

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING

June 14, 2022

Anna T. Hamilton, Chair - District 4
Anna Hansen - District 2
Hank Hughes - District 5
Henry Roybal - District 1

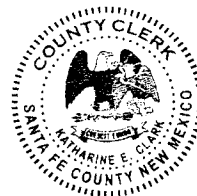
Rudy Garcia, Vice Chair - District 3 [excused]

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 104

I Hereby Certify That This Instrument Was Filed for
Record On The 19TH Day Of July, 2022 at 02:22:24 PM
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Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Katharine E. Clark
Deputy Destiny Romero County Clerk, Santa Fe, NM



SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

June 14, 2022

1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:04 p.m. by Chair Anna Hamilton in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

Commissioner Anna Hamilton, Chair
Commissioner Anna Hansen
Commissioner Hank Hughes
Commissioner Henry Roybal

Members Excused:

Commissioner Rudy Garcia

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Hamilton and the Moment of Reflection by Nancy Toscano of the Community Services Department.

Commissioner Hansen requested a moment of silence for David Salman, who founded Santa Fe Greenhouses.

F. Approval of Agenda

GREG SHAFFER (County Manager): Thank you, Madam Chair, Commissioners. As the Chair indicated, a normal housekeeping item, approval of the agenda was left off by error from the final amended agenda which was posted on Saturday morning, 72 hours in advance of today's meeting as required by law. That doesn't affect, according to the County Attorney's Office, the legality of proceeding under the agenda as was posted in accordance with law.

In terms of the items that were changed from the initial agenda to the final agenda, item 3. A was added. It's a proclamation proclaiming today as Katherine Miller

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Day. In addition, under item 5. A, we have request approval of appointments and reappointments of board members to the Santa Fe County Valuation Protest Board. Miscellaneous Action Item 6. B, the caption was updated to clarify that the action requested would be to delegate signature authority to the County Manager to sign amendment #6 as well as the associated purchase order. We did upload packet material for item 6. D, the short-term rental ordinance, after the original agenda was posted.

We clarified or updated the caption for item 7. A relative to the presentation from the United State Forest Service in Santa Fe National Forest. We added item 9. C from Matters from the County Manager, which is a presentation and potential direction concerning the final budget, including capital projects for fiscal year 23 and potential general obligation bond questions for the November 2022 general election. And finally, under Matters from the County Attorney, we added item 2 to the agenda for executive session. Thank you, Madam Chair, Commissioners.

The agenda was accepted by consensus.

2. APPROVAL OF MEETING MINUTES

A. Request Approval of the May 10, 2022, Board of County Commissioners Meeting Minutes

CHAIR HAMILTON: Are there any changes or what's the pleasure of the Board?

COMMISSIONER HANSEN: Madam Chair, I move to approve the meeting minutes of May 10, 2022.

COMMISSIONER ROYBAL: I second.

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

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

3. CONSIDERATION PROCLAMATIONS, RESOLUTIONS, AND/OR RECOGNITIONS

A. Request Approval of a Proclamation Proclaiming June 14, 2022, as "Katherine Miller Day"

CHAIR HAMILTON: Now we have a really nice matter to go to, Proclamations, item 3. Back just in time. Back to an old tradition – I was hoping we could just take turns reading this. So I'm going to start off and we'll just cycle around to my right and back.

Whereas, local government managers are essential executives who oversee the daily operations of their respective governmental entities, providing vision and direction of the resources that address community challenges; and

COMMISSIONER HUGHES: Whereas, professional government managers are hired and directed by their city or county officials to administer policy, and are responsible for developing tangible action plans that deliver exceptional public services; and

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COMMISSIONER HANSEN: Whereas, Katherine Miller, an exemplary public servant with a long and distinguished career in public service, announced her retirement as Santa Fe County Manager on April 12, 2022; and

COMMISSIONER ROYBAL: Whereas, Katherine began working with Santa Fe County in 1997 as a Procurement Officer and was promoted to Finance Manager after only a year and a half; and

COMMISSIONER HANSEN: Whereas, in 2003 Katherine joined Governor Bill Richardson's administration as Deputy Chief of Staff of Policy, was appointed Executive Director of the New Mexico Mortgage Finance Authority in 2004, and appointed Cabinet Secretary of the New Mexico Department of Finance and Administration in 2006; and

COMMISSIONER HUGHES: Whereas, as Governor Richardson's administration came to an end, Katherine returned to Santa Fe County in 2010 as County Manager, where she led the County with professionalism and integrity; and

COMMISSIONER HANSEN: Whereas, Katherine completed certifications and attended numerous relevant post-graduate classes in New Mexico State Purchasing, Administering CDBG Grants, Government Contracts, Business Law, Contract Negotiations, Defense Contract Law, Management of Defense Acquisition, Cost and Price Analysis, Government Purchasing and Accounting Management; and

COMMISSIONER ROYBAL: Whereas, Katherine also has a Bachelor of Science, Business Degree from Wright State University in Dayton, Ohio and a Master of Public Administration from Troy State University in Troy, Alabama; and

CHAIR HAMILTON: Whereas, she has served on many boards and committees during her public service career and has been a member of many significant governmental organizations, including the New Mexico Finance Authority Board of Directors; New Mexico Water Trust Board; New Mexico Community Development Council; New Mexico Tribal Infrastructure Fund Board; New Mexico Interagency Behavioral Health Collaborative Board; the New Mexico County Insurance Authority Multi-Line Pool Board of Directors; National Association of State Budget Officers; the New Mexico Community Foundation Advisory Board; and the Government Finance Officers Association; and

COMMISSIONER HUGHES: Whereas, Katherine transformed the reputation and administrative processes of Santa Fe County during her tenure, overseeing the implementation of many significant projects while also instituting financial discipline, which has resulted in Santa Fe County's general obligation bonds receiving a AAA rating from Standard & Poors; and

COMMISSIONER HANSEN: Whereas, Katherine led Santa Fe County safely and strategically through the COVID-19 pandemic, including the management and distribution of \$14 million in federal CARES Act funding, \$4 million in small-business grants, and \$2 million in housing assistance, while keeping the safety, health, and economic solvency of Santa Fe County front of mind and heart; and

COMMISSIONER ROYBAL: Whereas, Katherine steered the County with the utmost trust, confidence, and admiration of her staff; and

COMMISSIONER HANSEN: Whereas, after 11.6 years or 4,240 days or 101,760 hours of serving as County Manager and a robust 25 years as a public servant in

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New Mexico, Katherine will spend her retirement traveling with her husband Chuck, and dog Maggie, and finally take a well-earned break; and

Whereas, this proclamation recognizes Katherine Miller for her outstanding contributions to Santa Fe County, acknowledges her devoted public service, and honors her commitment to her community, constituents, and staff.

Therefore, be it resolved that we, the Board of county commissioners of Santa Fe County, do hereby proclaim the 14th of June, 2022, as "Katherine Miller Day."

So in the old days, we used to be able to take a picture, so after you have something to say, maybe we could do that.

KATHERINE MILLER: Okay, lunch was not that big a surprise but this was, because I did not read the agenda.

COMMISSIONER HANSEN: That will teach you. The one time.

MS. MILLER: So you did surprise me, and that is so sweet. I'm actually embarrassed. But it's pretty cool. Thank you. That's pretty neat. I can't tell you how many proclamations I've signed but I've never had one. So thank you so much. I really appreciate it.

CHAIR HAMILTON: Well deserved and well worth it.

COMMISSIONER ROYBAL: Madam Chair, can we make comments from the Commission?

CHAIR HAMILTON: My goodness. Absolutely. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I just want to reiterate the honor that it was to serve with Katherine. I was honored and privileged to be able to be here during the time that she was the County Manager. It definitely made things a lot easier from what I'd heard from years before with some of the way management worked here at the County, but I think that Katherine's done an amazing job so I just want to thank her for her service and just appreciate everything that she's done for the County. Thank you.

CHAIR HAMILTON: Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just want to add that I remember, I think the first project I worked on with Katherine was setting up the New Mexico Housing Trust Fund, 17 or 18 years ago. That was so exciting and it's exciting now that after all those years we finally got it to where we wanted it to be with a steady source of funding. It demonstrates the willingness that you've had to be in it for the long term. Thank you.

