Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

BCC CASE # Z 14-5010
31 BONANZA CREEK MASTER PLAN ZONING
LESLIE MOODY AND MITCHELL ACKERMAN, APPLICANTS

ORDER

THIS MATTER came before the Board of County Commissioners (hereinafter referred to as "the BCC") for hearing on May 13, 2014, on the Application of Leslie Moody and Mitchell Ackerman (hereinafter referred to as "the Applicants"), for Master Plan Zoning approval to allow a Bed and Breakfast within an existing residence on 9.94 acres. The BCC, having reviewed the Application, supplemental materials, Staff report and having conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicants request Master Plan Zoning approval to allow an existing 5,580 square foot five bedroom residence to operate as a Bed and Breakfast. There are two dwellings on the 9.94 acre site. A 4,561 square foot residence will be utilized by the Applicants as their primary residence and the second residence will be utilized as a five bedroom Bed and Breakfast.

2. The property is located on the west side of Highway 14 off Bonanza Creek Road (County Road 45), within Section 26, Township 15 North, Range 8 East

3. The two existing dwellings on the 9.94 acre parcel are non-conforming as per the density requirements of Santa Fe County Ordinance 1996-10, the Land Development Code (the Code). The Applicants propose two kitchens in the five

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www.santafecountynm.gov

bedroom residence which will operate as the Bed and Breakfast and a kitchen in the Applicants residence.

4. Ordinance No. 1998-9 (clarifying definitions for "dwelling" and "accessory structure") defines dwelling as "any such structure, mobile home or unit that contains both a kitchen or cooking facility and a bathtub or shower shall be presumed to be a dwelling".

5. Bed and breakfast is not a use identified in the Code, however Article III, § 8, Other Development (8.1 Uses Permitted) states: "All uses not otherwise regulated by the Code are permitted anywhere in the County".

6. Article III, § 4.4.1.a (Design Standards and Review Criteria) states: "to zone or re-zone any parcel for a commercial or industrial non-residential district a master plan shall be submitted. Submittals and procedures for master plans are set forth in Article V, § 5.2".

7. Article V, § 5.2.1.b (Master Plan Procedure) states: "a Master Plan is comprehensive in establishing the scope of a project, yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the sub-divider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval".

8. Staff correctly determined that the Application is comprehensive in establishing the scope of the project. Additionally the level of detail provided in the Application is sufficient for a review of the Master Plan.

9. The Applicants' property is served by a well, regulated by the Office of the State Engineer.

10. The County Hydrologist has determined that the Application is sufficient for Master Plan, and that her concerns regarding the proposed water budget and the possible need for Applicants to provide water rights to the County can be resolved prior to final development plan approval.

11. The bed and breakfast is currently operated without proper zoning in an area best described as rural residential, without a County business permit. These conclusions are supported by observations of code enforcement officers during a site inspection and by on-line advertising of the bed and breakfast by Applicants.

12. Santa Fe County adopted Ordinance 2013-6, the Sustainable Land Development Code to replace the Code upon adoption of a zoning map. Under the Sustainable Land Development Code's proposed zoning map, the subject property would be zoned rural residential, and bed and breakfasts are listed as a conditional use.

13. Once the property is zoned and Applicants obtain a County business permit, Applicants will pay lodgers taxes.

14. The property is producing eighty percent (80%) of its electricity using solar panels and has a water catchment system in use.

15. The Application is consistent with the Sustainable Growth Management Plan including principles related to Economic Development: Pursue a diverse and sustainable local economy; Support mixed-use development that balances employment-generating land uses with residential land uses to attain a balance of

jobs and housing; Small business development, enterprises, and compatible home based businesses should be supported.

16. The Application satisfies the submittal requirements set forth in the Code.

17. The review comments from State Agencies and County staff have established findings that this Application is in compliance with state requirements and Article V, § 5, Master Plan Procedures of the Land Development Code.

18. Jennifer Jenkins representing the Applicant spoke in favor of the Application.

19. The San Marcos Association supported the Application through a letter of support, noting that the bed and breakfast was in keeping with the rural residential nature of the neighborhood and was a good contribution to the community.

20. A letter from the Turquoise Trail Association supported the Application and noted that the proposed Turquoise Trail Corridor Management Plan calls for creating appropriate rural lodging in the area.

21. Mr. Walter Waite spoke in favor of the Application, noting that economic development objectives of the community and the County will be furthered by the existence of a bed and breakfast in the Turquoise Trail Corridor.

22. Staff recommended the following conditions for approval of the Application:

a) The Applicant shall comply with all review agency comments and conditions as per Article V, § 7.1.3.c.

b) Master Plan with appropriate signatures, shall be recorded with the County Clerk as per Article V, § 5.2.5.

c) Only two (2) kitchens shall be allowed on the site in keeping with the non-conforming status of the site, as per Article II, § 4.5.

d) The Preliminary and Final Development Plan shall be submitted promptly after 90 days of data collection on actual water use is obtained. The Final Development Plan shall be submitted to the County Development Review Committee accompanied by a staff report, as per Article V, § 7.

e) The Applicant shall provide water rights if the proposed water use for the Bed and Breakfast exceeds 3 acre feet of water per year.

23. The Applicants were in agreement with staff's proposed conditions on Master Plan approval.

WHEREFORE the Board of County Commissioners of Santa Fe County hereby approves the request for Master Plan Zoning to allow a Bed and Breakfast within an existing residence on 9.94 acres subject to the conditions set forth in paragraph 22 above. The motion to approve the Application passed by a 4-0 vote, with Commissioners Anaya, Mayfield, Holian and Chavez voting in favor of the motion. Commissioner Stefanics was not present during the Public Hearing.

I certify that the Application was approved subject to conditions set forth in paragraph 22 by the Board of County Commissioners on this _____ day of _____ _____, 2014.

The Board of County Commissioners of Santa Fe County

By: _____
Daniel W. Mayfield, Chairperson

ATTEST:

_____
Geraldine Salazar, County Clerk

APPROVED AS TO FORM:

_____
Gregory S. Shaffer, County Attorney

COMMISSIONER STEFANICS: Mr. Chair.
CHAIR MAYFIELD: Commissioner Stefanics.
COMMISSIONER STEFANICS: I'll move for approval.
COMMISSIONER ANAYA: Second.
CHAIR MAYFIELD: We have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present for this action.]

CHAIR MAYFIELD: Thanks for being with us tonight.
COMMISSIONER ANAYA: Mr. Chair.
CHAIR MAYFIELD: Commissioner Anaya.
COMMISSIONER ANAYA: Just a question. The item expired – typically we've been seeing them before the expiration. Just as we go forward, I would just encourage all applicants to come in for the extension before the expiration, not after.
MS. GUERRERORTIZ: May I speak to that point?
COMMISSIONER ANAYA: Sure.
MS. GUERRERORTIZ: I don't really want to go into the details but we did make application. We had several conversations in 2009 which – we expired I think they say in August 2009. We actually got a letter from Shelley Cobau dated April 2009. I have it in my possession if you'd like a copy, and it says that the staff made a determination at that time that we did not need to come before the BCC for an extension. I could read it if you'd like me to read it but I can guarantee you that we mind the dates, we were here and we were told we did not have to come.
CHAIR MAYFIELD: Thank you. You could give that to Ms. Ellis-Green though so she could have it for her records.
MS. GUERRERORTIZ: Staff was given a copy.
CHAIR MAYFIELD: Thank you, Oralynn.
COMMISSIONER ANAYA: Mr. Chair, one other question. Mr. McCarthy or Mr. Bobby Lee, are you guys seeing any indication of the market shifting and improving associated with real estate and construction? Do we have – they seem to be improving but from your perspective, are they?
BOBBY LEE TRUJILLO: Yes, the market is starting to get better now. We've seen more of a stabilization and we've been able to get a couple of buildings out of Albuquerque to come and work in our subdivision so it's starting to pick up.
COMMISSIONER ANAYA: Good. Thank you, Mr. Chair. Thank you.

VIII. B. 7. <u>CDRC CASE # Z 14-5010 31 Bonanza Creek Road</u>. Leslie Moody and Mitchell Ackerman, Applicants, Jenkinsgavin, Agents, Request Master Plan Zoning Approval to Allow a Bed and Breakfast within an Existing Residence on 9.94 Acres. The Property is Located on the West Side of Highway 14 Off Bonanza Creek Road (County Road 45), within Section 26, Township 15 North, Range 8 East (Commission District 5)

SFC CLERK RECORDED 06/13/2014

SFC CLERK RECORDED 06/13/2014

JOSE E. LARRAÑAGA, (Case Manager): Thank you, Mr. Chair. On March 20, 2014, the County Development Review Committee met and acted on this case. The decision of the CDRC was to recommend approval of the Applicants' request, for Master Plan Zoning with staff conditions. The CDRC also recommended that the Applicants provide water rights if the water use for the bed & breakfast exceeds three acre-feet of water per year.

The Applicants request Master Plan Zoning approval to allow an existing 5,580 square foot five-bedroom residence to operate as a Bed and Breakfast. There are two dwellings on the 9.94-acre site. A 4,561 square foot residence will be utilized by the Applicants as their primary residence and the second residence will be utilized as a five-bedroom bed and breakfast. The Applicants are not proposing any expansion of the existing structures as part of this Application.

The bed & breakfast is currently in operation without the proper zoning approval or Business License from Santa Fe County. This statement is based on an observation made by staff on a site visit and advertisement on the internet as Rancho Gallina in Santa Fe.

The two existing dwellings on the 9.94-acre parcel are non-conforming as per the density requirements of the Land Development Code. The Applicants propose two kitchens in the five-bedroom residence which will operate as the Bed and Breakfast and a kitchen in the Applicants' residence. Ordinance No. 1998-9 states: "Any such structure, mobile home or unit that contains both a kitchen or cooking facility and a bathtub or shower shall be presumed to be a dwelling". At the most basic level, a bed and breakfast is a place, often found in a renovated home, mansion or small hotel, to spend the night and enjoy a full breakfast in the morning. In observance of the non-conforming status of the site only two kitchens shall be utilized on site.

Building and Development Services staff have reviewed this project for compliance with pertinent Code requirements and have found that the facts presented support the request for Master Plan Zoning: the Application is comprehensive in establishing the scope of the project; the County Hydrologist has determined that the application is sufficient for Master Plan; the Application satisfies the submittal requirements set forth in the Land Development Code. The review comments from State Agencies and County staff have established findings that this Application is in compliance with state requirements and Article V, § 5, Master Plan Procedures of the Land Development Code.

Staff recommendation is conditional approval of Master Plan Zoning, to allow a Bed and Breakfast within an existing residence on 9.94 acres, subject to the following staff conditions:

1. The Applicant shall comply with all review agency comments and conditions, as per Article V, § 7.1.3.c.
2. Master Plan with appropriate signatures shall be recorded with the County Clerk, as per Article V, § 5.2.5.
3. Only two (2) kitchens shall be allowed on the site in keeping with the non-conforming status of the site, as per Article II, § 4.5.
4. The Preliminary and Final Development Plan shall be submitted promptly after 90 days of data collection on actual water use is obtained. The Final Development Plan shall be submitted to the County Development Review Committee accompanied by a staff report, as per Article V, § 7.

5. The Applicant shall provide water rights if the proposed water use for the Bed and Breakfast exceeds three acre-feet of water per year.

Mr. Chair, I stand for any questions.

CHAIR MAYFIELD: Thank you, Mr. Larrañaga. Commissioners, any questions of staff? Thank you. The applicant please.

[Duly sworn, Jennifer Jenkins testified as follows:]

JENNIFER JENKINS: Good evening, Chairman, Commissioners. I'm Jennifer Jenkins with Jenkins-Gavin Design and Development, and this is Colleen Gavin, and we are here this evening on behalf of Leslie Moody and Mitch Ackerman in request for master plan approval. Oh, good morning. I apologize. Good morning.

We'll attempt to be extremely brief. Are your monitors working at your seats this evening?

MS. JENKINS: Okay, wonderful. Great. So the subject property is just under ten acres and it is located just west of Highway 14 on Bonanza Creek Road, just about a quarter mile west. The property houses a 5,500 square foot structure as well as a 4,500 square foot residence. That is the owners' residence. They have invested significantly in this property. They are producing 80 percent of their own electricity with solar panels. They've a geothermal system. They have significant water catchment and it's really their desire to create a very eco-friendly lodging opportunity for the Turquoise Trail corridor.

With respect to the Sustainable Land Development Code the proposed zoning for this area is rural residential. Bed and breakfast inns are listed as a conditional use in the Sustainable Land Development Code, so the master plan process that we are engaged in right now actually aligns with the conditional use permit process that is laid out in the Sustainable Land Development Code. This process is actually more stringent than what would be required once that code is effective. So we are consistent with the future code. I would like to bring your attention to Exhibit 3 of your staff report. We have two letters of support from the community associations. There are essentially two community associations in this area. One is the San Marcos Association and the letter from Walter Wait of the San Marcos Association states that the plans are in keeping with the rural residential nature of our district and that the B&B would make a good contribution to our community.

