

SFC CLERK RECORDED 11/10/2021

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**  
**October 12, 2021**

Anna T. Hamilton, Vice Chair - District 4  
Rudy Garcia - District 3  
Anna Hansen - District 2  
Hank Hughes - District 5

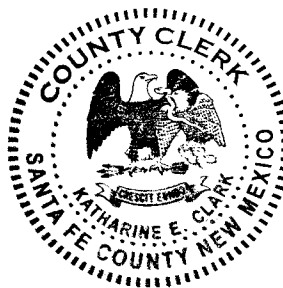
Henry Roybal, Chair - District 1 [Excused]

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC MINUTES  
PAGES: 52

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Katharine E. Clark  
County Clerk, Santa Fe, NM



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

**October 12, 2021**

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:08 p.m. by Vice Chair Anna Hamilton in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

The meeting was conducted in a hybrid format incorporating both Webex and in-person participation.

**B. Roll Call**

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

**Members Present:**

Commissioner Anna Hamilton, Vice Chair  
Commissioner Rudy Garcia  
Commissioner Anna Hansen  
Commissioner Hank Hughes

**Members Excused:**

Commissioner Henry Roybal

- C. Pledge of Allegiance**
- D. State Pledge**
- E. Moment of Reflection**

The Pledge of Allegiance and the State Pledge were led by Vice Chair Hamilton and the Moment of Reflection by Erika Quintana (virtually) of the County Clerk's Office.

Commissioner Hughes asked for a moment of silence for Joe Jordan-Berenis, one-time director of the Interfaith Shelters, and Commissioner Hansen requested a moment of silence for Jody Blagden.

**F. Approval of Agenda**

COMMISSIONER HAMILTON: Manager Miller, are there changes we need to note?

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KATHERINE MILLER (County Manager): Yes, Madam Chair. the agenda was posted seven days prior on Tuesday, October 5<sup>th</sup> at 5:00 pm, and then the amended agenda was posted on Friday, October 8<sup>th</sup> at 4:55 pm with these amendments: On the second page, item 3. G, which is approval of an amendment to a collective bargaining agreement. That item was added. Item 5. A, a presentation on UECs for water and wastewater, that packet material was updated. Item 9. B, item 2 under Executive Session was added, and then item 10. C, the caption was updated to reflect the correct district. The packet material was also updated. And those are all the changes I have to the agenda.

COMMISSIONER HAMILTON: Thank you, Manager Miller. Are there any other changes any Commissioners desire, or what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair.

COMMISSIONER HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: I move to approve with amendments

COMMISSIONER HAMILTON: Thank you.

COMMISSIONER HUGHES: And I'll second.

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

**The motion passed by unanimous [4-0] voice vote.**

**3. APPROVAL OF MEETING MINUTES**

**A. Request Approval of September 14, 2021, Santa Fe County Board of County Commission Regular Meeting Minutes**

COMMISSIONER HAMILTON: Are there any changes?

COMMISSIONER HANSEN: Madam Chair.

COMMISSIONER HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. I move to approve the minutes.

COMMISSIONER HAMILTON: Thank you, Commissioner Hansen.

COMMISSIONER HUGHES: And I'll second.

COMMISSIONER HAMILTON: I have a motion to approve the minutes.

**The motion passed by unanimous [4-0] voice vote.**

**5. CONSENT AGENDA**

**A. Final Order in the Matter of BCC CASE #18-5250. Rembe Las Campanas, LLC, Applicant, James W. Siebert & Assoc., Agent, Requested Approval for a Conceptual Plan to Allow 22 Residential-Lots to be Developed in Two (2) Phases. The Proposed Development is Located Within the Las Campanas Planned Development District (PD-16) on Tracts B & H of the Previously Approved Los Santeros Subdivision. Tract B Consists of 9.83 Acres and Tract H Consists of 2.4 Acres; Total Acreage for Tierra Que Canta Development is 12.23 Acres (±). The Proposed Development is Accessed via Calle Gonzales**

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- to the East of Las Campanas within T17N, R8E, Section 15, SDA-2 (Commission District 2) (Nathan C. Manzanares, Case Manager) (Approved 5-0)
- B. Resolution No. 2021-084, a Resolution Requesting a Budget Net Increase to the General Fund (101) in the Amount of \$50,567.00, for the Senior Services Program. (Finance Division/Yvonne S. Herrera and Community Services Department/Rachel O'Connor and Anna War)
- C. Request (1) Approval of Amendment No. 7 to Price Agreement Nos. 2015-0073-A-ASD/PL with Matthews Office Supply and 2015-0073-B-ASD/PL with Midway Office Supply, Extending the Term for an Additional Year, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s) (Finance Division/Bill Taylor)
- D. Request (1) Approval of Amendment No. 1 to Agreement Nos. 2020-0234-A-PW/CW with Tierra Right of Way Services, Ltd. and 2020-0234-B-PW/CW with SelectROW, Extending the Term of the Agreements an Additional 3 Years, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s) (Finance Division/Bill Taylor and Public Works Department/Scott Kaseman)
- E. Request (1) Approval of Amendment No. 4 to Agreement No. 2018-0299-CORR/MM with Mira Consulting, Inc. to Provide Dental Services, Increasing Compensation an Additional \$160,000.00 for a Total Contract Sum of \$605,560, Exclusive on NM GRT, Amending the Scope of Services, and Adjusting the Hourly Rates, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s) (Finance Division/Bill Taylor and Public Safety Department/Pablo Sedillo, III)
- F. Request (1) Approval of Amendment No. 4 to Agreement No. 2019-0079-AO/KQ with Master Touch, Inc., Increasing the Compensation an Additional \$82,014, for a Total Contract Sum of \$328,056, Exclusive of NM GRT, and Extending the Term an Additional Year, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order(s) (Finance Division/Bill Taylor, Purchasing and County Assessor's Office/Jennifer C. Romero)
- G. Request Approval of Amendment No 2 to Collective Bargaining Agreement Between Santa Fe County and the Santa Fe County Firefighters Association, Local 4366, International Association of Firefighters. (County Manager's Office/Rachel A. Brown and Human Resources and Risk Management Director Sonya Quintana) (Item Added)

COMMISSIONER HAMILTON: Are there any items Commissioners want pulled or have any questions on? If not, Commissioner Hansen.

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COMMISSIONER HANSEN: I would like to move to approve the Consent Agenda.

COMMISSIONER HAMILTON: Thank you.

COMMISSIONER HUGHES: I'll second.

COMMISSIONER HAMILTON: Thank you. Any discussion? If not, I have a motion and a second.

**The motion passed by unanimous [4-0] voice vote.**

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

KATHARINE CLARK (County Clerk): So I also wanted to state for the record that we missed some resolution numbers in the last meeting and I wanted to make sure we corrected them for the record. So the last meeting we skipped over 2021-078, 079, 080, 081, 082, and 083, So we'll be starting at 084 for this meeting. So item 3. B is 2021-084, and I believe that's it for the Consent Agenda.

COMMISSIONER HAMILTON: Excellent. Thank you, Madam Clerk.

CLERK CLARK: Thank you, Madam Chair.

**4. MISCELLANEOUS ACTION ITEMS**

- A. Resolution No. 2021-085, a Resolution Declaring the Eligibility and Intent of Santa Fe County to Submit a Grant Application to the New Mexico Department of Transportation (NMDOT) for the Federal Fiscal Years 2023 to 2025 Congestion Management and Air Quality Improvement (CMAQ) Program and Acknowledging the Availability of County Funds for the 14.56% Local Match and Reimbursable Costs Required by the CMAQ Grant for Segment 1 of the Arroyo Hondo Trail and Authorizing the County Manager to Execute any Necessary Documents to Submit the Grant Applications to the NMDOT**

CARRIE OLSEN (Projects/Public Works): Brett Clavio is also here at Planning, so Planning and Public Works both drafted this resolution, so this is a resolution declaring the eligibility and Intent of Santa Fe County to submit a grant application to the NMDOT for their Congestion Management and Air Quality Improvement – that's CMAQ Program for the Arroyo Hondo Trails, Segment 1.

So this total Arroyo Hondo project is six miles long. It's a ten-foot wide concrete regional, multi-modal trail. It's running from New Mexico Rail Runner station at 599 to the Santa Fe Community College, and then adjoining those subdivisions and neighborhoods. Construction of the trail is completed in several phases and you may know Segment 4 was already constructed last year, so that's at the Rancho Viejo trailhead. Segments 2 and 3, those were both also federally funded and we are planning on constructing those in 2022 to 2023, so very soon. And this current phase, Segment 1 goes from the 599 Rail Runner to Turquoise Trail Park. It's a half-mile long segment that we're asking for grant funding.

Federal grant funds are at 85.44 percent funding, so it's a really good opportunity

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for the County to participate. Design funding, if granted, we would be awarded design funding in 2023 and construction funding in 2025. The resolution here that we're asking you to support is to approve us submitting the grant application. It also acknowledges that the County would provide that 14.56 percent grant match and it authorizes the County Manager to sign and accept any grant documents. So any further questions, myself or Brett can answer those. Or Gary.

COMMISSIONER HAMILTON: Excellent. Thank you very much. Are there any questions from the Board?

COMMISSIONER GARCIA: Madam Chair.

COMMISSIONER HAMILTON: Commissioner Garcia.

COMMISSIONER GARCIA: Thank you. When will the grant be awarded? Are we guaranteed that the grant will be awarded, and when is submission again?

MS. OLSEN: It's a competitive grant of course but the NMDOT has let us know that there's \$10 million this year so there's a very good chance that we would get awarded. We would be notified in March, I believe, and then the funds would come in October when their fiscal year starts.

COMMISSIONER GARCIA: Thank you.

COMMISSIONER HAMILTON: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: I just wanted to comment that I used to try to ride my bicycle to the 599 station and this would make it a whole lot easier. I like the idea.

MANAGER MILLER: Madam Chair.

COMMISSIONER HAMILTON: Yes.

MANAGER MILLER: I just want to put on the record that we had some debate about bringing this forward because this does require a match that we have not budgeted so if we do receive the grant we would either make room for the match in the next GO bond question, which was not one of the ones that we had originally listed for that, or we would need to come up with another funding source, either through capital outlay GRT or one of our other GRTs or general fund in order to meet the match for the grant. I wanted to make sure that the Board knew that we wanted to apply for the grant because they don't come around every year and we didn't want to miss the opportunity. We also looked as to whether anything else that we already had in the works would be eligible but not for this particular – this was the best project for this grant application.

COMMISSIONER HAMILTON: Excellent. Does anybody have any questions?

COMMISSIONER GARCIA: So Madam Chair, Manager Miller, so we do not have a match at this time to apply for the grant or we do have a match?

MANAGER MILLER: Madam Chair, Commissioner Garcia, no. If we received this grant we would sometime next fiscal year need to then budget a match, and my recommendation would be that when we do the 2022 bond question we either put it in there, in the open space bond. It's around \$400,000 I think, or we would look to another County funding source. But we don't currently have it budgeted or have it on the ICIP that we turned in to the state for the match.

COMMISSIONER GARCIA: So Madam Chair, Manager Miller, or staff,

is the state okay with us applying for the grant if we don't have a match at this time?

MS. OLSEN: We're acknowledging that we would come up with the match. And just to add to that, Commissioner Garcia, is the \$46,000 would be needed in 2023 for design, and then the rest of that total of \$450,000 would be required by 2025. So it was staff's recommendation that we could use the bond funding in the future or other GRT funding to make that 14 percent match, and not to miss out on that grant cycle. As indicated it only comes up every two or three years.

COMMISSIONER GARCIA: Thank you, Madam Chair.

COMMISSIONER HAMILTON: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just want to confirm. So the total match needed is about \$450,000? Is that right?

MS. OLSEN: Commissioner Hughes, that's correct.

COMMISSIONER HAMILTON: Thank you, Commissioner Hughes.  
Commissioner Hansen.

COMMISSIONER HANSEN: I would like to approve the resolution declaring the eligibility and intent of Santa Fe County to submit a grant application to the New Mexico Department of Transportation for the federal fiscal year 2023 to 2025 for this grant application.

COMMISSIONER HAMILTON: Thank you, Commissioner Hansen.

COMMISSIONER HUGHES: And I'll second that.

COMMISSIONER HAMILTON: Thank you, Commissioner Hughes. Any further discussion? If not, we have a motion and a second.

**The motion passed by unanimous [4-0] voice vote.**

## **5. PRESENTATIONS**

### **A. Presentation on Utility Expansion Charges (UECs) for Water and Wastewater**

JOHN DUPUIS (Utilities Director): Good evening, Madam Chair and Commissioners. I am presenting jointly with Shawn Koorn and I'm not certain how we provide for the coordination with online support staff, but we could accommodate that I would appreciate it, if he could be identified on the Webex so that he can provide support in the presentation.

SHAWN KOORN (via Webex): Madam Chair, this is Shawn Koorn and I am participating.

MR. DUPUIS: Great. Thank you, Commissioners. Good afternoon, Madam Chair, Commissioners. This afternoon we have a presentation of a previously presented presentation on UECs for water and wastewater. That was provided in June of 2019 where we went through an overview of impact fees and UECs. We provided a presentation on UECs for water and wastewater, and we requested direction on next steps. Now that we have provided a timeline to the Commission for implementation of impact fees and UECs with the Growth Department it seems useful to provide the UEC presentation again for everyone to be able to have that information in their mindset when moving forward.

We have Mr. Shawn Koorn who is going to review that presentation again and I'll hand it over to Mr. Koorn now.

MR. KOORN: Thank you, John. Madam Chair, Commissioners, I appreciate the opportunity to meet with you this afternoon. As John mentioned, we'll walk you through the analysis that was conducted in 2018 to set the stage for moving forward with UECs.

On the next slide I have a summary of the overall approach and as part of the rate study that was completed in 2018 and 2019 on slide 2, we also developed an analysis to review the water and sewer utility expansion charges or UECs. This really provides the basis for the maximum charge allowable for each utility, and I'll walk you through the approach and methodology of the UEC calculation.

On the next slide we talk a little bit about the definition and purpose of UECs, and really these are one-time charges to new customers connecting to the water or sewer systems, and it's a charge required of these new customers or existing customers that need additional capacity or are requesting additional capacity. This charge is based on the value of the existing service level that is provided by the County for these customers. The purpose is to maintain equity between existing and new customers since existing capacity is available for those new customers to use.

Slide 4 then provides the basis under state law to calculate these charges and these charges are based on overall value of existing infrastructure at replacement cost and any future infrastructure cost if the project is regulatory-related or an expansion of existing levels of service. Now, if there is debt or long-term borrowing used to fund these projects then you back that out. So really it's a simple math problem. You can see that on the bottom formula. We take the value of the existing plan divided by the capacity of the plant and that then gives us a cost per gallon of replacing the existing system. We multiply that by the peak day demand per ERU or equivalent residential unit to calculate that maximum allowable UEC.

Similar approach is done for both utilities, but the specifics of each utility are then used to develop the charge.

Slide 5 will start off with the water utility expansion charge.

So slide 6 provides the current water connection fee or UEC and what you can see here is the UEC charge varies by meter size, so the larger the meter size the larger the charge. That's based on the capacity of those meters. You can see, you work through that, the current fee for a 5/8 inch meter is \$2,750 and that increases over time. Now, these fees were established in 2011. They were updated in Resolution 2018-4 but there was no change from the 2011 fee level.

So slide 7 provides us with the basis for the fee. And as I mentioned earlier, this is somewhat a somewhat formulaic math problem where we take the overall planning criteria that the County has identified in the infrastructure build-out analysis. That provides us with the necessary planning information to establish the fee. We did calculate the maximum allowable fee based on the replacement cost of the existing infrastructure, and that's based on the production and treatment on the water side, storage, transmission and booster pump stations. Then that is divided through by the total capacity of the system and then multiplied by that 360 gallons per ERU peak day demand as identified in the planning documents.

Now, overall, there is a debt service credit on the water UEC. That's based on the current outstanding debt that's funded improvements that are provided service to customers so that is backed out.

So slide 8 provides the calculation of the water UEC. Now, we also calculated a couple of options as we went through this process as outlined in our report. On the left-hand side you have the meter size. You have the AWWA meter ratios over the safe operating capacities which provide us a relationship of the capacity demand that is required for each meter size.

So the first blue boxes are current fees. That's what we presented earlier. Option 1 maintains that current fee, but adjusts the analysis based on the AWWA meter ratios. These are slightly different from the County's current fee approach and we want to tie these back to those meter equivalencies. Option 2, this is the current fees but we use the ENRCCI, that's the Engineering News Record Construction Cost Index to increase the current fee to today's dollars in 2018 based on the inflationary impact. So you can see that increases to \$3,335. And then Option 3 was the maximum allowable fee. That's based on the full replacement of the existing system.

So as we go through this process this identifies the maximum allowable and then the alternative approaches as we go through this and as I'll talk through this at the end, summarize, the Commissioners may adopt an approach that is less than the maximum allowable based on the analyses we've done.

So how does that look on slide 9 was the comparison to other utilities in the area? We start with our current fee and then we have options 1, 2, and 3, and then you can see the City of Santa Fe and a few others. The current fee and option 2 are all in that range of comparable UECs of other local agencies as part of this.

Now, again, as we calculate this, that's not the basis for the calculation but provides you all with a comparison to what others in the area are charging for new customers connecting to the system.