CHAIR HAMILTON: Thanks. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Katherine. I kind of will repeat a few things that I said at lunch. One of the things that Katherine and I shared was making sure that you leave the County in better shape than you found it. And I would say that Katherine has done that exemplarily. The County is in great shape and it is because of the team that you built and the people that work here, and as a Commissioner, I have been grateful to be able to work with you and learn many things from you. One of the things that was also mentioned is your amazing memory and that is definitely the truth. You can pull things up from who knows where, but you do have a great memory and so I wish you the best in your next life with lots of enjoyment and lots of fun and less stress.

CHAIR HAMILTON: Thank you. Now we can all have visions of

Katherine diving in tropical waters and hiking in remote parts of the road. But everybody watch out on the roads because she's going to be out driving a big RV.

COMMISSIONER HUGHES: Do we need to vote on the proclamation?

CHAIR HAMILTON: We need a motion. I would entertain a motion before we take a picture.

COMMISSIONER HUGHES: I'll make a motion to approve the proclamation.

COMMISSIONER HANSEN: Second.

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

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

[Photographs were taken.]

4. CONSENT AGENDA

- A. Resolution No. 2022-040, a Resolution Requesting an Increase to the Enterprise-Water Fund (505) in the Amount of \$154,155 (Finance Division/Yvonne S. Herrera and Public Works Department/Gary Giron)**
- B. Resolution No. 2022-041, a Resolution Authorizing the Disposition of Fixed Assets Worth More Than \$5,000 in Accordance with State Statute (Finance Division/Yvonne S. Herrera)**
- C. Resolution No. 2022-042, a Resolution Authorizing the Disposition of Fixed Assets Worth More Than \$5,000 in Accordance with State Statute (Finance Division/Yvonne S. Herrera)**

CHAIR HAMILTON: Are there any items on the Consent Agenda or questions on things that need to be pulled off, or what is the pleasure of the Board?

COMMISSIONER ROYBAL: Madam Chair, I'd like to move approval of the Consent Agenda.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Is there any further discussion?

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

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

5. APPOINTMENTS/REAPPOINTMENTS

- A. Request Approval of Appointments and Reappointments of Board Members to the Santa Fe County Valuation Protest Board**

CHAIR HAMILTON: Brittney Montoya, welcome.

BRITTNEY MONTOYA (Constituent Liaison): Good afternoon, Madam Chair and County Commissioners. Today, the agenda item that you have before you is

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the appointments and reappointment for the volunteer positions for the Santa Fe County Assessor's Valuation Protest Board. The Santa Fe County Valuation Protest Board consists of four volunteer appointed members, appointed by the Board of County Commissioners to hear and rule on property tax valuation protests. The Board consists of two members and two alternates. One member and one alternate must demonstrate experience in the field of property valuation. The other member and alternate do not require valuation experience.

Board members are appointed for two-year terms. Members shall not be employed by the state, a political subdivision or a school district, shall not hold an elected public office and must be registered to vote in Santa Fe County. Board members are appointed at-large, meaning board positions are countywide positions. Santa Fe County currently has all four board member position appointments for consideration today. The term of these four board members will be from June 14, 2022 to March 31, 2024.

The board member requiring experience was previously held by Ms. Suzanne Taylor who was appointed by the County Commission. Ms. Taylor completed her term and is looking for reappointment. The alternate board member requiring experience was held by Ms. Lisa Blum, who was appointed by the Board of County Commissioners for a two-year terms from March 31, 2020 to March 31, 2022. The board member not requiring experience was previous held by Mr. Gil Tercero. He was appointed by the County Commissioners for a two-year term from August 15, 2019 to August 15, 2021. The alternate board member not requiring experience was held by Mr. Paul Early who was appointed by the Board of County Commission for a two-year term from March 31, 2020 to March 31, 2022.

Santa Fe County advertised the board member positions for the Valuation Protest Board on February 8, 2022. Staff has received letters of interest, résumés and all mandatory forms from the following individuals for the board members requiring valuation experience: One, Ms. Suzanne Taylor, and two, Mr. Frank Katz. Staff has received letters of interest, résumés and all mandatory forms from the following individuals for the board member not requiring valuation experience: one, Mr. Robert Collins, and two, Mr. Tom Whitson.

The recommended action is to appoint the following individuals to the Valuation Protest Board positions: Ms. Suzanne Taylor to the primary board member position requiring valuation experience, as Ms. Taylor has previously served in this position of the primary board member position. Mr. Frank Katz to the alternate board member position requiring experience; Mr. Robert Collins to serve as the primary board member position not requiring valuation experience; and Mr. Tom Whitson to serve as the alternate board member position not requiring experience. And with that I stand for any questions.

CHAIR HAMILTON: Thank you very much, Brittney. Are there any questions? Commissioner Hansen.

COMMISSIONER HANSEN: Madam Chair, if there are no questions I would just like to make a motion to appoint Ms. Suzanne Taylor and Mr. Frank Katz to the board members requiring valuation experience, and Mr. Robert Collins and Mr. Tom Whitson to board members not requiring valuation experience.

COMMISSIONER HUGHES: And I'll second.

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

any further discussion? Seeing none.

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

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. I want to recognize Representative Tara Lujan, District 48 in the audience. Thank you for joining us, Representative Lujan.

CHAIR HAMILTON: Thank you very much. Welcome, Representative Lujan and thank you, Commissioner for that. Thank you, Brittney. I really appreciate it.

6. MISCELLANEOUS ACTION ITEMS

- A. Request (1) Approval of Amendment No. 7 to Agreement 2018-0077-IT/IC Between Santa Fe County and Superior, LLC, Extending the Term to June 30, 2023, and Increasing the Compensation by \$172,318 for a Total Contract Sum of \$997,036.90, Exclusive of New Mexico GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order**

CHAIR HAMILTON: Thank you very much, Bill. Welcome.

BILL TAYLOR (Purchasing Director): Madam Chair, Commissioners, thank you. Before you is amendment #7 with the Superior, LLC. The contract extends the term of the agreement and increases the compensation by \$172,318. This contract provides software applications utilized throughout the County, by Human Resources, Finance Division, Payroll, Financials, the whole gamut – Treasurer's Office. And so this amendment extends it and it increases the compensation for a total contract amount of \$997,036.90, exclusive of tax, and with that I'll stand for any questions.

CHAIR HAMILTON: Excellent. Thank you so much. So are there any questions on this item?

COMMISSIONER ROYBAL: Madam Chair.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: No questions. Just I'll make a motion to approve.

CHAIR HAMILTON: Thank you.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: So I have a motion and a second. Is there any further discussion? Seeing none.

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

- 6. B. Request (1) Approval of Amendment No. 6 to Agreement No. 2020-0128-CSD/MAM Between Santa Fe County and TeamBuilders Behavioral Health, Inc., Increasing Compensation an Additional \$80,000 for a Total Contract Sum of \$392,500, Inclusive of NMGRT, and (2) Delegation of Signature Authority to the County Manager to**

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Sign Amendment No. 6 and Purchase Order

CHAIR HAMILTON: Mr. Taylor

MR. TAYLOR: Thank you Madam Chair, Commissioners. This is amendment #6 for a contract between Santa Fe County and TeamBuilders Behavioral Health, Inc. This increases the compensation as additional funding. TeamBuilders played a vital role in implementing and administering behavioral health support for youth in Santa Fe County. The pandemic exacerbated the concerns around youth substance abuse. These youth needs have become more and more apparent, and so the County wishes to continue these services with TeamBuilders with increasing the compensation. The term of the agreement is good for another year. With that, Madam Chair, I'll stand for questions.

CHAIR HAMILTON: Great. Thanks very much. So Commissioners, are there any questions on this one?

COMMISSIONER ROYBAL: Madam Chair, I don't have any questions, but thank you for bringing this forward. I think that it's something that's needed as far as the increase for behavioral health, so I'll make a motion to approve.

CHAIR HAMILTON: Excellent. Thanks so much, Commissioner Roybal.

COMMISSIONER HUGHES: Second.

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

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

- 6. C. Request (1) Approval of Multiple Source Award; Multi-Term Contracts for On-Call Surveying Services, Agreements Nos. 2021-0206-A-B-C-D-E-PW/APS, for a Term Not Exceeding Four Years, and (2) Delegation of Signature Authority to the County Manager to Sign the Contracts and All Purchases Orders**

CHAIR HAMILTON: Mr. Taylor.

MR. TAYLOR: Thank you, Madam Chair. The Purchasing Division issued a solicitation for competitive sealed proposals for professional services for a multiple source award, where we can award multiple contractors, surveyors, qualification-based selection. There were five firms that proposed, Bohannon Huston, Cobb Finley and Associates, Precision Surveys, Souder Miller and Associates, and Wilson and Company. And we're requesting that the County allow that we enter into agreements with these companies for on-call surveying services that would be needed throughout the county, and approve the four-year term on these contracts. And with that, there is a ceiling of \$250,000 max over the four years and with that, I'll stand for questions.