Secondly, we have a letter of support from Kevin Box who is the president of the Turquoise Trail Association, and Kevin points out that the Turquoise Trail Corridor Management Plan, or the CMP, calls out for creating, achieving appropriate development of rural lodging in the Turquoise Trail Corridor. Bed and Breakfasts are precisely the type of lodging and business encouraged by the Corridor Management Plan because it creates high quality jobs in the area while retaining the rural character that is important to the Turquoise Trail. And that this proposal is really ideal in realizing the vision of the Corridor Management Plan for the Turquoise Trail Corridor.

With that, I would like to state that we are in agreement with staff conditions and we would be happy to stand for any questions. Thank you very much for your attention.

CHAIR MAYFIELD: Thank you. Commissioners, any questions of the applicant? Seeing none, this is a public hearing. We will go to the public. Do any members of the public wish to comment on this case? Mr. Wait.

[Duly sworn, Walter Wait testified as follows:]

WALTER WAIT: Walter Wait, 48 Bonanza Creek Road, Santa Fe. The San

SFC CLERK RECORDED 06/13/2014

SFC CLERK RECORDED 06/13/2014

Marcos Association of which I'm a board member, the board of directors met with Leslie Moody and Mitchell Ackerman at the association's March 13th board meeting and at that meeting we discussed their plans to initiate a bed and breakfast at 31 Bonanza Creek Road in the San Marcos district. And after discussing their plans and reviewing the history of the property, which included quite a bit of past schools and rental properties and so on and so forth, our board felt that the plans are in keeping with our rural lifestyle and feel very comfortable with them joining our neighborhood. And our board recommended strongly that you approve the development of the B&B.

Now, I live on Bonanza Creek Road, just down the street from there and I feel as though it would be a really good addition to our neighborhood as well, speaking as an individual living just down the street from them. So I do hope that you'll pass this and let them go forward. Thank you.

CHAIR MAYFIELD: Thank you, Mr. Wait. Commissioners? Commissioner Chavez, please.

COMMISSIONER CHAVEZ: I have a question maybe for staff. I'll just put it out there. Bed and breakfasts, do they collect lodgers' tax the same as a hotel?

MR. LARRAÑAGA: Mr. Chair, Commissioner Chavez, yes. Until the get the business license and get it totally approved then they would start charging.

COMMISSIONER CHAVEZ: So you're tracking that as well?

MR. LARRAÑAGA: That's correct.

COMMISSIONER CHAVEZ: Okay. Thank you, Mr. Chair.

COMMISSIONER STEFANICS: Mr. Chair.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: I'd move for approval.

COMMISSIONER ANAYA: Second.

CHAIR MAYFIELD: We have a motion and a second. I just have a quick question and I'll be brief. On the summary, there were some questions brought up, Mr. Larrañaga about the water for this business. What are they asking to use and what permits to do they have for their water?

MR. LARRAÑAGA: Mr. Chair, the water use, there was a disagreement. It was reviewed by the County Hydrologist and she didn't quite agree with the water budget that the agent submitted. So they are on a – for master plan the County Hydrologist agreed that they had enough water for the master plan but for final development plan they would have to come up with a plan to meter the well and turn in meter readings for up to 90 days and see if they would come in under a quarter acre-foot of water for that use and then she would – we would go forward with preliminary and final development plan.

CHAIR MAYFIELD: And they do have a commercial well application or a commercial well permit? Three acre-feet from the State Engineer?

MR. LARRAÑAGA: Mr. Chair, the well is a residential well and the property is residential right now. So after the master plan, the zoning would change for commercial for a bed and breakfast and that would be one of our conditions, that they would re-record the well as a commercial well.

CHAIR MAYFIELD: Thank you. We have a motion and a second in front of us.

MR. SHAFFER: Mr. Chair, if I could, just a point of clarification before you

vote on the motion. If you want to confirm that there are no other members in the public that want to speak on the matter and close the public hearing, just so you have a clean record. That would be my recommendation.

CHAIR MAYFIELD: I appreciate that. I thought I did that but it's a little late. Are there any other members from the public wishing to comment on this case in front of us? Seeing none this public hearing is closed on this matter. Thank you, Mr. Shaffer. We have a motion and a second.

The motion passed by unanimous [4-0] voice vote. [Commissioner Holian was not present.]

CHAIR MAYFIELD: Commissioners, there's no need for executive session, I hope, because I ain't going to be here. Mr. Shaffer, we'll see you in a couple weeks.

IX. CONCLUDING BUSINESS

A. Announcements

B. Adjournment

Having completed the agenda and with no further business to come before this body, Chair Mayfield declared this meeting adjourned at 12:50 a.m.

Approved by:

6-10-14

Board of County Commissioners
Daniel W. Mayfield, Chair

ATTEST TO:

Geraldine Salazar

GERALDINE SALAZAR
SANTA FE COUNTY CLERK

6-11-2014

COUNTY CLERK SANTA FE NEW MEXICO GERALDINE SALAZAR

Respectfully submitted:

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

SFC CLERK RECORDED 06/13/2014

III. Action Items

A. Items from Consent Agenda Requiring Extended Discussion/Consideration

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *August 27, 2014*

TO: *Board of County Commissioners*

FROM: *Adam Leigland, Public Works Department Director*

VIA: *Katherine Miller, County Manager*

ITEM AND ISSUE: BCC Meeting September 9, 2014
RESOLUTION 2014 -____ A RESOLUTION REQUESTING A BUDGET INCREASE TO THE CAPITAL OUTLAY GRT FUND (313) FOR THE DESIGN OF THE EXPANSION AND IMPROVEMENTS TO THE PUBLIC SAFETY COMPLEX / $350,000. (FINANCE/TERESA MARTINEZ)

SUMMARY:
The purpose of this resolution is to budget funds allocated through the 2012 Capital Improvement Plan for the design of the expansion of the Public Safety Complex in the amount of $350,000.

BACKGROUND:

Staff has initiated the process of examining options for expansion of the Public Safety Complex facility to provide additional space for the Regional Emergency Communication Center (RECC). The BCC has allocated $2.5 million for this project in 2012 through the Long-Term GRT projects Capital Improvement Plan. Staff has contracted an architectural programming study that has identified short and long term needs at the facility. This programming study has identified the need for expansion of the building to allow for additional space for the RECC operations, along with various building improvements. Items identified in the proposed first phase will address, as budget is available, the following items:

a. RECC expansion,
b. Building improvements for systems integrity (primarily heating and cooling)
c. Sheriff's vehicle evidence storage

Staff is requesting a budget adjustment (BAR) to allow funds be applied toward a design process for this first phase of work. The BAR will provide funds for the project that have been previously allocated specifically for the expansion of the RECC and Public Safety Complex upgrades in the 2012 Capital Improvement Plan. It is estimated that the design services, through construction and related costs for items such as survey, soil testing, etc. will not exceed $350,000. Any remaining funds from this request will be applied toward the construction costs of the project.

ACTION REQUESTED:

Staff is requesting approval of the resolution requesting authorization of the use of Capital Outlay GRT funds (313) for the design of the expansion of the Public Safety Complex.

SANTA FE COUNTY

RESOLUTION 2014 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on September 9, 2014, did request the following budget adjustment:

Department / Division: Public Works/Project Development

Fund Name: Capital Outlay GRT Fund (313) and GOB Series 2011 Fund (339)

Budget Adjustment Type: Budget Increase

Fiscal Year: 2015 (July 1, 2014 - June 30, 2015)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
313	0000	385	0200	Budgeted Cash	$350,000	
TOTAL (if SUBTOTAL, check here ____)					$350,000	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
313	0150	481	8002	Capital Purchases/Bldg Capitalized cont. Svc	$350,000	
TOTAL (if SUBTOTAL, check here ____)					$350,000	

Requesting Department Approval: _____ Title: Adam Leigland, PE, AICP ~~Director, Public Works~~ Date: AUG 2 9 2014

Finance Department Approval: _____ Date: 8/29/14

Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____

Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2014 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: **Name:_Agnes Leyba-Cruz_____** **Dept/Div:_Public Works/Project Development_** **Phone No.:_995-6516_____**

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.
  Santa Fe County allocated $2,500,000 to the expansion of the Public Safety Complex in the 2012 Capital Improvement Plan from Capital Outlay GRT. Staff has conducted a study which identified needs for the facility and staff is ready to hire an architectural firm to design the improvement identified in the study. Staff has projected that the design will not cost more than $350,000 therefore staff is requesting $350,000 of the $2,500,000 to design the improvements.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8002	Design the expansion and improvements to the Public Safety Complex	$350,000

2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense _X_____

SANTA FE COUNTY

RESOLUTION 2014 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name:__Agnes Leyba-Cruz_____ Dept/Div:_Public Works/Project Development_____ Phone No.:___995-6516_____

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following: GRT Fund (313)
  - a) If this is a state special appropriation, YES _____ NO __X_____
    If YES, cite statute and attach a copy.

  - b) Does this include state or federal funds? YES _____ NO __X_____
    If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.

  - c) Is this request is a result of Commission action? YES ___X___ NO _____
    If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).

    The Board of County Commission approved the Capital Improvement Plan in June of 2012 to include improvements to the Public Safety Complex.

  - d) Please identify other funding sources used to match this request.
    NA

SANTA FE COUNTY

RESOLUTION 2014 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This _____ Day of _____, 2014.

Santa Fe Board of County Commissioners

_____
Daniel W. Mayfield, Chairperson

ATTEST:

_____
Geraldine Salazar, County Clerk

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *August 27, 2014*

TO: *Board of County Commissioners*

FROM: *Adam Leigland, Public Works Department Director*

VIA: *Katherine Miller, County Manager*

ITEM AND ISSUE: BCC Meeting September 9, 2014
RESOLUTION 2014 -____ A RESOLUTION REQUESTING A BUDGET INCREASE TO THE CAPITAL OUTLAY GRT FUND (313) AND THE GOB SERIES 2011 FUND (339) TO CONSTRUCT IMPROVEMENTS TO ROMERO PARK IN SANTA FE COUNTY FOR A TOTAL AMOUNT OF $975,000. (FINANCE/TERESA MARTINEZ)

SUMMARY:

The purpose of this resolution is to budget funds for improvements to Romero Park from the Capital Outlay GRT fund (313) in the amount of $80,933 and the GOB Series 2011 fund (339) in the amount of $894,067 for a total of $975,000.

BACKGROUND:

The BCC authorized $1,000,000 in the 2012 Capital Improvement Plan toward the construction of improvements to Romero Park, formerly known as Agua Fria Park. The park is located off County Rd 62 in the historic Village of Agua Fria. Santa Fe County received a patent for the 70 acre park from the Bureau of Land Management under the Recreation and Public Purposes Act in 1971. The park was originally developed in the 1970s under the Federal Land Water and Conservation Fund Program which obligates the County to maintain the recreation facilities in perpetuity. The facilities are aging and no longer serve the needs of the community. In May of 2013 Santa Fe County hired a landscape architect, Design Office, to develop a master plan for the park and provide construction documents for an initial phase of park improvements. The design is nearing completion and will be ready to advertise for construction at the beginning of September 2014. Staff used $25,000 of the construction funds for site work and is requesting that the remaining balance of $975,000 be budgeted for the construction.

ACTION REQUESTED:

Staff is requesting approval of the resolution requesting authorization of the use of Capital Outlay GRT funds and GOB Series 2011 to construct improvements to Romero Park in Santa Fe County in the amount of $975,000.

SANTA FE COUNTY

RESOLUTION 2014 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on September 9, 2014, did request the following budget adjustment:

Department / Division: Public Works/Project Development

Fund Name: Capital Outlay GRT Fund (313) and GOB Series 2011 Fund (339)

Budget Adjustment Type: Budget Increase

Fiscal Year: 2015 (July 1, 2014 - June 30, 2015)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
313	0000	385	0200	Budgeted Cash	$80,933	
339	0000	385	0400	Budgeted Cash	$894,067	
TOTAL (if SUBTOTAL, check here ____)					$975,000	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
313	0732	481	8010	Capital Purchases/Roadways(Bridge/Culvert)	$80,933	
339	0732	481	8010	Capital Purchases/Roadways(Bridge/Culvert)	$894,067	
TOTAL (if SUBTOTAL, check here ____)					$975,000	

Requesting Department Approval: _____ **Title:** Adam Leigland, PE, AICP Director, Public Works **Date:** AUG 2 9 2014

Finance Department Approval: _____ **Date:** 8/29/14 **Entered by:** _____ **Date:** _____

County Manager Approval: _____ **Date:** _____ **Updated by:** _____ **Date:** _____

SANTA FE COUNTY

RESOLUTION 2014 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: **Name:_Agnes Leyba-Cruz_____** **Dept/Div:_Public Works/Project Development_** **Phone No.:_995-6516_____**

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.
)Santa Fe County allocated $1,000,000 to the construction of improvement to Romero Park in the 2012 Capital Improvement Plan from Capital Outlay GRT. The design is nearing completion and will be ready to advertise for construction in September of 2014. Staff is requesting that, $975,000 ($25,000 used for site preparation) be budgeted for the construction ($80,933 from GRT fund 313 and $894,067 from the 2011 GOB fund 339 for a total amount of $975,000..

