20 to 130 already built, and about another 30 lots to be built.

The only thing that hasn't changed is that the developer would still like to have three access points, one of them cutting through as a short cut through the Paseo Aragon gate. We respectfully ask that you remove this gate from the plan.

Cienda bought this property along with the other undeveloped properties of Las Campanas in 2012. At that time the marketing brochure for these properties said that Parcel D, which is the village, "can be oriented to have its own gated entry without entering Las Campanas. We agree. There is no reason to have to enter Las Campanas in order to access the village. Los Santeros, which Stephen will show you where it is, has 130 built homes already, more than the village will ever have at full build-out. We have one entrance, and I noticed that Ms. Jenkins noted that Gonzales was planned as a second entrance. It is undeveloped and very close to what is planned for the village. So there is no reason to think that that is going to be developed.

The furthest home in Los Santeros from the Paseo Aragon gate is a full mile. Twenty-two more homes are planned for Tierra que Canta and those will have their mailboxes with all of Los Santeros, which is 160 mailboxes in that little sliver that goes out to Las Campanas Drive. About 20 homes on Thundercloud also consider the gate at Paseo Aragon to be their primary gate because it is the closest to them.

CHAIR HANSEN: Thank you. Time is up.

[Previously sworn, Stephen Eastwood testified as follows:]

STEPHEN EASTWOOD: I wanted to use the slides that were presented by the developer. I think some of their slides are making our point, but I don't want this to take up my two minutes. I'm asking permission to use the slides – Oh, hi. Is that okay?

CHAIR HANSEN: What slide do you want?

MR. EASTWOOD: I actually need three and they're all in succession. The first is the map of the area that also shows Los Santeros in the upper area. I believe it's the second one that has the gate at Paseo Aragon. It makes it easier because you've got all that data clearly right in front of you, correct?

CHAIR HANSEN: Yes.

MR. EASTWOOD: That's why I'd like to do that.

CHAIR HANSEN: I don't know if Matt – is he okay? Okay, it's just not on our screens.

MR. EASTWOOD: Okay. Well, let me start, let me use my two minutes. Good evening. My name is Steve Eastwood. I live at 4 Avenida Madison, and I've been sworn in. Good evening. The basis points are these. Number 1, when fully developed, the area around Los Santeros and the related developments are part of a circle wherein there is a single access point for what will eventually be 160 homes. That represents in and of itself the unprecedented amount of volume going through a single gate. There is nothing anywhere near Las Campanas that has that much volume going through a single gate.

Now, let's talk about the gate. The gate as currently configured and as presented on the slide shows two channels. And if you can pull those up there; I don't know whether you can. There are two entry channels. One entry channel is – I'm going back for the benefit of the Commissioners so that we've got a – now go forward one slide. Perfect. Thank you. As currently configured what you have are two entry points coming in from Las Campanas. One is a standard volume traffic lane, the other is an access to mailbox. As referenced earlier in the presentation, there will be eventually 160 mailboxes in that area. Not really – well it is shown somewhat clearly, there are restricted sight lines coming in and out of the mailbox area. Please note that that traffic is in direct conflict with people turning left into the new access point into Parcel D. So that is a clear safety issue.

And of course that safety issue hasn't been analyzed in the traffic study that we have. The traffic study that's been presented is date, number one, and number two, it affects only the entry point. The entry point is not the crisis point in what we're concerned about. The primary issue is at that intersection. What is also not shown here is that Thundercloud has a mechanical gate. It is a low-volume traffic. And of course that hasn't been analyzed by the traffic study. Clearly what will be coming from the – what will be operating here, there's no mechanical gate. There will be a relatively high volume of traffic, again, not assessed in the traffic study.

So what you have then are a number of questions that we're trying to resolve around this. Thank you.

[Previously sworn, Stephen Coutts testified as follows:]

STEPHEN COUTTS: Stephen Coutts, 52 Paseo Aragon. I acknowledge I am under oath. I have three poster boards to highlight what the previous speaker addressed. First is traffic as it now it exists, [inaudible] in that critical hundred yards behind the gate that follows. Traffic coming in is Los Santeros residents and Thundercloud residents. Los Santeros, after the gate, can bear left to go into the mail area and pick up their mail, or bear right to go on the way to their home. The critical – one of the critical areas is the merge lane from the mailboxes to Paseo Aragon. That's an acute angle, and to help address this, the HOA has put in a speed bump, a stop sign and a parabolic mirror, but it's still dangerous because one is looking acutely behind the shoulder at oncoming traffic.

Next poster board. What changes – now, if the third entrance to the village is allowed, suddenly we have three new traffic patterns. We have the existing ones and now we have cars exiting the village will have to turn right and cross a walking pathway, which parallels Paseo Aragon. Up until now that pathway has not been breached. This entry way will breach it, so something will have to be done about that. In an emergency, cars exiting the village will have to merge with a large stream coming out of Los

Santeros.

Secondly, we have cars entering the village through that very narrow place. There is stacking room for only one car once the left turn is made from Paseo Aragon to enter the village. If there's more than one car there, traffic will stop on Paseo Aragon. In addition, the sight line from that left hand turn right to exiting traffic from Paseo Aragon, because of the mature trees is very, very difficult.

And finally we have now cars crossing both lanes of Paseo Aragon from the village. The final exhibit shows the signage that will be necessary for including this entry into the village. There will need to be a minimum of five stop signs; three exist now. We have increased traffic for the merge from the mailboxes of Los Santeros, which will have more traffic and be riskier, and we have more traffic coming into the village which will create a hazard. This entrance is unsafe and we ask the Commissioners to reject it.

[Previously sworn, Jan Watson testified as follows:]

JAN WATSON: Jan Watson, 7 West Avenida Sebastian. Madam Chair, Commissioners, as you are hearing from many residents I am very concerned about the traffic and safety issues that will arise if Cienda is allowed to build that third access gate to Parcel D through the Paseo Aragon gate. I fully understand that the third gate was in the original proposal to the County many years ago, but much has changed since then than when the approval was first granted by the County. In particular, Cienda has drastically changed their build-out plan and moved their highest density residential areas so that they are now adjacent to the Paseo Aragon gate rather than spread through that whole parcel.

For the hundred houses that are planned to be built in Parcel D it seems totally unnecessary for them to have three different gates, especially considering the fact that currently Los Santeros only has one functional gate. The one that they showed you where it was the dirt road, you have to have a special code. Nobody can get in that unless they're construction people and they have a code. You can get out that gate but you – residents cannot get in it.

Cienda says that they've done a traffic study, but I don't think they've really looked at it in terms of what really happens with us. This is an aging community. People are not going to work, so you don't end up with rush hour traffic like you normally would. But the bigger problem safety issue, is that there's a lot of people walking and jogging and walking their dogs.

All of us understand that Cienda, as the developer, has the right to do pretty much whatever they choose in terms of developing Parcel D, but since Cienda has changed their plans and have in effect created this problem by planning to build more than 60 percent of its homes next to Paseo Aragon, that prior approval should be re-examined and only granted now if Cienda either removes or drastically limits the use of that third gate.

For those reasons I respectfully request that the Commissioners either stop the construction of the third gate onto Paseo Aragon, or if allowed, to insist that it be locked and/or only used for one way emergency egress. The safety of our current residents, whether they be driving or walking in that area, should be of utmost importance. Thank you very much for your time.

[Previously sworn, Raymond Juzaitis testified as follows:]

RAYMOND JUZAITIS: My name is Raymond Juzaitis. I live at 127

Thundercloud Road in the – which is only one-tenth of a mile from the intersection of Thundercloud and Paseo Aragon. And I'm under oath. My concern is related to the increased safety risk posed by the Parcel D development of 100 new homes which potentially includes an east entrance on to Paseo Aragon. The traffic capacity changes will raise the probability of accidents at the four-way intersection of Paseo Aragon, Thundercloud, and the proposed east entrance.

The sight lines, as was previously remarked, the sight lines at this intersection are quite poor owing to the built environment and close proximity to the intersection. The traffic impact study that was commissioned by Las Campanas Residential Holding was unfortunately irrelevant, really, to the safety concerns raised by our community for the following three reasons: Number one, the traffic study relied on a very sparse data set based on only two days of traffic observation in February, arguably reflecting the least amount of traffic during the year, after the winter holidays and before summer season that brings in a much larger population of property owners.