CHAIR HAMILTON: Excellent. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I just wondered, is the \$250,000 per firm or for the total group?

MR. TAYLOR: Madam Chair, Commissioner Hughes, it's per firm.

COMMISSIONER HUGHES: Per firm. Okay. Thank you.

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COMMISSIONER HANSEN: Other questions? Yes, Commissioner Roybal.

COMMISSIONER ROYBAL: So how do we make the determination of who we'll use for each project?

MR. TAYLOR: Madam Chair, Commissioner Roybal, that's a very good question. We've worked through these types of on-call contracts where a project is identified. The County agency that identifies the need for surveying submits that to Purchasing. Purchasing will try to give every one of these firms the opportunity to propose – give us a cost proposal. We give them a scope for the survey project. They give us a cost proposal of the firm that can get to the project the soonest, typically, and within best price, we'll award it on a – there's part of the contract that has a project assignment, and that firm will be given a project assignment to do that work. We try to rotate that, but in some cases, some firms are busy and we have to go to the next firm. So we do try to rotate those around and give all the firms an opportunity for some work.

COMMISSIONER ROYBAL: Okay. Thank you, Mr. Taylor. With that, Madam Chair, I'll move approval.

COMMISSIONER HANSEN: Second.

CHAIR HAMILTON: Thank you. Motion and a second. Is there any further discussion? Seeing none.

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

[In anticipation of the arrival of the next presenter the agenda was revised.]

7. PRESENTATIONS

A. Presentation Concerning (1) Santa Fe Mountains Landscape Resiliency Project/NEPA Status Update and (2) Overview and Review Process on Hermit's Peak/Calf Canyon Fires

CHAIR HAMILTON: We have Jacob Key, Debbie Cress and Sandy Imler-Jacquez. If you guys are present you can come forward with your presentation, or is this presentation on line?

DEBBIE CRESS (via Webex): Madam Chair, I believe all of us are on line.

CHAIR HAMILTON: Excellent. Thank you. Please feel free to start. Thank you for being here.

MS. CRESS: Thank you, Madam Chair and Commissioners. We appreciate the invitation from Commissioner Hansen to be with you today to discuss a couple of items and we will start with an update on the Santa Fe Mountains Resiliency Project with District Ranger Sandy Imler-Jacquez and our coordinator Jacob Key.

CHAIR HAMILTON: Okay, and could you please introduce yourself as well, and before you start that, could you please let me know, did you actually have a presentation, like any presentation slides, or are you just speaking to us?

MS. CRESS: Madam Chair, I am Debbie Cress. I apologize. I am the Forest Supervisor here on the Santa Fe National Forest and I do not have a presentation. I

will defer to Jacob Key if he happens to have anything. I believe we are just providing verbal updates.

CHAIR HAMILTON: Excellent. That's great. Thank you very much and thank you for introducing yourself. So feel free to proceed. Commissioner Hansen.

COMMISSIONER HANSEN: If you are on Zoom or Webex are we not getting a visual? Can we not see you?

CHAIR HAMILTON: Are you on camera, on Webex:

MS. CRESS: Yes, we are on camera on Webex.

CHAIR HAMILTON: Thank you. Now we see you. Much appreciated.

COMMISSIONER HANSEN: Madam Chair, also, I was under the impression that they were going to be present in the chambers, so I'm slightly disappointed, just for the record.

MS. CRESS: Commissioner Hansen, I will apologize to you. I am ill today due to allergies with the winds that are blowing, and so that was my decision to be virtual for you, so I do apologize.

CHAIR HAMILTON: Thank you for that. If you could proceed, Debbie, that would be great.

MS. CRESS: Jacob, I'll turn it over to you if you'd like to give an update and the Santa Fe Mountains Resiliency Project.

JACOB KEY (via Webex): Thank you, Debbie, and thank you, Commissioners, for having us. My name's Jacob Key. I'm the new firehosed coordinator for the firehosed as a greater project area and I'll give you a bit of the Santa Fe Mountains. So I little bit of background. We've had – this is our third comment period. We had a 37-day comment period in 2019. We had a 30-day comment period in 2021, along with two public meetings. Some were virtual due to COVID and some were in person. And then just recently, starting March 28th we had 45-day objection period that ended May 12th.

From those objections we had 40 total. Nineteen had no standing. They had not commented previously, which is a requirement to go into review of an objection, or they were just not specific about the project. They were objecting to other things that the Forest Service is doing. Nine of the objections had previous comments but they were not specific about the project or they didn't have clear connection to their previous comments. And then the remaining 12 outstanding, they had previously commented and we will be getting a formal response back to those individuals and organizations.

And then as we move forward, now we're in review, so we're reviewing all the objections and the standings and making sure that we're doing the best we can to make sure that we're looking at the comments and we're taking in all the input and that we're doing our due diligence to make sure that we're following out policy and regulations and procedures. The next item I have is so the majority of the objections that we got, received, were about just do not thin, do not burn. There were a lot of concerns about wildlife impacts, vegetation and soil impacts. Several had air quality concerns about burning and impacts of smoke. And the majority, if not all, all of the resolves that would like to be seen is that they would like the Forest Service to do an EIS rather than an EA. That was ultimately in pretty much all of them.

And so right now we're looking at hopefully getting responses from the objections out early to mid-July and that's the update that I have for you at the moment,

unless Sandy or Debbie has anything they would like to add.

CHAIR HAMILTON: Thank you. Does anybody have anything to add on this part of the update or the presentation?

SANDY IMLER-JACQUEZ (via Webex): Good afternoon, Board of Commissioners. My name is Sandy Imler-Jacquez and I'm the district ranger here in Española. I just wanted to introduce myself so you knew who I was. But no, Jacob did a very good job covering what we had as far as our updates for the Santa Fe Mountains Resiliency Project.

CHAIR HAMILTON: Excellent. So before we move on I think we should go to the Commissioners and see if there are comments or questions just on the Resiliency Project. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So as someone who has standing, and you, I believe, have received my letters, I am really concerned that how you managed the previous fire that we're all still suffering from and what we are going to do and how we are going to proceed. Forest health is the main reason the Forest Service pre-burns the forest and plans to burn down 40,000 acres of Santa Fe County, which given their proposed burn rate of every three years means Santa Fe County would see 100,000 acres proscribed burn like Hermit's Peak on an average of 13 times a year.

Two questions: What is the health of the forest as used as a reason for all this burning in the Santa Fe Forest Plan? Does it mean that the healthier trees, soil, and ecosystems – healthiest means the forest produces the most water? Or that the Forest Service has rehabilitated the most forest, reseeded it and repairs it? Or is it defined by fuel reduction?

MS. CRESS: Commissioner Hansen, I will take your question. I appreciate that. In the context, especially of what we're facing with Hermit's Peak and Calf Canyon here I do understand the heightened concern around that. So if I'm understanding your questions correctly I'll provide an answer here and then if I don't get to what you're looking for please do let me know.

When we do projects like this, like the Santa Fe Mountains Resiliency efforts, the first and foremost consideration is a balance of forest health, and so we're not looking at any one particular component, but striving to consider healthy vegetation on the ground so that trees are resilient and there's a good understory of vegetation that's resilient and enduring. Production of water is a consideration but it is not the only consideration. We're also thinking about wildlife and those are all of the species out there but in particular we also will consider threatened and endangered species that are on the landscape and making sure that they not only have safe cover and habitat for reproduction but that they're also able to find food and seek shelter and needed.

We're considering cultural resources out on the landscape and the resiliency and the protection of those, and we're considering the needs of our recreational visitors, so that they can have a positive experience out in the forest. So our considerations, when we're talking about managing the landscape really do encompass all of those elements and when we apply specific treatments to that landscape we do not intend to presume that we're going to do all of those all of the time, every year. There's a lot of things that we have to think about before we do that and our burn plans help inform that, as with other prescribed fires that we've done.

Our cutting and thinning when we do projects like that, we're thinking about spreading out those impacts so that they are not large scale and they are not having a detrimental effect on all of those resources I mentioned before. So there are many things that we consider and it would not be correct to assume that every year we're doing to see a large-scale repetition of projects, that there's a lot of considerations and conversations that to into that. I hope that helps.