So slide 10 is our transition to the sewer utility expansion charge, so very same – similar approach, but with the sewer utility. So slide 11 has those details. As we did with water we based the analysis on the infrastructure build-out analysis as we show on slide 11 and that's based on an equivalent residential unit or ERU being 288 gallons on a peak day demand, so what they're putting into the sewer system. And the analysis is really based on a full replacement of the existing infrastructure and so we went through and looked at the existing replacement costs of the treatment system, the interceptors, all the pipes out there that move the wastewater, and then the lift stations.

Now, there is no future infrastructure component since it would be a replacement of the existing plant and services in place today. There's also not an outstanding debt service credit as those no outstanding debt that was used to fund this.

So for sewer on slide 12 we provide a couple of different options. We have the same overall approach for the calculations based on the customer's meter size, and then we base that again on the AWWA meter ratio. On this slide I focus your eyes to the right side of the chart, Option 3. That is the maximum allowable charge. That's what we calculated in the analysis. You can see that's \$10,022 for a 5/8 inch meter, increasing with the larger meter sizes based on the AWWA meter ratio. That compares to the blue box on the left side of \$180 for all connections.

So as part of this analysis what we did is we looked at what the City of Santa Fe calculated, as well as what an average neighboring utility charge would be based on other comparable utilities. As you can see that ranges from \$960 to \$2,000 for a 5/8 inch meter. Now, for those larger meters, those same meter equivalencies would apply as part of this.

So how does that compare on slide 13 to the other agencies? You can see currently on the far left-hand side we're at the current \$180. Option 1 brings us up to the City of Santa Fe level ENR to 2018, so that was from 2014 to 2018 of \$960, an average of \$2,000, and then the full replacement of the system at \$10,000. And you can see where we're at with Santa Fe and other agencies in the area. So overall those two options, 1 and 2, are more in line with what other utilities are charging today.

So on slide 14, the last slide here, we have a quick summary of the analysis based on our analysis in 2018 and the calculation of the UECs for water and sewer. We developed a calculation to show the reasonable relationship between the value of the existing level of service and the fee to be imposed. So for both utilities we calculated that maximum allowable level based on the full replacement of each of the systems. We provided some comparables and some options to show where others are sitting as part of that as well.

From a policy perspective, these fees should not exceed the maximum calculated value but as a matter of policy you all may adopt a fee that is less than that maximum value. And that just implies that there's a sharing of the cost between existing and new customers connecting to the system. And just as a point of reference, we always recommend that the County should update the analysis periodically, either from a full methodology approach, or annually based on standard inflationary indices. Earlier I mentioned the Engineering News Record Construction Costs Index and that's what we use most frequently with folks like yourself to adjust these fees each year.

So based on this calculation in 2018 staff has been working to develop an approach to balance the funding needs based on this overall analysis that would then also incorporate an affordable housing approach that can be included within the development of these fees. With that, John, I will turn it back over to you for any comments or questions from the Board.

MR. DUPUIS: Thank you, Shawn. I appreciate the support in providing the presentation and I would provide a bit of additional explanation relative to the current process and where we're at. So since this presentation and direction from the Board was originally provided and requested previously, feedback that we've received from Commissioners to accommodate affordable housing reduced amount has been provided by still collecting the same amount overall of the previous direction given, which was using Option 1 from the water UECs options provided and the average of sewer UEC options 1 and 2. We're adjusting those to enable that continued collection of the same overall approximate amount. This enables affordable housing reduced amount of \$400 for the water and sewer UECs. So if an affordable home had a UEC that was due it would only be \$400 with that adjustment. Same for sewer. So instead of paying the standard amount this is something that is equivalent or consistent with the approach provided by the City of Santa Fe.

So as next steps, we intent to publish title and general summary to implement those amounts which would be \$3,165 for water UEC and \$1,635 for the sewer UEC.

And I would stand for any questions.

COMMISSIONER HAMILTON: Commissioners, anybody have any questions. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. You might not have this information but when has the City raised its water and sewer rates last?

MR. DUPUIS: I don't know if you remember from our research when they last changed theirs but I believe it was for sewer 2014 and I'm not recalling the water date, if you might know.

MR. KOORN: I don't remember off the top of my head but I agree with the 2014 and I believe water was a very similar time.

MR. DUPUIS: Madam Chair, Commissioner Hansen, I'm not sure of the time when the water UEC was implemented from the City but the sewer UEC would be 2014.

COMMISSIONER HANSEN: Okay. And do you possibly know when Española or Albuquerque or Rio Rancho has raised their rates? That's six, almost seven years ago for the City, so you might think they would be due to raise their rates also. I know we can't make that assumption.

MR. DUPUIS: Madam Chair, Commissioner Hansen, I have discussed this with the Utility director from the City and my understanding is that there isn't an intention in the near future to make an adjustment but that we proposed originally an Option 2 that would adjust for E&R which Shawn can explain but is basically to compensate for inflation and that approach was one that the Utility director of the City of Santa Fe thought sound and would be something likely that they would recommend. Just they normally coincide increasing UECs with an increase in rates. So unless they're taking an increase in rates it's not as common to bring forward the UEC increase as well.

COMMISSIONER HANSEN: Okay. So on the sewer you're recommending \$1,600, a little lower than Option 2? Is that correct? Is that what I heard?

MR. DUPUIS: Madam Chair, Commissioner Hansen, that is correct. It's \$1,635.

COMMISSIONER HANSEN: Okay. Thank you.

COMMISSIONER HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: First of all, I apologize to my colleagues. My eyesight for the last days is not good. So I'm having trouble dealing with what I'm looking at. But nonetheless, so I'm glad this is just a presentation and then I could still meet with you as into the actual details of it. So in a nutshell, what this is, this is actually anytime our utility County water system runs down a road or to a new subdivision or to a new house all these charges are placed on that individual?

MR. DUPUIS: Madam Chair, Commissioner Garcia, that is correct. Whenever they would actually receive service, the initiation of service, would be when that charge would be applied.

COMMISSIONER GARCIA: And then also, on another note, in our current regulation, I've gotten a couple calls in the La Cienega area where the waterline runs in front of their property and they're getting charged for that and they're not even connected to the water utility. Why is that?

MR. DUPUIS: Madam Chair, Commissioner Garcia, this is the – the

charge that you describe is a standby fee and that is for any waterline that is able to provide service to that location. The charge is then applied. This would be a separate charge that when they are ready to receive service would be applied, which is a separate charge.

COMMISSIONER GARCIA: That's just something I wanted to bring up with my colleagues because I kind of find it – if I own a piece of property in a rural area of the county and the County waterline runs in front of my County road I'm getting charged for that. It doesn't make sense if I'm not connecting to that utility So that's something I would just like to talk to you all about because when the service and everything comes down there's a sewer line – I assume Agua Fria. Where else? This could allow the County to charge for sewer service if they're not even hooked up.

MR. DUPUIS: Madam Chair, Commissioner Garcia, this particular proposed fee would not apply in that situation. It's only when they connect.

COMMISSIONER GARCIA: And then another thing is affordability. Who comes up with the price of a home? Is it a single-wide? Is it a duplex? Who determines that?

MR. DUPUIS: Madam Chair, Commissioner Garcia, I have met personally with developers in the region and had this discussion and it is universally explained to me that it is a pass-through cost that ultimately the homeowner will pay and a large portion of what I think the previous direction we received was that we want to be competitive so that we don't drive developers to have a lower cost home in the city if they have an option to build in the city or the county and that type of thought.

Ultimately, this is a very small percentage of the overall cost of even an affordable home and we have an affordable home reduced amount so that it enables that same affordability concept to be applied and reduces the increase of pass-through costs relative to this ordinance and fee.

COMMISSIONER GARCIA: Thank you. Thank you, Madam Chair. I'm just thinking in my head. And it just going to be – think of Aamodt, the water system in the Pojoaque Valley. Are we going to have the same regulations on Aamodt as we are for our County water system? I'm just thinking a little bit ahead as into the affordable housing. So the property behind Eberline that's going to be developed by Homewise, right? And so are all those 90 homes going to be affordable housing or they're not? I don't know. Because Homewise, back in the days, was affordable housing and now they're developers. And so I'm just thinking a little bit as into where we're going with this because I do have a little bit of concern that we're charging individuals that are not hooked up to our County water system. So that's kind of just thinking a little bit ahead and those are just the questions I have, but nonetheless, Madam Chair, thank you and we can sit down and talk about this. Thank you, John.

COMMISSIONER HAMILTON: Commissioner Hughes and then Commissioner Hansen.

COMMISSIONER HUGHES: Yes, thank you, Madam Chair. Just trying to get straight in my head the option that we're going to propose. So for the water, does it correspond to one of the options on the chart? Like is it Option 2 maybe?

MR. DUPUIS: Madam Chair, Commissioner Hughes, the option utilizes Option 1 from the water utility expansion charge table on sheet 9 of the presentation with



an adjustment to accommodate collecting the same total overall amount to the approximate percentage of affordable homes versus non-affordable, allowing a reduction for affordable homes to \$400 instead of the \$3,165, resulting in the same overall amount being collected for a development. When \$3,165 is collected for other than an affordable home and \$400 is collected for an affordable home.

COMMISSIONER HUGHES: Okay. And then do the charges for the two-inch, three-inch and on up, do those apply as well?

MR. DUPUIS: Madam Chair, Commissioner Hughes, that is correct. There is a multiplier that will be provided relative to the capacity of the meter such that the amount specified that we just discussed is for a single residential connection, and then based on the capacity of a residential meter to the larger meter sizes, that multiplier is what's utilized to calculate the total amount due.

COMMISSIONER HUGHES: Okay. And then for the sewer you said it's going to be \$1,600. Would that likewise go up by a multiplier for the larger meter sizes?

MR. DUPUIS: Madam Chair, Commissioner Hughes, yes, that is correct.

COMMISSIONER HUGHES: Okay. All right. And then so my understanding is you're presenting this to us and then you're going to come back to us with an actual ordinance based on this. Okay. And just for the record I do agree with the reduced rate for affordable housing. I think that's important. Thank you. Those are my questions.

COMMISSIONER HAMILTON: Thank you very much. Commissioner Hansen.

COMMISSIONER HANSEN: Yes. Just to reiterate, this is a one-time fee only for new homes and only when they hook up. It has nothing to do with standby charges.

MR. DUPUIS: That is correct.

COMMISSIONER HANSEN: Standby charges are common.

MR. DUPUIS: That is correct.

COMMISSIONER HANSEN: Throughout the country. Not just New Mexico – Colorado, everywhere. When you put in a sewer line, when you put in a waterline, you pay standby fees, even if you don't hook up.

MR. DUPUIS: Madam Chair, Commissioner Hansen, it is an industry standard and our standard practice for how to calculate that amount and in our rate study we went through the analysis before proposing the current rates that are implied.

COMMISSIONER HANSEN: Right. But this is specifically only for houses once they hook up.

MR. DUPUIS: Madam Chair, Commissioner Hansen, that's correct.

COMMISSIONER HANSEN: These little items that we get from IT is really helpful. I agree with what you have proposed here. I think this is a really good plan. I think we are in range with the other municipalities and other places that we deal with and I do know that the City sewer plant is in desperate need of repair and upgrading so I imagine that even though it is not on the horizon at the moment it will be at some time. So I think what we're doing is really pro-active and the right approach to take. So thank you for this presentation. And thank you for your diligence and thank you, Shawn, for your explanation.

COMMISSIONER HAMILTON: Thank you, Commissioner Hansen.  
Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Just a couple of things. So when there's a sewer line that goes down the road in Agua Fria and those people, say there's ten lots. And five of them connect. The other ones are going to be a standby charge, right?

MR. DUPUIS: Madam Chair, Commissioner Garcia, the door was closing whenever you were saying the last part of your sentence and it was hard for me to hear. Would you mind repeating the last part?

COMMISSIONER GARCIA: So I'm still on the standby. I understand the standby fees, how that works. So now, when you put a sewer line down, let's just say in Agua Fria, and there's ten houses there. And five of them hook up. Are the other five going to get standby fees?

MR. DUPUIS: Madam Chair, Commissioner Garcia, if it meets the requirements of the ordinance, which it would likely, then yes, they would be charged standby fees.

COMMISSIONER GARCIA: Okay. Just because it's standard industry throughout the county. I get it. So another thing. I'm actually an individual who actually worked and got the waterline down our County road several years. You know where I live. And so we had to do three different meter types because we have four homes that go all the way down. But why do we have so many meter sizes? One-inch, two-inch, three-inch, four-inch lines. How come we don't have just the standard two or three different meter sizes?

MR. DUPUIS: Madam Chair, Commissioner Garcia, there are quite a few reasons but one that generally controls the decision on which size is expense and capacity. So it's a balancing act of how much capacity do you need, and then you only spend as much to get a meter that is adequate for that capacity. And the larger the size, the more expensive.

COMMISSIONER GARCIA: We'll meet. But thank you, Madam Chair.

COMMISSIONER HAMILTON: Thank you. I would just like to add, this was a very informative presentation. I would, when it comes back to publish title and general summary, I would like to see a summary slide that explains the value. \$3,165 doesn't appear on any of these slides. In the presentation you said that's an average between options 1 and 2 for water. It would be nice to have a summary slide that shows that and just gives a brief summary of what the recommendations are. You've said it; it's clear enough. That would be great.

MR. DUPUIS: Madam Chair, I will make sure to have that included.

COMMISSIONER HANSEN: That's great. Thank you. And thank you for an excellent presentation and very good ideas.

**5. B. Presentation and Request for Direction on 2021 Redistricting Option 1** [*Exhibit 1: Redistricting Option 1, City Detail Map and County Map*]

ERLE WRIGHT (GIS Manager): Good afternoon, Madam Chair, Commissioners. We have one option before you. Again, as we reported about a month

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ago the 2020 census data revealed that we need to make a minor adjustment to our Commission districts. The total population for Santa Fe County in 2020 was 54,823 persons. This would indicate that we need ideally districts of 30,965 people. That's rounded up a little. It gives us an extra person for rounding.

COMMISSIONER HAMILTON: We want to know who that person is.

MR. WRIGHT: Could be me, because I keep getting rounder. So more or less we need a plus or minus five percent deviation. So this is about 1,548 people, plus or minus for the districts. And as we presented before, really the items of concern are District 2, which is six percent over total population, and then also districts 3 and 4 which were just over five percent variance.

And again, what we look at for redistricting is obviously equal population to avoid dilution of minority voting strength. The districts should be compact and contiguous, and we should attempt to maintain communities of interest. So looking at this, based on what we did in September, Option 1 before you, which I think you have hard copies and I don't know if it needs to be pulled up on the screen for the public. I would recommend that we put the city option, and that's how I kind of stapled them together for you because there's not much to see at the county level.

We're only moving three precincts. So District 1 loses Precinct 30 to District 4. District 2 loses Precinct 145 to District 3. District 3 gains a precinct from District 2, and District 4 actually gains two precincts from Districts 5 and 1. Those would be precincts 29 and 30. And again, District 5 would not essentially lose but actually transfer that precinct to District 4.

So essentially we're only changing three precincts. Each of these fall completely within the incorporated limits of the City of Santa Fe, and the incorporated areas of the City of Española and Town of Edgewood will remain in their respective Commission districts. The unincorporated portions of each district – and that's why your big map doesn't change at all. And what we managed to do with this option which is super-simple, keeps us under one percent variance for each district.

And if you pull up the map, which would be the city detail to see those changes. Or I could jump on my laptop and share it and pull it up as well.

COMMISSIONER HANSEN: That might be good for the public that is tuning in but we all have it in front of us.

MR. WRIGHT: Okay.

COMMISSIONER HANSEN: So I think we feel informed. Are we able to pull it up so that it actually shows on Webex.

COMMISSIONER GARCIA: Madam Chair, I just want to make sure we're all looking at the same thing.

COMMISSIONER HUGHES: It looks like they pulled it up.

COMMISSIONER HANSEN: Thank you. Excellent.

MR. WRIGHT: So, I'll stand for any questions.

COMMISSIONER HANSEN: Thank you. Commissioners, are there any questions or comments? Commissioner Hughes.

COMMISSIONER HUGHES: I'd just like to say thank you for coming up with a simple solution. I'm happy to give District 4 that one precinct. This looks like a very good option. Thank you.

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COMMISSIONER HANSEN: Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, Erle, for your hard work. As you know, you've done this before in the past. So what other options are there out there? You're just giving us one option. I'm sorry. Once again my eyesight is horrible.

MR. WRIGHT: Not a problem. I was asked to look at another option, which was actually the only difference, instead of Precinct 146 would be to flip Precinct 80 between District 2 and District 3. That's the precinct right above 146 there on the left-hand side of the map, and I've actually got some print-outs if you want to look at those. It still keeps it under one percent. Precinct 80 is the most populous precinct in District 2, but it's still within the criteria. It changes the numbers a little bit but everything still stays at under one percent variance for each of the districts. If you like to see that I can distribute that.

COMMISSIONER GARCIA: I'm just looking at it, Madam Chair, from probably a different standpoint as my area is La Cienega, obviously and it looks like that Precinct 80 up there is the La Cienega land grant, so it just makes it – the La Cienega land grant would be within the La Cienega-La Cieneguilla area. So I'm just looking at it from a different perspective other than just population. And so I'm just looking at it from that aspect.

And then another question I have is does the Clerk have any comments on this stuff? Clerk?