Number two, observations at the locations chosen in the traffic analysis did not include the intersection that was of most concern to this community. It's the intersection of the Thundercloud and Paseo Aragon. And the traffic study only addressed the potential slow-down of traffic flow, rather than extending it to the accident probability. The risk is maximized during emergency evacuation when the traffic flows from three different neighborhoods would merge into a single exit lane at the Paseo Aragon gate.

In summary, given the three currently proposed exits from Parcel D, compared to the single exit existing for the 130 current or planned homes in Los Santeros, and about 40 more homes on Thundercloud that use Paseo Aragon gate as their preferred exit, the Parcel D proposal unfairly shifts safety risks from the new property owners of Las Campanas Village, to the existing property owners in Los Santeros and Estates 4. This is simply an unfair shift of distribution of the risk and it's uncompensated for. Thank you for your consideration.

CHAIR HANSEN: Thank you. I would really like you to not repeat what everyone else has already said. So please keep your comments fresh.

[Previously sworn, Ken Kirk testified as follows:]

KEN KIRK: Ken Kirk, 30 Camino de Colores. We've lived in Las Campanas since 2015. We bought our home in actually 2008, and I know some of you, based on my work with the Las Campanas Water Co-op and the City's Water Conservation Commission and the Water Policy Advisory Committee in the County. And this is really, really important. I've never seen – I'm from Washington, DC, I've never seen anything quite like this in Parcel D. A hundred new homes, 200 cars, at least, and the traffic analysis that was conducted was, I thought, really, really poorly done and the report does not attempt to serve as a justification for placing or putting an access point to the Aragon gate.

There will be two other gates that I think are more than sufficient than having the burden of putting all that traffic into the Aragon gate. I think it's important to use common sense here. Common sense dictates that the councilors reject the notion that the Aragon is a perfect access point. Thank you.

CHAIR HANSEN: Thank you, Ken. Next, please.

[Previously sworn, Carol Kravetz testified as follows:]

CAROL KRAVETZ: Carol Kravetz, 14 Camino de Colores. I am under oath. Hi. I'm going to make it short because a lot of people have said the same thing. Thank you, Commissioners for hearing us. We live in this area that can be very dangerous anyway, because we don't have a lot of cars – I've been editing, so let me get to it.

We feel this is dangerous to have this extra open gate. There won't even be an electronic gate and I feel like people are going to be rushing through it. So whether we're driving or we have our pets, we stop at the mailboxes, we park our car. We walk, we're crossing the exit. We're crossing the opening, the entrance and the exit and it could be dangerous with our animals, our pets, and our bikes. So we're vehemently opposed to this entrance.

A lot of points have been made. There's two and three people in each of these hundred houses in our area that have as many cars, and we are most concerned about the construction vehicles that will be using our gate to go to the Parcel D to the village. And when the village entrances are only going to be a few minutes way. So we adamantly request that the consideration of the use of Los Santeros gate be rejected, and we thank you for your attention to this matter. We look forward to a result that values our safety over a short-cut for others. Thank you.

CHAIR HANSEN: Thank you, Carol. Next.

[Previously sworn, Scott Vandenberg testified as follows:]

SCOTT VANDENBERG: My name is Scott Vanderberg. I live at 9 Camino de Colores and I'm sworn in. I'd like to just make comments about one subjects because a lot of subjects have already written you a letter about lots of different parts of this complaint. I want to talk about emergency evacuation. I'm the past chairman of Safety and Security for Las Campanas. During my time as chairman I started to study to improve our evacuation in case of fire or some other natural disaster. And that is still a work in progress after four years now, and it's getting better and better and better. We're trying to work with the City who does not have such a plan. We'd like you to.

CHAIR HANSEN: We're the County.

MR. VANDENBERG: The County. Excuse me. The County. Okay. Las Campanas only has two ways out, Las Campanas Drive and Caja del Rio. So if a fire or something were to occur where everyone has to exit towards the city, and we have things where we notify people and they're ringing. We're working with fellow communities now trying to make it even better. Now then, take this into consideration. Las Campanas will be built out at 1,250 homes. We're getting close at about 1,000. All right. The Los Santeros gate, or whatever you want to call it, Paseo Aragon, its proper name. All right. Then in an emergency could have 360 homes wanting to go through that gate to get out of the way of fire. That is 25 to 35 percent of the whole population of Las Campanas. That is just not safe.

Now then, they have a main entrance that will come off of Caja del Rio for 100 homes. That leaves the other 260 homes that are probably going to use the Los Santeros gate to get out in case of an emergency. I think that that gate is not only unnecessary, it is absolutely dangerous to cause a traffic jam in an emergency. Thank you.

CHAIR HANSEN: Thank you, Scott, very much. Next.

[Previously sworn, Jack Healy testified as follows:]

JACK HEALY: My name is Jack Healy. I live at 34 Camino de Colores in Santa Fe. I am under oath. I've got a different view of the whole thing. I thought they did an excellent job of explaining the dangerous intersection with the volume of people coming in there. And I'm looking at a different area for safety. I'm a geologist and there's a lot of faults around Santa Fe that are not active, but with global warming taking place you're beginning to see around the world right now a lot of active earthquakes taking place. Now if one here damaged one of these gates around here. We're going to have a big bottleneck. My view is we need another gate period. Thank you.

CHAIR HANSEN: Thank you, Jack. Next.

[Previously sworn, Robin Robie Lucero testified as follows:]

ROBIN ROBIE LUCERO: My name is Robin Robie Lucero. I live at 7 Plaza Molino. I'm under oath. My husband and I have lived in Los Santeros for 14 years. Both of us are in healthcare, and we believe in preventing a problem before it becomes a disaster. I fear the proposed gate entry, Twin Hills gate and Paseo Aragon intersection. The increase of traffic to our gate entry will only cause a greater safety risk to anyone walking, cycling or driving at that intersection. I've already seen a great increase of people speeding and running stop signs.

From my own experience of November 2017, my daughter was cycling on a Santa Fe street. A driver who was distracted with limited vision turned his car directly into my daughter and almost ended her life. This proposed gate intersection has even less visibility than the intersection where my daughter was hit. I'm here hoping to prevent another type of accident happening to anyone in my own neighborhood. Please do not consider approving this gate at the village community into Paseo Aragon. The village community will have two gates. This gate that they're considering into Paseo Aragon is only for convenience. Thank you and good night.

CHAIR HANSEN: Thank you, Robin. Next, please.

[Previously sworn, Al Antonez testified as follows:]

AL ANTONEZ: Good evening. My name is Al Antonez. I live at 8 Avenida Herrera. Sorry about that. I don't go there very much; I'm at work all the time.

CHAIR HANSEN: I know that.

MR. ANTONEZ: I have many of my friends here. First I wanted to say that we've met with the folks from JenkinsGavin and from the golf course where I'm the general manager. We have absolutely no issues with their proposed development. It's extremely thoughtful and we really discussed all the different water flows that would come potentially from the property, and they've really done their homework on this and it's really great to deal with firms that do their work and really do the research to give you the facts. And we asked great questions. Tom Egelhoff, our director of agronomy is not able to join us tonight but anyway we have no issues at all whatsoever with that.

I also live in Los Santeros and while I have many friends that are here I was really thrilled with the fact that it was originally proposed with 170 homes and it's now proposed with 100. And with the three entrances that were originally approved for the 170, that was really – would provide a great access and egress to this part of the community that would make Las Campanas be that much more robust as well. The relocation and sort of the dedication of having the mailboxes down by the entrance by Caja del Rio was brilliant, because that really will guide the majority of the traffic in and

out of there, at times, whether it's in the morning or the afternoon, or early evening to get your mail, will take that traffic through there.

The new gate system that the HOA is implementing right now will really reduce the amount of time that anybody spends at the gate, including all the residents and all the dedicated contractors that are approved. So I'm 100 percent in favor of this plan as presented and am really thrilled to see the changes to make it that much better for the Las Campanas community and for me that live in that area as well. So I want to thank you for your time. Appreciate it.

CHAIR HANSEN: Thank you, Al. Next please. Come on up.