COMMISSIONER HANSEN: So did you take those things into consideration when you did the Hermit Peak and the Calf Canyon fire?

MS. CRESS: Yes, we did. Yes, we did. We had an environmental analysis and a burn plan, and when we implemented the burn plan we were considering all of those factors before we ignited it.

COMMISSIONER HANSEN: And you considered the fact that it was a red flag day with wind?

COMMISSIONER HANSEN: So the winds were a part of that and when we do make those determinations they are site-specific, so they're not necessarily based on a larger weather forecast. We do receive site-specific weather information about wind speed, humidity, potential for precipitation and moisture in the fuel of the area we're burning. So that becomes a very site-specific decision.

COMMISSIONER HANSEN: So one of the things I am quite concerned about is I don't think you have really taken into consideration climate change and that we are now under the Paris Agreement. President Biden signed the Paris Accord and with that, the Paris Agreement says that we are to re-forest the forest, not de-forest. And with the Santa Fe Mountains Resiliency Project, it seems to me that your plan is to de-forest and not re-forest. And so I think that you are living under a previous administration's view of climate change and I think that needs to be taken into consideration. Are you taking that into consideration?

MS. CRESS: I think that's a really great segue into the discussion about Hermit's Peak and Calf Canyon. So folks may or may not be aware that the Chief of the Forest Service, Randy Moore, directed, once this event happened, that we would undergo a national review of our burn plan process and the components of that burn plan to include considering whether the science that we are using to inform our burn plans and our decision making is the most current in the fact of climate change and the events that we're seeing in our national forests across the West.

And so that review is underway at this time. We expect the results and the recommendations in that review to come probably within the next seven to ten days, and once we have those recommendations and the outcomes of that review, which are being done by a national – a group of specialists across the country. They are not people that are specific here in Region III, which is New Mexico and Arizona for the Forest Service. That information will play a very large role in how we move forward, not only with the Santa Fe Mountains Resiliency Project, but with all of our proposed projects on the landscape.

COMMISSIONER HANSEN: So I think that one of the things that is really unique about New Mexico and the Southwest is we are not like Maine or other places where burns might work just fine, but it doesn't seem to be working here. This is the third, fourth, fifth, sixth burn that you've done that's turned into a mega-fire. And so

we are, as a County Commissioner, my responsibility is the health and safety of constituents, and I don't feel that they are being taken into consideration. I don't feel that you are taking into consideration soil temperature. That is something that really needs to be analyzed. We don't have the kind of water we used to have. Things have changed significantly with climate change. And so these national specialists who might be from the east coast do not understand the arid Southwest. And so that doesn't really seem to be to be an adequate answer at the moment.

We are talking about carbon and retaining carbon, so how does this sequestration by prescribed burn, for instance on the Calf Canyon and Hermit Peak fires affect climate change policy, strategy, or response to the US Forest Service has? What specific climate policy of the US Forest Service applies to the Santa Fe National Forest?

MS. CRESS: Those are all very good questions and I respect your concerns on that, Commissioner Hansen. I will say that we do have climate policy within the Forest Service. A public facing website for the US Forest Service has pages on that that talk specifically about how we consider climate within our decision making. We also do have specialists who are affiliated with our research stations and we have a Rocky Mountain research station which is specific to this region, and those scientists are already engaging. They began engaging very quickly upon the events on Hermit's Peak and Calf Canyon, and the escape of our prescribed fire, to begin modeling what's happening on the landscape and to begin to understand exactly the things that you're talking about, to make our plans better and more updated and more specific here, and we're not borrowing from faraway places which I agree with you is a deep concern.

So that work is underway and we have a lot to learn, and it's going to take some time but we are committed to making sure that we're taking time to do that. As you know, the chief of the Forest Service has requested a pause on any prescribed burning and we expect that will not resume for us until we've got some better science and better understanding of what's happening here in this state.

COMMISSIONER HANSEN: So we've been in a severe drought. We're considered to be in a drought that is similar to what the Anasazis might have experienced 1200 years ago. So we're in this drought. So I think that takes a very serious type of analysis before any more burning happens in our forest, and especially, since we have signed the Paris Agreement, and I know I'm coming back to that but I feel that it is really important that we start looking at deforestation as a problem, because we need our forests. They are places where we sequester carbon, and if you're cutting them all down and burning them, which you have now burned half of the Sangre de Cristos on the east side, and you plan to burn over 40,000, or you have planned with the Santa Fe Mountains Resiliency Project, you're planning to burn 40,000 acres, and you can't guarantee what's going to happen to our forests. What's going to happen to our tourism? What's going to happen to our economic elements? What's going to happen to our real estate?

There are so many impacts that I feel the Forest Service is not taking into consideration, and I have a white paper and a letter that I have sent to the Governor and to the entire congressional delegation that I planned to hand to you today, but since you are not here, I will make sure that it is put in the mail and delivered to you immediately, because I think that there are things that you have to start thinking about in New Mexico, and it is not fair to us as New Mexicans to be treated like a sacrifice zone.

I know from going to NACo, the National Association of Counties, I know how devastated many other Commissioners throughout the West feel by the way that the US Forest Service has been dealing with the forest. I am well aware of commissioners from Paradise, California and that was a prescribed burn and you had already done a prescribed burn and it burned again. So obviously, what you are doing is not working. And so I hope that in seriousness you will start coming back to the public, coming back to people like myself who have requested and demanded basically consultation and I am grateful that you are here to listen to our concerns, but this is extremely serious. We have a New Mexico Representative in our audience who is also extremely concerned. Senators Heinrich and Ben Ray Lujan are very concerned. This is serious. We don't want to see the kind of devastation that has happened to our neighbors in San Miguel, Mora and Colfax and Taos counties happening to us.

I have more questions.

CHAIR HAMILTON: If you want to keep going, that's fine. If you want to cycle around –

COMMISSIONER HANSEN: I do want to let other Commissioners ask questions and then they could come back to me.

CHAIR HAMILTON: Fabulous. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. First I just wanted to say that I think we're all very thankful to the Forest Service personnel who are fighting the fires on the other side of the mountain. It's a great personal sacrifice for a lot of people to the time and energy they've had to put into that and please let them know that we are very thankful for all that effort. My question was, just in terms of what we now know about the Hermit's Peak and Calf Canyon fires, has any of that – I know you're still studying it, but are there some changes you already envision to the plan for the Santa Fe Mountains Landscape Resiliency Project. Do you already envision some changes in how you will implement that, based on what happened?

MS. CRESS: Absolutely, yes. The analysis is comprehensive. I believe it's thorough. When we do come to implementing specific projects, yes, there will be changes to how we consider that, those lessons that we're learning right now. The implementation of Las Dispensas prescribed fire has taught us that, as I mentioned already, we're missing some components of science in there that we would like to take a harder look at, and we also need to consider opportunities about the type of people we are including when we're doing prescribed burning. It has been the Forest Service's emphasis in the past years to suppress fires as everyone knows, and so when we think about organizing to prescribed fire event it's a different kind of organization that we tend to use with our suppression efforts as you mentioned.

Large teams of people come together to help suppress a fire and they're very effective. And so we have opportunity to talk about that organization when we're considering prescribed burning and making sure that we have a very robust organization to support a decision, and more people involved in making the decision to move ahead in that process. So I think there's a combination of many things.

We have rewrite burn plans that are based on the environmental analysis, like what's happening right now. Once that's completed we will write individual plans for prescribed burns and there's much opportunity and additional components in there, as

Commissioner Hansen was mentioning, with soil moisture and the considerations of climate change and the long duration of drought and really high temperatures and the stress on vegetation. So, yes. A longer answer maybe than you needed, but yes, there will be changes made for implementation.

COMMISSIONER HUGHES: Thank you, and that was a good answer. The length of it was helpful. I guess my only other question is as you are re-evaluating things will you be coming back to the public for additional public comment or at least to let us know what the changes are? It seems to me you might benefit from – I know there's a lot of people inside and outside the Forest Service who've given this a lot of thought. We need everybody's expertise because as we manage the forest in this age of climate change, as we know, it's not easy and making the wrong step can have very dire consequences.

MS. CRESS: Absolutely. We've had a lot of conversations so that the process of approving the Santa Fe Mountains Resiliency Plan again, is an environmental process and the public will know the outcome of that and we will discuss not only the decision that's made there, but I see an opportunity again when we start to talk about implementation of individual projects where people are going to see effects on the landscape. We are committed to robust conversations to public engagement, public education, and to just hearing and listening. So we do a lot of talking and there's also much opportunity to listen. We know within the community of Santa Fe and other surrounding areas, we have people with great knowledge here and experience and ideas. And so there's already a collaborative in place specifically for it, the Santa Fe Mountains Project, and there will be opportunity not only to engage with them moving forward to share the lessons we've learned from the Las Dispensas prescribed fire, but also to solicit input and ideas on how we go about implementing. So there will be many opportunities. That's our commitment.