CLERK CLARK: Madam Chair, Commissioner Garcia, this is not in my purview to decide so I think as long as we have sort of equity, I think I would have no comment on what to decide.

COMMISSIONER GARCIA: I understand that but I just wanted to see if you had any comments in regards to voting because you oversee the voting in Santa Fe County so I just wanted to make sure.

CLERK CLARK: So now that we have voting convenience centers so that voters can vote at any of our polling locations I think sort of what may have been previous concerns about moving voters, polling locations can remain the same so I think there's less of a concern now for voting populations.

COMMISSIONER GARCIA: And Madam Chair, as Commissioner Hughes said, he doesn't mind taking that precinct over and I'll be easy as well and I'm okay taking over that Precinct 145 [sic]. Thank you, Madam Chair.

COMMISSIONER HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Yes, thank you. I think that most of the growth that has happened in the county has been in the city, so I think it's appropriate that changing precincts stay within the city limits and that the incorporated areas stay as they are designed. Also Precinct 80 goes into the Village of Agua Fria and is connected to Las Campanas which is a big part of District 2 also. So I'm good with these three precincts. It makes it really easy and it's representative of where the growth has happened.

COMMISSIONER HAMILTON: Thank you, Commissioner Hansen, and I would agree with that and wanted to thank all the Commissioners who are actually – we're easy to work with on this one. This was a very logical, the simplest option that

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makes a lot of sense. So I appreciate that and I think this works out very well. So is there an action that needs to be taken on this, Mr. Shaffer, I see you starting to –

GREG SHAFFER (County Attorney): Madam Chair, this is a request for direction so we know what to put in the proposed ordinance that makes this settled. And so I believe we have that now, the consensus stated by the Commissioners and we can go forward and bring back an ordinance as I recall is necessary to make that adjustment.

COMMISSIONER HANSEN: I appreciate it. Thank you very much.  
Thank you, Erle.

MR. WRIGHT: Very good. Thank you, Commissioners.

## 6. MATTERS OF PUBLIC CONCERN

COMMISSIONER HAMILTON: Tessa Jo, is there anybody who has signed up to speak during Matters of Public Concern?

TESSA JO MASCARENAS (Operations Manager): No, Madam Chair, I'm not seeing anyone at this time.

COMMISSIONER HAMILTON: So we'll go ahead and ask in general, is there anybody online from the public who cares to address the Board of County Commissioners? If there's anybody who cares to address the Board I think you need to unmute yourself and speak, let me know. Hearing none, I will close Matters of Public Concern.

## 7. MATTERS FROM THE COUNTY MANAGER

### B. Update, Discussion, and Possible Direction on Statewide Redistricting Proposals [*Exhibit 2: Existing Senate Districts; Exhibit 3: Existing House of Representatives Districts*]

MANAGER MILLER: Thank you, Madam Chair. If I could, I'd like to take item 7. B first since Erle is right there and this is an update and discussion and possible direction on statewide redistricting proposals. The New Mexico Citizen Redistricting Committee, or CRC is an independent non-partisan body tasked to develop and propose district maps for the New Mexico congressional delegation, the New Mexico Senate, the New Mexico House of Representatives, and the Public Education Commission.

As you know, redistricting is a process of redrawing the geographical boundaries that correspond to certain elected offices to account for changes in population. And as populations change across these districts, just like County Commission districts, the districts must be redrawn to provide an equal population across all districts – one person/one vote.

So the seven-member CRC was created by the Redistricting Act, Laws 2021, Chapter 79, Section 2 through 10. And October 15, 2021 the CRC will meet virtually via Zoom from 1:00 pm to 7:00 pm for the adoption of the maps to be recommended to the legislature. So you just saw the ones for the County Commission districts. This meeting on the 15<sup>th</sup> will be to look at adoption of the maps for recommendation to the legislature.

Per the Redistricting Act a minimum of three options for each legislative

delegation will be submitted by the CRC for consideration by the New Mexico Legislature. So at this time it's contemplated that the legislature will consider the CRC recommended options in a special session in early January 2022. However, this proposed special session is still to be determined and legislative action may wait until the 2022 regular session.

But if individual Commissioners wish to submit comments, or the Board as a whole, such comments should ideally be submitted no later than Thursday, October 14, 2021. So that would be any kind of – and by the way, that deadline was given to us by the CRC media contact, Cliff Gilmore.

For the benefit of the BDD though today, Erle, our GIS Manager, Erle Wright, can walk you through the CRC website to briefly review current redistricting options under consideration by the CRC for the New Mexico State Senate and the House of Representative districts. And then we can give you the Redistricting Committee website and where the maps can be found as well, but it's essentially at [www.nmredistricting.org](http://www.nmredistricting.org), is the website, and then you'd go to map concepts where Erle is. So with that, I'll turn it over to Erle.

COMMISSIONER HAMILTON: Thank you, Manager Miller.

MR. WRIGHT: I'm not sure how this is going to work but we'll give it a try. So I've landed on the main webpage there at [www.nmredistricting.org/mapconcepts](http://www.nmredistricting.org/mapconcepts). They have some tutorials. There are congressional district maps which are out there. I don't want to spend a lot of time on those but you can just peruse them real quick if you want to see them. There is an interesting version which actually combines Albuquerque and Santa Fe, which that would be this congressional Concept D. Interesting proposal. And I've noticed since last week actually a couple more have popped in that the CRC will be considering on Friday.

But I'll just scroll through these very quickly and get to the Senate ones. They do have some little notes explaining what they are, and there's now, it looks like A through H for congressional – for the US House of Representative seats. I'm wrong. There's yet a new one. Concept I which looks like it was submitted by the Acequia Association. It looks like it pretty much takes Congressional District 2 as all of northern New Mexico.

One of things is I did put on the dais there for you is the existing districts. We'll have the ability to go in and turn those districts on. For the Senate Concept A, basically one of the things it does is address Senate District 39, which is actually a sprawling Senate district that goes from Mora County to the Rio communities in Valencia County down to Ruidoso. It includes Eldorado, Pecos and Placitas. It's a very large district. White Rock is going to stay with the Santa Fe County district and Taos, and Los Alamos is with the Rio Arriba Senate district.

COMMISSIONER GARCIA: Madam Chair. Who's District 39 right now?

MR. WRIGHT: Let me get to the actual concept and we can take a look at that.

COMMISSIONER HANSEN: Madam Chair, the Senate district is Liz Stefanics.

MR. WRIGHT: I'm not sure how well you can see this on your Zoom link. I'll maximize it to get it as big as possible. But as you can see, 39 here, which is

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Senator Stefanics' district was a very large and sprawling district. It now is consolidated as the purple area. That would include essentially its eastern boundary where it is now, and it would stop at the Santa Fe County boundary going south, and would take a portion of what is currently Senate District 19.

Senate District 25 kind of wraps around – I'm going to zoom in a little for you.

COMMISSIONER GARCIA: Erle, so Senator Stefanics, on this proposal, she would still represent La Cienega, right?

MR. WRIGHT: Actually, no. That northern boundary, what you're seeing now is the difference. That would actually shift to Senate District 25, which is currently Peter Wirth's district. So that boundary between the purple and orange there is essentially I-25, and then –

COMMISSIONER GARCIA: Senator Wirth and Stefanics are the orange and purple?

MR. WRIGHT: Yes. And so Senate District 24, which is Senator Rodriguez' district is pretty much the same, loses a little bit of territory within the city, and again, that's the population growth that we saw that you just addressed for Santa Fe County. Most of our growth has occurred there in the city.

And I'll come back out. We can see what happens to the northern district. Senate District 6, basically remains unchanged.

COMMISSIONER GARCIA: That's who again?

MR. WRIGHT: That would be Senator Gonzales, Roberto Gonzales from Taos. So that's the overview of Senate District 8.

Go on to Concept B. And so again, this again makes Senate District 39 much more compact, as you can see. The purple area, which again extended all the way down to Ruidoso and into Valencia County is now pretty much bounded by Santa Fe County on the south and east and extends a little bit into Sandoval County, central and southern. And again it takes in a larger portion of Senate District 19, but that still remains the Edgewood portion there by the number 19 that's on the map. What is interesting here is Senate District 25, and again that's Senator Wirth's district actually takes all of Los Alamos County. In addition this portion rotates if you will, kind of counterclockwise to take Los Alamos County.

And then interestingly enough, Senate District 5 actually expands into the northern part of the county from Rio Arriba County. And that was – that's formerly Senator Martinez and now Senator Leo Jaramillo is Senate District 5.

COMMISSIONER GARCIA: That would all of Pojoaque, right?

COMMISSIONER HANSEN: Madam Chair, Erle, what happens to the city? Oh, the city is 24, so that's Senator Rodriguez?

MR. WRIGHT: Again, zoom in here a little bit, give it a little time to show up, 24 basically stays intact, loses a precinct or two on the western end to Senate District 39, but essentially keeps its same boundary.

I'll move on to Concept C. Once again, you see the compaction of Senate District 39, although not quite as much. It still takes the eastern portion of Tarrant County, again, takes a large portion of Senate District 19. Senate District 25 again is kind of rotating counterclockwise around the City of Santa Fe. I'll zoom in tight so you can see it. Again, Senate District 24 pretty much stays intact, losing those same western precincts

and a couple of the southeast precincts of the district and the city, but pretty much stays the same for Senator Rodriguez' district. And again, one of the – of this one, Senate District 5 actually takes a large portion of Los Alamos County, right where my little hand is there on the screen, stays within Senate District 6 and again Senate District 6 is pretty much status quo for Santa Fe County there.

As of last week there were only three options. There was a Senate Concept D but this mainly dealt with Doña Ana County for Chaparral and Sunland Park. Looks like there's a new Senate Concept E, but again, this is just changes in the Four Corners area and again, that's one I haven't reviewed but it is attempting to address the needs for Native American representation, so it's trying to create without splitting those community interests, those six districts.

And now it looks there is also Senate Concept F which appears to be a Navajo redistricting plan.

COMMISSIONER GARCIA: So really quick, Madam Chair. So can anybody submit a map, a proposal to this committee?

MR. WRIGHT: Yes. It's wide open.

COMMISSIONER GARCIA: These are just all the things that are out there?

MR. WRIGHT: Yes, and there's actually tools on this website to go do that. But again, the CRC will be making its recommendations this Friday.

COMMISSIONER GARCIA: m, who's on the CRC? Do you know? Is that committee made up of ten, twenty, fifty people?

MR. WRIGHT: it's a seven-member committee, Madam Chair and Commissioner Garcia. I can go find that, but it's a seven-member committee. And again, it's a joint appointment. I think the Ethics Commission, the Speaker and the Senate pro tem legislative leadership each have an appointee there. But it's delineated again on this redistricting website.

With that, I'll go on to the House concepts unless the Commission has any further questions on those.

COMMISSIONER HANSEN: Let's go on. Thank you.

MR. WRIGHT: Yes, there's quite a few to go through here. Of those plans that we reviewed, currently Santa Fe County has six Senate districts. Option A maintains the six. Option B cut it down to five districts, and Option C maintains six districts within the county.

So currently there are eight House districts within Santa Fe County but recognizing that one of those is just one precinct within the City of Española, and that's House District 41. Option A here essentially districts 45, 46, 48, and 43 are essentially status quo. District 46 again covers the majority of Santa Fe County and picks up a little bit there in the Tano Road area. I can zoom in a little bit to see that. District 47 picks up quite a bit more of the city and actually loses that kind of southwest leg, if you will, that was south of I-25 in the western portion of the county. District 48 kind of loses the dumbbell shape that it currently has but stays pretty much intact to essentially the southwest of the city. And again, District 45 is pretty much unchanged.

COMMISSIONER GARCIA: Who is District 43?

COMMISSIONER HAMILTON: 43 is Chris Chandler.



COMMISSIONER GARCIA: Right. And who is the tan area?

COMMISSIONER HAMILTON: Matt McQueen.

MR. WRIGHT: That's Representative McQueen, Madam Chair, Commissioner Garcia. There's quite a few more House options so I'm going to run through these pretty quickly. So Option B actually has seven House districts within Santa Fe County and according to the description on the CRC's website this option is drawn without consideration of the current district boundaries and has a different alignment for the north central districts, so that impacts Santa Fe County. What it does is place the east mountains, Edgewood and Moriarty in one district. Again, that is District 22, so what happens is District 70 loses this portion of the southeast corner. District 70 no longer has any territory in Santa Fe County. Again, District 22 extends eastward into Santa Fe County to New Mexico 41 and then further into Torrance County and Moriarty. D 50 actually expands to I-25 in Glorieta. D 45, I have to zoom in for that.

COMMISSIONER HAMILTON: 22 is Stephani Lord.

COMMISSIONER GARCIA: So Madam Chair, that option there would actually incorporate Edgewood, right? Into 22?

MR. WRIGHT: Yes.

COMMISSIONER GARCIA: Thank you.

MR. WRIGHT: So for the city districts, Representative districts, it changes them up fairly significantly. District 48 again moves north of Cerrillos and Airport Road and extends westward to the county boundary and would include La Cienega and Caja del Rio. I'll zoom out so you can see that. District 46 expands northward into Rio Arriba County losing the northwestern portion of the county. District 43, this actually ends up splitting Pojoaque between 43 and 46, but 46 does expand significantly southward there to take in the foothills and Cañada de los Alamos. And again, 43 extends eastward to take the San Ildefonso area, split Pojoaque Pueblo and then I think extends down into the Las Campanas/Tano Road area. And again, there's no portion of District 41 remaining in Santa Fe County, although let me double-check that. No.

On to Concept C. So again, this option also has a bit different alignment for the north central districts within the state. District 22 now expands from Edgewood, but it actually ends up splitting the town to cover the entire southern portion of the county. District 50 expands over the San Pedro Mountains and Cedar Grove and north to I-25, and essentially beyond. It takes the southeast quadrant of the city, Old Santa Fe Trail area, Cañada de los Alamos and Glorieta. District 50 in this case is 100 percent within Santa Fe County. Again, District 70 loses its Santa Fe County portion so there's no portion of District 70 within Santa Fe County under Concept C. 70 is Representative Castellano. Districts 45 and 48 are essentially status quo. Some minor adjustments there. 45 pretty much stays intact, loses a little bit on the southwestern end and 48 again loses its dumbbell shape and kind of consolidates. Again, 47 completely loses that southwest leg that it had, if you will and extends west towards the Las Campanas area and it essentially becomes a northern City of Santa Fe district with the foothills and ski area. And then again, D 43 expands eastward right here to take essentially the Las Campanas area and a little portion of 48. And then D 46 again loses anything it had in the City of Santa Fe here. It also loses the Tano Road area, but expands quite a bit – the northern

boundary used to be the county boundary for District 46 but under this option it moves further north into Rio Arriba to take Alcalde, Velarde, Lyden, Truchas, Las Trampas, and most of southern Taos County.

And we will go to the next option.

MANAGER MILLER: Madam Chair, so our intent of this presentation was just to show the Board how you could go and access the maps, look at them, read them and if individually, you'd like to comment on any of it, they would need the comments by the 14<sup>th</sup>. So if there aren't really any specific comments or questions from the Board right now I would suggest that we go ahead and move on to the next item because we could look at these maps all night long.

COMMISSIONER HANSEN: Madam Chair, I would like to see Option E.

COMMISSIONER HAMILTON: Can we skip to Option E? And then we can move on. We can target what Commissioner Hansen wants to see.

MR. WRIGHT: Yes, it's a lot to go through. It was Option E?

COMMISSIONER HANSEN: Yes.

MR. WRIGHT: Okay. Option E was submitted by the Center for Civic Policy on September 27<sup>th</sup>. This is one similar to the previous option which we didn't take a look at but districts 22 and 70 have no portion of Santa Fe County within them. District 50 takes these portions that were formerly within District 22 and District 70 to expand essentially over the entire southern Santa Fe County. It is the border for 50. However, it expands westward and punches into Bernalillo County to the base of the Sandias and to Sandoval County to the eastern boundary of Santa Ana Pueblo. Again, District 47 loses that southwest leg, if you will. It's trimmed off. It also loses – it doesn't expand into the east side of the city. And then the other four districts – District 41, District 43, District 45, 46 and 48 are essentially status quo in this plan. And that's the last option I reviewed.

COMMISSIONER HAMILTON: Thank you.

MR. WRIGHT: If you would like me to go back to any of them I can.

COMMISSIONER HAMILTON: Do the Commissioners have any other particular questions? Commissioner Hansen.

COMMISSIONER HANSEN: I just want to thank Erle for taking the time to get us oriented so that we have the ability to go and look at these on our own. I really appreciate you taking the time to look at these maps and tell us how similar and how different they may be. It is really helpful. I think that it does affect us for us to know how Santa Fe County is being divided up and something that if the Commissioners so choose they can make comments and I'm grateful. Thank you very much.

COMMISSIONER HAMILTON: Thank you. I would echo that and really appreciate that Commissioner Hansen requested this because this was incredibly useful. I was having trouble finding it on my own. The fact that you actually looked through to guide us through it was incredibly helpful. Thank you. So I think if there are no other questions, I really appreciate it, Erle. We can go back to other aspects of item 7 from Manager Miller.

MR. WRIGHT: Thank you, Madam Chair.

COMMISSIONER HAMILTON: Thank you very much.