[Duly sworn, Claire Eastwood testified as follows:]

CLAIRE EASTWOOD: My name is Claire Eastwood. I'm not related to that Mr. Eastwood. I live at 45 Paseo Aragon, and I have been sworn in. Sorry. Like I said I had not planned to speak, but there were two things that you mentioned that you wanted to hear new items. One is there's a traffic study, but there's not a pedestrian traffic study. And there is a loop around Las Campanas. The entire estate, every estate there, and it is paved. And that connects at various points. At this particular point these paved roads are used by everyone. Not just Los Santeros residents and not just Parcel D residents, but the entire community and it crosses right through where this additional gate, an extra stop signs will go.

And we talked about danger and safety and that is very significant. It's also a place where neighbors meet neighbors, talk with their dogs, go back and forth. And yes, they should be more attentive but normally they aren't. And that's an issue now and I can only imagine what it will be like in the future. That's all I have to say, with the exception that the individual from Cienda mentioned multiple meetings with our community. No. There was a January Zoom meeting. There was a large gathering at the clubhouse where many of these people and others attended, and the developer failed to appear. So to say there were numerous opportunities for neighbors to speak, that's not correct. So anyway, I appreciate your time and thank you for your consideration.

CHAIR HANSEN: Thank you, Claire. Next. Is there anyone else in the audience who would like to speak? Okay, now I will go to online.

MR. FRESQUEZ: Madam Chair, we have one person signed up. Thomas Cook.

[Duly sworn, Thomas Cook testified as follows:]

THOMAS COOK (via Webex): My name is Thomas Cook. I'm at 10 Avenida Malagueña, and I understand I am under oath for this testimony. I live in Los Santeros. I've lived here for five years so I've been able to watch the growth of the building of houses, the growth of traffic, the increase as Ms. Eastwood mentioned, the increase in the numbers of people walking dogs, the increase in bicycle traffic and everything's that been occurring over the last five years, especially since COVID. And I don't want to reiterate all the other things, the safety issues that people have mentioned, which I do want to agree with those, and I would tie into that with one point of the traffic analysis, which I have two things to say.

One is the traffic impact analysis itself acknowledges 1,000 vehicle trips per day. There is no attempt – none, that I've seen, to address the safety issues and I think one other person testified to that, about that traffic and what it's going to do to all these

pedestrians, the people on bikes, the people at the mailboxes, the bad sight lines, etc. It's only a traffic analysis of vehicles coming through the Paseo Aragon gate.

The only point I also want to mention is I noticed Ms. Jenkins in her dealing with Case A, which I was online for, she made the statement that the traffic informs us. Well, this traffic study, when I first looked at it I thought it was a joke, because when you look at the traffic study, as someone pointed out, was done two Mondays in February. When you look at the weather, the numbers of traffic, the fact that we have many, many residents who are not here in February, [audio glitch] May, because that's when you have most of the people coming back to the Los Santeros area. And I don't know what the percentage is today, but it's a very high percentage that live here part time.

So I would just emphasize those things and I would leave the last point. My understanding is many people filed written objections to this and some were not put into the record. I would just ask the Commissioners, Madam Chair and Commissioners, to make sure the record is thorough and have all the letters of protest that were filed by Los Santeros neighbors.

CHAIR HANSEN: Thank you very much, Thomas. We got a number of letters today also that were not in the file. So is there anyone else who wants to speak on line.

MR. FRESQUEZ: Madam Chair, our next speaker is Stephen Lucero.

CHAIR HANSEN: Hi, Stephen.

[Duly sworn, Stephen Lucero testified as follows:]

STEPHEN LUCERO (via Webex): My name is Stephen D. Lucero. I live at 7 Plaza Molino, and I am under oath. And I just want to reiterate that I'm against it just for all the other reasons everybody else made and at one of the meetings before they mentioned that it would be necessary for emergency access to put in this new gate and if you think about it, the other access they have directly from Las Campanas Drive are one right angle turn into their community. If they use the one through Plaza Aragon, that's two right angle turns in a very congested area that would waste more time and not be efficient. So I think that whole argument is moot. Other than that I think it's been covered by all of our concerns and for safety reasons, this is not a good idea. Thank you. Appreciate your time.

CHAIR HANSEN: Thank you, Stephen. Okay. So we have no other people online, and is there anyone else in the audience who would like to speak? No, you've already spoken. Okay, so I will close public hearing and we'll go back to the discussion of this – I've been sitting a long time. I apologize, everybody. Okay. I'm trying to get back to my – are there any comments from the Board or questions?

COMMISSIONER BUSTAMANTE: Madam Chair, I have questions of staff. Though I saw that Public Works didn't have any additional questions after the review of the traffic study, and I'm wondering to what extent the recommendations – actually the conditions, not recommendations, actually address the issues of pedestrian traffic, and specifically, starting from number 5, which doesn't address – it addresses Las Campanas and Paseo Aragon and the village road, but I'm wondering to what extent each of these was evaluated for pedestrian traffic, and then the everything from 5, 6, and – there was something else that was good. So we have the lane markings, to make sure that that's done, making sure that there's conformance with the MUTCD, the American

Association of State Highway Transportation design standards.

CHAIR HANSEN: ASHTO.

COMMISSIONER BUSTAMANTE: There was another one that actually addressed road standards. Oh, applicant must build all roads within the village of Las Campanas. So to what extent – was that part of the review and what was the discussion? And I recognize that maybe we wouldn't have that information, but I do want some clarification to what extent those issues and concerns that were mentioned today were part of those studies and the ultimate or the final evaluation by staff.

MR. QUINTANA: Madam Chair, Commissioner, thank you. The Public Works Department reviewed the TIA that was provided by the applicant and the agent itself. To speak further on behalf of the TIA study I would refer to the agent to provide you with further insight on how they did that study, because I don't know how that information was written in the report but they can explain it more, and a lot better than I ever could.

COMMISSIONER BUSTAMANTE: My question is actually for how staff made the determination, and I think that the study is clear and I do appreciate what Ms. Jenkins has brought forward and how that consideration was put in. What's not clear to me is how the evaluation integrated pedestrian traffic to this intersection. So the recommendations – again, not recommendations, but considerations – the conditions have been set in those items. Again, 5, 6, 9, are in there and they're very clear, to address traffic, but to what extent did this take into consideration foot traffic along the trails in those areas and what was the discussion or the determination? Was it integrated and part of the consideration of staff to make the conditions that were put in? And it did, I saw very clearly that Public Works reviewed and expected to see these conditions as well so I'm trying to understand to what extent pedestrian traffic was part of this evaluation.

MR. QUINTANA: Madam Chair, thank you. At this time I would have to review the TIA to provide you that answer. But these conditions did come directly from the TIA that was provided. Public Works made comment based off of the TIA, although this is not a County-maintained road, they went in consideration of what the TIA deemed acceptable.

COMMISSIONER BUSTAMANTE: Thank you very much. And Madam Chair, I do believe that there's information that's missing here that we wouldn't have even in our packet without having an understanding of what – and I'm not asking that we all have to come back but I'm very uncomfortable making a decision about this when I've heard new information that doesn't just take into account the traffic, the vehicular traffic, but the pedestrian traffic.

I also heard, with all due respect to people who are committed to their communities, contradictions in the argument against using that exit. If we want to have safe and I think it was Ms. Jenkins who said it best, that usually you want more egress in the event of an emergency. You don't usually close off and bottleneck things even worse. So that didn't make – in listening to everyone and trying to place those concerns into the specific buckets of why that exit/entry, that egress is what I think it would ultimately need to be but it's going to be something that's going to be more traffic. There were contradicting arguments as to why it shouldn't be used.

So I think what I'd really like to see is some understanding and get a better sense

of what the understanding is with regard to the pedestrian traffic. But that's my take.

CHAIR HANSEN: That definitely seems to be one of the issues. I would like to know why Camino Gonzales – is that the right name?

MR. QUINTANA: Calle Gonzales. Correct.

CHAIR HANSEN: Calle Gonzales is not a road exit out of Los Santeros.

MR. QUINTANA: Madam Chair, Commissioner, that I could not obtain that information for you because I was not around and would have to do further research to evaluate why that secondary access was never built. I do know that a portion of that is paved and the rest of it is gravel, dirt. There is actually another subdivision that was recently approved that will be developing and realigning that road so that there will be potential for that connection for that secondary access to be in place.