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
8010	Construction of the improvements designed for Romero Park.	$80,933
8010	Construction of the improvements designed for Romero Park.	$894,067

2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense _X_____

SANTA FE COUNTY

RESOLUTION 2014 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name:__Agnes Leyba-Cruz_____ Dept/Div:_Public Works/Project Development_____ Phone No.:___995-6516_____

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following: GRT Fund (313)
  - a) If this is a state special appropriation, YES _____ NO __X_____
    If YES, cite statute and attach a copy.

  - b) Does this include state or federal funds? YES _____ NO __X_____
    If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.

  - c) Is this request is a result of Commission action? YES ___X___ NO _____
    If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).

    The Board of County Commission approved the Capital Improvement Plan in June of 2012 to include improvements to Romero Park.

  - d) Please identify other funding sources used to match this request.
    NA

SANTA FE COUNTY

RESOLUTION 2014 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This _____ Day of _____, 2014.

Santa Fe Board of County Commissioners

_____
Daniel W. Mayfield, Chairperson

ATTEST:

_____
Geraldine Salazar, County Clerk

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

To: Board of County Commissioners

From: Teresa Martinez, Finance Director

Through: Katherine Miller

Date: August 26, 2014

RE: ***BCC Written Order Setting the Tax Rates on the Net Taxable Value of Property***

ISSUE

The Finance Division is requesting that the Board of County Commissioners (BCC) issue a written order setting the Santa Fe County property tax rates on the net taxable value allocated to the appropriate governmental units for the 2014 Tax Year.

BACKGROUND

Pursuant to Section 7-38-33 NMSA 1978, each year the Secretary of the Department of Finance and Administration (DFA) issues a written order to set the property tax rates for all governmental units which share in the tax. DFA must issue this order on or before September 1 of each year. This year September 1 falls on a Federal holiday thus DFA will issue its order for the 2014 Tax Year on the next business day which is September 2, 2014.

Section 7-38-34 NMSA 1978 requires that *"Within five days of receipt of the property tax rate-setting order from the department of finance and administration, each board of county commissioners shall issue its written order imposing the tax at the rates set on the net taxable value of property allocated to the appropriate governmental units..."* These imposed rates are then to be used to bill property owners for the coming tax year which runs from November 1, 2014 to October 31, 2015.

The September 9, 2014 BCC meeting falls on the fifth business day (the statutory deadline) following the scheduled issuance of the property tax rate order by DFA, thus the rates will be brought forward for the BCC to issue its written order setting the property tax rates for the Tax Year beginning November 1, 2014.

ACTION REQUESTED

The Finance Division respectfully requests that the BCC issue a written order setting the property tax rates for the tax year 2014 pursuant to Section 7-38-34 NMSA 1978.

SANTA FE COUNTY

ORDER IMPOSING THE TAX RATES ON THE NET TAXABLE VALUE OF PROPERTY ALLOCATED TO SANTA FE COUNTY

THIS MATTER having come before the Board of County Commissioners ("BCC") during the meeting of September 9, 2014, the BCC having received the certificate of property tax rates in mills from the Department of Finance and Administration , which tax rates are set forth on Exhibit "A" attached hereto, and in conformance with the BCC's statutory obligation pursuant to Section 7-38-34, NMSA 1978.

IT IS NOW ORDERED that the rates set by the New Mexico Department of Finance and Administration, attached to this Order as Exhibit A, are adopted as the 2014 property tax rates by the Board of County Commissioners and are hereby imposed for the 2014 tax year.

BOARD OF COUNTY COMMISSIONERS

By:_____
Daniel W. Mayfield, Chair

Attest:

_____
Geraldine Salazar, County Clerk

Approved as to form:

_____
Gregory S. Shaffer, County Attorney

IV. Matters of Public Concern

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: August 27, 2014

TO: Board of County Commissioners

FROM: Maria Lohmann, Open Space and Trails Planner (Growth Management)

VIA: Robert Griego, Planning Division Director RG
Penny Ellis-Green, Growth Management Director

RE: Presentation and Update on Mission and Vision Statement for the Open Space and Trails Strategic Plan

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BACKGROUND AND SUMMARY:

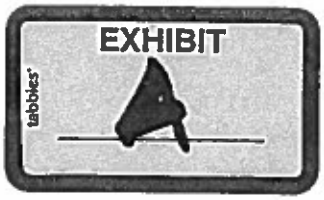
Santa Fe County is in the process of developing an Open Space Plan to implement the Open Space Element of the Sustainable Growth Management Plan (SGMP). The SGMP calls for strategic and action plans to be developed for policy implementation. In accordance with this directive Santa Fe County Planning staff has initiated the Open Space, Trails and Parks Strategic Planning process. The Strategic Plan will update long range goals and objectives for consistency with the Open Space, Trails, Parks and Recreation Element of the SGMP. This plan will provide a detailed, updated inventory of County-owned open space, parks and trails facilities; it will assess conservation resources and define management strategies and principles; and it will strategically identify short and long term priorities for consistency with and funding through the Capital Improvements Plan. Once adopted, the Plan will amend the Open Space, Trails, Parks and Recreation Element of the SGMP, providing robust analysis, detailed policy guidance, and strategic implementation tools.

Staff is completing the pre-planning phase of the process; Phase II has been initiated, and information gathering has begun. Resolution 2011-4 directs COLTPAC to assist in updating the Open Space and Trails Plan. COLTPAC has assisted staff in the drafting of a Vision and Mission statement for the strategic plan and the Open Space program. COLTPAC has coordinated with staff to prepare a presentation of the Vision and Mission statement, and an outline of the strategic plan in order to update the Commissioners on the status of the planning process.

RECOMMENDATION: Presentation only, no action required.

EXHIBIT A: Draft Mission and Vision

EXHIBIT B: Strategic Plan Outline



Santa Fe County Open Space and Trails Program

[DRAFT, July 2014]

The following are revised Vision and Mission Statements of the Santa Fe County Open Space and Trails Program, created by the County Open Land, Trails and Parks Advisory Committee in Summer 2014. The statements represent a compilation of ideas, values and thoughts shared during a series of discussions held at regular COLTPAC meetings focused on updating the Santa Fe County Open Land and Trails Plan (2000) and on the creation of a new Santa Fe County Open Space, Trails and Parks Strategic Plan, which will guide program operations and projects for the next 10 to 15 years.

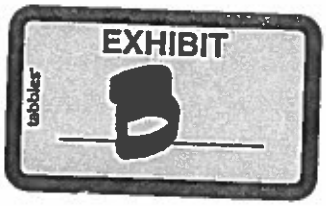
VISION

Santa Fe County's open spaces, trails and parks connect people to the land, offering our communities exceptional opportunities for recreation and renewal that inspire a deep sense of regional identity and stewardship among current and future generations.

MISSION

The Santa Fe County Open Space and Trails Program is dedicated to ...

- **Preserving cultural landscapes, scenic vistas and diverse ecosystems**
- **Enriching and celebrating local "sense of place"**
- **Supporting multiple recreational uses**
- **Enhancing connectivity of the open space and trails network**
- **Improving access to open lands and parks**
- **Educating and inspiring a new generation of land stewards**
- **Promoting healthy lifestyles**
- **Distributing high quality services and facilities in an equitable manner**
- **Collaborating with local, state, federal, tribal and private partners**
- **Striving for sustainability in design, construction and maintenance**



Santa Fe County Open Space, Trails and Parks Plan

Project Background / Need

The Santa Fe County Board of County Commissioners established the Wildlife, Trails and Historic Places Program in 1998 and created the County Open Land and Trails Planning Advisory Committee (COLTPAC) to assist in planning and implementation of that program. The resulting Open Land and Trails Plan was adopted in 2000 and has served to guide program operations and expenditure of capital resources for open space, trails and parks for the last 14 years. Since that time, much has changed in Santa Fe County. The Open Space and Trails Program, as it is now called, has grown to include over 6,600 acres of open space and 46 miles of trail, and COLTPAC's role has been expanded to include advising on the County's numerous parks and recreation facilities, in addition to open space and trails matters.

The Santa Fe County Sustainable Growth Management Plan (SGMP) was adopted in 2010 as the County's General Plan, replacing and rescinding previous general plans. The SGMP calls for strategic and action plans to be developed for policy implementation. In accordance with this directive, a Santa Fe County Open Space, Trails and Parks Plan is needed. The Plan will update long range goals and objectives for consistency with the Open Space, Trails, Parks and Recreation Element of the SGMP; it will provide a detailed, updated inventory of County-owned open space, parks and trails facilities; it will assess conservation resources and define management strategies and principles; and it will strategically identify short and long term project priorities for consistency with and funding through the Capital Improvements Plan. Once adopted, the Plan will amend the Open Space, Trails, Parks and Recreation Element of the SGMP and serve as a Rank 2 Plan, providing robust analysis, detailed policy guidance, and strategic implementation tools.

Draft Plan Components/Outline

1. Introduction
   - 1.1. Program background/history
   - 1.2. Purpose of the plan
   - 1.3. COLTPAC / Public Participation

2. Planning Context
   - *2.1.* Santa Fe County Profile *(Growth Management Areas: Estancia, Galisteo, El Centro, El Norte)*
   - 2.2. Value of open space, trails and parks to Santa Fe County
   - 2.3. Trends that shape Santa Fe County's recreation and conservation needs

3. Existing Conditions
   - 3.1. Glossary / classification of facility types
   - 3.2. Inventory of County-owned open space, trails and parks facilities
   - 3.3. Inventory of public lands and trails
   - *3.4.* Resources Inventory and Assessment Report – key findings *(contractual services agreement – RFP to be advertised in Spring 2014)*

4. Open Space, Trails and Parks Strategic Plan
   4.1. Vision and mission
   4.2. Goals (foundational towards implementing the vision/mission)
   4.3. Strategies (methods for achieving each goal)

5. Needs Assessment
   5.1. Level of Service Analysis (identification of deficiencies by Sustainable Development Area)
   5.2. Needs Assessment by Growth Management Area *(Estancia, Galisteo, El Centro, El Norte)*

6. Open Space, Trails and Parks Implementation Plan
   6.1. Financing Tools
   6.2. Capital Project Identification and Prioritization *(to be updated annually)*

7. Program Operations
   7.1. Program functions and staff *(project life-cycle approach: planning /policy > project development/scoping > project delivery > O&M)*
   7.2. Land Management
      7.2.1. Management principles by facility type
      7.2.2. Management planning (process and priority properties)
   7.3. Capital Improvements
      7.3.1. Design principles and guidelines
         7.3.1.1. Community character
         7.3.1.2. Connectivity
         7.3.1.3. Plantings
         7.3.1.4. Wayfinding/signage
         7.3.1.5. Resource conservation
         7.3.1.6. Maintainability
         7.3.1.7. Safety/risk mitigation
         7.3.1.8. Visitor experience
   7.4. Stewardship / Use
      7.4.1. Open Space, Trails and Parks rules and enforcement
      7.4.2. Partnerships (interagency, non-profit, etc.)
      7.4.3. Property leases
      7.4.4. Conservation easements
   7.5. Public Programs
      7.5.1. Volunteer Programs
      7.5.2. Annual Events
      7.5.3. Outreach and Education
   7.6. Program Performance
      7.6.1. Best Practice Standards / Measures of success
      7.6.2. Annual Reporting

8. Appendix A: Open Space and Trails Master Plan
   8.1. Depicts existing and proposed open space and trails
   8.2. Identifies priority areas for open space acquisition
   8.3. Illustrates opportunities for interagency collaboration (BLM, USFS, SLO)

9. Appendix B: Parks and Recreation Facilities Master Plan
   9.1. Depicts existing parks by type/service area
   9.2. Identifies park/recreation needs by type/service area

10. Appendix C: Santa Fe County Resource Inventory and Assessment Report *(contractual)*
    Project Description: Santa Fe County is located in northern New Mexico along the convergence of the Rio Grande Valley and the southern Sangre de Cristo Mountains. The County encompasses 1911 square miles of diverse terrain and landscapes, from lowland riparian areas along the County's many rivers and streams, to the high desert of the Caja del Rio Plateau, and alpine tundra of the Santa Fe National Forest. The unique variety of terrain, elevation and climate creates different ecosystems and life zones which support various animal and plant communities. A deep history of human interaction with the landscape has resulted in the region's rich cultural and historical heritage. Physical evidence of this history can be found in the forms of archaeological sites and artifacts located countywide, and working farms and ranches continue to portray the significance of the landscape for traditional lifeways. The abundance and distinctive blend of natural, geophysical and cultural resources produce world renowned scenic qualities and viewsheds.