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**7. A. COVID-19 Updates**

MANAGER MILLER: Thank you, Madam Chair. And thank you, Erle. I appreciate that. So with that I'll go back up to our COVID-19 updates. The New Mexico Department of Health reported several weeks ago that they expected New Mexico to plateau on the number of new COVID-19 cases. However, over the past week both New Mexico and Santa Fe County have seen an increase in daily COVID cases and positivity rates. So that puts us back in the red zone, meaning we have a high rate of transmission.

Current data includes the following averages: So averages from 9/27 to 10/4 are 17.7 cases per 100,000 and a positivity rate of 4.72 percent, which I think is one of the highest since we came below the five percent. Then also percent of residents with at least one shot is 91.3 percent, and percent of residents with vaccination series completed, 81.3 percent. We are still having community vaccination events. The Community Services Department is partnering with the state to hold a flu and COVID-19 booster shots in the fall, and clinics are tentatively planned in northern Santa Fe County at the fairgrounds and in Edgewood. And we hope we'll also be able to offer the Moderna booster as well.

And then Martin Vigil and his team were helping the Department of Health at the Santa Fe Community College last week which yielded a pretty high number of vaccinations. I don't have the exact number but I understand the event was well attended.

We are still working towards a vaccination policy of mandatory vaccine but we're taking that one step at a time and we had pretty high degree of staff disclosure on their vaccination status and we're continuing to negotiate with the unions on a County policy.

And then also under our American Rescue Plan, our healthcare assistance navigators assisted ten new individuals this week and followed up with 37 others. I should say last week, down about a third from the previous week. And then self-initiated assistance requests throughout CONNECT hub have also declined in recent months and we're getting about five a week through the CONNECT hub and we also are getting – we still continue to get phone calls that we refer to the navigators. And we expect the numbers to rise when we get the ARPA funding out as the Board knows, at the last BCC meeting you directed some of that funding to specific contractors and we're in the process of amending those contracts and then also doing some additional public awareness about the CONNECT program and what services are available with our CONNECT partners and with the ARPA funding. So that's all on the COVID updates. Do you have any questions on that?

COMMISSIONER HAMILTON: Commissioner Hansen, then Garcia.

COMMISSIONER HANSEN: Thank you, Manager Miller. Why – I know you probably can't answer this, but why are we so high? Is it because of the tourists? Is it because – I thought we had a pretty high vaccination rate among the population of Santa Fe County.

MANAGER MILLER: Madam Chair, Commissioner Hansen, kids are back in school, so there is that and there's a number of – those numbers don't distinguish their age. It's just numbers per 100,000, but we definitely have seen incidence of that, and it also doesn't distinguish whether you've tested positive even if you're vaccinated. I think hospitalization rates and death rates are really where you see that factor. So you can have COVID even if you're vaccinated but the likelihood that you'll end up in the

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hospital is much more limited. But we also had quite a few more events over the fall, so I think that with school going back in, more events happening, that we're seeing some of those numbers.

Hopefully, we'll see that come back down. I can't stress enough that the vaccination rate is what helps people from ending up in the hospital and what helps them from having such severe reactions to it.

COMMISSIONER HANSEN: Thank you, Manager Miller, Madam Chair. I really appreciate that. I'm sure that some of the school and all the events we had over the summer – fiesta and big, large events probably could have contributed to this high level of transmission. So thank you. I appreciate that.

COMMISSIONER HAMILTON: Thank you, Commissioner.  
Commissioner Garcia.

COMMISSIONER GARCIA: Madam Chair, thank you, Manager Miller. So when they allow children to get vaccinated, we have a procedure or process for them, right?

MANAGER MILLER: I'm sorry. Could you repeat that?

COMMISSIONER GARCIA: When the government allows children to get their shot, so we'll have the same procedure as we do now?

MANAGER MILLER: So Madam Chair, Commissioner Garcia, as soon as any one of the vaccinations gets approved for an expanded age group we let those individuals still go through our vaccination clinics. Obviously, we don't vaccinate anybody that has not been approved, an age group that has not been approved.

COMMISSIONER GARCIA: Thank you.

## **7. C. Miscellaneous Updates**

MANAGER MILLER: So, Madam Chair, I just have a couple other quick updates. First of all, the Santa Fe Independent Film Festival starts October 13<sup>th</sup>, tomorrow, through the 17<sup>th</sup>, and we actually have IAIA student films that will be featured among a host of other local film makers, so if you have an opportunity to get out to the Independent Film Festival or view any of the films I highly recommend it. And then also Jennifer LaBar Tapia from the Film Office wanted to just pass on that Ima Jean Hughes passed away, and she ran Bonanza Creek Movie Ranch for nearly 40 years off of County Road 45. She was considered a legend in Santa Fe and really in the whole state in the film world. So we just have her and her family in our thoughts and prayers and Jennifer wanted to make sure you knew that.

And then lastly for an update, the fire cadets, we've had a group of our fire cadets graduate and their actual graduation ceremony will take place on October 21<sup>st</sup> at IAIA and along with the presentation of badges to the cadets there'll be presentations regarding other promotions, retirements, and other awards within our Fire Department. And we can send out that invitation to the Commissioners if you have an opportunity to be there. And that's all I have for updates. Thank you.

COMMISSIONER HAMILTON: Excellent. Thank you very much, Manager Miller.

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**8. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS**

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

COMMISSIONER HAMILTON: I'll start with Commissioner Hansen.

COMMISSIONER HANSEN: Okay. Thank you. I hope I remember everything. First of all, I want to let everyone know, I will be holding a townhall on the nuclear emergency response, the same townhall that my colleagues held, Commissioner Hughes and Hamilton. This one will be at the Nancy Rodriguez Center on October 10, 2021, this year, and we'll have a presentation and our Fire Chief, Jackie Lindsey will be also giving the emergency response for the County. I wanted people to be able to meet our new Fire Chief and know that she is a woman and doing an excellent job and that she has experience with Homeland Security and many other things. So I thought that was just to change it up a bit.

Sara and Daniel made this very cute flyer with a great map showing the route that this will be taken. So I wanted to thank Daniel and Sara for doing that flyer.

Also in the last week, Senator Heinrich spoke at the Energy and Natural Resources Committee in support of the Northern Rio Grande National Heritage Area, and our reauthorization effort, and also I have put a resolution through NACo that had been supported by the Arts and Culture Committee at NACo and that had passed, and so NACo wrote a letter in support of all of the national heritage areas throughout the United States. So I felt like those were really both good things. At this Energy and Natural Resources hearing there was over 55 bills introduced – well, not introduced, but there are over 55 national heritage areas throughout the United States and a number of them are up for reauthorization at the moment.

I watched as much of it as I possibly could before I had to go to another meeting, but I really appreciate Senator Heinrich's dedication to the Northern Rio Grande National Heritage area. It is a unique board in that it is congressionally created, and one of the ways they function and get money from the national parks is through in-kind service. And recently, Rio Arriba gave \$5,000 for the publication of *Land, Water, People, Time*, so I feel like it's beginning to get the recognition. We also have over 20 applications for grants and we give \$5,000 grants to most of these grantees, and that comes up to almost \$100,000 that is distributed throughout northern New Mexico in the three counties of Santa Fe, Rio Arriba and Taos. \$5,000 might not sound like a lot of money but in northern New Mexico, and the fact that New Mexico is such a poor state, this really helps those small, non-profits to make the leap to the next project that they need to do in reaching out to children.

So I think those are the two main issues that I wanted to cover, the townhall and the Northern Rio Grande National Heritage Area. If I remember something during this time I will let you know, but thank you, Madam Chair. Thank you, colleagues on the Commission.

COMMISSIONER HAMILTON: Thank you, Commissioner Hansen. Commissioner Hughes.

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COMMISSIONER HUGHES: Thank you, Madam Chair. Just a couple of quick comments. I had a townhall last week and interestingly, one of the things, even though it's not in my district, one of the things that people were concerned about was the open space on South Meadows that is to be possibly sold to Homewise. People were very insistent that that should stay as open space. I did explain to people that it was pretty much out of our hands, that they needed to work with the City Council if they were wanting that to remain as open space, but I certainly did confess to sympathizing with them. I've seen that area now, after we voted to give it to Homewise we took a tour of that area and I can certainly see why people would want that to remain as open space. It makes a nice break in what's otherwise a very dense housing development.

There's going to be an immigration reform rally this Thursday at 5:00 in support of essential workers who still don't have a path to citizenship, being sponsored by Somos un Pueblo Unido. If anybody wants to go, it's at 5:00 pm on the east side of the state capitol.

And finally, just to mention that every time I talked to people they're concerned about the water resources in Santa Fe County, so I think at either my November or December townhall we'll dedicate it to water and we've invited John Dupuis to come and explain to people how water is managed in Santa Fe County, because people are just very interested and concerned about that. Thank you, Madam Chair. That's all.

COMMISSIONER HAMILTON: Excellent. Before I go on to Commissioner Garcia I think vv an additional item.

COMMISSIONER HANSEN: Yes. I was going to mention the immigration rally that will be happening also at the Roundhouse on Thursday. But my Coffee and Tea on housing at the end of the month was very successful. I think we have the possibility of doing one more on October 30<sup>th</sup>, and I will move it to noon, but hopefully the weather will hold and we'll be able to do it. I haven't come up with a theme but I do find that people were very impressed by the County and having County staff come to these Coffee and Tea under the Trees. They loved the one on water; they loved the one on housing.

And then I just want to let everyone know that it was a great turnout for the Women's March that Commissioner Hamilton and I were both at and recognized in the newspaper that we attended and it was a great event and I'm sure she can say more about that also. Thank you.

COMMISSIONER HAMILTON: Excellent. Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Ms. Hughes passed away. My condolences go out to her family. When I first started working at the County I remember her and her husband walked in and got several building permits out there. For those people who don't know, Ms. Hughes owns the Bonanza Creek Ranch, which is a ranch off of State Road 14 and goes all the way west to the county line. It's probably one of the largest pieces of property that an individual family has owned for many years in Santa Fe County.

Also, I'd just like to thank Ray Montoya and company. They actually did have a cleanup day in La Cieneguilla this Saturday, and they had a good turnout. I'd just like to thank them for putting that together. And I think that's all I have, Madam Chair. Thank

you.

COMMISSIONER HANSEN: Excellent. Thank you. And no, I don't have anything additional. I was grateful that Commissioner Hamilton mentioned the Women's March. It was a wonderful turnout. I was very proud that we were both there and represented ourselves and the County and female leadership, which is incredibly important. I was impressed with the diversity of people who were there and I was impressed with the representation by the youth, by the up and coming generation. So I think that was very motivating. Commissioner Garcia.

COMMISSIONER GARCIA: I'd actually just like to welcome Brittany Montoya. She's actually part of the Manager's team now. She'll actually be assisting me and I'm glad to have Brittany on board and so welcome, Brittany. Thank you, Madam Chair.

COMMISSIONER HAMILTON: Excellent. Thank you.

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

COMMISSIONER HAMILTON: Madam Clerk, I'll go to you first.

CLERK CLARK: Thank you, Madam Chair. I do have a few updates. So I wanted to introduce my new Elections Deputy, Juan Torres. He's in the audience, just to wave. He's being thrown in the deep end as we're in the middle of an election right now. So early voting is going to be expanding to different locations around the county starting on Saturday. I wanted to remind folks that Saturday is 10:00 am to 6:00 pm and Tuesday through Friday, 12:00 pm to 8:00 pm, but you can still vote at the Clerk's Office, 8:00 am to 5:00 pm. All early voting also has same day voter registration, which means if you have ID and some form of documentation showing your address and your full name you can register to vote because registration is closed by other means.

Those early voting locations are Town of Edgewood Administrative Building, Max Coll Corridor Community Center, Christian Life Church, Pojoaque Satellite Office, Santa Fe County Fair Building, Abedon Lopez Community Center, and the Southside Library.

Our new website has gotten good feedback so we have a new shortcut: [santafe.vote](https://santafe.vote), so if you're interested in voting in Santa Fe County that's a shortcut to find our elections information on our voting page, all about essentially wait times for polling locations, frequently asked questions, how to sign up for getting text updates for your absentee ballot, and it's not too late to request an absentee ballot so we are seeing a slow-down in the mails, so we're telling voters that they should try to allow for seven days to receive your ballot and seven days to mail it back, which would mean if you plan on mailing your ballot back make sure not to request past October 19<sup>th</sup>. And if you're planning on dropping a ballot at any of our drop boxes around the county we recommend requesting up until the 26<sup>th</sup>.

So I would like to thank the County and the City of Santa Fe for helping get those drop boxes installed. Some of them are quite technical, but we do have drop boxes throughout the county that are open 24 hours so if you need to drop your absentee ballot

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you can.

Oh, and I do want to mention that tomorrow at noon, Common Cause, myself and the Doña Ana County Clerk, Amanda Askin Lopez, will be holding a press conference on ranked choice voting, so if you want to know more about ranked choice voting we welcome people to come watch it and learn more about the sort of ins and outs of ranked choice voting that is on our ballot for the City of Santa Fe election for this election. So thank you very much.

COMMISSIONER HAMILTON: Thank you, Madam Clerk. Tessa Jo, can you tell me if there are any other elected officials who are on via Webex who might want to address any matters they have?

MS. MASCARENAS: No, Madam Chair. It doesn't appear that any have signed on.

COMMISSIONER HAMILTON: Okay. Thank you very much. So I'll go ahead and close Matters from other elected officials.

JENNIFER MANZANARES (County Treasurer): Madam Chair, it's Treasurer Manzanares.

COMMISSIONER HAMILTON: Thank you. Treasurer Manzanares. Welcome.

TREASURER MANZANARES: Thank you. Hello, everyone. I wanted to just quickly mention that because of House Bill 407, delayed billing will happen this year again as it did in 2019, and we will be sending property tax bills out on December 1<sup>st</sup>. So we're doing an outreach strategic plan right now. We'll be broadcasting on KSWV and working as closely as we can with our elected officials and our Commissioners to make sure that their constituents know that there isn't a need to panic or worry. We will be getting the bills on to them but because of House Bill 407 they will be delayed until December 1 and payment will be due December 10<sup>th</sup> to January 10<sup>th</sup>. And we'll also be doing outreach. So we'll be actively getting that message out. We just wanted to share that with the Commission today and our constituents.

COMMISSIONER HAMILTON: Fabulous. Thank you so much. Madam Treasurer. Tessa Jo, is there anybody else?

MS. MASCARENAS: No, Madam Chair. It doesn't appear so.

COMMISSIONER HAMILTON: Excellent. Thank you very much. Is it something a Matter from Commissioners? Okay, go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: I'd just like to give a shout-out for Indigenous Day for all of our neighbors. We have several individuals, in this county, so I just wanted to give a shout-out for that. Thank you, Madam Chair.

COMMISSIONER HAMILTON: Excellent. Thank you, Commissioner Garcia.

**9. MATTERS FROM THE COUNTY ATTORNEY**

**A. Statement for Inclusion in Meeting Minutes Concerning September 28, 2021, Executive Session**

COMMISSIONER HAMILTON: I think we'll go to Attorney Shafer.

MR. SHAFFER: Thank you, Madam Chair, Commissioners. First with

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regard to agenda item 9. A, if you recall, at the September 28, 2021 meeting the Board of County Commissioners went into executive session at the end of the meeting and did not reconvene in opening meeting. Therefore, I'd respectfully request a motion be made and passed to have the minutes of this meeting reflect that the matters discussed during the September 28, 2021 executive session were limited only to those specified in the motion for closure.

COMMISSIONER HANSEN: Madam Chair.

COMMISSIONER HAMILTON: Thank you, Commissioner Hansen.

COMMISSIONER HANSEN: So moved on inclusion for the meeting minutes of the September 28, 2021 executive session.

COMMISSIONER HUGHES: Second.

COMMISSIONER HAMILTON: Thank you. I have a motion from Commissioner Hansen and a second from Commissioner Hughes.

**The motion passed by unanimous [4-0] voice vote.**

9. B. **Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:**
1. **Claim for Portion of Settlement Proceeds in *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036**
  2. **Acquisition and Disposition of Real Property Interests for Solid Waste Convenience Center and Open Space**

MR. SHAFFER: And then with regard to agenda item 9. B, we would be looking for a motion to go into executive session to discuss threatened or pending litigation in which Santa Fe County is or may become a participant as allowed by Section 10-15-1 (H)(7) NMSA 1978, and discussion of the purchase, acquisition or disposal of real property or water rights, as allowed by Section 10-15-1 (H)(8) NMSA 1978, including claim for portion of settlement proceeds in *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036; and two, acquisition and disposition of real property interests for solid waste convenience

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center and open space.

COMMISSIONER HUGHES: Madam Chair, I make a motion that we go into executive session to discuss the matters just presented by the County Attorney.

COMMISSIONER HANSEN: Second.

COMMISSIONER HAMILTON: Thank you. I have a motion and a second. Madam Clerk, can we have a roll call?

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

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye

[The Commission met in executive session from 4:13 to 5:20.]

COMMISSIONER HAMILTON: I would entertain a motion to come out of executive session. Commissioner Hansen.

COMMISSIONER HANSEN: I move that we come out of executive session and that the only thing we spoke about was what was listed on the agenda and no decisions were made.

COMMISSIONER HAMILTON: Thank you. I have a motion.

COMMISSIONER HUGHES: Second.

COMMISSIONER HAMILTON: And a second.