CHAIR HANSEN: Okay. It seems to me that that is a serious consideration here. I'm sorry, but there's no comments from the audience. Public comment is closed. It seems to me that that is a serious concern that Los Santeros was not responsible to have two exits out. As Commissioner Greene said earlier this evening, two entrances or exits are not enough. And here we have three and people don't want it because we have pedestrian issues that we don't have any information about. Like what is the impact of those pedestrians. It looks like to me on one of these drawings that the road going to Paseo Aragon is not even going through. Am I misreading some map? It's a sideways map but the way I'm looking at it is that it's not even connected. Right? Am I looking at it right?

COMMISSIONER GREENE: It's the edge of the plat. It will connect.

CHAIR HANSEN: Okay. There's also the other possibility is this emergency exit only onto Paseo Aragon, but that seems to be another emergency issue. Safety and emergency, so like if in an emergency all the traffic is coming down Paseo Aragon to get out of the place, because there's no other exit. There is another exit, this Calle Gonzales, but it's only an exit. Emergency planning is incredibly important. Gentlemen, Scott and Jack, I can hear you up here and you should be listening to this because I'm addressing your concern about emergency exit and emergency planning because that is really important. It is something I have brought up with Cam at the Las Campanas Club because I am concerned about Las Campanas only having these two exits out and what are your plans and how can our emergency management help you?

But in the meantime we have this problem that Paseo Aragon is overused, completely. It doesn't seem likely to me that it's going to be a main entrance or exit because the mailboxes for this subdivision are on Caja del Rio which thank you for that. You put any more mailboxes on Paseo Aragon I would have thought you were not in your right mind, because that already seems overused. I'll let somebody else talk. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Chair. Thank you, everybody. So in a level of transparency, I built houses in Las Campanas and I'm dating myself now, but back almost 20 years ago, so this is really embarrassing. But my first – so the first sort of reminiscence of the old days was seeing plans with Cliff Walbridge and Robert Sanderson signing them. So there's folks here in the audience that go way back before the residents of Los Santeros and remember those names in Lyle Anderson days. So it's nice to see those names, and we've been around a while working on this

project. It's amazing how many business cycles it takes to finish 1,400 homes.

So I'm going to tack a little bit and ask some questions about the master plan and I'll come back to transportation and cars for a second. But Jennifer, can you ask a question. There is Tract B, which seems to be a lot of open space in that very southwest corner that is not developed. What is that planning to be?

MS. JENKINS: We don't know yet. We have been engaging with the HOA about different ideas about some more outdoor type of amenities for the community. Some ideas have been floating, like walking paths, kind of a little trail network in there. Maybe a small dog park. There have been some different ideas floated but our focus right now is the subdivision application and getting that moving and then we're going to pivot back and re-engage with the HOA to come up with a program.

COMMISSIONER GREENE: Okay, so I asked that because we're talking about access now, and so if we're going to create something that needs access, then we're going to have to figure out how that's going to be accessed. I see some stubbed out roads in some of the site plans that show potential access from internal to this development to get to what's there and not from Las Campanas Drive.

MS. JENKINS: No, we are not proposing direct access right now to Las Campanas Drive, depending on what kind of amenity program, how it evolves. That's always a possibility but the intent right now is we're showing access from kind of the new north extent of Caja del Rio, so you could come in and hang a left, and then there is a potential for an access from Twin Hills Boulevard directly south into the tract as well. So we have a couple of options.

COMMISSIONER GREENE: Okay. And then for Tract F, which is that sort of –

MS. JENKINS: The small one?

COMMISSIONER GREENE: The little island in there. It seems like there's only one access point from there, other than the backdoors of people's homes. Is that correct?

MS. JENKINS: No, that one could – the terrain is a little challenging in there, but that one could potentially access from either Twin Hills or from Caja del Rio, but more than likely it will probably just be from Caja del Rio.

COMMISSIONER GREENE: And no access from the other end, Lot 80 and 81. Like a little pedestrian access that allows people to walk through there and just –

MS. JENKINS: I don't have a drawing. Here's a drawing right here that I can look at so I can answer your question intelligently.

COMMISSIONER GREENE: So on that eastern end there's two lots near the corner, 80, 81 or so, and in that end it seems like there would want to be some pedestrian access so people could walk through there as opposed to go in and out the same way.

CHAIR HANSEN: Commissioner Greene, where are you talking about?

MS. JENKINS: Oh, 80 and 81 over on the east side?

COMMISSIONER GREENE: On the east side. That's correct.

MS. JENKINS: Okay. My apologies. Tract F. Yes. I was thinking of a different tract. So we do have a connection for Tract F out into the mailbox area and Tract Fe is really intended to be sort of natural, native open space. It's really to serve as a

buffer so the homes when they look out their backdoor they have a natural, native area. It's not really considered like an active recreational area, but with respect to our pedestrian amenities along Caja del Rio and the mailbox, we felt like that was really the optimal place. Because the mailbox area is a little more of a public realm, and so we included the access into that open space from that area.

COMMISSIONER GREENE: So do you think that there's going to be trail in that area?

MS. JENKINS: No.

COMMISSIONER GREENE: Just for – it's a maintenance access more than it is –

MS. JENKINS: It's maintenance but if somebody wanted to walk around there it would be totally appropriate and acceptable. But it's not going to be improved. It's intended, like I said, to be a natural, native area.

COMMISSIONER GREENE: Will the homes that are surrounding that have backdoor access to that?

MS. JENKINS: Potentially. Yeah, they could have a little gate in their fence and could walk out there if they chose. Sure.

COMMISSIONER GREENE: It just seems like if it's a real open space and it's designated as an open space, that it's a useful open space as opposed to a pretty –

MS. JENKINS: It's a little more passive, I guess would be the way I would describe it.

COMMISSIONER GREENE: Sure. But you can walk your dog back there and maybe there's a trail. Okay. In a Board that seems to love roundabouts much more than I do, it seems like over at Caja del Rio and Las Campanas, that is like the ideal place for a roundabout these days.

CHAIR HANSEN: I couldn't agree more. That was next on my list.

COMMISSIONER GREENE: So I wanted to take her thunder and work on that, because for the flow of traffic, literally, probably the only stop sign I've ever had to stop at in Las Campanas is that stop sign there. It's also a dead zone in cell phone coverage and maybe that's been remedied in the last few years but that's –

CHAIR HANSEN: It has been remedied.

COMMISSIONER GREENE: It has? Okay, great.

CHAIR HANSEN: We have a cell tower right at the administration building.

COMMISSIONER GREENE: Fabulous. So I'm wondering if that is something that our staff looked at in level of service and is there any movement to include that as part of the whole development's access plan?

MS. JENKINS: Madam Chair, Commissioner Greene and Commissioners, so a roundabout was not considered at this intersection. The levels of service are so fantastic that additional traffic control was never even a glimmer in terms of the analysis there. And we also – could I get the presentation back on line? Would that be possible? So there's also a really significant drainage way that we cross just as we get into the project, so from a terrain standpoint it would be unbelievably challenging to do that, and again, we have a traffic study. I feel like a broken record – that has levels of service A, which is as good as it gets, and so any other additional traffic control there was not

considered.

COMMISSIONER GREENE: And then back to the main issue that everybody's discussing over there. As you heard earlier and you acknowledged earlier, I'm more interested in three different – or as many interconnections as possible. I do agree that the one at Caja del Rio will be the main one that most people will use. I think that even if they're coming from the clubhouse and they're coming down Las Campanas they're still going to make that turn there.

MS. JENKINS: It's a stretch. Yes.

COMMISSIONER GREENE: If you end up putting amenities into Tract B, that's when the residents of Los Santeros are going to say, oh, I wish there was an access there to sneak in that way. I wish there was an easier answer here. I do appreciate your having to play both sides in one sitting here, in one set of public hearings today. You had to argue for less connections and you had to argue for more connections today. You're very talented at playing both sides.

MS. JENKINS: Well, thank you. And just for what it's worth, we're following the direction of Public Works, clear direction from Public Works in the previous hearing but we are very open to exploring additional connections in future phases as those come forward. So we are beholden to the Public Works Department when it comes to our access program.

COMMISSIONER GREENE: I'd argue that you're beholden to us. But okay. That's fine.

MS. JENKINS: In terms of what is presented. That's my first stop. That is my first stop.