COMMISSIONER HUGHES: Thank you. And thank you, Madam Chair. Those are my questions.

CHAIR HAMILTON: I think I'm going to ask a question and then I'll go back to Commissioner Hansen. I really appreciate your answers. You're new; we haven't met. It's good to meet you. This project has been considered for quite a while, many years, right? And you may not know but in the early years of the development of this, as a firefighter, I was very supportive of treatments that were attempting to balance ecological condition of the forest with making the forest more resilient to fire, because we're going with climate change into a period of much greater fire instances and what not.

And as a PhD ecologist I really appreciated the possibility of using multiple tools, and I greatly supported that. But I think the Forest Service has to realize that the treatments that were considered in this, some of the specifics of which Commissioner Hansen made allusion to, were very different a decade ago. They are not the conditions that exist now because of climate change. And that happens to be one of my ecological specialties. Those conditions are not likely to exist again, and I think it seems to be to be imperative that the Forest Service take that into consideration in the revision of the plan.

As a result, when I think about the kinds of things that need to be changed, that's a substantial re-description of the project. In my mind, knowing a little bit about NEPA,

the environmental assessment which was then FONSI, right? A finding of no significant impact, was at this point edging toward the laughable side. To say, well, we're going to think about what fire conditions are acceptable to set a fire in and how we're going to do it. We're going to make some changes based on public input is edging towards the inadequate side of response. The level of risk, NEPA documents are risk-based assessment documents, right?

The level of risk that we're talking about is fundamentally different than it was a decade ago. So to be honest, despite my previous position, which was to support doing NEPA, in any way the Forest Service sees fit, I now see this as such a high risk situation that I frankly believe that an EIS is what is required. I find it hard to believe that anything less than that would be accepted. So my question is, the Forest Service, first of all, I've never been involved in a project that required NEPA that was allowed to make substantive changes to the project description after the acceptance of an EA document.

And so I'm wondering what the Forest Service is considering in terms of reworking the project, reworking the associated NEPA, and doing an EIS to deal with what is a very high risk situation now.

MS. CRESS: Thank you for that question and your concerns, Madam Chair. So even the environmental assessment process, as you noted a finding of no significant impact must come as a result of finding a decision to affirm an environmental assessment. Where we're at in that process right now is reviewing the objections that were received, as was mentioned earlier by Jacob, and that happens with our regional forester in our regional office, because if I am the decision maker then the reviewing official needs to be my supervisor. And so we will go through that together and we still have that opportunity to make a determination together about that finding of no significant impact.

And so we will review that and if we cannot – if I cannot come to a place of decision to say, yes, there is a finding of no significant impact here and I can justify that with information that's provided, then we have a couple of choices. We can either move forward with an environmental impact statement, or we go back and we revise what we've proposed and we consider a different option. Either one of those opportunities is going to delay any opportunity to do work in the Santa Fe Mountains. And I hear very loudly and clearly from many people that that is a choice that they would like to see us make, and I do hear from other people that there's concern with that.

So quite frankly, our forests are very vulnerable right now and doing nothing is a risk as well. So those are the opportunities we have before us, and I will say that I don't have a decision in my mind. I have not reviewed the objections and had an opportunity to think through this with the team of folks that have been working on this. You're right. I've only been here two years and a lot of that was focused on a pandemic and taking care of people through that. So I acknowledge that I do have homework to do and conversations to be had. So I hope that's helpful to your question.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So as somebody who does have standing I hope you haven't dismissed my comments. I think they're very substantial and not light-hearted in any way. But making sure that – I strongly support an EIS, but I also strongly support that you start looking at different ways. We're stuck. You

are stuck, in doing things the same way over and over again that have not worked. And they have not worked when we have mega-fires. That means things are not working.

The Native Americans, when they burned their forests, they did it an acre at a time, not a thousand acres at a time. So I don't think that you're using any of the indigenous ideas of how they burned their forest. Not that I know that myself, because I would not make that assumption, but I would say that we have to start thinking about the risk assessment and that has not seemed to be part of the process. Have you done a risk/cost benefit of all the fires you are setting? That, I think, is really important to the watershed and quality production of water.

Removing 90 percent of the trees when you think the 50,000 acres and then proscribe burning most of it, reduce the amount of water to the Santa Fe reservoirs and all other recharging systems. What is the cost of replacement if an escaped Forest Service burn destroys the Santa Fe watershed? For instance, how much will it cost to restore the Las Vegas watershed, and how long or can it really be restored?

MS. CRESS: Those are all very good questions that we're pursuing. Yes.

COMMISSIONER HANSEN: And then one of my other really huge concerns is how are we going to restore the forest in Las Vegas, the Hermit Peak and the Calf Canyon? What kind of seed banks do we have for the ponderosa pine, the juniper, piñon? At the moment I'm told that you have one acre of seedlings to restore a forest of 300,000 acres. And it's one thing to make these people whole, 100 percent, but making them whole is putting back the forest. So I want to know what kind of work are you doing to build up a seed bank, and are we building a civilian conservation corps?

And how are we going to really help these people because just making them whole again and maybe giving them their houses or getting a house is not making them whole, because their whole livelihood and their whole environment was built around the forest, the wildlife, their cattle, their farming, their protection of their livelihoods was dependent on that forest, and why aren't we still using some of these traditional methods of allowing people to go into the forest and cut for firewood? That used to happen, and that was how the forest was thinned. And then they were shut out of the forest.

There's so many things that we're not looking at. And also modern technology of possibly using drones, of really seeing where the damage is to the forest. There is so many questions and there is so little answers. Most people in the Santa Fe area that are concerned about the forest feel like you never listen to them. I know you have only been here for two years, so I can't say that about you because I don't have that experience. I don't know how you're going to respond to all of this, but the people in this community who are filled with scientists and filled with people who are very concerned about the forest do not feel that they can have a conversation with you. They feel like it is a one-way conversation that you're going to do what you're going to do, and what we say doesn't count. And as a County Commissioner I need to represent those people and make sure that their voices are heard.

I feel very strongly about that and I feel very strongly about the fact of climate change as something that has to be taken into consideration and the fact that we have rejoined the Paris Accord and that that has to also be taken into consideration. Santa Fe County joined the Paris Agreement in 2017 and later today we're having a presentation on greenhouse gas reduction. What are you doing to encourage greenhouse gas

reduction? How are you helping to keep more carbon in the trees and not let that be released?

MS. CRESS: There were many questions in that Commissioner Hansen, so I'll do my best to address as many of them as I possibly can. So with the post-fire recovery from Calf Canyon and Hermit's Peak, we have a burn area emergency response team. They are already working in phases over there to address immediate needs and those needs are specific to public health and safety, so the water systems and making sure that when there is post-fire flooding that we have adequate signage, that we've stabilized places where we can do that work quickly through temporary measures. They are also working alongside FEMA who is helping with private land relief and working with acequias and those owners of those properties.

The Natural Resources Conservation Service is also involved. Armed Services Administration – there's a whole group of agencies along with county and state emergency partners that have all come together to look at ways to protect water systems, to stabilize as much as they can in anticipation of the flooding to protect water for those different municipalities over there and private landowners. And also just keeping people safe on their property with things as straightforward as sandbags and things like that. And then the bigger picture is looking at what do we do with seeding and mulching to stabilize the most damaged soil in the places that we know we can have effect.

Sometimes soils are so steep, slopes are so steep that it's difficult to do things to mitigate, but there are many places where we can get that work done. And so those planning efforts are happening right now. We do have an agency partner, not only do we have sources of seed and seedlings across the country but we also partner with other agencies to help with that.

And so those are longer duration kinds of work that start to happen because we need the soils stabilized before we can start planting trees. And so an example is with Las Conchas, right now there's tree planting going on right now even still after all of this time. And we do have Youth Conservation Corps that help with that. Our tribal partners have groups of people that they bring forward that have an interest and we do set up agreements with our tribal partners to help with that. So those are the kinds of efforts that will go on, and they will take many, many years across the landscape as has been happening with fires like Las Conchas and Cerro Grande and others in the state.