**The motion passed by unanimous [4-0] voice vote.**

**10. PUBLIC HEARINGS IN ADMINISTRATIVE ADJUDICATORY PROCEEDINGS**

- A. **Case #21-5150 Colibri Subdivision (Formerly Turquoise Trail North)-Final Plat Phase-2.** Turquoise Land Investment, LLC, Applicant, Jenkins Gavin, Inc., Agent, Request Final Plat Approval for Phase-2 of the Colibri Subdivision (Formerly Known as Turquoise Trail North Subdivision). Preliminary Plat for Phase 1 & Phase 2 as well as Final Plat for Phase-1 for Colibri Was Approved by the BCC Under Case #19-5160. Phase-2 Will Consist of 116 Lots on 74.84 Acres, More or Less. Infrastructure for Phase-1 is Currently Under Construction and Has Yet to be Completed. The Property is Located within the Santa Fe Community College District Planned Development District, at 4530 NM 14, Within Sections 24 and 25, Township 16 North, Range 8 East (Commission District 5)

COMMISSIONER HAMILTON: We have three public hearings. The first

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case is for Colibri Subdivision, formerly Turquoise Trail North, and I'll go right to Nathan Manzanares. Thank you very much.

NATHAN MANZANARES (Case Manager): Thank you, Madam Chair. Turquoise Land Investment, LLC., Applicant, Jenkins Gavin, Inc., Agent, request final plat approval for Phase 2 of the Colibri Subdivision, formerly known as Turquoise Trail North Subdivision. Preliminary Plat for Phase 1 and Phase 2, as well as final plat for Phase 1 for Colibri was approved by the BCC under development permit 19-5160. Phase 2 will consist of 116 lots on 42.06 acres. Infrastructure for Phase 1 is currently under construction and has yet to be completed. The property is located within the Santa Fe Community College District at 4530 NM 14, within Sections 24 and 25, Township 16 North, Range 8 East, Commission District 5.

The Colibri Major Subdivision will consist of 232 total lots, to be developed in two phases, within the Community College Planned Development District, within sub-districts Village Zone, Neighborhood Center and Fringe Zone. Preliminary plat for Phases 1 and 2 as well as final plat for Phase 1 was approved by the BCC on October 8, 2019.

Final plat for Phase 2 is now being requested by the applicant in accordance with the preliminary plat approval for Phase 2 that was received by the BCC on October 8, 2019.

Colibri will also have a total of 35 affordable housing units, 18 in Phase 1 and 17 in Phase 2. The project will be accessed directly off NM14 north of Mountaingem Loop via two access points that are consistent with the approved traffic impact analysis that was done for both phases 1 and 2 and has been reviewed and approved by NMDOT and County staff.

In conclusion, staff has determined that this case is well taken, meets the requirements set forth in the SLDC for final plat approval and should be presented to the Board for consideration.

This application for final plat was submitted on July 2, 2021 with the understanding that final plat for Phase 2 of Colibri will be approved in accordance with the preliminary plat approval for Phase 2 which was granted by the BCC on October 8, 2019.

Staff recommendation: Building and Development Services Staff has reviewed this project for compliance with the applicable SLDC standards and finds that the facts presented support the applicant's request for final plat approval for Phase 2 approval. Madam Chair, may I enter the conditions as stated in the staff report with an amendment to conditions 8 and 10?

[The conditions are as follows:]

1. Applicant shall comply with all previously imposed conditions of the Thornburg Master Plan, Turquoise Trail North Conceptual Plan and Final Plat for Phase-1 of the Colibri Major Subdivision.
2. Applicant shall comply with all Review Agency conditions set forth for both Phases-1 & 2 (as stated in the record under Exhibit 3), which include: a required Signalized Intersection Traffic Signal (Street Traffic Light), Realignment of the Water and Waste-Water Service Lines, Trail Improvements, Paving of Colibri Road Network, and Fire Hydrant Installation in accordance with Santa Fe County

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Fire Marshal recommendations, to be completed in during Phase 1. All review agencies approval conditions associated with both Phases-1 & 2 shall be noted on the recorded Final Plat for Phase-2

3. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site associated with Phase-1 & 2, this agreement shall be signed by the Administrator, recorded and referenced on the recorded plat.
4. Applicant shall record the Final Plat for Phase-2 of Colibri with the Santa Fe County Clerk's Office.
5. Applicant shall submit an engineered cost estimate to be approved by Staff and a Financial Guarantee in an amount sufficient to ensure completion of all required improvements for Phase-2 prior to recording the Final Plat for Phase-2.
6. Applicant must fence all slopes in excess of 30% prior to and during all construction to ensure no additional disturbance of existing slopes greater than 30%.
7. Applicant shall record Water-Restriction Covenants, restricting annual water consumption to 0.184 acre feet per year, per lot for all 116 lots within Phase-2 of Colibri.
8. Prior to installing any Infrastructure Installation associated with Phase-2 of Colibri, the Applicant must address all redline comments from Staff; No further Development permits for Phase-1 will be issued until Applicants infrastructure plans for Phase-2 are approved by Land Use Staff, Santa Fe County Utilities and Public Works Depts. [Revised at staff report.]
9. Applicant shall construct the Trail Improvements which includes, the required Pedestrian Trail Crossing improvements during Phase-1 as depicted and approved under Phase-1 Infrastructure Permit Development Permit 20-781.
10. All Trail Improvements must be completed as part of Phase-1 and will need to be inspected and improved by Staff prior to any construction for Phase-2 taking place. [Revised at staff report.]
11. Phase-2 will not be allowed to go vertical until all required upgrades associated with Phase-1 are inspected and Signed-Off by County Staff. Applicant shall construct required traffic signal, road improvements and bicycle lanes as required by NMDOT and Staff, during Phase -1 as depicted and approved under Phase-1 Infrastructure Permit Development Permit 20-781.
12. Applicant shall fence centralized ponding area for safety purposes with a non-climb-able fence that is a minimum of six (6) feet in height.
13. Applicant must comply with all conditions associated 1. with the approved Water Delivery Agreement and Wastewater Collection Agreement prior to Final Plat recordation of Phase-2.
14. Applicant must transfer applicable Water Rights to the New Mexico Office of the State Engineers as per Water Delivery Agreement prior to Final Plat recordation of Phase-2. Applicant must note on plat "Addresses are subject to change based upon modifications to either ingress/egress or driveway access" per Santa Fe County Rural Addressing approval condition.

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15. The applicant shall fence all Open Space areas for both Phase-1 & 2 prior to going vertical in Phase-1 and during all Infrastructure construction associated with both Phases-1 & 2. Applicant will not be authorized to disturb any Open Space areas in order to preserve natural vegetation.

MR. MANZANARES: Madam Chair, thank you. The conditions 8 and 10 shall be revised to state: Prior to any installation or any infrastructure associated with Phase 2 Colibri, the applicant must address all redline comments from staff.

Condition 10 shall be revised to state: All trail improvements must be completed as part of Phase 1 and will need to be inspected and approved by staff prior to any vertical home construction in Phase 2.

Madam Chair, the reason for these requested amendments is due to the applicant already bonding for the required upgrades as part of their Phase 1 approvals. Thank you, Madam Chair, and now stand for any questions.

COMMISSIONER HAMILTON: Do the Commissioners have any questions before we go to the applicant's statement?

COMMISSIONER HUGHES: Madam Chair, I do have questions but do we want to do those after the public hearing?

COMMISSIONER HAMILTON: That might be – I think that's a good process.

COMMISSIONER HUGHES: Thank you, Madam Chair.

COMMISSIONER HAMILTON: Nate, do we have an applicant to speak to this?

MR. MANZANARES: Madam Chair, yes. Jennifer Jenkins is participating via Webex and she is the applicant's agent.

COMMISSIONER HAMILTON: Excellent. Tessa Jo, can you facilitate having Ms. Jenkins be able to broadcast on Webex.

MS. MASCARENAS: Yes. Absolutely. Go ahead, Ms. Jenkins. You're up.

JENNIFER JENKINS (Via Webex): So I need to be sworn in?

[Duly sworn, Jennifer Jenkins testified as follows:]

MS. JENKINS: Good evening, Commissioners. I'm Jennifer Jenkins with JenkinsGavin. My address is 130 Grant Avenue, Suite 101, and I affirm that I am under oath. Here this evening on behalf of the applicant, and I really don't have anything substantive to add. We are in agreement with the staff conditions of approval, as well as the two amended conditions that Mr. Manzanares just walked through. So at this point I'd be happy just to stand for any questions that you have.

COMMISSIONER HAMILTON: Very much appreciated. Thank you, Ms. Jenkins. We'll go to public hearing there. Tessa Jo, is there anybody who has signed up to make public comment with respect to this hearing?

MS. MASCARENAS: Madam Chair, there is not.

COMMISSIONER HAMILTON: Okay. While we have public comment open, is there anybody on line from the public who wishes to speak to this matter? If you do, can you please unmute yourself. Once again, is there anybody present via Webex or telephone that wishes to speak to this public hearing? Hearing none, I will close public

comment on that and open the floor to Commissioners' questions. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair, and I just have one question for either the applicant or the staff. I was looking at the plat and it looks like the open space requirement is met by open space that kind of wraps around the area where the housing is, it's mostly on the outskirts of that. Is that correct?

MS. JENKINS: Yes, Commissioner, Chairwoman and Commissioners. That is the bulk of it, but there are several decentralized parks within the subdivision itself. So we do have lovely, kind of natural undisturbed open space with trail improvements, but we also have quite extensive pocket parks and park improvements within kind of the heart of the neighborhood as well.

COMMISSIONER HUGHES: Okay, yes. And I think I did see those pocket parks within the development as well. Thank you. And then so I understand the trails will be in that outer park, mostly. And so my other question is do those trails connect to anything, or are they just sort of self-contained within this development? Or do they connect to other trails?

MS. JENKINS: They connect into the sidewalk network that is within Colibri, but it also connects to the Arroyo Hondo district trail that is the County trail project. That is in process right now, so we are constructing a connection and we've already been in communication with the Trails and Open Space Department within the County to formalize our grant of easement for that connection.

COMMISSIONER HUGHES: Okay. Thank you. That was my question.

COMMISSIONER HAMILTON: Thank you, Commissioner Hughes. Commissioner Garcia did you have questions?

COMMISSIONER GARCIA: Yes. Thank you, Madam Chair. I guess just some concerns that I have out there in the area, because as you know, I drive that area a lot. Just all the development that's going on in that area. I know it's coming into the south side. Just some of the concerns I have and I just talked with Nathan with regards to traffic out there. So the Highway Department has looked at all of these proposals going on out there, and they're okay with the traffic counts and the Highway Department has approved these subdivisions, right?

MR. MANZANARES: Madam Chair, Commissioner Garcia, that is correct. An engineer traffic impact analysis was done for both phases. That analysis showed the requirement to install a signaled traffic light as part of the Phase 1 development. So that's being installed currently and prior to any construction going on in Phase 1, that light will need to be functional. And the applicant is aware of that.

COMMISSIONER GARCIA: Thank you, Madam Chair. One of the other things is I know it's going to be probably – it is going to be a nice subdivision but one of the things I have some concerns about is our kids, more school sites. And yes, we can have parks here and parks there, but I sit on another board and my schools in my district are busting out of the seams. And then so whenever we get large developments like these I just have concerns about schools. Where are the school sites at? So how do we go about working with that? Is that inside the actual SDLC? The code?

MR. MANZANARES: Madam Chair, Commissioner Garcia, we did reach out to the Santa Fe Public Schools as a review agency and they did not provide any

comments for any required school dedication sites at this point. There is going to be some sites within the Community College District. That is a growth area, so there's definitely going to be some schools that will be built in the CCD but this project in particular, we did not get a response from Santa Fe Public Schools.

COMMISSIONER GARCIA: Thank you, Madam Chair. So Nathan, can you get me a copy of the letter and see who you sent it to? Just get me a copy of it.

MR. MANZANARES: Madam Chair, Commissioner Garcia, I will send that to you tomorrow. Absolutely.

COMMISSIONER GARCIA: Because I'm just thinking way ahead here, because kids are going to come, right? And so is development but we're not thinking as in school sites. And maybe I just need to get the schools to get more involved in the zoning process and respond or so. But if you can get me a copy of that letter.

MR. MANZANARES: Madam Chair, Commissioner Garcia, absolutely. I'll share that contact information, and like I said, we do send all major subdivisions to Santa Fe Public Schools for comment.

COMMISSIONER GARCIA: Thank you. And then in regards – this might be a little bit late, but I have to ask a question in regards to the sewer line that actually is going down the river and going temporarily to the plant we have there, and then it gets pumped back up to the City. How are these subdivisions actually helping the County get the sewage to the Quill plant, which we've invested a lot of money for all these developments to get to the Quill plant, correct?

MR. MANZANARES: Madam Chair, Commissioner Garcia, the applicant has actually worked very closely with Santa Fe Utilities and has come up with a line extension agreement that's also part of your packet material, but they have worked with them extensively and provided engineer plans on that. So I don't know if the applicant wants to speak to that, but it was looked at and approved. The line extension agreement was approved by the Board as well.

MS. JENKINS: I would be happy to speak to that, Madam Chair and Commissioner Garcia. So actually the County project to construct the new wastewater line from the lift station down to the Quill plant, that's actually already a funded project in the most recent bond issue. So we have been in really regular, close communication with Santa Fe County Utilities regarding the design and timing and they're moving forward on that at a pretty good pace. And so while our effluent from this project will temporarily be pumped to the City I think that it's likely that before there's actually anybody turning on a sink in Colibri, I think there's a good chance that that new effluent line is going to be potentially under construction. So it is moving forward.

COMMISSIONER GARCIA: Thank you, Ms. Jenkins. Also, Madam Chair, I know there on Bisby Court there's a sewer line there, that older subdivision there, there's a couple of – do you know if the Utility has a plan to connect. It's like from that Bisby Court Subdivision that's been there for a while to basically the river where the sewer line is going to be going through.

MR. MANZANARES: Madam Chair, Commissioner Garcia, I do not know that but I can get an answer for you. I can reach out to Utilities and find that information out for you.

COMMISSIONER GARCIA: Thank you, Madam Chair.

COMMISSIONER HAMILTON: Thank you, Commissioner.  
Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So this looks like a pretty dense subdivision and I'm concerned about how people are going to get out to the open space, because it looks really, really dense. And there's a few pocket parks, I kind of would like to see more, considering how dense this is. But mostly I'm concerned about how are these residents going to access the open space, because it looks so tight everywhere and I don't – and I might not be seeing it, and I have tried to blow up the map as much as possible, but it seems very, very dense and not a lot of ways for the people to get to the open space. So if you could explain to me how that's going to work.

JMS. JENKINS: Yes, Madam Chair, Commissioner Hansen. I'd be happy to speak to that. So within the interior roadway network all the roads are served with sidewalks. And then I'd be happy, if you would like, I'd be happy to share my screen, but there are connections from the sidewalk network directly to the trails to get out to where the natural paths of open space, in addition to the interior pocket parks. So we are fully compliant with respect to the Community College regulations for the provision of parks and open space, but the goal here was to provide multiple kind of connection points into the open space from kind of the perimeter of the community. And again, this is a very pedestrian oriented, pedestrian friendly community, so you're on the sidewalk and then you can work your way over to a trail into the open space.

COMMISSIONER HANSEN: I would like you to share your screen and show me.

MS. JENKINS: Sure. I'd be happy to. So this is Phase 2, which is sort of the perimeter of the project, and this is Phase 1, kind of the center that is currently under construction. This is the Arroyo Hondo open space that you see through here. As I mentioned, all of the streets are improved with sidewalks, and so if you're starting here, there's a trail connection on the east side of the road here, and so you can work your way down and get into the trails. There's another one here. There's another one here. And then we have connection opportunities, there's kind of some open space areas here as well to work your way out to the open space. And so that's how we have laid it out. So there are opportunities to get from the sidewalk network out to the trails. And this is consistent with the preliminary – the design really has not changed since the preliminary plat approval previously.

COMMISSIONER HANSEN: And why are we approving Phase 2 at the moment when Phase 1 has not even been completed?

MS. JENKINS: Because there is actually – for a project like this we're looking at potentially seven to ten house starts a month. It is really critical for these large-scale, phased projects, the phases always overlap, because it's really critical that the builder not run out of house supply, so we've got to get the infrastructure moving in Phase 2 so as we're building and selling homes in Phase 1, once we start eating up the supply in Phase 1 then we can pivot seamless and start going vertical in providing homes in Phase 2. And there is no requirement in the SLDC that mandates that a phased project complete one phase 100 percent before moving into the second phase. And so it is really critical for the feasibility and financial feasibility of these types of projects that there is overlap and so the house supply is continuous.



COMMISSIONER HANSEN: And are all these houses in compliance with the EIS 61?

MS. JENKINS: I'm sorry, Commissioner Hansen. I'm not familiar with EIS 61.

COMMISSIONER HANSEN: We recently approved the CIP code to match the state code of EIS 61. Am I –

MR. MANZANARES: Madam Chair, Commissioner Hansen, the applicant has not yet submitted any building permits. We have had preliminary meetings with them and we did provide them a checklist, and that was on there, and that will be a requirement when Phase 1 house permits come in. Our office is definitely looking at that as we do with all single-family residences in the county.

COMMISSIONER HANSEN: Are these residences being built by the developer?

MR. MANZANARES: Jennifer?

MS. JENKINS: Sure, I can get to that. So the residences are being built by Pulti Homes of New Mexico.

COMMISSIONER HANSEN: Okay. And so they will be required to meet the EIS-61 standard, correct?