COMMISSIONER GREENE: Anyway, thank you. I'll leave it here. I really – I wish there was a better solution here. I think that there's a level of re-engineering at the Paseo Aragon intersection where everything's merging in there. I know that clubhouse has the same issue for guests with that oblique over your shoulder issue when people come in there. At least in this case it's not guests that are not – in this case it's people who know that there's probably somebody speeding in on their right. But I think there's some improvement that could be made to that intersection with the merging of the lanes and for the left turns that could make this better and reduce that risk. I just don't see it here today, but I think that would be a good faith effort in the future to look at.

CHAIR HANSEN: Thank you. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Yes, Madam Chair and Commissioner Greene, I don't just recommend – this isn't about traffic circles. I am not the engineer who make this safer. I don't believe any of us sitting here would know what the most appropriate mitigation tactic would be, or measure. When I think of pedestrian traffic at that area that would make it close to impossible for people to walk around and get through there. So it's not just about making sure we have traffic circles wherever we can get them. It's about having an informed eye on what it would take to allow people to still check their mail, walk safely through there and have the traffic in and out of there to whatever end it's going to be, in a safe manner.

So in that interest, again, I don't believe that we have that information before us but I'm not foolish enough to think that I could make a recommendation of what it would

be that would actually mitigate the hazard that people have brought up. And I don't see that the recommendations that were put there give us enough information to understand that those conditions would mitigate the concerns brought up tonight.

CHAIR HANSEN: Thank you. So I'm wondering if the idea of an emergency gate at Paseo Aragon, like not a main access, not an open road, but only used in emergencies or something like that. I don't know. I'm sympathetic with Commissioner Bustamante on this issue because this Paseo Aragon is very congested. Really, for Las Campanas, this is a really congested area and the fact that Los Santeros got away with only having one entrance and exit, shame on us, whoever approved that because that was not correct.

MS. JENKINS: Madam Chair, Commissioners, so we agree with I think the general consensus that more connectivity is preferable, and our cars are going to be using Caja del Rio. I think that's very clear. We have designed this layout intentionally in all respects, but Caja del Rio is our front door. It is where – we're not even proposing signage on Paseo Aragon. The only place it's going to say the Village at Las Campanas is on Caja del Rio. And so we believe in more connectivity and we've reduced the density of this subdivision of 70 homes, which is really, really significant.

And the fact that there are pedestrian amenities here is fantastic. We're building crosswalks. We're putting in stop signs. So it's kind of – we want pedestrian amenities but yet we don't want pedestrian amenities. And the concept of this crazy congestion – yes, there are people living there, people are using Paseo Aragon. But we counted the cars at Thundercloud and Paseo Aragon in May, late May, we counted those cars. It did not bear out. This level of congestion was not borne out with what was observed, and we did count the pedestrian activity along there as well. We did count that.

So this is very walkable. There are trails. Those are wonderful things. And yes, we need to make sure that where one of these trails crosses the road that there's a proper cross walk and there's proper signage, and there are stop signs to protect pedestrians. Of course we need to do that. The trail is buffered from the road that further protects pedestrians. And yes, do people need to look both ways before they cross the street? Of course they do. Of course they do. And there's a trail along Las Campanas Drive. Our main access – that trail is going to cross our main access as well. It's a good thing.

We have a multi-modal environment out here, which is kind of great, frankly. It's kind of great that there are so many walkers and cyclists and people with their – it's a wonderful thing. But we don't say, oh, we shouldn't have connectivity because of that. We should be doing more of that. We should be doing more of that.

CHAIR HANSEN: Are all the roads into the village going to be gated?

MS. JENKINS: Yes.

CHAIR HANSEN: And the one on Paseo Aragon will be gated. So back up, there's a new system that's going in.

MS. JENKINS: Yes. I'm so glad he mentioned that because I actually neglected to mention that. So Las Campanas community wide is updating the technology on the gate entrances because it is a little outdated and it can create slowness and delays in terms of moving through the gates, and so it is going to have a really positive impact just in terms of the speed, and there can be contractors who are using entrances they're

really not supposed to be using, because that's obviously happening. Pre-approved contractors will have – will be able to just move on through and not have to wait to be buzzed in, and so there's a lot of improvements happening community-wide with respect to the gate access.

CHAIR HANSEN: Commissioner Greene.

COMMISSIONER GREENE: Do we have a timing for the second entrance over on Calle Gonzales? Do we know when that is expected? Have they pulled permits? Is everything –

MR. QUINTANA: Madam Chair, Commissioners, they have approval until 2025 to finish – or not to finish but to actually record the mylar and then commence the –

COMMISSIONER GREENE: 2025, so like potentially two years to get that started.

MR. QUINTANA: Madam Chair, Commissioner, correct.

COMMISSIONER GREENE: Okay. Is it the same developer?

MR. QUINTANA: Madam Chair, Commissioner, that is not right. It is a different developer.

COMMISSIONER GREENE: Is that Pulte over there?

MR. QUINTANA: No, sir.

COMMISSIONER GREENE: Thank you.

CHAIR HANSEN: You don't have a solution for me, Jennifer and Orallynn? I really understand the constituents' concerns in this area because this is a congested road. I don't spend that much time in Las Campanas but the amount of time that I do spend there with the gates and everything, I know that people walk and don't pay much attention to what they're doing and that's a problem. Is there any way you can make this an emergency gate?

COMMISSIONER HAMILTON: May I ask a question?

CHAIR HANSEN: Oh, yes. Go ahead, Commissioner Hamilton.

COMMISSIONER HAMILTON: I don't see why having that as an emergency only gate would fix any pedestrian concerns. I'm not trying to be contrary. I don't understand from a logical point of view why –

CHAIR HANSEN: It would eliminate the in and out traffic because it would only be –

COMMISSIONER HAMILTON: It would eliminate a very small amount of in and out traffic. Life is full of trade-offs, and now you have – you're reducing one entrance and exit. I'm not sure it would make that much difference. I understand the pedestrian concerns, and I think those are important to consider, but the fact is this kind of development, when you encourage lots of walking you get people in cars having to pay attention to each other and we encourage ingress, egress. There are places where you have one way in, one way out. Even two is like a bare minimum. Like it's not enough. Safety is really hampered by having a lack of it. So I don't see that as the solution to the pedestrian problem, so that's why I was asking. Thank you.

CHAIR HANSEN: Yes. I've always believed you build all the roads before you build the houses, then we wouldn't be in this position.

MR. QUINTANA: Madam Chair, Commissioners, if I may. Staff would

like to impose a potential condition that the applicants and the agent provide a pedestrian access plan with their submittal upon build-out.

CHAIR HANSEN: That's acceptable.

COMMISSIONER GREENE: May I ask what that means, because I don't want to restrict –

CHAIR HANSEN: Kenneth, please come back.

MR. QUINTANA: The suggestion of imposing a condition that the applicant and the agent provide a pedestrian access plan with their submittal prior to build-out.

CHAIR HANSEN: What that means is that they would need to design a pedestrian access area. You're talking about on the Paseo Aragon?

MR. QUINTANA: Madam Chair, Commissioner, that is correct.

CHAIR HANSEN: Would that be for the entire intersection?

MR. QUINTANA: Madam Chair, Commissioner, yes.

MS. JENKINS: So if I may, Madam Chair, Commissioners, just to clarify. So we can further look at the pedestrian access. Like I said, when we decided to do supplementary analysis of Paseo Aragon and Thundercloud, we did count the pedestrian activity there. So we could drill down on that and then determine any additional safety measures that might be needed to ensure pedestrian safety. At our access we're doing a crosswalk, we have a stop sign. Are there additional crosswalks that maybe need to be incorporated for access over to the mailbox? Is there additional signage that may be necessary showing that this is a pedestrian crossing? So we would be happy in this area to really drill down on that and we could present that to staff for review prior to issuance of the development permit and work with Public Works as well, just so if there's any additional safety measures that are warranted we would be happy to incorporate those.

CHAIR HANSEN: So would you include, besides just the area that's in the box on the map but the area of the mailboxes?

MS. JENKINS: Yes, we can look at all that comprehensively. Sure.

CHAIR HANSEN: And the signage to make sure that there are stop signs and yield signs and crosswalks and dog walking and drive slow.

MS. JENKINS: All of that. Yes. Yes.

CHAIR HANSEN: This is a pedestrian area.

MS. JENKINS: Yes. It's a pedestrian area. Absolutely. Absolutely.

CHAIR HANSEN: My concern is don't give too much priority to vehicles. Make sure that pedestrian access is maintained.