So there is a long duration commitment to getting that work done as the timing is right. The most immediate priority right now is to keep people safe from harm and to keep their water supply protected to the best of our ability. So there's short-term work and then there's going to be longer-term work, and there are a lot of people that are committed to coming together to doing that. Our president and our federal government have committed to helping with that too, 100 percent, so that burden is not on the state.

So our state partners will be with us in the efforts to do the work without having to pay the cost of that. So that's some of the efforts that are going on. I think bringing the forest back to what it was before, we can look at a lot of other fires' burn history and know that that is a very difficult thing to say that we can do. We can bring it back to a place of health and resilience, and it will look very different. And in the face of climate change there's deep concern, especially when we talk about replanting trees, because a lot of these trees have died in the places that they used to be because of climate change,

because there isn't an environment to support them anymore. And so that's a part of the science that we work on to think about the forest resiliency is what species belong out there now that may be different or may be at a different elevation now than they were before because of climate change and all the things that you've been talking about.

This is a long commitment to doing this work for a long time with a lot of people and that's difficult and we are going to do our very best.

COMMISSIONER HANSEN: So apparently you don't have the seedlings that are adapted to our mountain soil and our climate. And also, ponderosa doesn't need to be burned to reseed, but what happens when it does get burned is it killed the seedlings. They don't really regenerate back. So are we going to get a different species? Are you planning to plant different kinds of pine here? Or are we going to start getting – are you working on a seed bank.

And then the other thing for the soil health, which is also a huge concern to me is there's ways to improve the soil. I talked to you one time about compost, and I know that that is really an out of the box idea of composting 300,000 acres of land, but there's also molasses, which is what the soil needs from the burn is it needs sugar. It needs regeneration, and I actually remember 50 years ago when I moved here there was a burn scar up along the High Road to Taos because Truchas and Las Trampas, and they replanted that whole thing, and now, I can't even tell you where that place was. That was of course 50 years ago so I would hope that by now the trees have grown. But I know that that's how long it's going to take, at least, to start seeing any kind of regeneration.

And so people's children's children are going to be the beneficiary but I want to make sure that they are the beneficiaries of what we are going today and that we are restoring these forests. Piñon is a staple here. People would feel lost without piñons and I am sure the people on the east side of the Sangre de Cristos are horrified at the loss of the piñon trees. They are like family. I know tribes think of them as family. I myself, as a young hippie have always loved trees and will always love trees, and I want to see them regenerated and brought back.

And so I am grateful for your being here today. I will make sure that you get this white paper that I have co-authored with a scientist locally who also has standing in the Santa Fe Mountains Resiliency and I think that a dialogue in person is really important. And we are actually coming out of COVID to some extent, and so we need to be in person so people can find trust and find that you are actually really listening to us, because there are many people in Santa Fe County who do not feel that you are listening to them. And that is why I invited you here. That is why I am pursuing this and making sure that their voices are brought to the forefront. I have many more questions but I also know that we have many more things on our agenda and I want to be respectful of your time.

I know that Representative Tara Lujan who is in the audience is really very concerned as I said before and also would like to meet with you and continue this dialogue. She is not the only state representative, I am sure, that is extremely concerned and cares deeply about what is happening. I will leave it where it is but you understand that we are not going away, one. I hope to see you again soon. This is just the beginning, not the end, and that we need real change in the Santa Fe Mountains Resiliency Landscape Project to believe in it, because at the moment, nobody believes in it and

nobody trusts you.

And so until we can find somewhere to build some trust I think we have to continue to be in communication. Thank you, Madam Chair.

MS. CRESS: I agree wholeheartedly, Commissioner Hansen.

CHAIR HAMILTON: Thank you very much. Debbie, do we have additional information on the Calf Canyon/Hermit's Peak fire that you were going to make comments on? Or have we effectively covered that?

MS. CRESS: I believe we've covered most of it, Madam Chair. I would add that we have great containment on the fire, 70 percent containment now which is due to all of the incident management teams working diligently. You have likely also noticed that there was quite a bit of smoke yesterday and there is quite a bit of smoke today, so it does continue to burn, but we will have those incident management teams with us for a long duration to ensure everyone's safety and to get the rest of the fire contained.

So that might have been the only other thing that I would mention and with the review of the escape itself and the prescribed fire, that information will be forthcoming and that will be publicly available so we'll follow up on that when we have it.

CHAIR HAMILTON: Excellent. And we just want to reiterate Commissioner Hughes' thank you to all the people in the fire service who are working together to fight that and to preserve everything including people's safety. Very much appreciated.

MS. CRESS: Thank you. I will pass that along to them. Thank you.

COMMISSIONER HANSEN: And Madam Chair.

CHAIR HAMILTON: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. Since I have this information, I can mail it to you, drop it off to you. I also plan to share it with my fellow Commissioners and anyone else who would like to read this white paper. But it is a way for you to start thinking about the forest in a different manner and I sincerely, sincerely hope you will consider that. Thank you once again.

MS. CRESS: I look forward to seeing it. Thank you.

CHAIR HAMILTON: Excellent. Thank you, Debbie. Commissioner Roybal, I'm sorry. Did I skip over you, sir?

COMMISSIONER ROYBAL: No, that's all right. I just want to say thank you for being here today to listen to our concerns in our state. It has been a really horrific experience for us to have this fire in our state and I know we have a lot of concerned elected officials. I look forward to see how you guys plan on mitigating this type of tragedy in the future because it's something that we need to protect our constituents from. So I appreciate you being here today and I want to see what kind of ideas come forward.

I know that traditionally, a lot of people in the state gather wood, do wood collection to heat their homes in the winter. And also a lot of people use that to actually make money to feed their families. So it something that – I know I've had calls from different constituents in the past wondering why the forests are closed and they can't go and get wood, and people are calling and trying to buy wood somewhere. So it's very difficult and I think if we came up with a strategic way of creating firebreaks and working with our constituents to help do that, I think that would be a great path forward.

So I do look forward to see how we mitigate this in the future because it has been

really detrimental and really horrible for a lot of our families here. But once again, thank you for being here today.

MS. CRESS: Thank you, Commissioner. Our hearts are broken as well and we are working on things in the short term for fuel wood and to take a positive piece of information, a hopeful piece of information is that the rains are coming. They're going to bring some terrible things too and some concerns that we have to address but they will also allow us to reopen the forest in those places that have not been burned and people can start to get back out and resume their opportunities for fuel gathering and all of the other activities they do here. So we're hopeful to be able to do that here in just a few short weeks, once we see these rains come and calm things down.

We've got folks working right now, a whole team of people with the Carson National Forest and Santa Fe National Forest working specifically to figure out how some of the trees that have been cut for fuel breaks and lines to put around the fire, how we can get that wood to people and make it available so we can help offset some of this tragedy. So we are working on that. Thank you for your comments.

CHAIR HAMILTON: Is that good, Commissioner Roybal? Thank you, and thank you for that response. That's good to know, and once again, we appreciate you being here and we sincerely look forward to some good, productive ongoing interactions with you.

MS. CRESS: Thank you, Madam Chair.

CHAIR HAMILTON: Thank you very much.

6. D. Request Authorization to Publish Title and General Summary of Ordinance No. 2022-___, an Ordinance Amending Ordinance No. 1992-3, the Business Registration and Licensing Ordinance, and Ordinance No. 1999-10, the Lodgers Occupancy Tax Ordinance, to License and Regulate Short-Term Rentals in Santa Fe County

CHAIR HAMILTON: Penny Ellis-Green. Thank you.

PENNY ELLIS-GREEN (Growth Management Director): Thank you, Madam Chair and Commissioners. The Board requested staff to bring forward an ordinance to regulate short-term rentals and it's been determined that this should be accomplished through an amendment of the Business Registration and Licensing Ordinance, because the authority for the County to require licensing or registration of a business is NMSA 1978 Section 4-37-1, and Section 3-38-1 through 3-38-6.

The proposed ordinance would have the following requirements: Each short-term rental will be required to obtain a business license, which would be valid for one year. The proposed ordinance would include findings that short-term rentals may create a possible negative impact on neighboring properties due to noise, traffic, trash, off-site parking, straining of scarce water resources negatively impacting the environment by over-burdening septic systems, and possible non-compliance.

The ordinance contains definitions, and the short-term rentals would be permitted through the county in all zoning districts where residences are allowed as a primary use. That would mean every zoning district other than Industrial, Industrial-Light, and Public Institutional. They would be allowed on all legal lots of record where the residential

construction was either permitted or grandfathered in.