    The Santa Fe County Wildlife, Mountains, Trails and Historic Places Program was created in 1998 for the purpose of preserving the County's natural, historical and cultural diversity and identity, conserving the County's unique open landscapes, and providing enhanced opportunities for outdoor recreation, leisure and renewal. Now known as the Santa Fe County Open Space and Trails, the Program has since grown to include over 6,600 acres of County-owned open space, 23 parks, and 46 miles of trail. The Program has taken great strides towards achieving its vision of an interconnected network of cultural, historical, recreational and natural open spaces and trails in Santa Fe County.

    In support of the Santa Fe County Open Space, Trails and Parks Plan, to be initiated by Open Space and Trails staff in Spring 2014 with a projected adoption date of Fall 2015, a detailed inventory and assessment of natural, cultural, visual and stewardship resources is needed. The purpose of the Resource Inventory and Assessment is as follows:

    - To provide baseline information for open space, trails and parks planning (will help structure public input and decision making).
    - To guide development of countywide goals and strategies for resource conservation and management.
    - To identify priority areas for resource conservation and open space acquisition.

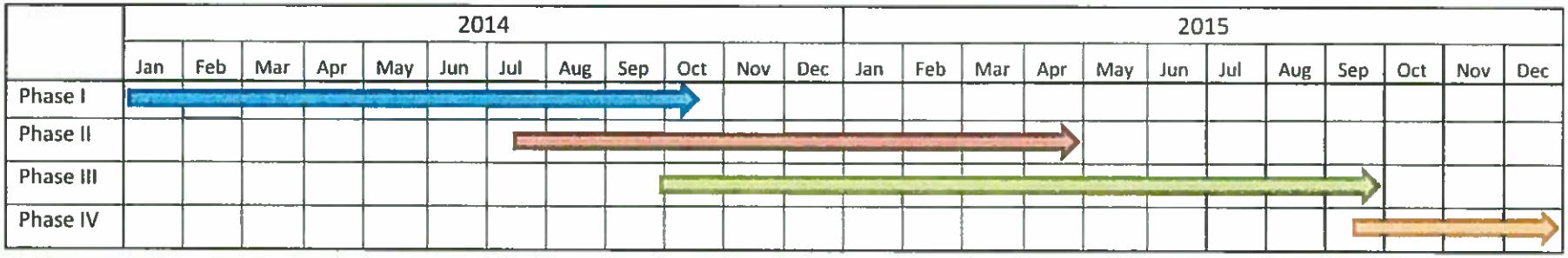
    The need for such a detailed study (including data compilation, mapping and analysis) was identified in the Santa Fe County Open Land and Trails Plan, which has guided the Open Space and Trails Program since it was adopted in 2000 and will be replaced and by the Santa Fe County Open Space, Trails and Parks Plan.

SANTA FE COUNTY OPEN SPACE, TRAILS and PARKS PLAN - PHASING:

Phase I: Pre-Planning	Phase II: Information Gathering	Phase III: Plan Development	Phase IV: Review and Approval

• Finalize scope of work
• Identify contractual services
• Create standard trail maps
• Website updates
• Resolution revisions (COLTPAC)
• Develop stakeholder list and recruit key stakeholders
	• Existing conditions
	  • Resources assessment and creation of web-based interactive map
	  • County profile
	  • County Property Inventory database
	• Public Meetings
	• Outreach events
		• Open Space and Trails Master Plan Map
		• Parks and Recreation Master Plan Map
		• Vision, mission, goals and strategies
		• Needs assessment
		• Projects list and funding evaluation
		• Document preparation
			• Staff review
			• Public review
			• Adoption of Open Space, Trails and Parks Strategic Plan

TIMELINE:



Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3

Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: August 27, 2014

TO: Board of County Commissioners

FROM: Vicki Lucero, Building and Development Services Manager

VIA: Katherine Miller, County Manager
Penny Ellis-Green, Growth Management Director

RE: Presentation on Proposed Development Review Fee Ordinance

---

BACKGROUND:

On May 27, 2014 this item went before the BCC on a request for Authorization to Publish Title and General Summary of the proposed fee ordinance which would establish Development Permit and Review Fees consistent with the provisions set forth in the Sustainable Land Development Code.

At that meeting the BCC stated that they did not believe the proposed ordinance was ready to move forward. The BCC directed staff to research development fees for other entities and do a comparison of those with our existing and proposed fees. The BCC also provided other comments and directives as follows:

-Include Film Permit Fees with higher fees for large production companies
-Fees for Individual building a residence should be lower than those for a large scale or commercial development.
-No multiple fees
-Fees should be based on cost or acreage of development (small businesses vs. large businesses)
-Fee schedule should be put out for public comment
-Apply Courtesy Inspection Fee toward the Development Permit Application fee

In an effort to address the issues brought up by the BCC, staff has revised the format of the previous fee ordinance and combined all of the fees associated with a development application into one fee for each application type which will eliminate having multiple fees for one application and make it easy for the public to know what the cost of development will be before they come in to submit an application. Staff has also compiled a spreadsheet with a comparison

of our current fees and proposed fees to those in the City of Santa Fe, Bernalillo County, Sandoval County, the City of Albuquerque, and Dona Ana County (Refer to Exhibit 3). Many of the fees from the other entities were lower than our exiting fees, therefore, we have adjusted the fees in our proposed ordinance to be more comparable.

We have included film permit fees in the proposed ordinance that reflect a higher cost based on the type of film production. We have changed the fees for Non-residential, Mixed use, and Multi Family developments based on the project valuation (smaller projects will be cheaper and larger projects more expensive). We have also reduced the cost of permits for: individuals building a residence or accessory structure, private residential PV Solar applications, Family Transfers and Exemptions, and Home Occupations. .

Staff has also added a provision in the Fee Ordinance that would allow a courtesy inspection fee paid by a property owner to be applied toward the cost of a development permit at the time the application is submitted.

REQUESTED ACTION:

Staff requests direction from the BCC to allow the proposed Fee Ordinance to be released for public review and comment. If the BCC allows staff to proceed, we will send out a press release in regards to the proposed ordinance, we will post it on the County website, and we will distribute it to everyone on our e-mail contact data base. We will also have copies of the proposed Fee Ordinance available for public comment at the community meetings on the Zoning Map. After this public review period, staff will return to the BCC to request authorization to publish title and general summary of the proposed fee ordinance.

EXHIBITS:

1. Proposed Fee Ordinance
2. Current Fee Ordinance
3. Comparison Spreadsheet
4. May 27, 2014 BCC Meeting Minutes

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
Permit and Review Fee Ordinance
Ordinance No. 2014-____

AN ORDINANCE ESTABLISHING DEVELOPMENT PERMIT AND REVIEW FEES FOR PROJECTS IN SANTA FE COUNTY, NEW MEXICO; AND REPEALING ORDINANCE NO. 2008-12 AND SECTION 9.A (FEE TABLE) OF ORDINANCE NO. 2010-6 (MOTION PICTURE AND TELEVISION PRODUCTIONS)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY:

ARTICLE I. GENERAL PROVISIONS

SECTION 1. SHORT TITLE.

Articles I to III herein may be cited as "The Fee Ordinance of Santa Fe County"

SECTION 2. APPLICABILITY

This Ordinance applies to any application for a Development Permit under the Santa Fe County Sustainable Land Development Code ("SLDC"), as amended.

ARTICLE II. APPLICATION, RECORDS AND REQUIREMENTS

SECTION 1. APPLICATIONS.

All development within Santa Fe County requires a Development Permit and the payment of a non-refundable application fee except where otherwise indicated. All Development Permits require the completion and approval of a Development Permit Application ("Application"). An Application shall be completed according to the requirements in the SLDC and submitted to the Building and Development Services Division for review and processing. The Building and Development Services Division shall submit these Applications to the appropriate County Departments for additional review as required.

SECTION 2. RECORDS.

A record of all permits shall be maintained by the Building and Development Services Division.

SECTION 3. ISSUING PERMITS.

ermits will not be considered issued until picked up from the Building and Development Services Division of Santa Fe County. Permits not issued within thirty (30) days of approval shall be deemed void; permits thus voided will require re-submittal of the application and repayment of fees.

EXHIBIT 1

DRAFT

ARTICLE III. APPLICATION FEES

SECTION 1. FEE SCHEDULE

The fee schedule is hereby attached as Exhibit "A".

SECTION 2. PAYMENT AND REFUNDS.

Unless otherwise stated in the fee schedule, **fees are due at the time of application and are not refundable**. Any application received without payment of fees due will not be reviewed. If a particular Development requires more than one approval, the applicant shall pay the cumulative review fees for each review and approval sought.

SECTION 3. ADDITIONAL FEES FOR PROFESSIONAL SERVICES:

The Building and Development Services Division may require information beyond that contained in the Application. In such instances, the Applicant may (i) provide the information requested at the Applicant's sole expense, (ii) pay an additional fee to cover the cost of the Department staff obtaining and reviewing the information, or (iii) withdraw the Application provided that no such withdrawal shall be entitled to a refund of fees. In addition, some Applications may require specialized reviews by outside sources, the cost of which shall be paid by the Applicant in advance.

PASSED, APPROVED AND ADOPTED, on this _____ day of _____, 2014.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By: _____
DANIEL W. MAYFIELD, Chairperson

ATTEST:

_____
GERALDINE SALAZAR, County Clerk

APPROVED AS TO FORM:

_____
GREGORY S. SHAFFER, County Attorney

Exhibit "A"

SANTA FE COUNTY
GROWTH MANAGEMENT DEPARTMENT
DEVELOPMENT REVIEW FEES

APPLICATION TYPE	BASE FEE	ADDITIONAL FEES
Permits		
Development Permit Residential & Agricultural Uses & Community Service Facilities	$200	Valuation Fee
Project Valuation		
$0 - $25,000		$75
$25,001 - $50,000		$150
$50,001 - $100,000		$350
$100,001 - $200,000		$550
$200,001 - $250,000		$950
$250,001 - $300,000		$1,150
*Each Additional $100,000 in constuction value or part thereof:		$500
Development Permit Non-Residential, Mixed Use & Mulit Family	$700	Valuation Fee
Project Valuation		
$0 - $999		$350
$1,000-$4,999		$600
$5,000-$49,999		$1,100
$50,000-$149,999		$1,500
$150,000-$499,999		$2,500
$500,00-$749,999		$3,500
$750,000-$999,999		$5,000
$1,000,000-$1,999,999		$7,000
$2,000,000 and above		$10,000 for first $2 Million
*Each Additional $1,000,000 in constuction value or part thereof:		$1,000 ($20,000 max)
Conditional Use Permit	$1,000	
Site Development Plan for Permitted Uses	$200	
Sign Permit	$245	
Burial Permit	$150	

Film Permit		
Small Scale Production	$100	$10 per day
Major Production	$500	$50 per day
Episoidic Television Production	$100	$70 per week
Demolition Permit-Residential	$250	
Demolition Permit-Non Residential Mixed Use & Mulit Family	$700	
Blasting Permit	$1,000	
Grading & Clearing Permit-Single Family Residential or Community Service Facility	$100	
Grading & Clearing Permit-Subdivision/ Non-Residential/Mixed Use/Multi Family	$750	
Driveway or Driveway Cut Permit	$200	
PV Solar-Private Residential	$250	
Temporary Use Permit		
Itinerate Vendor Permit	$150	

Subdivisions and Other Plat Reviews		
Minor Subdivision	$350	$25 per lot
Major Subdivision	$750 Prelim/$1000 Final	$100 per lot
Exempt Land Divisions & Other Plat Reviews	$200	
Non-Residential/Mixed Use Subdivision	$1,000 Prelim/$1,500 Final	$100 per lot
Vacation of Plat or Easement	$300	
Plat Amendment/Replat	$300	
Boundary Survey	$250	
Time Extension	$300	
Zoning/Re-Zoning/Text Amendments		
Planned Development District	$3,000	$10 per acre
Zoning Map Amendment	$1,000	
Overlay Zone	$200	
SLDC Text Amendment	$500	
Zoning Statement or Residential Condominium Confirmation Statement (No charge for confirmation of zoning district)	$150	

Supplemental Uses/Other		
Home Occupation/Registration:		
No Impact	$50	
Low Impact	$100	
Medium Impact	$250	
Wind Energy Facilities		
Large Scale	$1,500	
Single Parcel Use	$100	
Wireless Communication Facilities	$2,000	
Sexually Oriented Businesses	Initial - $5,000/Renewal - $1,500	
Beneficial Use Determiniation	$500	
Development of County Wide Impact	$7,500	
Business Registration (When Site DP not req'd)	$225	
Swimming Pool	$545	
Utility Authorization		
Residential/Agricultural/ Community Service Facility	$200 (Not req'd if part of a Developemnt Permit)	
Non-Residential/Mixed Use Multi Family	$300 (Not req'd if part of a Development Permit)	
Well Only	$100	
Franchise Review /Expansion/ Renewal	$600	
Inspections during construction/ Final Inspections for release of Financial Guaranty	$250	Per Inspection
Courtesy Inspection (Will be credited at time of Development Permit)	$100	
Floodplain Determination Letter (No Application Fee Required)	$50	
Variance	$300	
Appeal	$200	

3rd Party Reviews	
County prepared SRAs (TIA, APFSA, WSAR, FIA, EIR) for DCI	Full Cost of Preparation and Review by Outside Consultants
County Reviewed SRAs (TIA, APFSA, WSAR, FIA, EIR)	Full Cost of Review by Outside Consultant
Specialized Review if Needed	Full Cost of Review by Outside Consultant

SFC CLERK RECORDED 08/18/2008

SANTA FE COUNTY

Permit and Review Fee Ordinance

Ordinance No. 2008-12

AN ORDINANCE ESTABLISHING PERMIT AND REVIEW FEES FOR PROJECTS IN SANTA FE COUNTY, NEW MEXICO.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY:

ARTICLE I. GENERAL PROVISIONS

SECTION 1. SHORT TITLE.