MS. JENKINS: Yes. A hundred percent.

CHAIR HANSEN: We also need somebody to work with Los Santeros to get this other road open. Two years from now is not kind of really acceptable. I don't know what to do about that, and that's not what's on our plate today. So with all the conditions that I have heard, including this pedestrian area, I am going to make a motion to approve the Village at Las Campanas and the final subdivision plat.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HANSEN: I have a second from Commissioner Bustamante.

COMMISSIONER HUGHES: I'd just like a clarification.

CHAIR HANSEN: Yes.

COMMISSIONER HUGHES: So you mean all the conditions suggested by staff plus the pedestrian access plan?

CHAIR HANSEN: Yes. Everything that has been suggested.

COMMISSIONER HUGHES: But is there anything else besides what staff suggested and they're in the record.

CHAIR HANSEN: There was a couple things that you mentioned, Kenneth. Let's just make sure we get everything we possibly can.

MR. QUINTANA: Madam Chair, Commissioners, the only suggestion staff has made is that they provide the pedestrian access plan prior to the submittal build-out, or with their submittal build-out, would take place.

COMMISSIONER HUGHES: What was that? A vehicle access plan?

MR. QUINTANA: Pedestrian.

COMMISSIONER HUGHES: Just a pedestrian access plan.

MR. QUINTANA: Correct.

COMMISSIONER HUGHES: Plus the stuff you already listed in writing.

MR. QUINTANA: Correct.

CHAIR HANSEN: All the list of conditions.

COMMISSIONER HUGHES: Right. I think that's clear.

CHAIR HANSEN: Okay. I have a motion and a second.

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

CHAIR HANSEN: I really want to abstain. Everybody voted

13. CONCLUDING BUSINESS

A. Announcements

CHAIR HANSEN: I have one announcement. We will have the Romero Park ribbon-cutting on October 28th at 11:00 a.m. There are pickleball courts. There are tennis courts, and there is a great walking trail so everybody is invited. So October 28th at 11:00 a.m. It's a Saturday. So please join us. Any other announcements?

B. Adjournment

Commissioner Greene moved to adjourn and Commissioner Hughes seconded, and with no further business to come before this body, Chair Hansen declared this meeting adjourned at 9:20 p.m.

Approved by:


Anna Hansen, Chair

Board of County Commissioners

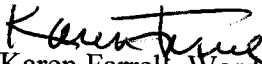
SFC CLERK RECORDED 12/08/2023

ATTEST TO:

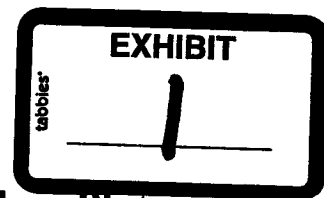
KATHARINE E. CLARK
SANTA FE COUNTY CLERK



Respectfully submitted:


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

SFC CLERK RECORDED 12/08/2023



Requested Self-Imposed Approval Conditions to be noted on Plat

The Applicant agrees with Staff's recommended approval conditions as stated / amended in the Staff Report and request the following self-imposed conditions that are consent with the surrounding Tres Arroyos del Poniente Community Overlay District (TAP RES-E) Dimensional and Architectural Standards as referenced in Chapter 9.11, Table 9-11-2, and request the following standards listed below be placed as special building notes on the Sierra Vista Final Plat:

Table 9-11-2: Dimensional Standards TAP RES-E (Residential Estate).

Zoning District	TAP RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	18

ii. Architectural Design Standards. As regulated in Chapters 7 and 8 of this Code except as prescribed below:

(a) Building exteriors shall be finished with neutral brown or beige earth tones with stucco or adobe as the predominant material.

(b) Brighter highlight and trim colors are permitted on 5% of a building exterior surface.

(c) Building exteriors shall have a maximum Light Reflective Value of 40%.

(d) Peaked or angled roofs shall be constructed with non-reflective surfaces with a maximum Light Reflective Value of 30%.

(e) Buildings with flat roofs must include parapets to screen rooftop structures. Skylights and other rooftop structures and mechanical equipment shall be set back a minimum of 2 feet from the edge of the building face and screened as part of the building design.

Conditions of Approval Recommended by Staff per Staff Report:

1. The final plat shall expire 24 months after the final order is filed. Any time extensions shall be in conformance with the SLDC.
2. Compliance with applicable review comments from the following:
 - a. County Public Works

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**SIERRA VISTA
23-LOT RESIDENTIAL
SUBDIVISION
PRELIMINARY & FINAL PLAT**

**SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
OCTOBER 10, 2023**

SFC CLERK RECORDED 12/08/2023

8p2



Existing Conditions

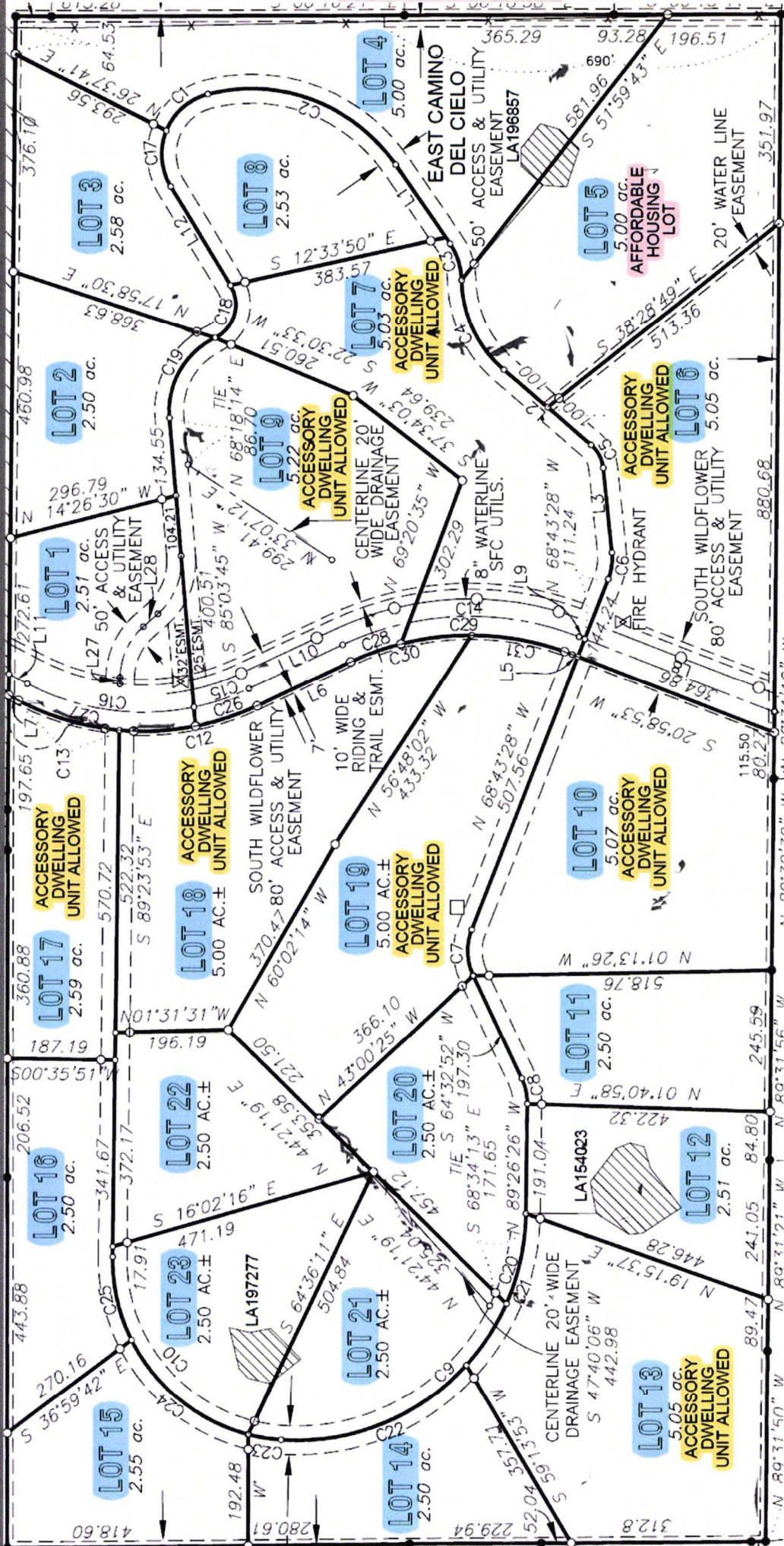
Santa Fe County Tax Parcel Viewer



Santa Fe County Growth Management Department | Esri | International | esri

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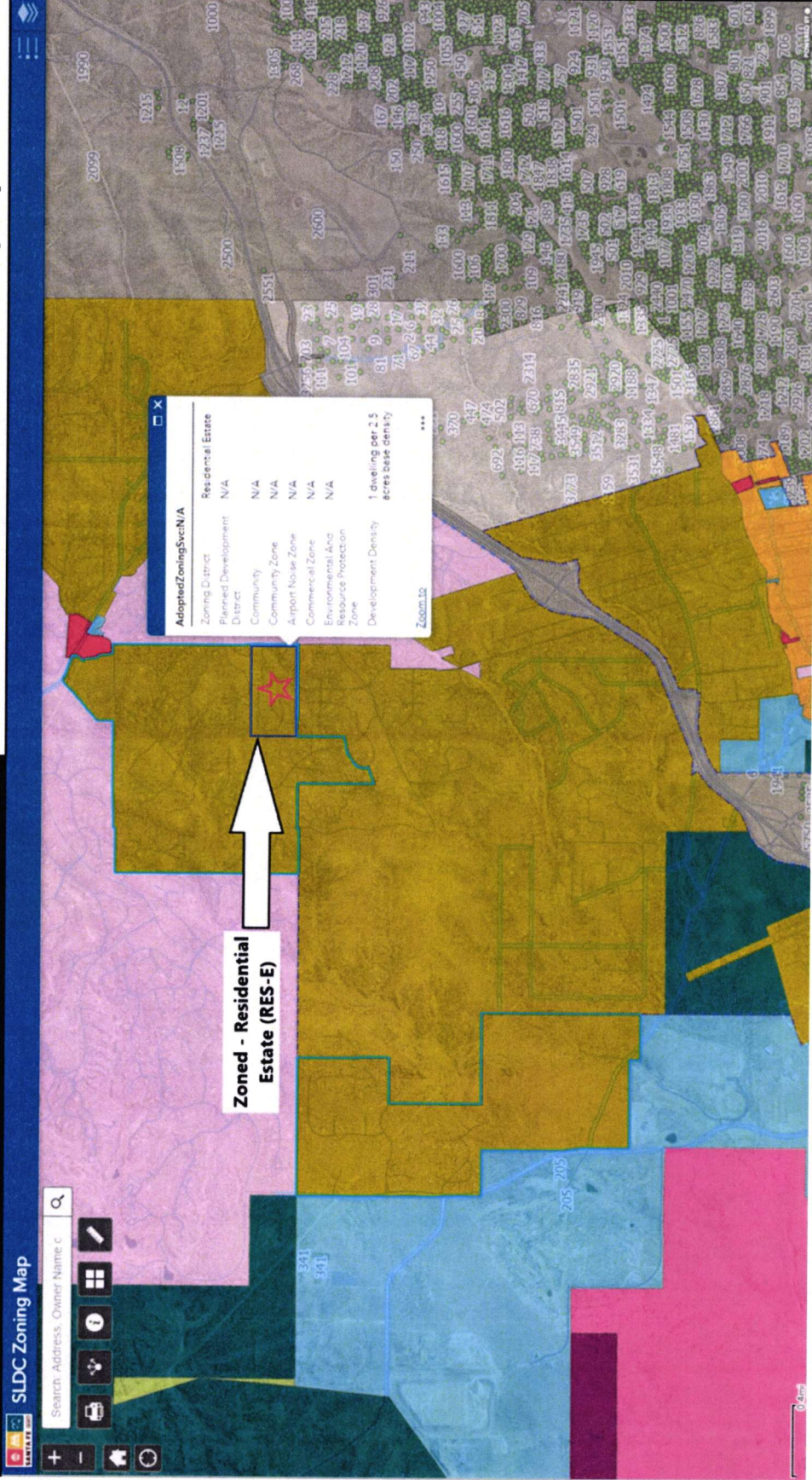
Proposed 23-Lot Sierra Vista Subdivision



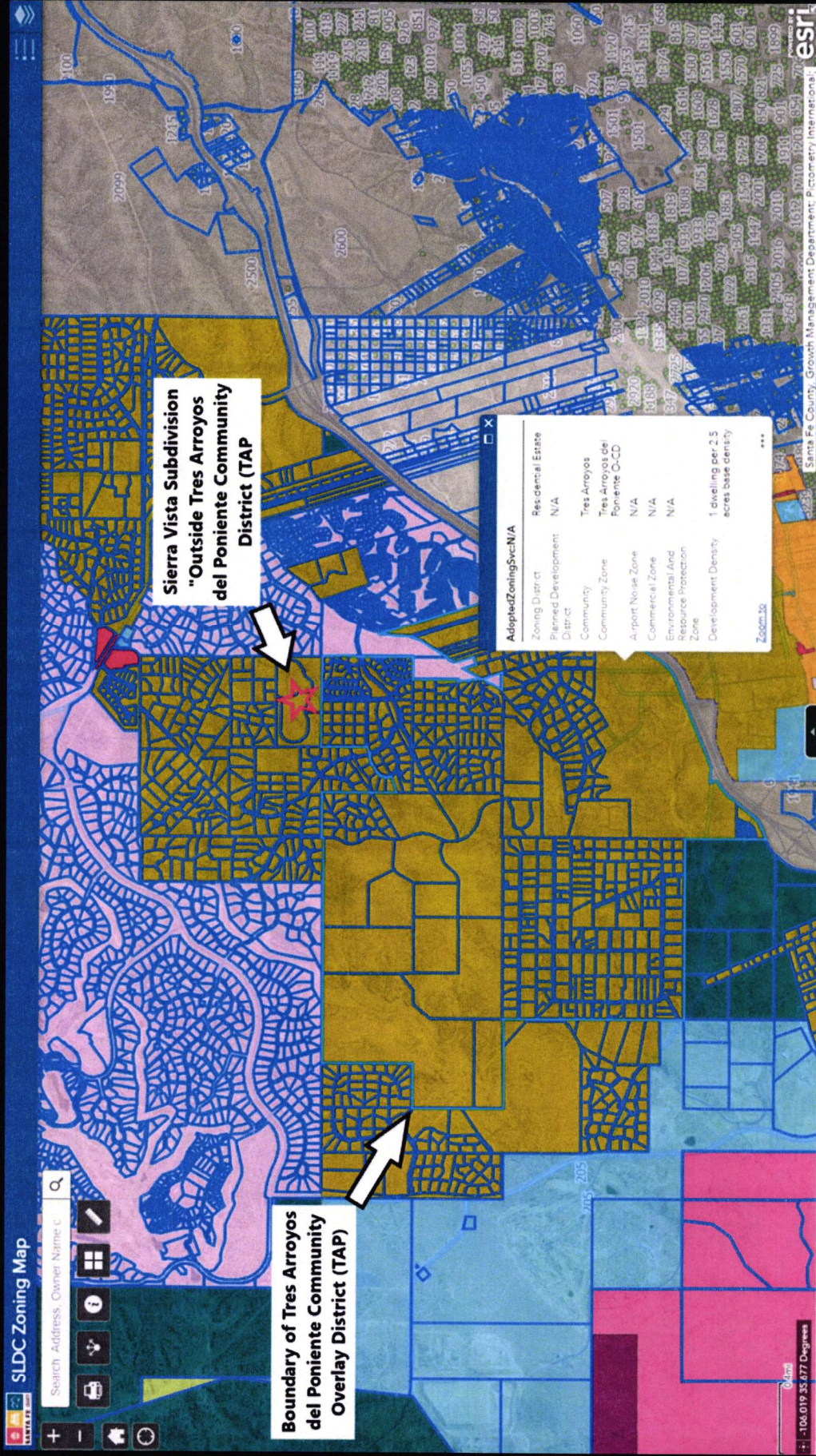
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Project Location / Zoning Designation

- THE SUBJECT SITE IS LOCATED WITHIN THE RES-ESTATE (RES-E) ZONING DISTRICT OF SANTA FE COUNTY AND CONSISTS OF 80.0 (±) ACRES
- THE SUBJECT PROPERTY IS "OUTSIDE" TRES ARROYOS DEL PONIENTE COMMUNITY OVERLAY DISTRICT (TAP).