A short-term rental license would be issued including the owner's name, the property's address, occupancy limit, daytime occupancy limit, license number and expiration date. The license would need to be posted on the property along with a separate document providing additional information for guests, including allowed number of vehicles, quiet hours, owner's contact number and solid waste disposal requirements.

In addition, the owner is required to mail out notice to nearby property owner's contact information and steps for reporting a violation, and shall include a copy of the business license.

The short-term rental license application will be reviewed and approved administratively. And appeals would be heard by the Board. The proposed ordinance regulation include: an occupancy limit based upon standards for a septic system, or two per bedroom if there is a sewer system; a daytime occupancy limit can be up to ten more than the occupancy limit itself, and ages five and under would not be included in this count; all parking would be required to be on site; the owner would need to prove that all any existing water restrictions have been met; and provisions have been made for those who have either over-used water or have not previously complied with installing a meter and providing readings.

A separate form identifying all requirements to meet the Fire Code would be provided to each applicant. They would be required to sign an affidavit verifying that all requirements have been met. The owner would provide for solid waste removal. Rural addressing would be posted on all properties and one single sign meeting residential standards will be allowed. And quiet hours would be established as 10 pm to 7 am each day.

The ordinance would also include technical cleanup language related to the statute references, and also to add the existing Business Registration and Licensing Ordinance includes other outdated sections, so at some point it would be necessary to bring this ordinance back to clean up the language for all other business licenses and registrations; staff would continue to work on those.

I hadn't put in the memo but I did want to address that the ordinance would include a review fee of \$375 for a first-time license, \$300 for renewals, and this fee would be based on review and processing and issuance time, inspection time, the need for tracking through a contract – at the moment we use Host Compliance, and an online permitting system which we are implementing at the moment.

As we already get complaints on short-term rentals we believe there'll be many more complaints when we actually start regulating. That will require Code Enforcement, Legal, and Management time in addition to the review and processing time. So we've based our fees on all of that information.

A few more points to address: the fire review – attached in your packet is a list of the fire requirements. They include things like smoke and carbon monoxide detectors, fire extinguishers, egress from each bedroom, spark arresters for chimneys – so it's intended that an applicant will be provided with this list upfront so they can conform with this, and though part of the application process would need to identify that they have done that, and that should make fire inspections a little easier.

However, between Code Enforcement site visits, enforcement when violations are

reporter, additional fire inspections needed, there may be future requests for an additional FTE to cover some of this extra workload.

We also requested a screen shot, and if Daniel is there, if he wouldn't mind pulling that up – of short-term rentals from our contractor. As of this morning there were 541 active listings in unincorporated Santa Fe and as you can see, they're kind of clustered in some of our communities – Madrid, Cerrillos, up north in Chimayo, the Pojoaque Valley, and then all around the City of Santa Fe and in the Eldorado area, is where we're seeing most of the clusters.

So in order to track and make sure renewals take place, we will continue to contract with a provider. We may also need to use their permitting platform until our online permitting is running. But we then need to ensure that we can merge this data into our new system so we need to continue to work with IT and the consultants on this. I'd also like to add that we contemplate additional IPRA requests from homeowner groups who may have prohibited short-term rentals in their area, and from neighbors who may be complaining or will want to see a file as to what the proposal was, the occupancy limit and conditions, so we do expect our IPRA workload to increase as well.

In addition, we've met with the County Assessor. It appears that a short-term rental will cause the property to be listed as non-residential so there will be property tax implications. So we're continuing to work with the Assessor to make sure that we can get this information and a possible kind of "what if" tool to see what those implications will be for a property owner before they make the decision to create a short-term rental.

We want to ensure that we have all these items addressed to a go-live date for the ordinance.

If the Board approves this request, staff will publish the required noticing, advertise to allow for public comment. We'll bring this ordinance back to the BCC to have two separate public hearings for adoption, and when the ordinance is approved it would take effect 30 later. And I will stand for questions.

CHAIR HAMILTON: Excellent. Thank you so much, Penny. Are there questions? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. I have actually a number of questions. I think – well, first of all, thank you for bringing this forward. I think the ordinance is really well written and rather well thought out. So I appreciate – I know it took a while. It seems like we're on track to get a really good ordinance. Is there a fine for people who have a short-term rental but don't comply with this or maybe don't even tell us they have one?

MS. ELLIS-GREEN: Madam Chair, Commissioner Hughes, I will go back to the Business Registration Ordinance, but it will be whatever our standard fines are. But we don't impose fines. We have to go to court and then the court gets the fines. So we would have to move through a Code Enforcement violation if it comes to that. We are working with Host Compliance at the moment. We would keep working with the provider. They can get addresses and check it off against our database that says these are the addresses for permitted short-term rentals and then we will obviously need to go through a process to write letters, request that they come in, give them some time. But yes, there may be some enforcement action that needs to take place to either close the business down or make them get licensed.

COMMISSIONER HUGHES: Well, I guess I'm hoping that a fine is more expensive than the registration fee.

MS. ELLIS-GREEN: The fine is, I believe, a standard fine, which is about \$200, I think, but it has to be imposed by a court.

COMMISSIONER HUGHES: Is there any way for us to make that more expensive?

MS. ELLIS-GREEN: I'm looking over at Legal but I do not believe so. It's statutory.

COMMISSIONER HUGHES: Legal?

RACHEL BROWN (Interim County Attorney): Yes, Commissioner Hughes. State law does limit the extent of the penalty for violating a County ordinance and we can't go beyond that statutory limitation.

COMMISSIONER HUGHES: Okay. Well, I hope we can at least make it somehow worth everybody's while to register. I guess another thing, I'm just wondering if it would make sense – and this is a question for the other Commissioners as well, now that we're considering this ordinance, do we want to consider limiting the number of licenses we issue? The City, I believe, limits it to 1,000. And while I know we may not have an idea right now, we may or may not have an idea of what an appropriate number is, I do think that waiting until we have too many is too late.

I was kind of shocked to see that there's a whole bunch in my neighborhood I'm not aware of. But I do know that I have two friends that used to live in downtown Santa Fe and were surrounded by short-term rentals and moved and they found it quite annoying. Not so much the noise or the people who rented them but just sort of the lack of having a community. One of the people told me that all winter there was nobody around her and then all of a sudden in the summer she had neighbors and different neighbors every week.

And so I think – I'm also concerned about its effect on our affordable housing stock. As we approve more housing in the Community College District I think we all envision that that's going to go to people who live here, work here, retire here, but I could see it not being so good if a lot of those became short-term rentals and so I guess the other limit I would want to think about would be sort of limiting the density. And I guess that's a question: Would it make sense or are there any other communities that limit the density like we did for cannabis dispensaries? You have to be so many feet away from each other. Is there anything like that that we could consider? Or have we thought of that at all?

MS. ELLIS-GREEN: Madam Chair, Commissioners, we did have discussions about limiting either the number of licenses or the density. We just didn't know how we would establish that number and whether it would be countywide? Area-wide? And the existing density of housing throughout the county is so varied, from multiple dwelling units per acre to one dwelling unit per 160 acres. So it would be fairly difficult to work out exactly how many of those. And then I think one of the issues that the City had had when they did that and when they put the limit on is that the licenses are good for a year, and if your neighbor wanted to also do a short-term rental, are they first in next year? Or can they just not apply? So it's really the first one through the door. But that's going to happen as a race every year.

So we really didn't think that that was something that we could easily regulate and that we would be able to come up with a good number or a good density.

CHAIR HAMILTON: Attorney Brown, did you have something on this question?

MS. BROWN: Actually going back to my earlier comment on the statutory limit on the penalty associated with a violation of the ordinance, I just wanted to make sure that it was clear that individuals are at risk of a criminal charge and would be convicted of a misdemeanor should they violate the ordinance. And that has the risk of criminal incarceration as well. It does not generally occur but that is associated with a misdemeanor in addition to the financial risk.

CHAIR HAMILTON: I'd think you would have to pay all the fees anyway. So is that right? It's a fine on top of the fees?

MS. BROWN: They do often impose court costs on offenders.

CHAIR HAMILTON: Yes, but then you still have to pay the registration fees to continue, right?

MS. BROWN: Right.

CHAIR HAMILTON: Back to you, Commissioner Hughes.

COMMISSIONER HUGHES: Okay. Thank you. I guess the one other thought I had is have you considered limiting the number of licenses that can be owned by one person? In other words, I think all of us sort of think, well, it's nice for someone who has a casita in their backyard and wants to rent it out and that's the only one they do. Perhaps not so nice for a corporation to buy 100 houses and basically create a hotel system in the county. Have you thought of that at all?