Articles I to III herein may be cited as "The Fee Ordinance of Santa Fe County"

SECTION 2. APPLICABILITY

This Ordinance applies to any application for a Development Permit under the Santa Fe County Land Development Code ("LDC"), as amended, or the Santa Fe Extraterritorial Zoning Ordinance ("EZO"), as amended.

ARTICLE II. APPLICATION, RECORDS AND REQUIREMENTS

SECTION 1. APPLICATIONS.

All development within Santa Fe County requires a Development Permit. All Development Permits require the completion and approval of a Development Permit Application ("Application"). An Application shall be completed according to the requirements in the LDC or EZO and submitted to the Building and Development Department for review and processing. The Building and Development Department shall submit these Applications to the appropriate County Departments for additional review as required.

SECTION 2. RECORDS.

A record of all permits shall be maintained by the Building and Development Department.

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SECTION 3. ISSUING PERMITS.

Permits will not be considered issued until picked up from the Building and Development Department of Santa Fe County. Permits not issued within thirty (30) days of approval shall be deemed void; permits thus voided will require re-submittal of the application and repayment of fees.

ARTICLE III. APPLICATION FEES

SECTION 1. FEE SCHEDULE

The following fee schedule is hereby established:

TABLE III.1.1 DEVELOPMENT PERMITS
FEE CALCULATED BASED ON CONSTRUCTION VALUATION

Application Fee All Projects		$100.00
Valuation From:	To:	Fee:
$ 0.00	$25,000.00	$75.00
$25,001.00	$50,000.00	$150.00
$50,001.00	$100,000.00	$350.00
$ 100,001.00	$200,000.00	$550.00
$200,001.00	$250,000.00	$950.00
$250,001.00	$300,000.00	$1150.00
Each additional $100,000.00 in construction value or part thereof:		$375.00

TABLE III.1.2 INSPECTION FEES

PROJECT TYPE	COURTESY INSPECTION	INITIAL INSPECTION	PRE-FINAL INSPECTION	FINAL INSPECTION	Additional Per Lot Fee
Single Family Residential	$100.00	$45.00	$35.00	$50.00	
Subdivisions/Land Divisions	$150.00	$100.00	$50.00	$40.00	$25.00
Exemptions	$50.00	$65.00			
Commercial Lots/Subdivisions	$150.00	$150.00	$100.00	$150.00	$50.00
Gravel/Hard Rock Mining	$300.00	$500.00	$350.00	$500.00	
Mining Reclamation/Closure	$200.00	$250.00	$350.00	$500.00	
Blasting	$100.00	$150.00			
NPDES, SWPPP Residential Land Division 1-4 lots	$100.00	$45.00		$100.00 (post storm event)	$40.00
NPDES, SWPPP Residential Land Division 5 or more lots	$100.00	$75.00		$200.00 (post storm event)	$60.00
Accessory Structure	$50.00	$45.00		$25.00	
Utility/Community Service Facility	$150.00	$125.00	$75.00	$150.00	

Home Occupation/ Home Business	$75.00	$75.00	$50.00	$100.00	
Business Registration	$100.00	$65.00			
After Hours Lighting and Sound Inspections		$75.00			
INSPECTIONS TO CHANGES OF PREVIOUSLY APPROVED PLANS OR APPLICATIONS					$100.00

TABLE III.1.3 DIVISION OF LAND

Type of Division	Initial Review	Second and Subsequent Review	Additional Per Lot Fee
Family Transfer	$250.00	$50.00	$25.00
Land Division/Subdivision 1-4 lots	$500.00	$100.00	$50.00
Land Division/Subdivision 5-24 lots	$950.00	$150.00	$75.00
Land Division/Subdivision 25-99 lots	$1050.00	$200.00	$75.00
Land Division/Subdivision 100-300 lots	$1150.00	$250.00	$100.00
Land Division/Subdivision 300 or more lots	$1350.00	$300.00	$125.00
Residential Lot Line Adjustment	$250.00	$100.00	
Commercial Lot Line Adjustment	$750.00	$250.00	
Exemption	$250.00	$75.00	
Commercial Land Division/Subdivision	$750.00	$250.00	$150.00
Vacations of Plats or Easements	$250.00	$75.00	

TABLE III.1.4 ZONING/MASTER PLANS

Type of Project	Initial Review	Second and Subsequent Review	Additional Per Lot Fee
Subdivision 25-99 lots	$950.00	$100.00	$75.00
Subdivision 100-300 lots	$1150.00	$150.00	$100.00
Subdivision 300 or more lots	$1350.00	$200.00	$125.00
Master Plat	$1000.00	$250.00	$150.00
Master Plan Amendments/Time Extensions	$250.00	$100.00	$25.00
Zoning Statements	$150.00		
Commercial	$750.00	$50.00	$25.00
Community Service Facility	$250.00	$100.00	$75.00
Employment Center	$750.00	$100.00	$100.00
Media District	$1200.00	$150.00	$250.00
Mining Zone	$5000.00	$250.00	$500.00
Mixed-Use Subdivision	$750.00	$100.00	$100.00
Village Center	$750.00	$100.00	$250.00

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SPC CLERK RECORDED 5/08/18/2008

TABLE III.1.5 PRELIMINARY OR FINAL DEVELOPMENT PLANS

Type of Project	Initial Review	Second and Subsequent Review	Additional Per Lot Fee
Land Division/Subdivision 1-4 lots	$500.00	$100.00	$50.00
Land Division/Subdivision 5-24 lots	$750.00	$150.00	$75.00
Subdivision 25-99 lots	$500.00	$100.00	$50.00
Subdivision 100-300 lots	$750.00	$150.00	$75.00
Subdivision 300 or more lots	$950.00	$200.00	$75.00
Sand and Gravel Operations	$2500.00	$150.00	$250.00
Gravel/Hard Rock Mining	$5000.00	$250.00	$500.00
Large Scale Commercial	$1000.00	$100.00	$75.00
Neighborhood Commercial	$750.00	$100.00	$75.00
Employment Center	$750.00	$100.00	$75.00
Media District	$1000.00	$150.00	$150.00
Mixed-Use Subdivision	$750.00	$100.00	$100.00
Village Center	$750.00	$100.00	$250.00
Telecommunication Facilities			
Administrative Review	$750.00	$100.00	
Requiring Single Public Hearing	$1250.00	$100.00	
Requiring Two Public Hearings	$2500.00	$100.00	
Additional Fees for Special Reports:			
Geohydrologic Report	$500.00	$125.00	
Traffic Impact Analysis	$500.00	$125.00	

TABLE III.1.6 SPECIAL PERMITS/BUSINESS REGISTRATIONS

Business Registration Application/Certificate	$35.00
Business Registration Review	$250.00
Home Occupation, Home Business Application/Registration	$175.00
Signage Permit (per sign)	$100.00
Burial Permit	$50.00
Film Permit	$500 +45.00 per day of filming
Itinerant Vendor Permit	$100.00 +100.00 per year renewal
Demolition Permit – Residential	$200.00
Demolition Permit – Commercial	$400.00
Blasting Permit	$500.00 + 25.00 per occurrence
Grading and Clearing Permit – Single Family Residential	$90.00
Grading and Clearing Permit-Subdivision or Commercial	$150.00
Driveway or Driveway Cut Permit	$100.00

TABLE III.1.7 MISCELLANEOUS

Accessory Structure >2000sq/ ft.		$250.00
Swimming Pools	Less than 30,000 gallons	$250.00
Swimming Pools	Greater than 30,000 gallons	$500.00
Utility Authorization	Residential	$35.00

	Utility Distribution Line	$300.00
Public Notice Board	Ea.	$25.00
Adjoiner's List for Certified Mailing		$250.00
Project Research/Archive Access	$40.00 per hour plus $50.00 per file requested	
Franchise review/expansion/renewal		$500.00
TABLE III.1.8 VARIANCES AND APPEALS		
Variance Requests (each)		$150.00
Appeal of Land Use Administrator's Decision		$125.00
Appeal of Development Review Committee Decision		$150.00

SECTION 2. PAYMENT AND REFUNDS.

Unless otherwise stated in the fee schedule, fees are due at the time of application and are not refundable. Any application received without payment of fees due will not be reviewed. If a particular Development requires more than one approval, the applicant shall pay the cumulative review fees for each review and approval sought.

SECTION 3. ADDITIONAL FEES FOR PROFESSIONAL SERVICES:

The Building and Development Department may require information beyond that contained in the Application. In such instances, the Applicant may (i) provide the information requested at the Applicant's sole expense, (ii) pay an additional fee to cover the cost of the Department staff obtaining and reviewing the information, or (iii) withdraw the Application provided that no such withdrawal shall be entitled to a refund of fees. In addition, some Applications may require specialized reviews by outside sources, the cost of which shall be paid by the Applicant in advance.

PASSED, APPROVED AND ADOPTED, on this 12th day of August, 2008.

SANTA FE COUNTY BOARD OF COUNTY COMMISSIONERS

COMMISSIONER PAUL CAMPOS, CHAIRPERSON,
BOARD OF COUNTY COMMISSIONERS

SFC CLERK RECORDED 08/18/2008

SFC CLERK RECORDED 08/18/2008

CERTIFICATE

I, the undersigned, County Clerk, do hereby certify that the above is the ordinance which was duly adopted by the Santa Fe County Board of County Commissioners at a regular meeting duly convened on August 12, 2008.

Santa Fe County Clerk

Valerie Espinoza

Approved as to form:

County Attorney

Stephen C. Ross

BCC ORDINANCE
PAGES: 6

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

I Hereby Certify That This Instrument Was Filed for Record On The 18TH Day Of August, A.D., 2008 at 16:52 And Was Duly Recorded as Instrument # 1535562 Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Valerie Espinoza
Deputy _____ County Clerk, Santa Fe, NM

Santa Fe County
Growth Management Departr Development Fee Comparisons

Comparable

SANTA FE COUNTY GROWTH MANAGEMENT DEPARTMENT DEVELOPMENT REVIEW FEES			Breakdown Notes	Current Fees	City of Santa Fe	Bernalillo County	City of Albuquerque	Dona Ana County	Sandoval County
APPLICATION TYPE	BASE FEE	ADDITIONAL FEES							
Permits									
Development Permit Residential & Agricultural Uses & Community Service Facilities	$200	Valuation Fee	Based on $200K Valuation/1,500 sq. ft. (Includes Utility Authorization)	$ 1,175.00	$ 2,440.13	$ 1,260.00	$ 2,247.55	$300.00	$75.00
Project Valuation									
$0 - $25,000		$75							
$25,001 - $50,000		$150							
$50,001 - $100,000		$350							
$100,001 - $200,000		$550							
$200,001 - $250,000		$950							
$250,001 - $300,000		$1,150							
*Each Additional $100,000 in constuction value or part thereof:		$500							
Development Permit Non-Residential, Mixed Use & Mulit Family	$700	Valuation Fee	Based on $500K Valuation (Includes Utility Authorization)	$2,485.00	$6,447.23			$2,790.00	$0.25/sq. ft.
Project Valuation									
$0 - $999		$350							
$1,000-$4,999		$600							
$5,000-$49,999		$1,100							
Swimming Pool	$545			$ 545.00					
Utility Authorization									
Residential/Agricultural/ Community Service Facility	$200	(Not req'd if part of a Developemnt Permit)		$255.00					
Non-Residential/Mixed Use Multi Family	$300	(Not req'd if part of a Development Permit)		$255.00					
Well Only	$100			$ 255.00					
Franchise Review /Expansion/ Renewal	$600			$600.00					
Inspections during construction/ Final Inspections for release of Financial Guaranty	$250	Per Inspection	Based on 25 lots subd	$715.00					
Courtesy Inspection (Will be credited at time of Development Permit)	$100		For Single Family Resic	$ 100.00					
Floodplain Determination Letter (No Application Fee Required)	$50			$0			$ 50.00		
Variance	$300			$ 275.00	$ 500.00		$ 145.00	$ 100.00	$85.00
Appeal	$200		Appeal of CDRC	$ 275.00	$ 100.00		$ 55.00		$100.00
3rd Party Reviews									
County prepared SRAs (TIA, APFSA, WSAR, FIA, EIR) for DCI	Full Cost of Preparation and Review by Outside Consultants			NC			$ 150.00		
County Reviewed SRAs (TIA, APFSA, WSAR, FIA, EIR)	Full Cost of Review by Outside Consultant			NC					
Specialized Review if Needed	Full Cost of Review by Outside Consultant			NC					

EXHIBIT

III. D. Ordinances

1. **Request for Authorization to Publish Title and General Summary of Ordinance Establishing Development Permit and Review Fees for Projects in Santa Fe County, New Mexico; and Repealing Ordinance No 2008-12**

MS. LUCERO: Thank you, Mr. Chair. we currently have a fee ordinance for development in Santa Fe County, Ordinance 2008-12. It was established in accordance with the procedures of the current land development code. We are requesting authorization to publish title and general summary of a new permit and review fee ordinance that is consistent with the procedures and application types that are set forth in the SLDC that was adopted by the BCC in December of 2013.

