

January 12, 2016 BCC Summary

Santa Fe, NM – January 13, 2016 - Below is a summary of the actions taken by the Santa Fe Board of County Commissioners (BCC). All five Commissioners were present.

The meeting minutes from the December 8, 2015 BCC meeting were passed by unanimous vote, 5-0.

Honoring Our Veterans and Service Men and Women

Corporal Joey Romero - Corporal Romero served in the United States Marine Corp from June 1998 through June, 2002 and is a Corporal with Santa Fe County Adult Detention Facility.

Private Cesar Ornelas - Currently stationed in Santa Fe, NM Det. 3, 720th Transportation Unit and works as a Corrections Officer with the Santa Fe County Adult Detention Facility.

Consent Calendar - All Items Approved by Unanimous Vote 5-0

Final Order – Approved by Unanimous Vote, 5-0

CDRC CASE # V/DP/ 13-5381 & APP 13-5382 Elevation Multi-Family Community. Vedura Residential Operating, LLC, Applicant, JenkinsGavin, Agents, Received Conditional Approval from the Board of County Commissioners (BCC) for Preliminary and Final Development Plan for a Multi-Family Residential Community Consisting of 200 Residential Units on 22 + Acres. The Applicant Requested BCC Approval of a Variance of Ordinance No. 2000-12, Section 6.E.3.C to Allow a No-Outlet Roadway to Exceed 300 Feet and a Variance of Santa Fe County Ordinance 1996-10, the Santa Fe County Land Development Code, Article V, Section 8.1.4, which States that Dead End Roads May Not Serve More than Thirty (30) Dwelling Units. The Applicant Was Aggrieved with a Condition of Approval, Imposed by the County Development Review Committee (CDRC), on the Approval of the Preliminary and Final Development Plan. The Applicant Requested an Appeal to the BCC of the Condition Imposed by the CDRC on the Preliminary and Final Development Plan. (Variance Denied 5-0; Appeal, which Modified Condition to “Allow Construction and Not Permit Occupancy Until the Southeast Connector is Completed”, and Preliminary and Final Development Plan Approved 5-0.)

Miscellaneous

- Ratification of Santa Fe Community Housing Trust Grant Application Support Letter.
- Approved a Joint Powers Agreement Between Santa Fe County and the Greater Glorieta Community Regional Mutual Domestic Water Consumers and Sewage Works Association Concerning Improvements to the Association’s Water Utility System.
- Approved a Memorandum of Agreement No. 2016-0115-PW/BT Between the County of Santa Fe and the City of Santa Fe for the Frenchy’s Field to Siler Road Segment of the Santa Fe River Trail Project.

- Approved a Water Line Extension and Water Delivery Agreement Between Senemar, LLC and Santa Fe County for an Extension of Infrastructure and Water Service.
- Approved a Water Line Extension and Water Delivery Agreement Between Homewise, LLC and Santa Fe County for an Extension of Infrastructure and Water Service.

Resolutions

- Resolution No. 2016-1, Authorizes the Donation Of Fixed Assets In Accordance with State Statute.
- Resolution No. 2016-2, A Budget Increase to the Fire Operations Fund (244) 2014 State Homeland Security Grant to Carry Forward the FY-2015 Available Grant Balance for the County Fire Department / \$11,441.
- Resolution No. 2016-3, A Budget Decrease to Capital Projects-Federal Fund (305) / -\$96,798 and Increase to the Road Projects Fund (311) / \$96,798 for a Net Budget Change of \$0.

(End of consent)

Action Items – All Action Items Approved by Unanimous Vote, 5-0 Unless Noted Next to Caption

Appointments and Reappointments

- Commissioner Chavez was elected as Board of County Commissioners Chair for 2016
- Commissioner Roybal was elected as Board of County Commissioners Vice-Chair for 2016
- Appointment of County Commissioners to Boards or Committees of the Following Entities:
 - Buckman Direct Diversion – Commissioners Chavez and Stefanics. Commissioner Roybal, Alternate.
 - Santa Fe Metropolitan Planning Organization - Commissioners Anaya, Roybal and Stefanics. Commissioner Chavez, Alternate.
 - North Central New Mexico Economic Development District – Commissioner Holian. Commissioner Stefanics, Alternate.
 - North Central Regional Transit District – Commissioner Chavez. Commissioner Roybal, Alternate.
 - Regional Coalition for LANL Communities – Commissioner Roybal. Commissioner Anaya, Alternate.
 - Santa Fe Solid Waste Management Agency – Commissioners Chavez, Holian and Roybal. Commissioner Stefanics, Alternate.
 - New Mexico Association of Counties Multiline Pool – County Manager, Katherine Miller. Commissioner Chavez, Alternate.
 - New Mexico Association of Counties Workers Compensation Pool – Commissioner Chavez. County Manager, Katherine Miller, Alternate.
 - Estancia Valley Economic Development Association – Commissioner Anaya. Economic Development Director, David Griscom, Alternate.