MR. MANZANARES: Madam Chair, Commissioner Hansen, absolutely.

COMMISSIONER HANSEN: Okay. Okay, thank you, Madam Chair.

COMMISSIONER HAMILTON: Thank you, Commissioner. Any other questions from the Commissioners?

COMMISSIONER HUGHES: Do you have questions, Madam Chair? I was going to make a motion.

COMMISSIONER HAMILTON: No. Go right ahead.

COMMISSIONER HUGHES: So I'll make a motion to approve the Colibri Subdivision final plat, Phase 2, subject to all of the conditions that the staff listed, as amended this evening.

COMMISSIONER HANSEN: I second.

COMMISSIONER HAMILTON: Thank you. So I have a motion and a second. Under discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. So Nathan, the affordable housing units, they're going to be kind of varied throughout the subdivision, right?

MS. JENKINS: Correct.

MR. MANZANARES: They don't cluster, that they spread them out throughout the development.

COMMISSIONER GARCIA: Thank you.

COMMISSIONER HAMILTON: Thank you. So if there are no further questions I have a motion and a second.

**The motion passed by unanimous [4-0] voice vote.**

10. B. **CASE # 21-5100 Mesa Vista Development LLC.** Mesa Vista Development LLC (Charles Goodman), Applicant, James Siebert and

**Associates, Agent, Request Approval to Vacate a Platted 10' Gas Line Easement on the Northern Boundary a 20' Wide Public Utility Easement on the Northern Property Boundary, a 25' and 20' Wide Public Utility Easement via Fire Place Road, a 47' Private Access Public Utility and Drainage Easement, a 25' Private Access and Public Utility Easement Along the Northern Boundary and Adjacent Tract B-2A, and a Ponding Easement on the Southern Boundary Bordering the Arroyo Hondo. The Property is Zoned as Planned Development District (PDD) Within the Mesa Vista Subdivision. The Property is Located at 53, 55, and 58 Fire Place Road, within the Vicinity of Turquoise Trail Subdivision, Within Section 26, Township 16 North, Range 8 East (Commission District 5)**

JOHN LOVATO (Case Manager): Thank you, Madam Chair, Commissioners. Mesa Vista Development LLC, Charles Goodman, Applicant, James Siebert and Associates Agent, request approval to vacate a 20-foot wide public utility easement on the northern property boundary, a 25-foot and 20-foot wide public utility easement via Fire Place Road, a 47-foot private access public utility and drainage easement, a 25-foot private access and public utility easement along the northern boundary and adjacent Tract B-2A, and a ponding easement on the southern boundary bordering the Arroyo Hondo. The property is zoned as Planned Development District, PDD, within the Mesa Vista Subdivision. The properties are located at 53, 55, and 58 Fire Place Road, within the vicinity of Turquoise Trail Subdivision, within Section 26, Township 16 North, Range 8 East, Commission District 5.

On July, 13, 2021, the Board of County Commissioners met and heard this case. The decision of the BCC was the table the case to allow the applicant to address concerns the Gas Company of New Mexico had with the vacation of the gas line easement. The Gas Company stated they were concerned a gas line was in place and requested the case be tabled so they could review the request. The applicants conducted a line location verification, and it was determined that a six-inch gas line was existing within the easement in question. Since there is a six-inch gas line in place the applicants wish to amend their request to keep the gas line easement as it exists but request the other easements be vacated.

After amending the request to leave the Gas Company of New Mexico's easement in place, the request received positive support from the Gas Company of New Mexico, Public Service of New Mexico, and Century Link. In addition, the applicant is providing sewer easement to Santa Fe County Utilities via a 20-foot wide sewer easement in the center of the parcel.

Recommendation: Based upon staffs' review of the application of the proposed lot consolation and easement vacations, aerial photographs, surrounding plats, Application for the Site Development Plan, and staff site inspection, staff recommends approval of the request to vacate a platted 20-foot wide public utility easement on the northern property boundary, a 25-foot and 20-foot wide public utility easement via Fire Place Road, a 47-foot private access and public utility easement, a 25-foot private access and public utility easement along the northern boundary and along adjacent Tract B-2A, a

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20-foot wide public utility easement on the southwestern property of the Tract B-3A1, and a ponding easement on the southern boundary bordering the Arroyo Hondo, subject to the following condition. Madam Chair, may I enter that condition into the record:

COMMISSIONER HAMILTON: Yes, please.

[The condition is as follows:]

1. Immediately following recordation of the Acknowledgment Statement, the property owner will record a new plat with the vacated easements.

MR. LOVATO: Thank you, and I stand for any questions you may have.

COMMISSIONER HAMILTON: Thank you, and as we did before can we go to the applicant's statement?

[Duly sworn, Jim Siebert testified as follows:]

JIM SIEBERT: My name is Jim Siebert. My business address is 915 Mercer and I understand that I am under oath. We have resolved all of the utility issues that were raised at the last meeting and I would stand for any questions you may have.

COMMISSIONER HAMILTON: Excellent. Thank you. I think we'll do questions after public comment. So I'm going to open public comment on this. Tessa Jo, once again, is there anybody signed up for this, to speak to this matter?

MS. MASCARENAS: Yes, Madam Chair. Our first speaker signed up is Elizabeth Reitzel.

COMMISSIONER HAMILTON: Thank you. Can you unmute yourself and get sworn in?

KIRK ALLEN (via Webex): Hello. This is Kirk Allen. Can you hear me? Ms. Reitzel is an associate at my law firm and she's not here but I think she signed me up to speak as well, so we don't both need to speak.

COMMISSIONER HAMILTON: If you could state your name and address for the record and then make your statement that would be appreciated.

MR. ALLEN: My name is Kirk Allen. I represent New Mexico Gas Company. I'm an attorney with Miller Stratvert and my address is 500 Marquette Avenue downtown in Albuquerque. Of course that's in New Mexico. So I don't want to take much of the Commission's time but I think it's a little bit disingenuous to say that everything was just worked out smoothly between New Mexico Gas Company and Mesa Vista. I think it's worth noting for future reference for the Commission and I feel like it's important to point it out that this originated because Mesa Vista attempted to vacate the easement without even discussing it with NMGC.

In addition, when we met back in July, despite Mr. Siebert's statement that NMGC had no facilities in the easement subject to the requested vacation the Commission wisely tabled its decision until we had an opportunity to do our investigation and that's exactly what we did. And as was noted, we in fact do have a high pressure gas line in the easement that is serving the community of Santa Fe. We have agreed to the language in the plat. I think it's important to note that the language in the plat and the draft plat is just that. It's stated that it's a draft. So what I will tell the Commission is that NMGC will sign the plat assuming the final plat is identical to the draft plat that we've seen and approved.

I really want to take the high road here but in my interactions with Mr. Siebert, on

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the final draft I noticed some typos including the fact that they misspelled their own client and whether he did this intentionally or by accident, in forwarding me the email he received from his surveyor he's clearly calling me less than pleasant names to his surveyor. I'm happy to show that email to the Commission. I don't think it's necessary but I think it's important for the Commission to know that, because I suspect Mr. Siebert is in front of the Commission on a fairly regular basis.

COMMISSIONER HAMILTON: Thank you, Mr. Allen. Is that your whole statement?

MR. ALLEN: It is.

COMMISSIONER HAMILTON: Will you remain available for questions, because we're still in public comment but I certainly have a question that I might want you to address.

MR. ALLEN: Of course, Madam Chair.

COMMISSIONER HAMILTON: Much appreciated. Tessa Jo, is there anybody else who wishes to speak during public comment on this matter?

MS. MASCARENAS: That was our final sign-up. Is there anyone else on Webex who would like to speak?

COMMISSIONER HAMILTON: Hearing none, I will go ahead and close public comment and we will go to questions from the Commissioners. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. Thank you, Mr. Allen and Mr. Lovato. It does give me pause that Mr. Siebert and his firm did not do their due diligence before hand and that we had to table this, but I am glad that we did and made sure that the gas line that was there was protected.

I also -- I want to make sure that I heard you say that we are receiving an easement through the middle of this property for a sewer line. Is that correct? Or is that being vacated? It was not quite clear how it was stated.

MR. LOVATO: Madam Chair, Commissioner Hansen, there is an easement that is being dedicated to Santa Fe County for sewer through the center of the parcel.

COMMISSIONER HANSEN: And this will connect to the next line so that we can connect it to the Quill plant?

MR. LOVATO: Madam Chair, Commissioner Hansen, I don't know the intention of the requirement. Perhaps Mr. Siebert who had contacts with John Dupuis on this issue knows more but I do believe that is the case.

MR. SIEBERT: Madam Chair, Commissioner, we actually put in the sewer line at the request of John Dupuis. The neighbor next door is La Puerta, who was having trouble with their septic systems. So we had granted an easement that would allow them to connect to the existing sewer that exists just right adjacent to this property.

COMMISSIONER HANSEN: Okay. And do you have anything to say about the gas line?

MR. SIEBERT: Yes. I thought that interchange was interesting. I've been back and forth with Mr. Allen several times on the plat, and the last one we sent he had some typos on it. We corrected those typos and sent it back to him. So I'm not sure what the issue is there.

COMMISSIONER HANSEN: Thank you, Madam Chair. That's it for now. I'm still disappointed.

COMMISSIONER HAMILTON: Commissioner Hughes, did you have any questions?

COMMISSIONER HUGHES: Yes. Thank you, Madam Chair. I'm just wondering if this is a question for staff. Is there a way we can approve this tonight with conditions to make sure that the final plat doesn't have typos on it and that the Gas Company is going to sign off on it and we won't have to have this come back in a couple months?

MR. LOVATO: Madam Chair, Commissioner Hughes, yes. That is the way we do it. What happens is they come in for an application for the vacation separate as its own application, they come forward with the plat amendment showing what they've been approved for, and it has to match what they've been granted. So staff will ensure that this will be followed through correctly. Commissioner Hughes, as well, we get all signatures from the County Utilities, PNM, Public service of New Mexico, and Gas Company, and also any utilities that are required for the vacation easement.

COMMISSIONER HUGHES: Okay. Thank you.

COMMISSIONER HAMILTON: Thank you. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. I apologize. I'm having some trouble with my eyesight. But can you simply bring up Exhibit 6 on the screen up here? I guess my question is Fire Place – who owns that easement?

MR. SIEBERT: Actually, it's been an issue we tried to address through the DOT in their Right-of-way Division, and we began that investigation about three months ago and they still haven't given us answer at this point.

COMMISSIONER GARCIA: Just bringing that up because way back in time when I was a little guy, you can see where State Road 14 used to go right there next to Santa Fe Brewing, so that road there, I guess I just have some questions on who owns that easement. That's how we have access to our Fire Department there on the eastern part of the road there. So where does it stop and where does it end? Or does Santa Fe Brewing own that? Nobody knows? The Highway Department?

MR. SIEBERT: We're still waiting for an answer from the Highway Department about – actually it's – I'm not sure if the issue is does the DOT own it, which we think they do, but was the Fire Place Road, did it originally actually go down to that place where it shows in the entry into the property. We don't have an answer yet.

COMMISSIONER GARCIA: So Madam Chair, thank you for that, Mr. Siebert. So what we're dealing with is just everything in black, correct? One, two, three? That's the property we're dealing with. Is that correct?

MR. SIEBERT: Outlined in black. Yes.

COMMISSIONER GARCIA: And then once again, we're just – I guess I have a kind of question is as into if we don't know who owns Fire Place, how are we vacating easements in there?

MR. LOVATO: Madam Chair, Commissioner Garcia, the easements are located on Mr. Siebert's client's property, so that's why they came forward and the gas line became an issue, because there was already a gas line. But the rest of the easements are all located with Mr. Siebert's property. As I mentioned, a vacation came first before

we can actually grant them the consolidation of those three lots all together, and the applicants own those three lots.

COMMISSIONER GARCIA: Okay. Thank you, Madam Chair. So just once again, we're just dealing with the property in black and vacating easements within that black boundary area.

MR. LOVATO: Madam Chair, Commissioner Garcia, that is correct.

COMMISSIONER HAMILTON: So Mr. Lovato, if the other easements are vacated but the gas line easement is not, does that interfere with any of the next steps you just mentioned, in terms of the applicant's desire to consolidate lots or whatever? It will remain a utility easement.

MR. LOVATO: Madam Chair, Commissioners, it's just the gas line easement that will remain. The rest of all other easements that are being vacated will be gone.

COMMISSIONER HAMILTON: I understand that, but you just said we have to request and approve this vacation of easements before the next step of – I thought you said consolidating properties.

MR. LOVATO: Madam Chair, Commissioners, that is correct.

COMMISSIONER HAMILTON: So how does that consolidation proceed and retain the rights of the gas line easement which will remain?

MR. LOVATO: Madam Chair, a new survey will be submitted or has been submitted. A draft has been submitted and it's in your exhibits as the final exhibit 12, I believe. It shows all the lots and the easements to be vacated and which easements would remain. This will come forward for a review and be sent out to Public Service of New Mexico and the Gas Company of New Mexico to get signatures and ensure that they're not affecting what's been granted by you, the Board.

COMMISSIONER HAMILTON: I'm not sure that answers the question. You as a professional agree that what connects any other actions – I see Vicki starting to stand up and I'd love for you to comment. I just want to be assured that we can protect the gas line easement, whatever needs are attended with that and still proceed with what the applicant's planning to do in the next steps.

VICKI LUCERO (Building & Development Supervisor): Madam Chair, once the easement plat is recorded, the easement vacation plat, as we stated, the gas line will be in existence. That will be on the plat. When they come in to do the consolidation, that gas line easement will get carried over on to the consolidation plat to assure that the easement is always in place and it won't be vacated or won't disappear.

COMMISSIONER HAMILTON: Okay. That's direct. I appreciate it. And Mr. Allen, with that question answered and your comment about the wording being the same on the final as it is on the draft, do you feel like that resolves the Gas Company's concerns?

MR. ALLEN: Well, let me just tell you what I have in front of me is the last draft that Mr. Siebert sent me, which is acceptable, and my point was simply that as long as the plat that NMGC, the final plat that NMGC is requested to then approve is identical to the plat that Mr. Siebert sent me and we have approved, then yes, we will execute the final plat. And also I am assuming that through the subsequent consolidation plat that NMGC would also have to sign that as well.

So I think the short version is I'm saying that we've agreed to the terms and the language of maintaining the gas line easement and as long as what I see in the final is consistent with that, then, yes, we approve it.

COMMISSIONER HAMILTON: Okay. Thank you. John and Vicki, is it part of the process – I know Commissioner Hughes asked a similar question, but would part of the process include review by the Gas Company?

MR. LOVATO: Madam Chair, Commissioners, it will be reviewed by them for a signature.

COMMISSIONER HAMILTON: Okay. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So on our Exhibit 12, it looks like, since Commissioner Garcia is having a little trouble with his eyes, it looks like the existing dirt road will turn into the property and go across it on Exhibit 12. Is that what I'm seeing? Am I reading this correctly? That the existing dirt road turns into the property we are looking at and a road goes across to it looks like a roundabout or a circle, and then out? On Exhibit 12?

MR. LOVATO: Madam Chair, Commissioner Hansen, that is to be vacated. That is one of the easements that are being requested to be vacated.

COMMISSIONER HAMILTON: Okay. That is an easement that is being vacated. Okay. That's all the questions I have.

COMMISSIONER HUGHES: I'll make a motion to go ahead and approve the vacation of the easements as requested subject to the conditions of staff.

COMMISSIONER HANSEN: A reluctant second.

COMMISSIONER HAMILTON: [inaudible]

COMMISSIONER GARCIA: So once again, this is just for vacation, vacating different easements, and this is not for development plan approval, right?

MR. LOVATO: Madam Chair, Commissioner Garcia, that is a separate application that has come into the County. So you're correct.

COMMISSIONER GARCIA: All right. And then just my last question, so what they're vacating there on the most northern part of the property, so that this property will no longer have any more access to that Fire Place Road?

MR. LOVATO: Madam Chair, Commissioner Garcia, that is correct. From this plat that is correct.

COMMISSIONER GARCIA: Right. Thank you, Madam Chair.

COMMISSIONER HAMILTON: Thank you. I just want to take the opportunity to say that while the Commission did table this so that could be carried through appropriately and all the concerns addressed, I would very much appreciate all due diligence done before matters are brought to the Commission.

COMMISSIONER HANSEN: Agreed.

COMMISSIONER HAMILTON: If there are no other questions under discussion, we have a motion and a second.

**The motion passed by unanimous [4-0] voice vote.**

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10. C. **CASE # MIS 21-5160 Bruno Trambusti and Randy Grant Plat Amendment. Bruno Trambusti and Randy Grant, Applicants, Request a Partial Plat Vacation to Remove a Plat Note that Required Residential Fire Suppression Systems within the Residences of El Prado Subdivision. The Board of County Commissioners Imposed the Condition, and the Plat Was Recorded on November 17, 1995. The Property is Located at 48 Los Suenos Trail within the Vicinity of Las Campanas, Within the Residential Estate Zoning District, within Section 13, Township 17 North, Range 8 East (Commission District 2)**

MR. LOVATO: Thank you, Madam Chair, Commissioners. Bruno Trambusti and Randy Grant, applicants, request a partial plat vacation to remove a plat note that required residential fire suppression systems within the residences of El Prado Subdivision. The Board of County Commissioners imposed the condition, and the plat was recorded on November 17, 1995.