Tres Arroyos del Poniente Community District Clarification



Standards Required by Res-Estate Zoning District

Table 8-10: Dimensional Standards – RES-E (Residential Estate).

Zoning District	RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	24

SELF IMPOSED STANDARDS NOT REQUIRED BY RES-ESTATE ZONING SELF IMPOSED TO APPEASE OPPOSING NEIGHBORS / REQUESTED SELF IMPOSED APPROVAL CONDITIONS

1. TAP Residential Estate (TAP RES-E); Purpose. The purpose of this district is to preserve the rural character of the community and is appropriate for single-family development with options for clustering, agricultural related uses and low to medium impact home occupations and businesses. Dark night skies, quiet open space and trails for walking biking and horse-back riding are important in this area. Clustering shall be encouraged to limit long term maintenance costs of water and sewer systems.

a. Residential Uses.

i. Dimensional Standards. As regulated in Chapter 8 of this Code except as prescribed below:

(a) Accessory Structures. Shall be regulated by Chapter 10 in this Code, except any accessory structure over 2000 square feet needs a Conditional Use Permit. Accessory structures shall have an 18 foot maximum.

ii. Architectural Design Standards. As regulated in Chapter 8 of this Code except as prescribed below:

- (a)** Peaked or angled roofs shall have a maximum Light Reflective Value of thirty percent 30%.
- (b)** Building exteriors shall have a maximum Light Reflective Value of 40%.

Table 9-11-2: Dimensional Standards TAP RES-E (Residential Estate).

Zoning District	TAP RES-E
Density (# of acres per dwelling unit)	2.5
Frontage (minimum, feet)	100
Lot width (minimum, feet)	100
Lot width (maximum, feet)	n/a
Height (maximum, feet)	18

ii. Architectural Design Standards. As regulated in Chapters 7 and 8 of this Code except as prescribed below:

- (a)** Building exteriors shall be finished with neutral brown or beige earth tones with stucco or adobe as the predominant material.
- (b)** Brighter highlight and trim colors are permitted on 5% of a building exterior surface.
- (c)** Building exteriors shall have a maximum Light Reflective Value of 40%.
- (d)** Peaked or angled roofs shall be constructed with non-reflective surfaces with a maximum Light Reflective Value of 30%.
- (e)** Buildings with flat roofs must include parapets to screen rooftop structures. Skylights and other rooftop structures and mechanical equipment shall be set back a minimum of 2 feet from the edge of the building face and screened as part of the building design.

Requested Self-Imposed Approval Conditions to be noted on Plat

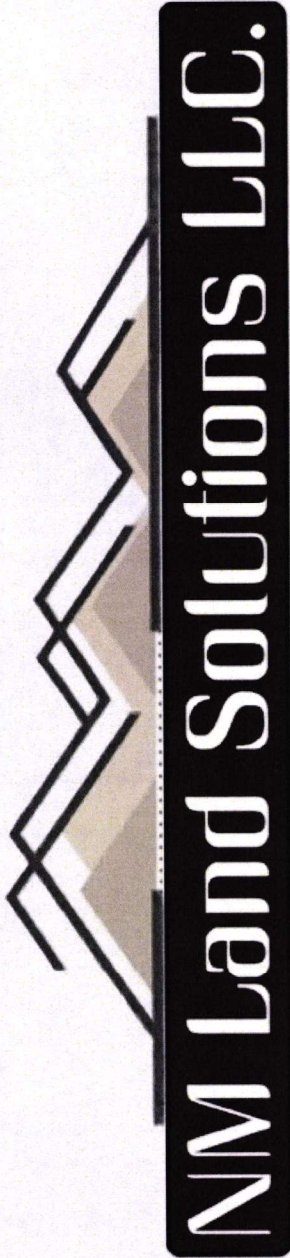
The Applicant agrees with Staff's recommended approval conditions as stated / amended in the Staff Report and request the following self-imposed conditions that are consent with the surrounding Tres Arroyos del Poniente Community Overlay District (TAP RES-E) Dimensional and Architectural Standards as referenced in Chapter 9.11, Table 9-11-2, and request the following standards listed below be placed as special building notes on the Sierra Vista Final Plat:

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Height (maximum, feet)	18

ii. **Architectural Design Standards.** As regulated in Chapters 7 and 8 of this Code except as prescribed below:

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DBA. Siebert & Associates Inc.

THANK YOU

SFC CLERK RECORDED 12/08/2023



Kenneth J. Quintana

From: John F. Lovato
Sent: Tuesday, October 10, 2023 12:25 PM
To: Kenneth J. Quintana
Subject: FW: Parcel D Access to Paseo Aragon

FYI

-----Original Message-----

From: STEPHEN EASTWOOD [mailto:sleasto@aol.com]
Sent: Tuesday, October 10, 2023 11:37 AM
To: John F. Lovato <jlovato@santafecountynm.gov>
Subject: Parcel D Access to Paseo Aragon

WARNING:

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Dear Mr. Lovato:

I wish to add my voice to the serious concerns regarding Parcel D's access to Paseo Aragon. This is not an anti-development issue. It is a sincere concern about traffic congestion and safety. When fully developed the Los Senteros and adjacent developments represent approximately 180 housing units that will be land-locked by the surrounding golf course with only one access gate to Las Campanas Drive. These residents will be entering, collecting their mail and re-entering Paseo Aragon on a daily basis. This number does not include the existing additional traffic from Thundercloud that currently has Paseo Aragon access through a mechanical gate. Based on the foregoing, the Paseo Aragon gate will be the most overburdened single access point in the entire Las Campanas development BEFORE considering the traffic from Parcel D.

This situation is unfortunate as it is avoidable. Cienda, through their contractor performed a traffic study in the dead of winter when traffic volume is at its lowest and excluded analysis of the safety/traffic issues inside the Paseo Aragon gate. In essence, Cienda ignored the basic norms and standards of analysis of the County Commissioners. It is avoidable because Cienda could have met with concerned residents and come before the Board of Commissioners with a plan to address this subject. This has not happened.

I will join my fellow residents at today's meeting to present a more detailed case.

Respectfully,

Stephen Eastwood
4 Avenida Madison
Santa Fe

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Kenneth J. Quintana

From: NANCY BADOVINUS <nbadovinus@me.com>
Sent: Sunday, October 8, 2023 3:40 PM
To: Kenneth J. Quintana
Cc: Wayne Badovinus
Subject: Parcel D

Follow Up Flag: Follow up
Flag Status: Flagged

Warning:

EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Mr. Kenneth Quintana
100 Catron Street, Suite 2102
Santa Fe, NM 87504

Re: Parcel D

Dear Mr. Quintana,

We are writing as 14-year residents of Los Santeros, living at 145 Paseo Aragon and owners of Lot #64 and #65. The changes in the spirit of Los Santeros neighborhood have been difficult to understand. It was always our intention to join with the community of like-minded people and enjoy the neighborhood environment of the designated areas in Las Campanas. We now find, according to the plans we have seen, that developments within Los Santeros are more important than the lifestyle of those living in the area.

A new development across the street from us features the backs of many of the houses immediately adjacent to Paseo Aragon. For us, this is a very discouraging change in developmental planning and spirit of our long-time neighborhood. Now we find that another development within a development is being proposed and voted on. Soon Los Santeros will be a typical urban suburb, chuck-o-block development. We purchased the second lot because it serves as the principal site line for the entrance to Los Santeros after watching the trees be allowed to die. We have replanted trees, activated the drip system, paid the water bills and we personally maintain the entire corner in order for this central location to have a warm and welcoming, well-kept experience, which has been highly regarded by our neighbors, dog walkers and active community friends.

In closing, we are quite concerned about the future of our experience in Las Campanas with the cars and traffic of 100 additional homes using Los Santeros and Paseo Aragon as their main access

SFC CLERK RECORDED 12/08/2023

and egress. We find it difficult to understand the intent of the people making the judgement to not be concerned about the lives of those already in the neighborhood. Understand we strongly object to the designation of Los Santeros and consequently Paseo Aragon as the primary entrance/exit to Parcel D. Whether this is on a drawing or not, our intuition tells us that this will be the primary entrance.

Wayne and Nancy Badovinus

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