- Appointment of Members to the Santa Fe County Lodger's Tax Advisory Board – Katherine Fox Ehlert, Laura Hudman, Meredith Macfarlane, Thomas Romero and Richard Verruni.
- Appointment of Members to the Santa Fe County Valuation Protest Board – Susanne Taylor and Patrick Murphy.
- Appointment of Members to the Santa Fe County Planning Commission – Louie Gonzales, Susan Martin and Bette Booth. **Approved 4-1, Commissioner Anaya voted against.**

Resolutions

- Resolution No. 2016-4, Supports of the Restoration of the Official Scenic Historical Marker Text on El Camino Real.
- Resolution No. 2016-5, Develops an Agriculture and Ranching Implementation Plan in Santa Fe County to Support the 2015 Sustainable Growth Management Plan.
- Resolution No. 2016-6, Adopts 2016 Schedule of New Water Deliveries for First Six Months of 2016 and Setting Aside Additional Water for Certain Planned Subdivisions.
- Resolution No. 2016-7, An Increase to the Project Funding Allocation for the Pojoaque Recreation Complex, Agua Fria Village Utility Lines, and Vista Aurora Sewer Line Projects, and a Budget Increase in the State Special Appropriations Fund (318) to Budget Grants Received for those Projects /\$330,000.

Miscellaneous

- Approved Audited Comprehensive Annual Financial Report for FY 2015.
- Approved Amendment No. 1 to the Lease Agreement and Access Easement Between Santa Fe County and the Jacona Land Grant Association.
- Approved Construction Contract No. 2016-0114-FD/MM Between Santa Fe County and LLR Construction, LLC, in the Amount of \$1,023,473.00, Exclusive of GRT, for the Construction of the Glorieta Fire Station No. 2 and Request Signature Authority be Granted to the County Manager to Execute the Purchase Order.
- Approved Professional Service Agreement No. 2016-0150-DWI/BT With Christus St. Vincent Regional Medical Center, Care Connection in the Amount of \$600,000.00 to Provide Detoxification Services in for the Remaining Fiscal Year 2016 and Fiscal Year 2017. Granted Signature Authority To The County Manager to Execute The Purchase Order.

Matters from the County Manager

- Miscellaneous Updates
- Legislative Session

Matters from the County Attorney

Executive Session (Closed Session) – All Five Commissioners were Present

- 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, Including the Following:

- Potential Breach of Contract and Negligence Actions.
- *Board of County Commissioners of Santa Fe County v. Gregory Fuess*, State of New Mexico, County of Santa Fe, First Judicial District, No. D-101-CV-2015-01936
- Litigation Involving Santa Fe Film and Media Studios, Inc. and La Luz Holdings, LLC.
- *Quintana v. Santa Fe County Commissioners, et al.*, State of New Mexico, County of Santa Fe, First Judicial District Court, No. D-1-1-CV-2014-269.
- *Board of County Commissioners for the County of Santa Fe v. Montoya, et al.*, State of New Mexico, County of Santa Fe, First Judicial District, No. D-101-CV-2014-00288.
- Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978.
- Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant Discussed in Executive Session.

The Board set a motion to authorize the County Attorney to initiate and prosecute in the name of the Board of County Commissioners such actions and proceedings as are necessary or proper to recover damages suffered by the County as a result of design defects in the design of the First Judicial District Court Courthouse located at the corner of Sandoval and Montezuma streets. **Approved 3-0, Commissioners Anaya and Stefanics were not present for the vote.**

Public Hearings

Ordinances

- Ordinance No. 2016-____, Santa Fe County Local Economic Development Act (LEDA) Support for the Place at Caja Del Rio, a Senior Living Project. **(TABLED UNTIL JANUARY 26, 2016)**
- Ordinance No. 2016-____, An Ordinance Amending the Dedication of the Third One-Eighth Increment of the County Gross Receipts Tax Imposed By Ordinance No. 1987-6. **Approved by unanimous vote, 5-0.**

Land Use Cases

- CDRC CASE # V 15-5270 Kathleen Kaupp Variance. Kathleen Kaupp Applicant, Michael Henry, Agent, Requests a Variance of Article III, Section 2.3.6b.2 (Height Restrictions for Dwellings or Residential Accessory Structures) of the Land Development Code and Section 3.8.1.d of Ordinance 2000-13 Tesuque Community Zoning District (Height on Slopes and Ridgetops) to Allow a 365 Square Foot Accessory Structure Addition to Exceed 14 Feet in Height on a Ridgetop. **Approved by unanimous vote, 5-0.**
- CDRC CASE # ZA/S 14-5491 Saleh. Senemar, LLC, Applicant, Design Egnuity, Agent, Request a Master Plan Amendment to Allow 12 Commercial Lots on a 64 + Acre Site and to Increase the Amount of Seating to the Allowed Church/Religious Institution Use. The Applicant also Requests Preliminary and Final Plat Approval, to Create 3 Commercial Lots on 24 + Acres, and Final Development Plan for Saleh Phase 1. **Approved by unanimous vote, 5-0.**

CDRC CASE # S 08-5441 Tierra Bello Subdivision Phase 2 and Phase 3 Preliminary and Final Plat and Development Plan. Joe Miller, Applicant, Danny Martinez, Agent, Request Preliminary and Final Plat and Development Plan Approval for Phase 2 (6-lots) and Phase 3 (6-lots) of the Tiera Bello Residential Subdivision to Create 12 Residential Lots within a Previously Approved Master Planned 73 Lot Residential Subdivision. Approved 4-0 with conditions, Commissioner Anaya voted against. **Approved 4-1, Commissioner Anaya voted against.**