In prior discussions with the BCC we understand that some of our fees should be reduced, so we have actually reduced the development permit fees for residential development. We've actually decreased the application fee from $100 to $50. We've also decreased the home occupation fees. The current code just has one set fees for home occupations. However, the Sustainable Land Development Code breaks it down into three different categories depending on if it's a no-impact home occupation, a low-impact or a medium impact and we've decreased those fees significantly. The no-impact fees were reduced by approximately $265. The low impact was reduced by $205 and the medium was reduced by $105.

We've also reduced our fees for private residential solar panel applications and that's been reduced by $50 as well. Mr. Chair, I stand for any questions or any other suggestions that the Commission would like to offer.

CHAIR MAYFIELD: Thank you. Really quick, Ms. Lucero, so again, this is for title and general summary right now in front of us, but I guess one question I have, are you all proposing to have a lot of public outreach with this, media campaigns. I'm going to ask this just so you know what we've done with some of our other noticing in the past, but on this, are you planning on doing this out in Spanish, knowing that we have a huge bilingual community out there that read it and/or only listen to it in Spanish. My second request would be that you provide us with a chart on the fee schedules that shows what these prior fees were and what they're going – what you're requesting them to go to. And I guess I'll just ask with this fee schedule, is there a miscellaneous fee in here for a catch-all if we don't know what to charge somebody we just charge somebody a miscellaneous fee.

MS. LUCERO: Mr. Chair, there is no miscellaneous fee in this application.

CHAIR MAYFIELD: So that one has been removed. If you can kind of, Ms. Lucero, show me the changes. Maybe a graph or at least a chart that says where we were, what we've either pulled out or reduced, I'd appreciate that. Thank you. Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I have several questions but the first comment is I don't think this is ready to publish title and general summary and the reason is if every one of us wants to make amendments we're going to have a major number of amendments later on until all of our questions and issues are taken care of. And so I'm hesitant about publishing title and general summary to something that we might

not have agreement upon, just among us. So I understand – well, this is a question. Is this a proposal from staff?

MS. LUCERO: Mr. Chair, Commissioner Stefanics, yes.

COMMISSIONER STEFANICS: Okay. I noticed several things throughout about individual versus developer, residential versus commercial, and I don't believe an individual is really receiving a break in this compared to some other things. For example, the gravel and hard rock mining was reduced from the prior set of permit fees and is almost the same amount as the courtesy inspection of an individual dwelling. Now, I understand that there's a final inspection fee that's higher but this to me does not take care of a problem to anything that's building.

As we've brought up developments, even if we don't want to look at gravel and mining, if we wanted to look at developments that later on had problems – and I'm talking about subdivisions, five or more – nobody's held accountable when they don't really take care of the problem later on. We've had problems with reclamation of land. We've had problems with some of the graywater systems that were set up to work and then they didn't work in some of the communities. I am a little concerned.

So then my question is couldn't we include bonding in some of these permits for some of the non-individual activities so that if there is a problem we could retain the bond to correct the situation if it's not being taken care of. The other issue I have is that we're leaving the permit fees to the last ordinance, and I didn't like those fees anyway, and I fought against lowering the fees for film to as low as they are, especially when we have some very large companies coming in here and then making millions of dollars and they're paying $150 just like an independent film maker. So I think they should be included in here for consideration as well.

I appreciate all the work you've done and I'm interested in hearing what my colleagues have to say but I think that it's not -- I think that we're putting the same burden on individuals that we're placing on commercial and I think that there should be a division and it should be higher for commercial. So I'll stop there.

CHAIR MAYFIELD: Thank you, Commissioner Stefanics. Commissioner Anaya.

COMMISSIONER ANAYA: Chairman Mayfield and Commissioner Stefanics, I actually – I agree with many of your comments associated with the size of a particular business or the industry but I also remember the comments – well, I had a direct experience with our County in the place that I work associated with the fee we paid here to do business here in Santa Fe County and the nominal fee that every other county around us and every other city charges for the same business license. I think Mr. Griscom spoke of that at the last meeting and I think we're trying to partially address that in here but I think we need to evaluate just what we're trying to do to entice businesses to come in general.

And then on some of the inspection fees associated with land use developments and other developments, I actually would like to put just the fee schedule out for public comment. I'd actually like to get our fee schedule and just put that out to the public so that business owners and people coming to get development permits and film industry permits and home occupations and anyone else can give us some feedback as we analyze comparatively what are other jurisdictions doing and how are they doing it and then what suggestions might be

get from others to enhance what we're doing. I appreciate the work and the efforts but are we under the gun to do this right away, Vicki? Where are we at in the scheme of timing?

MS. LUCERO: Mr. Chair, Commissioner Anaya, our goal is to have this ordinance, the new fee ordinance in place when the SLDC takes effect, so just trying to run parallel paths with that.

COMMISSIONER ANAYA: No, and I appreciate that but I think as we go through the consideration of the maps that Commissioner Mayfield brought up earlier and other things that we not just rush it in the interest of finishing. This is one that we get a lot of feedback on from businesses and constituents as to how did we come up with our fees and why are there such differences between one entity and another. So those are my thoughts. I think maybe we need to, for lack of a better word, slow down and maybe put this piece out for some feedback and see what we receive and then use that with the comparative data which we spoke of in prior meeting. I know you guys have been working through that. Just looking at the business registration, it seems that right now we're at $450, right? For a business registration go cover the registration and all the fees, is what I recall. Correct?

MS. LUCERO: Mr. Chair, Commissioner Anaya, as far as like home occupations, just the land use fees alone are about $385.

COMMISSIONER ANAYA: But even a straight-up business, like I brought up that we went through, it was about $450 when you took into consideration the inspection fee, the application fee, the initial inspection, the final inspection.

MS. LUCERO: Right. That's correct. Yes.

COMMISSIONER ANAYA: So this would – the fees you have in front of us, that would cut it, it looks to me in half. Is that what this schedule –

MS. LUCERO: Mr. Chair, Commissioner Anaya, yes, that was the goal. We did significantly cut the fees for business licenses and home occupations.

COMMISSIONER ANAYA: Okay. I appreciate those efforts but maybe we need to post this and get some more feedback and then I look forward to hearing what my other colleagues feel as well.

CHAIR MAYFIELD: Thank you. Commissioner Chavez.

COMMISSIONER CHAVEZ: Well, I think in general the public is not real excited about fees and especially when they're going to be increasing. They're really not popular, but it's something that we have to do. So my question is how often are we required to update our permit fees?

MS. LUCERO: Mr. Chair, Commissioner Chavez, the last time the fee ordinance was done was in 2008, so it's been about six years. I don't believe that there is a requirement as to how often we have to update that.

COMMISSIONER CHAVEZ: Okay. Well, the reason I ask is because it's in our best interest to update on a regular basis and the longer we wait the more sticker shock our customers feel. And so I think that we need to keep these increases, as unpopular as they are, current. I guess that's just a statement. And then under our gravel and hard rock mining, I don't see a fee for a blasting permit but I do see a fee for a blasting permit when it's done under a demolition permit for non-residential. So would that blasting permit then apply to hard rock mining? I'm on page 5 of the table.

MS. LUCERO: Mr. Chair, Commissioner Chavez, that line item you're looking at, it does apply to sand and gravel mining, so the blasting is a separate line item. So that fee would apply.

COMMISSIONER CHAVEZ: So the blasting permit, I guess the initial fee is $500 but then it's only $25 per occurrence after that, and I guess to follow up on Commissioner Stefanics' question, I'm wondering if that's enough, if we're charging enough for staff time to issue and review those permits. And that's just a question.

MS. LUCERO: Mr. Chair, Commissioner Chavez, and you may have mentioned this but on page 4 there's an item under sand and gravel operations, there's an additional fee of $3,000 for non-DCI applications.

COMMISSIONER CHAVEZ: So that changes the scenario.

CHAIR MAYFIELD: Katherine, I want to ask Mr. Griscom a question. He's leaving I think.

COMMISSIONER CHAVEZ: So that changes quite a bit. I do remember I think a comment that Commissioner Anaya made, and I think I heard it right. He was asking that we compare these fees to other similar counties? Is that –

COMMISSIONER ANAYA: That's right. Not only counties but counties and local jurisdictions, I actually made that comment tied to this as well as the economic development presentation that David Griscom made last meeting.

COMMISSIONER CHAVEZ: So if we looked at comparables like that would that tell us anything? Would it change anything that you have presented here?

MS. LUCERO: Mr. Chair, Commissioner Chavez, it may. It would give us an idea of how we compare with other entities as far as what their fees are.

COMMISSIONER ANAYA: Just a clarifying point.

CHAIR MAYFIELD: Commissioner Anaya, please.

COMMISSIONER ANAYA: Just, if I could, Commissioner Chavez, I want to say on the record that this is not an increase in fees. Many of the fees in the proposal are big decreases in fees that are pertaining to feedback that staff and that the Commission and others have already provided, because in the interest of attaining fees we want to cover some expenses but we also want to show the community that we're open for business and we're encouraging people to do economic development and come do business in Santa Fe. So this isn't an increase across the board by any stretch. In fact there's some substantial decreases to our fees that are going to entice, we're hoping, businesses to come here, and what I'm asking is that we even look at those further. But in the even that there are some larger industries, as Commissioner Stefanics brought up, that should pay a higher rate based on what their revenues are then I would absolutely be considering that. But the majority of businesses that we have in the county and in this region are small businesses and I think Mr. Griscom brought it up at our meeting last time, we need to be cognizant of that and not hit them so hard, because they're bringing in their business that is going to bring in jobs and taxes and just enhance the overall community. So I think those are factors that go well above and beyond an initial fee anybody charges. But just on the record, this structure reduces many, many of the fee structures that we had in place currently. Right, Vicki?

MS. LUCERO: Mr. Chair, Commissioner Anaya, that's correct.

COMMISSIONER ANAYA: Thank you.

CHAIR MAYFIELD: Commissioner Stefanics.

COMMISSIONER STEFANICS: Thank you, Mr. Chair. I think, building upon what my colleagues are talking about, I understand that some of the fees have been reduced and for some of the entities I think that's important. So I also believe that, not hearsay, but an actual data-mining from either similarly sized entities would be good to have. So for example, I know you spent a lot of time and had a task force on the home occupations. I still think we're going to end up being higher, maybe even double, than what Albuquerque has. And I think that's worth looking at. Because I think that when people get to home occupations they have a choice. Do I go down to Albuquerque and get P.O. Box or find a friend to register a business at but really operate out of Santa Fe? And I know that happens.

So having a comparison – a data comparison, not a hearsay comparison would be good. Having something that shows us that something went down or up would be good.

Now, when we were dealing with the animal ordinance that's never passed yet, I asked the question – we got into permits. And there were all these permits to operate a kennel, a dog grooming place, etc., etc., plus getting the business registration. So there really were double fees and I said that wasn't going to be okay. So we haven't passed an animal control ordinance yet but we need to be looking at – and I know that there's lots of different terms but we need to be looking at permits, at licenses, at application fees and seeing where we're duplicating.

I also think that we need to be looking at sizes of businesses. We didn't take – the public came to us when it came to mining and gravel. And they said, please do a DCI for properties of this x-size. And we decided to do something different. But you might want to actually consider some standards. I don't care if it's dollar standards or acreage standards or employee standards, but some kind of standards for small businesses versus large businesses. I have no intention of hurting small businesses, but when Metro-Goldwyn comes in here to do a movie, I think they should be paying more than $150 to do a shooting permit in the old courthouse. And yet I want to encourage my colleagues who live here in Santa Fe County to do some independent filmmaking and keep it low. So I see a major difference in how we treat all businesses, but maybe setting some different standards.

CHAIR MAYFIELD: Commissioner Holian, do you have any questions? Seeing none, so Vicki, two things really quick. One on page 2, so courtesy inspection. Can we just talk about that? Is that something new to the County? Is that something the County is currently doing?