The property is located at 48 Los Suenos Trail within vicinity of Las Campanas, within the Residential Estate Zoning District, within Section 13, Township 17 North, Range 8 East, Commission District 2.

The application for plat approval was granted by the BCC in 1995 under case number 94-1467. The approval was for a 16-lot residential subdivision and lot sizes range from four acres to 6.5 acres. A condition was imposed by the Board of County Commissioners that fire protection will be that each lot owner will be responsible for the installation of fire-sprinkler systems in accordance with County regulations. This condition was imposed as the subdivision was served by wells and had no pressurized fire hydrants.

The applicant states, "The plat was issued when El Prado Subdivision only had well water available. Since then, Santa Fe County water has become available, along with fire hydrants. All wells in the subdivision were shut down and capped. Therefore, fire sprinklers should not be required. None of the existing 12 homes in El Prado Subdivision have fire-sprinklers.

Staff have pulled permits for the surrounding properties and confirmed that there are no fire suppression systems in any of the homes within the subdivision. Furthermore, Santa Fe County Fire Prevention has reviewed the applicants' request and has recommended approval subject to conditions. All homes within the subdivision have been connected to the County water system, and staff has conducted an inspection and has confirmed that there are fire hydrants throughout the subdivision and surrounding area. The nearest fire hydrant as mapped and confirmed by staff is 660 feet from the applicants' property access point. All other property owners have given their written consent to removing the plat note from the subdivision plat. That is your Exhibit 5.

Staff recommendation: The original subdivision did not have water available for fire protection, and fire suppression systems were required for all residences. Since the time of approval of El Prado Subdivision, adequate water and fire hydrants have been placed within the subdivision for fire protection. Furthermore, Santa Fe County Fire Prevention has reviewed this application and has recommended approval of the request.

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Therefore, Santa Fe County staff recommends approval of the request to remove the condition and plat note requiring the installation of fire sprinkler systems in each residence subject to the following conditions. Madam Chair, may I enter those conditions into the record?

COMMISSIONER HAMILTON: Yes, thank you.

[The conditions are as follows:]

1. The Applicant shall re-record the El Prado Subdivision with the amendment to remove the requirement for fire suppression systems.
2. Compliance with conditions from the Santa Fe County Fire Prevention Division.

MR. LOVATO: Thank you, Madam Chair, and I stand for any questions.

COMMISSIONER HAMILTON: Thank you. So, Mr. Lovato, is there an applicant to speak to this?

MR. LOVATO: Madam Chair, I believe there is.

COMMISSIONER HAMILTON: Tessa Jo, I assume the applicant is on Webex.

RANDY GRANT (via Webex): We are.

BRUNO TRAMBUSTI (via Webex): We are here.

MS. MASCARENAS: Yes, they are, Madam Chair.

COMMISSIONER HAMILTON: Excellent. Can you be sworn in, please, and then make your statement.

[Duly sworn, Randy Grant testified as follows:]

MR. GRANT: Randy Grant. My address is 780 Viento Circle, Santa Fe, New Mexico, 87501.

COMMISSIONER HAMILTON: You can please proceed with your statement.

MR. GRANT: Yes, I think this is also written in my husband's, Bruno Trambusti's referral. We think that the summary says it all. It shows –

[Duly sworn, Bruno Trambusti testified as follows:]

MR. TRAMBUSTI: Bruno Trambusti, 780 Viento Circle, Santa Fe, New Mexico.

CLERK CLARK: And you understand that you are under oath?

MR. TRAMBUSTI: Yes. So just to summarize, we were in the process of building a home in El Prado Subdivision, and when we went to permitting a plat note was found requiring fire suppression sprinkler systems in the home. This raised a red flag because we weren't aware, nobody was aware that this was required. So none of our fellow lot owners and neighbors have sprinkler systems and the County does not require sprinkler systems when there's County water available along with fire hydrants, which is the case.

So what this is is it's an outdated not on the plat. We are trying to vacate, get rid of it so we can not have sprinkler systems.

COMMISSIONER HAMILTON: Thank you. Tessa Jo, I will open the period of public comment. Is there anybody signed up to speak to this matter?

MS. MASCARENAS: No, Madam Chair. There is not at this point.

STEVEN SCHWARTZ (via Webex): I would like to speak.

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COMMISSIONER HAMILTON: Okay, so I saw one person, Mr. Schwartz.

[Duly sworn, Steven Schwartz testified as follows:]

MR. SCHWARTZ: My name is Steven J. Schwartz. I reside at 10 Cabra Mala Road, Santa Fe, New Mexico, in the El Prado Subdivision, and I am the president of the homeowners association. I am fully aware that I'm under oath.

I will not reiterate all the material that's already in the packet, which I assume you've either read or are about to read, which includes the 12 signed statements from every owner who lives here requesting this to be vacated. I want to emphasize that we have absolutely no ability to comply with the plat requirements since we were also required to cap the wells that those sprinkler systems are supposed to be attached to.

Secondly, I think it's suspicious that Santa Fe County Land Use has decided at this juncture, 25 years later, to enforce this plat note after they have permitted, inspected, approved construction of 11 homes and several casitas, not one of which was ever asked to comply with this plat note.

Lastly, this requirement creates a financial hardship on all the existing lot owners. This decreases our home values and puts a cloud on our ability to sell these homes right now since apparently none of these homes are in compliance with the code. So I would respectfully submit that it would be fair and equitable to have this vacated immediately. Thank you.

COMMISSIONER HAMILTON: Thank you very much, Mr. Schwartz. Is there anybody else from the public who wishes to speak to this matter? Hearing none, I think I will go ahead and close public comment and go to questions from the Commissioners. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Madam Chair. Thank you, staff, for finding this note on this plat because it must have been here for a long time because I remember when we were putting notes like that on the plats, and that was exactly for the reason as into there was really no residential housing out there and Santa Fe County was right in the middle of what do we do with fire protection? How do we do it? What are we doing? And so somebody back then said, well, let's put the note on the plat and that's how the note got on the plat. Meanwhile, now there's been – there's fire protection out there, right? Adequate fire protection.

And I guess the other question I have is the other homes that got built, nobody caught the note when the other homes got building permits?

MR. LOVATO: Madam Chair, Commissioner Garcia, I don't know if that's the actual case. I don't know how this came about. I can tell you I'm thinking that our understanding is that fire hydrants and a pressurized system became available and then therefore the notes were vacated. Or not vacated – not required, the sprinklers. So I think that was the issue. I also found a previous permit approval, probably ten years ago, that indicated from Santa Fe County Fire, that it was highly suggested but not required. That was the only proof that I was able to find on any of the permits that I searched for.

COMMISSIONER GARCIA: Thank you for that. And if there's no other questions I'd like to make a motion for approval with staff recommendations.

COMMISSIONER HAMILTON: Thank you. I have a motion. Commissioner Hansen.

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COMMISSIONER HANSEN: Since this is my district, I'll second it.

COMMISSIONER HAMILTON: Thank you.

COMMISSIONER HANSEN: But I have a few questions. Mostly my question is for the other owners, is can we vacate this plat or this note on the plat, since we have – so other people don't have to go through this? Is there a way to reduce this issue in the future so that somebody doesn't have to go through all of this to get that vacated, since we have moved beyond this?

MS. LUCERO: Madam Chair, Commissioner Hansen, so this note that they're requesting vacation of, they'll re-record the plat with a statement saying that it was amended to remove that note, so anyone that comes in in the future for a building permit won't have to comply with the fire suppression requirement. So it will be in place for all the lots within the subdivision.

COMMISSIONER HANSEN: Okay. That's what I wanted to know. I wanted to make sure that that was the possibility, because as Mr. Schwartz said if somebody wants to sell their home they don't want to have to go through this again. That's correct, right?

MS. LUCERO: Yes. Madam Chair, Commissioner Hansen, that is correct. It will apply to all the lots within the subdivision.

COMMISSIONER HANSEN: Okay. So that's perfect. Thank you very much.

COMMISSIONER HAMILTON: Are there any other questions? That was actually my question as well, so this applies to all the existing built homes as well.

MS. LUCERO: Madam Chair, so the existing homes, as I think John alluded to, none of them have fire suppression sprinkler systems existing, so once the plat note is changed we're not going to make anybody go back and put fire suppression sprinkler systems. As I mentioned, it will apply to all the lots within the subdivision.

COMMISSIONER HAMILTON: Okay. Fine. I think that answers the question. I have a motion and a second, if there's no further discussion.

**The motion passed by unanimous [4-0] voice vote.**

## **11. CONCLUDING BUSINESS**

### **A. Announcements**

COMMISSIONER HAMILTON: Are there any announcements?  
Commissioner Hansen.

COMMISSIONER HANSEN: I just want to remind people once again, on Tuesday, October 19<sup>th</sup> from 6:00 to 7:30 pm at the Nancy Rodriguez Community Center we will have a Santa Fe County Nuclear Waste Emergency Response Townhall about additional transportation along 599 and 285 and I-25. So I look forward to seeing you. I believe that somebody will be broadcasting it on Facebook live. People have asked if it will be on Zoom. I don't plan to have that but it will be available via Facebook live. So thank you very much.

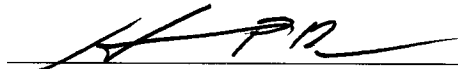
COMMISSIONER HAMILTON: Excellent. Are there any other announcements?

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**B. Adjournment**

Commissioner Hughes moved to adjourn and Commissioner Hansen seconded. With no further business to come before this body, Vice Chair Hamilton declared this meeting adjourned at 6:20 p.m.


Approved by:

  
Henry Roybal, Chair  
Board of County Commissioners

ATTEST TO  


KATHARINE E. CLARK  
SANTA FE COUNTY CLERK

Respectfully submitted:

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



SFC CLERK RECORDED 11/10/2021



# **Santa Fe County** **2021 Redistricting** **Option 1** **City Detail Map**

**EXHIBIT**  
**1**

## **Legend**

2021 Redistricting Option 1

District 1

District 2

District 3

District 4

District 5

2022 Precinct Boundaries

Former District Boundaries

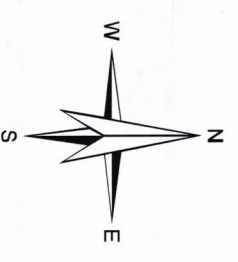
Incorporated Areas

Roads

Railroads

1:63,360

1 inch represents 1 mile



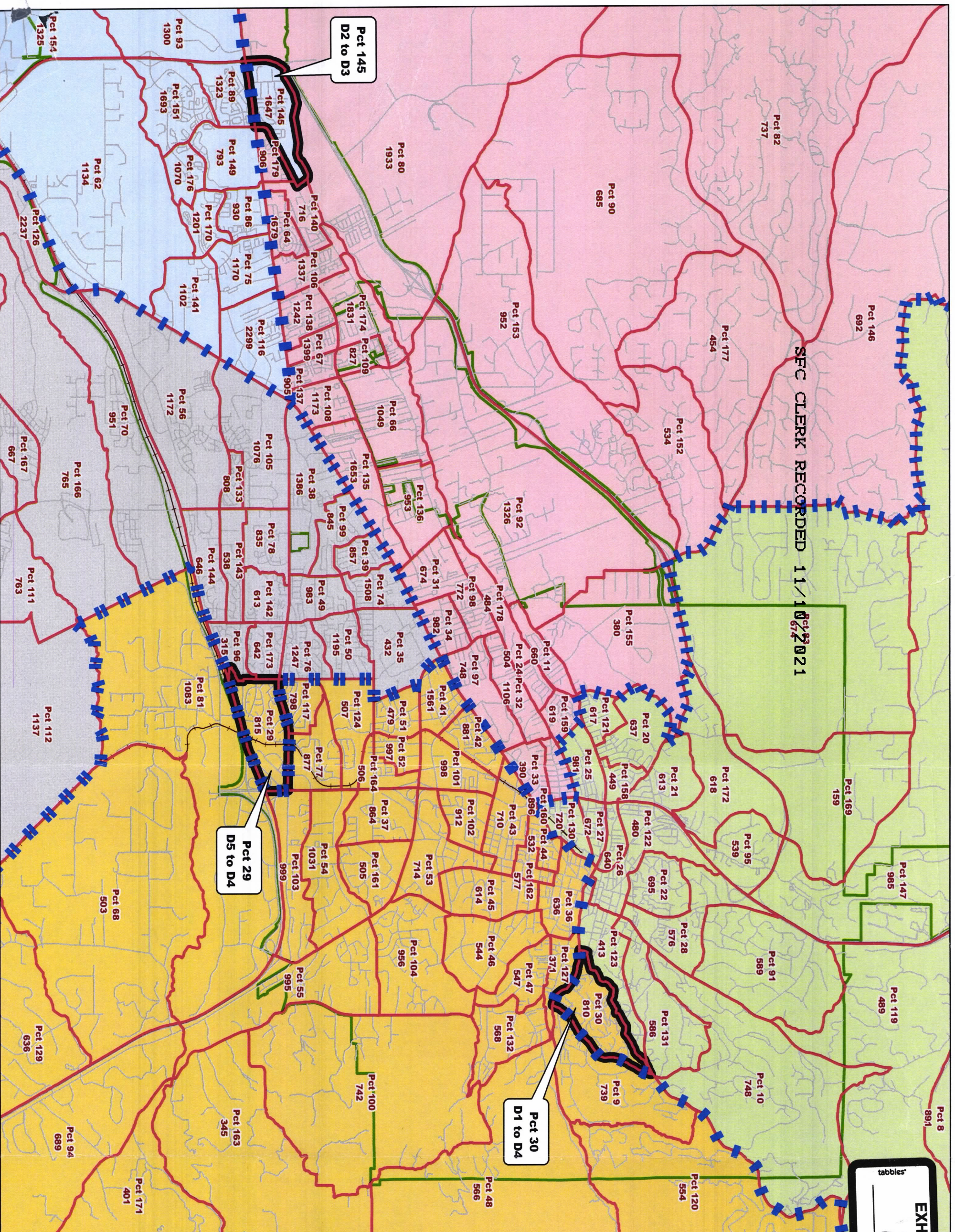
North American Datum 1983

This information is for reference only.  
 Santa Fe County assumes no liability for  
 errors associated with the use of these data.  
 Users are solely responsible for  
 confirming data accuracy.



**SANTA FE COUNTY**

September 28, 2021





# Santa Fe County 2021 Redistricting Option 1

## Legend

2021 Redistricting Option 1

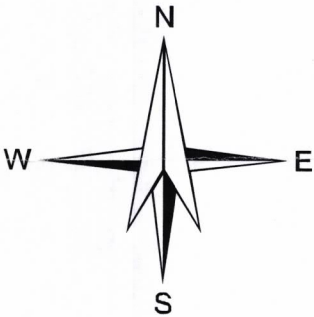
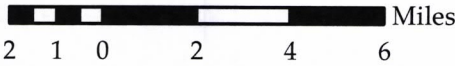
- District 1
- District 2
- District 3
- District 4
- District 5
- 2021 Precinct Boundaries
- Former District Boundaries
- Incorporated Areas
- Roads
- Railroads

No changes to Commission District precincts in the unincorporated areas of Santa Fe County.

See City Detail Map for proposed Option 1 precinct changes.

1:260,000

1 inch approximately 4 miles



North American Datum 1983

This information is for reference only. Santa Fe County assumes no liability for errors associated with the use of these data. Users are solely responsible for confirming data accuracy.