MS. LUCERO: Mr. Chair, that is something that the County is currently doing and it is in our current fee ordinance as well.

CHAIR MAYFIELD: Okay, how many people are utilizing a courtesy inspection if they – do they have to then follow up with an initial inspection?

MS. LUCERO: They do if they decide to file an application. The courtesy inspection is prior to them even submitting for an application if they want staff to go out there to see exactly what they're going to need to submit, what the submittal will entail, if they're going to meet code requirements, if they're going to require variances. So that's something that's done upfront before they even make an application.

CHAIR MAYFIELD: And just a suggestion, if somebody does that because they want to be in compliance and see where they maybe want to maybe go, maybe we could

look at using that as a potential credit for an initial inspection fee. If they choose not to, they choose not to. But that would be a suggestion. Second would be, and Ms. Martinez, before you leave, I hate to put you on the spot because you might have to be the one answering this question. What is our total revenue that Santa Fe County is generating currently off of our fee schedule? If you guys don't know it, that's okay. I'm you on the spot. Because we just had a budget presentation I'm thinking that this may have been factored into that budget presentation.

MS. MARTINEZ: Mr. Chair, I think I wrote a number down. Let me just find it.

CHAIR MAYFIELD: That's fine. Teresa, I don't mean to put you on the spot. Let me ask you another question then. So, Vicki, hearing what the Commissioners stated, I think a good comparison, looking regionally, I also asked Mr. Griscom to stay. I would like to hear from our economic development director too, knowing that you guys have done a lot of work and have heard a lot of what we had to stay and I appreciate everything you've done, but kind of hearing what I'm saying, I want to incite, to maybe make it easier for businesses to maybe locate with Santa Fe County than versus going up the street or down the street because they just find the cost of doing business there is a little easier. So, Teresa, please.

MS. MARTINEZ: Mr. Chair, the permit range anywhere between $400,000 to $500,000 a year.

CHAIR MAYFIELD: That's what we're drawing in revenue? Okay. Thank you. So that's the potential we could lose. Mr. Griscom, do you care to comment on this proposal?

MR. GRISCOM: Mr. Chair, Commissioners, to be honest I haven't even seen this so I have no idea what's in this.

CHAIR MAYFIELD: So maybe you could take a look at and the next time it comes in front of us you could provide us some feedback or even a summary.

MR. GRISCOM: I'd be more than happy to.

CHAIR MAYFIELD: Thank you so much. Thank you, Vicki and thank you staff for this presentation. You put a lot of work into this and I do appreciate all the work you all put into this. Mr. Brown, I see you sitting up there too. So thank you. Commissioners, what's the pleasure of the Commission?

COMMISSIONER STEFANICS: Mr. Chair, I would move that we temporarily table this publishing title and general summary until some further comparison research has been completed so that we receive a chart back that indicates what has gone done and what has gone up, and that it be left for public review as Commissioner Anaya asked and provide four to six weeks for that review, so that it could come back to us with amendments based upon our questions today, comments and the public's. Now – I'll just make that motion.

COMMISSIONER ANAYA: I'll second.

COMMISSIONER STEFANICS: Okay. My last – my comment was going to be I totally understand that the public might say, we don't want any fees and that's not possible. So we're not asking you to wipe out fees but I think that we should hear what the public who has an investment in this, what they would say. Thank you.

CHAIR MAYFIELD: Thank you. And Vicki I would also ask – I think I heard Commissioner Stefanics ask and I will ask for it if I heard it wrong. But look at neighboring counties and cities and areas that have a fee structure and see if you have some comparative data also, even if it's outside of New Mexico. I think I'm okay with that. Thank you. So Commissioners, we have a motion on the floor and a second, knowing that this will come forward at a later date when staff has some of this information.

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

IV. MATTERS OF PUBLIC CONCERN

CHAIR MAYFIELD: We are now onto Matters of Public Concern once again, because we have discussed items pulled from our Consent Agenda already. Mr. Mee, come on up. Thank you for your patience.

WILLIAM MEE: Thank you, Mr. Chair, Commissioners. I'm William Mee with United Communities of Santa Fe County and we wrote you a letter. I don't know if you've gotten a chance to read it but we've been working very closely with County staff looking at a lot of the upzoning on the big zoning map. We've been able to resolve a lot of that with County staff and staff has been really helpful on that. There is one concern that we want to voice though. We believe that the zoning of actively utilized ranch and agricultural land that's known as the ag-ranch on the official zoning map regardless of where it's situated in Santa Fe County, County staff has placed several ranches in the City of Santa Fe, say, on Highway 14 near the Santa Fe Studios for example. They place them at risk by proposing this ranchland be zoned as either high density mixed use or the highly disruptive industrial use.

Such pre-zoning is inappropriate and violates the County's Sustainable Growth Management Plan and the Sustainable Land Development Code. Currently the land receives an agricultural exemption classification for the property taxes. Leaving the land as ag-ranch allows it to change at a later date under the new code. The procedures will include the studies, reports and assessments that will be done and can identify hidden needs or costs that local and state governments will have if maximum density is built out. For instance, one thing may be a frontage road in this area on Highway 14, especially if it's to be kept, the limited access road as it is now and that's probably what the Highway Department would want.

Who should pay for this frontage road? I believe it is the developer but changing the zoning to mixed use before the full study of the area by these reports and assessments gives the future developer the false impression that the viability for the frontage road costs and other infrastructure falls to the County and state governments. Taxpayers want the public hearings that any zoning requires ahead of the ag-ranch change. Taxpayers should be asked if they really want to spend our limited resources in this area for the benefit of a developer.

The second problem with the change is the domino effect where adjoining properties can see their property taxes go up and feel the pressure to develop as their neighbors have been predesignated as mixed use or industrial, thus causing an urban sprawl that we all agreed on was bad and we actually did the new plan for and the code to address this situation. So thank you and we'll be working on this particular issue later. Thank you.

MEMORANDUM

DATE: September 9, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: New Mexico Association of Counties 2015 Legislative Priority

Resolution No. 2014-___ A Resolution To Support Legislation on the Safety Net Care Pool (Commissioner Stefanics)

BACKGROUND

This Resolution from the NMAC Health Care Committee addresses the substitution of the Sole Community Provider with the Safety Net Care Pool (SNCP) funds. It supports legislation to develop solutions to fund the SNCP.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014-___

A RESOLUTION TO SUPPORT LEGISLATION ON THE SAFETY NET CARE POOL

WHEREAS, New Mexico counties care greatly about health care for their local citizens and value their local hospitals, particularly in rural areas;

WHEREAS, counties have long played an integral role in providing health care services for their indigent residents;

WHEREAS, for nearly 20 years counties have worked collaboratively with their local community hospitals in helping fund the Sole Community Provider program and in coordinating health care for their local citizens;

WHEREAS, the Sole Community Provider program has now been replaced by the Safety Net Care Pool (SNCP), which provides funding for community hospitals for Medicaid base rate increases and uncompensated care for Medicaid patients;

WHEREAS, information provided by the New Mexico Human Services Department regarding the SNCP has been confusing and often contradictory, and the distribution formula to community hospitals has been inequitable and difficult to ascertain;

WHEREAS, finding a solution to funding the SNCP requires communication and cooperation among the various stakeholders – counties, hospitals, and the state, in both the legislative and executive branches of state government;

WHEREAS, the SNCP is part of the federal Medicaid program, and is therefore a state responsibility that should be fully funded by the state;

WHEREAS, Senate Bill 268, as passed by the Legislature in 2014, required most counties to contribute the equivalent of a $1/12^{th}$ % gross receipts tax (GRT) increment to the SNCP, and was intended to be a three-year interim solution for funding that program;

WHEREAS, the Governor's line item veto of the three-year limitation on county funding of SNCP will result in unlimited long term county financial responsibility for the program that will ultimately cost the counties hundreds of millions of dollars;

WHEREAS, that long term county financial responsibility was neither authorized nor intended by the Legislature in SB 268; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Santa Fe Board of County Commissioners does hereby support legislation that would accomplish one or more of the following:

1. Increase the state budget to fully fund the new SNCP and amend SB 268 to remove counties' responsibility to fund the SNCP;

2. Transfer the new county 1/12th GRT to the state to fund the SNCP;

3. Consolidate particular existing county local option GRT increments that are in many cases unused and unusable, and de-earmark others;

4. Authorize a state hospital bed tax, the proceeds of which could be used to fund the SNCP, to be matched with federal funds;

5. Develop solutions that would remove the financing of Medicaid from counties and place that responsibility with the state.

BE IT FURTHER RESOLVED THAT the Board of Directors of the New Mexico Association of Counties ("NMAC") authorizes the NMAC Healthcare Policy Committee to work collaboratively and in consultation with the NMAC Executive Committee to clarify priority solutions with the Governor's office and legislative leadership.

PASSED, APPROVED AND ADOPTED on this 30th Day of September 2014.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By:

_____

Daniel W. Mayfield, Chair

Attest:

_____
Geraldine Salazar, Santa Fe County Clerk

Approved as to form:

_____
for: Gregory S. Shaffer, County Attorney

MEMORANDUM

DATE: September 9, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: New Mexico Association of Counties 2015 Legislative Priority

Resolution No. 2014-___ A Resolution To Maintain The Southwest Chief Amtrak Service (Commissioner Stefanics)

BACKGROUND

This Resolution from the NMAC Commissioner Affiliate supports legislation that would:

1. Continue the Amtrak's Southwest Chief along its route;
2. Support the creation of a funding stream; and,
3. Asks for support from the New Mexico Congressional Delegation

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014-____

A RESOLUTION TO MAINTAIN THE SOUTHWEST CHIEF AMTRAK SERVICE

WHEREAS, Amtrak's Southwest Chief serves northern New Mexico on its route between Chicago and Los Angeles on the host railroad line of Burlington Northern Santa Fe Railway (BNSF);

WHEREAS, Fiscal Year 2012 revealed a total of 34,444 Amtrak boardings and alightings among the Raton, Las Vegas, and Lamy stations;

WHEREAS, a Report of the Annual Economic Impact of Amtrak's Southwest Chief in New Mexico, dated November 11, 2013 and filed with the New Mexico Interim Transportation Infrastructure Sub-committee on November 12, 2013, assesses the annual visitor spending impact in the Lamy-Raton corridor at $29.3 million in economic output, $8.9 million in worker earnings and 368 jobs;

WHEREAS, Amtrak's agreement with BNSF for use of the track expires in January of 2016;

WHEREAS, Amtrak indicates it does not have sufficient funds to pay BNSF to maintain the line to 79 mph passenger rail standards;

WHEREAS, Amtrak needs funding in place to remain on the current route or it will begin relocation or discontinuance of this train by January 2016;

WHEREAS, long distance passenger rail is a vital and necessary part of our national transportation system and economy;

WHEREAS, the federal government has declined to provide the needed fiscal support to allow Amtrak to pay for the necessary capital investment and annual maintenance in New Mexico, Colorado, and Kansas;

WHEREAS, New Mexico, Kansas, and Colorado support the Southwest Chief and seek State and Congressional support for additional funding; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Santa Fe Board of County Commissioners does hereby support legislation that would:

1. Allow the continuation of Amtrak's Southwest Chief along its current and historic route;

2. Create a Southwest Chief Rail Service Fund or other reasonable funding alternatives; and

3. Support efforts by the New Mexico Congressional Delegation in supporting and maintaining the Southwest Chief on its current route.

PASSED, APPROVED AND ADOPTED on this 30th Day of September 2014.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By:

_____
Daniel W. Mayfield, Chair

Attest:

_____
Geraldine Salazar, Santa Fe County Clerk

Approved as to form:

for: Gregory S. Shaffer, County Attorney

MEMORANDUM

DATE: September 9, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: New Mexico Association of Counties 2015 Legislative Priority

Resolution No. 2014-___ A Resolution To Clarify The Authority And Reasons Necessary For Property Tax Schedule Changes (Commissioner Stefanics)

BACKGROUND

This Resolution from the NMAC Assessor's Affiliate supports legislation that would change state statute to clarify the sole authority of the Treasurer's Office in each county to define which errors are allowed correction in the tax schedule once it is delivered to the Treasurer's Office by the County Assessor.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014-___

A RESOLUTION TO CLARIFY THE AUTHORITY AND REASONS NECESSARY FOR PROPERTY TAX SCHEDULE CHANGES

WHEREAS, according to NMSA 1978, Section 7-37-77, the County Treasurer has sole authority to make changes to the property tax schedule after the County Assessor ("Assessor") has delivered the tax schedule to the Treasurer;

WHEREAS, property tax schedule changes most often arise due to valuation related errors identified and initiated by the Assessor's Office;

WHEREAS, the majority of property tax schedule changes must be processed first through the Assessor's database thus requiring the Assessor to share in the responsibility of tax schedule changes;

WHEREAS, the Assessor is not named in NMSA 1978, Section 7-38-77 as having authority in correcting the property tax schedule;

WHEREAS, tax schedule corrections are a remedy for correcting errors made by the Assessor's and/or the Treasurer's office and ultimately benefit the property owner;

WHEREAS, clarification is needed in state law to define which errors are allowed to be corrected in the tax schedule under mutual agreement by the Assessor and Treasurer; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Santa Fe Board of County Commissioners does hereby support legislation that will change NMSA 1978, Sections 7-38-77 and 7-38-78 to clarify the authority and reasons necessary for property tax schedule changes.

PASSED, APPROVED AND ADOPTED on this 30th Day of September 2014.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By:

_____
Daniel W. Mayfield, Chair

Attest:

Geraldine Salazar, Santa Fe County Clerk

Approved as to form:

for: Gregory S. Shaffer, County Attorney

MEMORANDUM

DATE: September 9, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: New Mexico Association of Counties 2015 Legislative Priority

Resolution No. 2014-___ A Resolution To Support County Treasurers As Agents Of The Property Tax Division In Order To Receive Payments On Installment Agreements (Commissioner Stefanics)

BACKGROUND

This Resolution from the NMAC Treasurer's Affiliate supports legislation that would amend state statute to authorize County Treasurer's to receive all payments of property taxes, including those on installment agreement.

The New Mexico Treasurers are equipped with the resources and procedures to track and accept installment agreements in order to collect delinquent taxes.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014-____

A RESOLUTION TO SUPPORT COUNTY TREASURERS AS AGENTS OF THE PROPERTY TAX DIVISION IN ORDER TO RECEIVE PAYMENTS ON INSTALLMENT AGREEMENTS

WHEREAS, NMSA 1978, Section 7-38-62 confers the exclusive authority upon the New Mexico Taxation and Revenue Department to collect delinquent taxes showing on the tax delinquency list;

WHEREAS, Property Tax Division ("PTD") enters into installment agreements with delinquent tax payers as a means to collect those taxes;

WHEREAS, New Mexico County Treasurers acknowledge that the tracking of payments, the filing of injunctions or liens related to missed payments, and the enforcement of installment agreements is a function that should remain under the authority, control, and jurisdiction of the Property Tax Division and the Legal Services Bureau of the Taxation and Revenue Department;

WHEREAS, payments by delinquent taxpayers to the PTD creates an unnecessary, confusing and inefficient third tier of government to which taxpayers are required to make payments;

WHEREAS, the public's right to have updated and accurate information at the local level is compromised by the payment by delinquent tax payers to the state level where payment is retained and not distributed for up to three years;

WHEREAS, county treasurers are equipped with resources, policies, and procedures already in place by which they are able to distribute payments received on behalf of Property Tax Division to them on a monthly basis, enabling the department to perform the necessary enforcement, negotiation, and tracking of all installment agreements; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Santa Fe Board of County Commissioners does hereby support legislation that would amend NMSA 1978, Section 7-38-62 to authorize County Treasurers to receive all payments of property taxes, including those

payments that have been turned over to the Property Tax Division for collection and been placed on installment agreements.

PASSED, APPROVED AND ADOPTED on this 30th Day of September 2014.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By:

_____
Daniel W. Mayfield, Chair

Attest:

_____
Geraldine Salazar, Santa Fe County Clerk

Approved as to form:

for: Willie R. Brown
Gregory S. Shaffer, County Attorney

MEMORANDUM

DATE: September 9, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: New Mexico Association of Counties 2015 Legislative Priority

Resolution No. 2014-___ A Resolution To Support Increased Detention Center Funding (Commissioner Stefanics)

BACKGROUND

This Resolution from the NMAC Detention Administrators Affiliate supports legislation that would increase the 2015 General Appropriations Act to fund the County Detention Facilities Reimbursement Act at a sufficient level for the actual cost of housing inmates.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014-_____

A RESOLUTION TO SUPPORT INCREASED DETENTION CENTER FUNDING

WHEREAS, the County Detention Facility Reimbursement Act was passed unanimously by the Legislature in 2007, as a Legislative Finance Committee bill, was signed by the Governor, and funded at $5 million;

WHEREAS, that Act specifies reimbursement by the state to counties for three specific categories of offenders in county jails: 1) parole violators, 2) inmates sentenced to prison and awaiting transport, and 3) offenders under supervision for both probation and parole violations;

WHEREAS, the cost to counties for housing the three categories of offenders covered by the Act is currently $4,718,448 according to the New Mexico Sentencing Commission;

WHEREAS, funding for the Act has been reduced to $3.3 million and remained at that level for several years; and

WHEREAS, the cost to county government for detention centers is, on the average, at least one third of county budgets.

NOW, THEREFORE, BE IT RESOLVED THAT the Santa Fe Board of County Commissioners does hereby support an increase in the 2015 General Appropriations Act that would fund the County Detention Facilities Reimbursement Act at a level sufficient to reimburse counties for the actual cost of housing the three categories of prisoners specified under the Act.

PASSED, APPROVED AND ADOPTED on this 30th Day of September 2014.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By:

_____
Daniel W. Mayfield, Chair

Attest:

Geraldine Salazar, Santa Fe County Clerk

Approved as to form:

for: Gregory S. Shaffer, County Attorney

MEMORANDUM

DATE: September 9, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: New Mexico Association of Counties 2015 Legislative Priority

Resolution No. 2014-___ A Resolution To Support County Industrial Revenue Bond Act Improvement (Commissioner Stefanics)

BACKGROUND

This Resolution from the NMAC Executive Committee supports legislation that would repeal ambiguous and inconsistent language that hinders economic development in state statute.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014-____

A RESOLUTION TO SUPPORT COUNTY INDUSTRIAL REVENUE BOND ACT IMPROVEMENT

WHEREAS, New Mexico counties play a critical role in economic development;

WHEREAS, those counties understand the economic needs of their communities;

WHEREAS, one highly effective economic development incentive available to counties is the County Industrial Revenue Bonds Act, found at Chapter 4, Article 59 NMSA 1978;

WHEREAS, Industrial Revenue Bond (IRB) projects frequently entail a lengthy and costly application and approval process for both a county and the applicant;

WHEREAS, IRB projects may also be combined with other economic development incentives such as Local Economic Development Act (LEDA) funds to create new or expanded employment opportunities;

WHEREAS, counties often partner with the State Economic Development Department and local economic development agencies to attract and grow businesses;

WHEREAS, businesses and counties need predictability and certainty in their economic development projects;

WHEREAS, §4-59-15 NMSA 1978 provides that an existing business, within the County or within five miles of the proposed IRB project, may file a complaint with the County that the proposed IRB project would directly *and* substantially compete with the existing business;

WHEREAS, the complaint prohibits an IRB bond from being issued until the State Board of Finance determines that the proposed IRB project will not directly *or* substantially compete with the existing business located within five miles of the proposed IRB project;

WHEREAS, the "direct and substantial competition" determination requirement contained in §4-59-15 NMSA 1978 is not defined nor does it provide for any criteria upon which such a determination could be made;

WHEREAS, §4-59-15 NMSA 1978 is internally inconsistent and ambiguous as a complaint may be alleged where there is direct *and* substantial competition but the State Board of Finance must only make a determination that there is direct *or* substantial completion;

WHEREAS, the State Board of Finance has never considered a complaint as provided for by §4-59-15 NMSA 1978;

WHEREAS, the IRB complaint provision severely hampers the economic development efforts of counties;

WHEREAS, the IRB complaint provision creates uncertainty and significantly delays in economic development efforts of counties throughout the State;

WHEREAS, the IRB complaint process does not exist in the Industrial Revenue Bond Act, Article 3-32 NMSA 1978, applicable to municipalities in the State of New Mexico;

WHEREAS, the inclusion of the IRB complaint process in the county IRB Act but not in the municipal IRB Act provides an unnecessary economic disadvantage for counties; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Santa Fe Board of County Commissioners does hereby support legislation that would repeal §4-59-15 NMSA 1978 in its entirety.

PASSED, APPROVED AND ADOPTED on this 30th Day of September 2014.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By:

_____

Daniel W. Mayfield, Chair

Attest:

Geraldine Salazar, Santa Fe County Clerk

Approved as to form:

for: Gregory S. Shaffer, County Attorney

MEMORANDUM

DATE: September 9, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: New Mexico Association of Counties 2015 Legislative Priority

Resolution No. 2014-___ A Resolution To Support County The Creation Of A Public Land Task Force (Commissioner Stefanics)

BACKGROUND

This Resolution from the NMAC Public Lands Affiliate supports a memorial that would create a task force to study the practical framework regarding the potential transfer of certain public lands from the federal government; conduct an inventory and evaluate state and county dependence on federal revenue streams. It asks the task force to make recommendations by November 1, 2015.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014-____

A RESOLUTION TO SUPPORT THE CREATION OF A PUBLIC LAND TASK FORCE

WHEREAS, the State of New Mexico encompasses approximately 77.6 million acres of land;

WHEREAS, approximately 35% of New Mexico's land is federal lands administered by agencies such as the Bureau of Land Management, U.S. Forest Service, Bureau of Reclamation, National Park Service, U.S. Army Corps of Engineers, National Wildlife Reserve Areas, federal water resource development projects and military installations;

WHEREAS, the State of New Mexico and its counties depend on federal revenues to support vital state, county and local budgets, programs, services and operations;

WHEREAS, New Mexico counties received $37,677,905 in Payments in Lieu of Taxes (PILT) in 2014 to provide general fund revenue;

WHEREAS, New Mexico counties received $5,054,742 in Federal Forest Reserve payments in 2014 from the Secure Rural Schools & Community Self Determination Act (SRS);

WHEREAS, counties rely on federal funding through PILT and SRS to provide essential support for schools, road infrastructure, search and rescue operation, wildfire preparedness, county operations and other community services that protect the health, safety, and welfare of New Mexico citizens;

WHEREAS, federal funds are also distributed to county governments as a pass-through from state agencies for county infrastructure, economic development, wildfire prevention and response, energy and natural resource investments, emergency management, E911, health care, and social programs;

WHEREAS, there is increasing uncertainty regarding the federal commitment to funding these vital county and state programs, which makes it difficult to budget for necessary services;

WHEREAS, there have been proposals for the State and counties to take a more active role in federal land management, including the potential for transfer of certain federal lands to the state;

WHEREAS, the State of New Mexico and its counties have a vested interest in decisions on federal land management, natural resource exploration and development;

WHEREAS, the State of New Mexico and its counties need an evaluation of the legal, economic and practical implications of any potential transfer of federal lands; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Santa Fe Board of County Commissioners does hereby support legislation requesting the State of New Mexico to create a task force to: 1) study the legal, economic and practical framework surrounding the potential transfer of certain public lands from the federal government; 2) conduct an inventory of federal land ownership within the state; and 3) evaluate state and county dependence on federal revenue streams, and report and make recommendations to the appropriate legislative committee no later than November 1, 2015.

PASSED, APPROVED AND ADOPTED on this 30th Day of September 2014.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By:

_____
Daniel W. Mayfield, Chair

Attest:

_____
Geraldine Salazar, Santa Fe County Clerk

Approved as to form:

Willie R. Brown
for: Gregory S. Shaffer, County Attorney

MEMORANDUM

DATE: September 9, 2014

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager

FROM: Julia Valdez, Constituent Services Liaison, Manager's Office

RE: New Mexico Association of Counties 2015 Legislative Priority

Resolution No. 2014-___ A Resolution To Support A Study Of Housing Options And Service Delivery For Detention Inmates With Special Medical And Mental Health Needs (Commissioner Stefanics)

BACKGROUND

This Resolution from the NMAC Commissioners Affiliate supports a memorial that would study the possibilities to establish housing options and service delivery for inmates with special medical and mental health needs. It asks for recommendations by November 1, 2015.

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION No. 2014-___

A RESOLUTION TO SUPPORT A STUDY OF HOUSING OPTIONS AND SERVICE DELIVERY FOR DETENTION INMATES WITH SPECIAL MEDICAL AND MENTAL HEALTH NEEDS

WHEREAS, counties have been and continue to be subjected to significant liabilities (three cases totaling nearly $20 million to date) related to allegations of cruel and unusual punishment in county detention facilities;

WHEREAS, there is a complete lack of appropriate options to house special management inmates, and a lack of programing to meet legitimate medical/mental health needs in those facilities;

WHEREAS, counties have found a similar lack of options for these inmates at the state level as well; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Santa Fe Board of County Commissioners does hereby support legislation that would bring together the appropriate entities and agencies, to study possibilities for the establishment of housing options and service delivery for these inmates, and make recommendations to the appropriate legislative committee by November 1, 2014.

PASSED, APPROVED AND ADOPTED on this 30th Day of September 2015.

BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

By:

_____
Daniel W. Mayfield, Chair

Attest:

_____

Geraldine Salazar, Santa Fe County Clerk

Approved as to form:

Willie R. Brown

for: Gregory S. Shaffer, County Attorney

V. B. Matters From The Commission

9. Commissioner Issues and Comments

V. C. Matters From The County Manager

1. Miscellaneous Updates

VI. Matters From The County Attorney

A. Executive Session