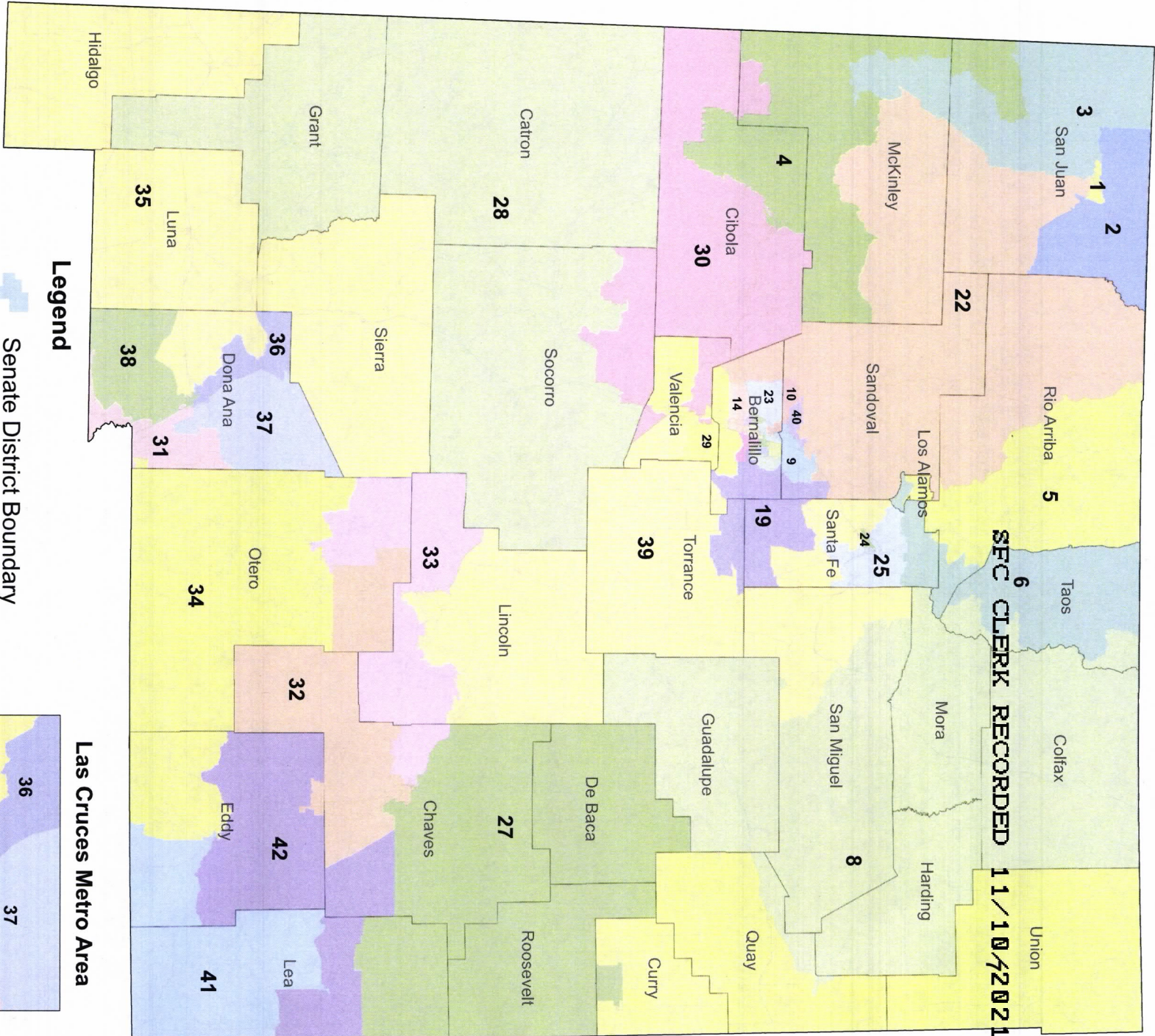
September 28, 2021



New Mexico State Senate  
55th Legislature - First Session, 2021

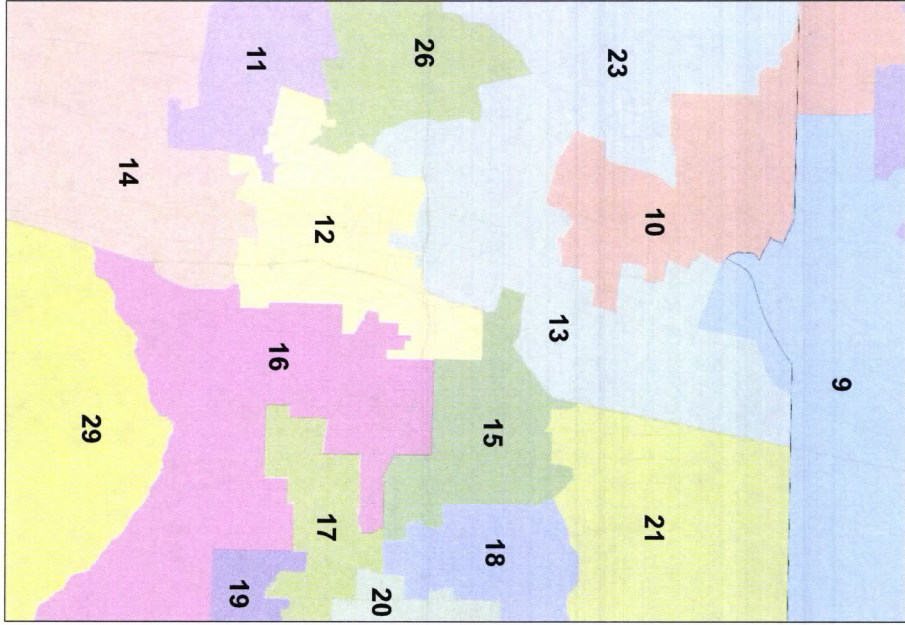
EXHIBIT  
2  
tabbles

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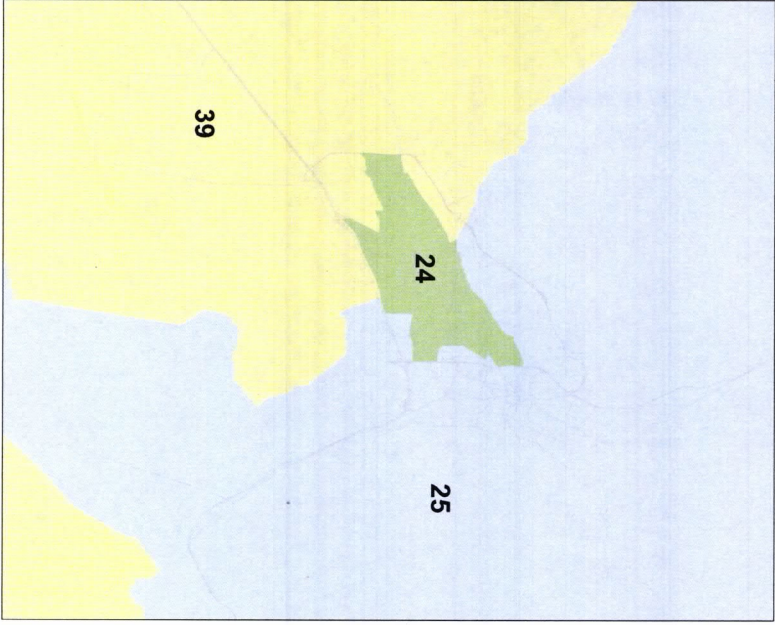


SENATE	
1	William E. Sharer (R)
2	Steven P. Neville (R)
3	Shannon D. Pinto (D)
4	George K. Munoz (D)
5	Leo Jaramillo (D)
6	Roberto J. Gonzales (D)
7	Pat Woods (R)
8	Pete Campos (D)
9	Brenda Grace McKenna (D)
10	Katy M. Duhigg (D)
11	Linda M. Lopez (D)
12	Gerald Ortiz y Pino (D)
13	Bill B. O'Neill (D)
14	Michael Padilla (D)
15	Daniel A. Ivey-Solo (D)
16	Antoinette Sedillo Lopez (D)
17	Mimi Stewart (D)
18	Bill G. Tallman (D)
19	Gregg W. Schmudes (R)
20	Martin E. Hickey (D)
21	Mark Moores (R)
22	Benny Shendo Jr. (D)
23	Harold James Pope Jr. (D)
24	Nancy Rodriguez (D)
25	Peter With (D)
26	Jacob Candelaria (D)
27	Stuart Ingle (R)
28	Slah Correa Hemphill (D)
29	Gregory A. Baca (R)
30	Joshua A. Sanchez (R)
31	Joseph Cervantes (D)
32	Cliff R. Pirtle (R)
33	William F. Burt (R)
34	Ron Griggs (R)
35	Crystal R. Diamond (R)
36	Jeff Steinborn (D)
37	William P. Soules (D)
38	Carrie Hamblen (D)
39	Elizabeth Liz Stefanics (D)
40	Craig W. Brandt (R)
41	David M. Gallegos (R)
42	Gay G. Kernan (R)

Albuquerque Metro Area



Santa Fe Metro Area



TAXATION & REVENUE  
NEW MEXICO



County Boundary



Major Roads



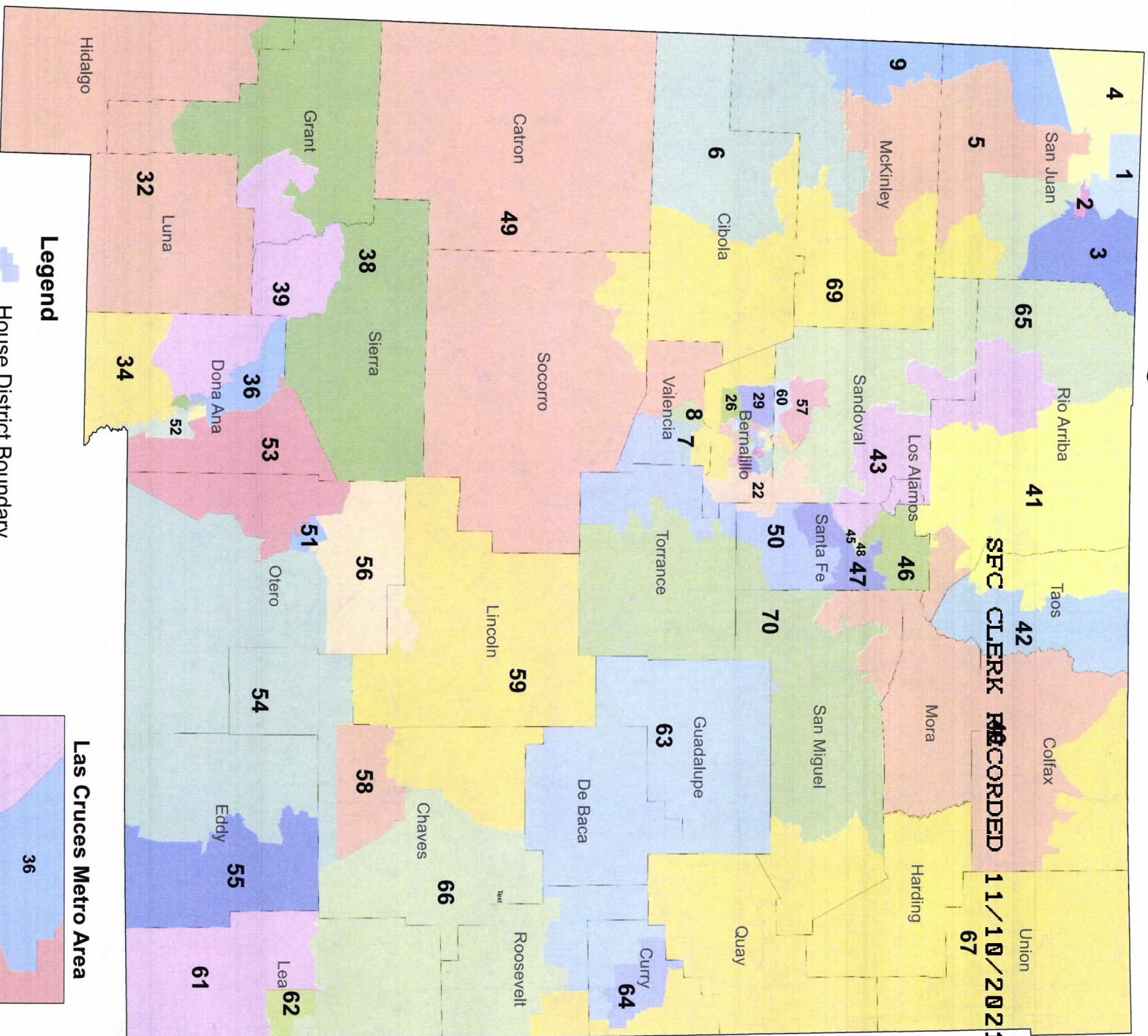
Map published by the  
New Mexico Taxation and Revenue Department  
Information Technology Division  
Revision date: 20210126



# New Mexico House of Representatives

## 55th Legislature - First Session, 2021

SFC CLERK RECORDED 11/10/2021 67



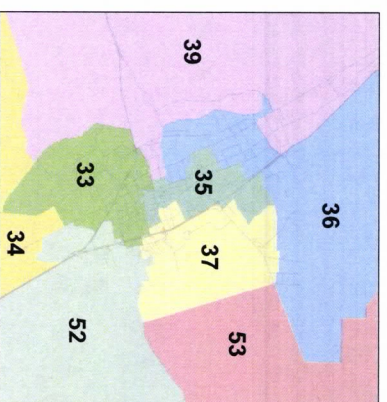
### Legend

- House District Boundary
- County Boundary
- Major Roads

0 10 20 40 60 80 Miles



### Las Cruces Metro Area

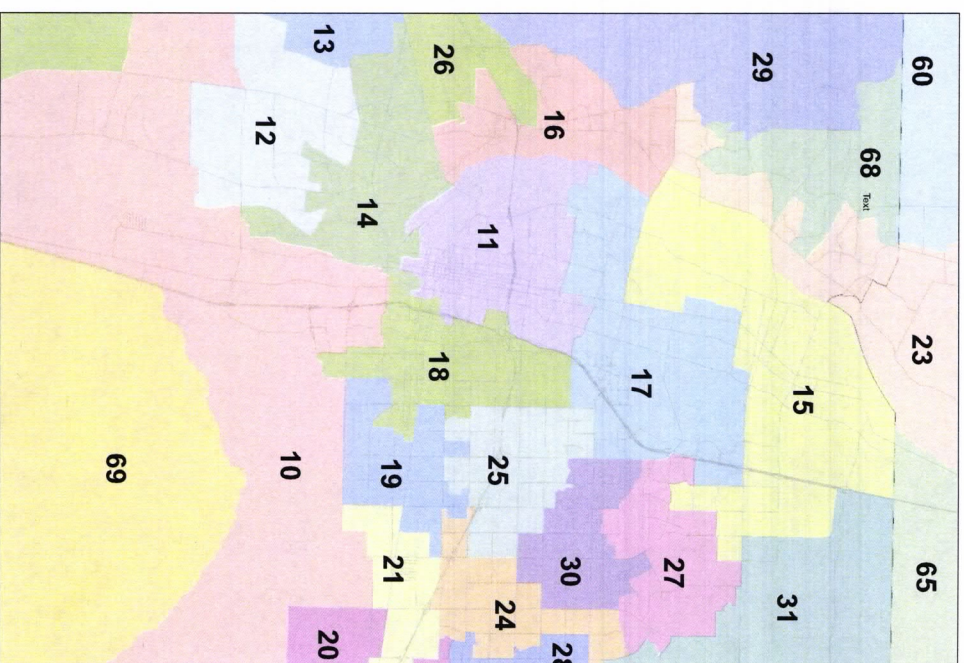


EXHIBIT

3

tabbles

### Albuquerque Metro Area



### Santa Fe Metro Area



- | House | Representative                   |
|-------|----------------------------------|
| 1     | Rodney D. Montoya (R)            |
| 2     | James R.J. Strickler (R)         |
| 3     | T. Ryan Lane (R)                 |
| 4     | Anthony Allison (D)              |
| 5     | D. Wanda Johnson (D)             |
| 6     | Eliaso Lee Alcon (D)             |
| 7     | Kelly K. Fajardo (R)             |
| 8     | Alonso Baldoado (R)              |
| 9     | Patricia A. Lundstrom (D)        |
| 10    | G. Andres Romero (D)             |
| 11    | Javier I. Martinez (D)           |
| 12    | Brittney Allen Barreras (I)      |
| 13    | Patricia A. Roybal-Caballero (D) |
| 14    | Miguel P. Garcia (D)             |
| 15    | Dayan Hodman-Vigil (D)           |
| 16    | Antonio "Moe" Maestas (D)        |
| 17    | Deborah A. Armstrong (D)         |
| 18    | Gail Chassey (D)                 |
| 19    | Sherry Williams Stapleton (D)    |
| 20    | Meredith A. Dixon (D)            |
| 21    | Debra Marie Sarrina (D)          |
| 22    | Stefan Lord (R)                  |
| 23    | Daymon B. Ely (D)                |
| 24    | Elizabeth L. Thomson (D)         |
| 25    | Christine Trujillo (D)           |
| 26    | Georgene Louis (D)               |
| 27    | Marian Mathews (D)               |
| 28    | Melanie Ann Stansbury (D)        |
| 29    | Joy I. Garratt (D)               |
| 30    | Natalie R. Figueroa (D)          |
| 31    | William "Blir" R. Rehm (R)       |
| 32    | Candle G. Sweetser (D)           |
| 33    | Micaela Lara Cadena (D)          |
| 34    | Raymundo Lara (D)                |
| 35    | Angelica Rubio (D)               |
| 36    | Nathan P. Small (D)              |
| 37    | Joanne J. Ferrary (D)            |
| 38    | Rebecca L. Dow (R)               |
| 39    | Luis M. Terrazas (R)             |
| 40    | Roger Exan Montoya (D)           |
| 41    | Susan K. Herrera (D)             |
| 42    | Kristina Ortiz (D)               |
| 43    | Christine Chandler (D)           |
| 44    | Jane E. Powell-Culbert (R)       |
| 45    | Linda Michelle Serrato (D)       |
| 46    | Andrea D. Romero (D)             |
| 47    | Brian F. Egolf (D)               |
| 48    | Tara L. Lujan (D)                |
| 49    | Gail Armstrong (R)               |
| 50    | Matthew McQueen (D)              |
| 51    | Rachael A. Black (R)             |
| 52    | Doreen Gallegos (D)              |
| 53    | Willie D. Madrid (D)             |
| 54    | James G. Townsend (R)            |
| 55    | Cathryn N. Brown (R)             |
| 56    | Zachary J. Cook (R)              |
| 57    | Jason Carl Harper (R)            |
| 58    | Candy Spence Ezzell (R)          |
| 59    | Graig Nibert (R)                 |
| 60    | Joshua Nathaniel Hernandez (R)   |
| 61    | Randall Pedigrew (R)             |
| 62    | Larry R. Scott (R)               |
| 63    | Martin Ruben Zamora (R)          |
| 64    | Randall S. Crowder (R)           |
| 65    | Derrick J. Lante (D)             |
| 66    | Phelps Anderson (R)              |
| 67    | Jack Chaffield (R)               |
| 68    | Karen C. Bash (D)                |
| 69    | Harry Garcia (D)                 |
| 70    | Androse M. Castellano (D)        |