MS. ELLIS-GREEN: Madam Chair, Commissioners, we did have that discussion and we have found out through Host Compliance that we have multiple people that rent multiple houses, that are buying them up, renovating them and renting them through a management company. Our concern was that if we have that there's always ways around it and we see that with platting and with other land use items where you'll get a lot of different business owners or kind of different LLCs or whatever else. It's going to be very difficult to track that. Now, somebody would have to set those up but it would be difficult for us to track whether or not it's actually the same person. I don't know if Legal has a better explanation of that as far as how people can still get multiple licenses themselves.

CHAIR HAMILTON: Attorney Brown.

MS. BROWN: Madam Chair, Commissioner Hughes, we can certainly look into mechanisms for tracking, but certainly individuals can create multiple LLCs and buy a license in each name. It does make it more difficult if you're limiting to one entity having one license and I'm sure that's something that could be further explored prior to the public hearing.

COMMISSIONER HUGHES: Okay. Thank you. Of all the things we've talked about, it seems that any of the limits sort of helps with any of the others. The easiest things to limit might be just the total number of licenses because that would be fairly straightforward. I think those are the only questions I have for now, Madam Chair.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. So at the

moment we have 541 AirBnBs in town, so I'm trying to figure out what kind of number we would limit it to and that's a really hard question because the county is really large. Limiting the number – I'm more interested in limiting the number of AirBnBs on a street than I am limiting the number of AirBnBs in the county, because that's a different impact. Like I live in the city, but if I had an AirBnB on either side of me I would be unhappy, just because of what you're saying about community and neighborhood. But if Casa Alegre had 700 homes in it and if there were 30, 40, AirBnBs that might be too many.

I think it is a difficult situation of how do we limit that, and I think that we could continue to talk about that. So I want to go back to this non-residential status. What does that exactly mean? Does it mean they pay more taxes? Does that mean they're categorized commercial in a residential area? Could you explain that?

MS. ELLIS-GREEN: Madam Chair, Commissioners, our initial meeting with the County Assessor, that is what he said, is that it would be non-residential. So it would lose the residential status and that has several implications. At the moment there's a three percent cap on valuations for residential, and also the cost of residential versus non-residential is different. So we do need to continue speaking with him and would ask that we come to a future meeting when we have a hearing so he can present exactly what that would mean.

But our intention is to be able to have a tool that's kind of a "what if" where you can put in your existing property information and what if I didn't have that cap, was non-residential and had to pay that tax? What would it cost me at that point? And obviously people that have bought up multiple of these would realize that maybe in a weekend or two they could make that additional money from a rental. But what we really want to make sure someone doesn't get themselves into a bad situation is for families that are maybe renting out a small casita, that they fully understand what that would mean.

So I don't have all the information but we will ask the Assessor to join us at another hearing, and our intention would just be to get out that information so people would have that before they made the decision as to whether or not they are going to move to a short-term rental.

COMMISSIONER HANSEN: So let's say there's a person who has an old garage they converted as part of their house. And this might be another question for the Assessor, and they convert that to an AirBnB, how is the City dealing with that? Does the City have a way that they deal with this casita or an extra room? When I went to Europe and I used AirBnB, I stayed in somebody's bedroom one time and another time I rented a whole apartment.

MS. ELLIS-GREEN: Madam Chair, Commissioners, we did have that discussion with the Assessor because we realized there are some differences. Some people may live in the house and just rent out a room at a time. Some people may live in the house as their primary residence but if they go away for three weeks they may want at that point to rent it to pay for a vacation, but it's still their primary residence. And others may just be renting the entire house. So I think those are things that we still need to work out with the Assessor and what that means and to be able to get that in writing so people can use that to make a decision.

COMMISSIONER HANSEN: Okay. I appreciate all your work on this. I

know it's take quite some time. But the "what if", the frequently asked questions, is that what you're considering that so that people will check a box and say, I've read the frequently asked questions, because we all know that people might say, oh, I want to have an AirBnB and fill out everything and then all of a sudden they find out, oh, my tax status has changed and this has changed and that has changed and they didn't read the frequently asked questions. So is there some way that we can have them sign something like that so instead of coming back to the Commission and saying, oh, I didn't know. Well, you signed this document saying you read these so that we have some protection, so to speak.

MS. ELLIS-GREEN: Madam Chair, Commissioners, we have discussed that as being part of the application form. So not only would you have to state, yes, I'm in compliance with the fire requirements, there would be all the other requirements that we would request that people initial specifically, and the fact that they understand that their taxes are likely to change, we would include that. Again, when we move to the online permitting, that is something that we can implement for a lot of our permits.

COMMISSIONER HANSEN: That sounds great. Then on the FTE, I can understand that we might need an additional FTE. At the moment who in Land Use and Community Services is going to be dealing with this?

MS. ELLIS-GREEN: Madam Chair, Commissioners, at the moment it would be our Development Review Staff, so in this fiscal year, next fiscal year's budget we did get another reviewer position. So we would specifically be looking at whether or not we can accommodate the licenses that would come in with our existing Code Enforcement officers and how many violations we're hearing, how many enforcement complaints we've got. And the other area I think would be the Fire Department. I believe Jaome is here, but again, if they're going to go out and inspect all of these, the key first is to be able to get that information out to the public as to what the requirements are for fire, so when the Fire Department does go out for an inspection, someone already knows what's expected of them and it should be a faster inspection. But again, that may be an area, in order to do these timely, the Fire Department may look for another inspector.

COMMISSIONER HANSEN: Okay. I just wanted to make sure that your staff wasn't over-burdened because they already have a lot on their plate.

MS. ELLIS-GREEN: I would say that my staff is processing more permits now and more subdivisions than we have in the past 15 years probably, and they are over-burdened, which is why we requested more FTEs I'm just hoping that we're able to hire them and get people on board. If you know of anyone, we're doing rapid hiring this weekend.

COMMISSIONER HANSEN: So, Madam Chair, I think that that is all the questions I had but thank you very much.

CHAIR HAMILTON: Thank you. Commissioner Roybal, did you something?

COMMISSIONER ROYBAL: No, I think most of my questions were answered. So this is a renewable permit. How difficult will it be for somebody to renew their permit? Is this something they just have to pay an annual fee that they can do online? Or is there going to be a process to that?

MS. ELLIS-GREEN: Madam Chair, Commissioner Roybal, we will want

them to verify that the situation is still the same, that they're still doing off-street parking, etc., etc. They would need to bring in their water meter readings if they previously had a requirement for metering that well, and we would also want to look to see whether or not that property had reported enforcement actions and violations on it. So we would still do that. I believe Fire would still look every year at going out and making sure that the property is safe, has the working smoke detectors, carbon monoxide detectors, fire extinguisher and egress to each bedroom and through the house.

COMMISSIONER ROYBAL: Okay. And I think we all know what short-term rentals mean hear on the dais, but can you just give a definition of that just for the edification of our constituents that may be listening?

MS. ELLIS-GREEN: So Madam Chair, Commissioners, short-term rental would be a unit that is rented for any time less than 30 days. So you could rent for one, sometimes they have three or five-day rental limits on them as far as that's a minimum. But it's when you can rent for less than 30 days.

COMMISSIONER ROYBAL: Okay. Thank you. That's it, Madam Chair.

CHAIR HAMILTON: Thank you. So it occurs to me that there have been a few fairly substantive questions having to do with potential limitations, number of rentals and other aspects that presumably, depending on discussion and public input and all kinds of things could lead to changes, right? In the ordinance. I'd like to just ask the process. If we publish title and summary does that preclude further changes to this ordinance and would have to be published again? Or what's the process? Attorney Brown.

MS. BROWN: Madam Chair, when the ordinance comes before you and you hear public input, you have a certain amount of leeway to make revisions to the ordinance prior to adopting it. You can opt to have additional public hearings, but as long as the scope of the changes is contemplated now and as we move forward, it doesn't sound like it would necessarily require additional hearings. That's really discretionary on your part.

CHAIR HAMILTON: Weren't we contemplating two public hearings on this in any case?

MS. ELLIS-GREEN: Madam Chair, yes. The Board has previously requested that land use items have two public hearings. When it's an SLDC change we usually do that in front of the Planning Commission and once to the Board, but in this instance we were intending to bring it twice to the Board. So we could bring, at the first public hearing, some options for you with maybe some pros and cons to get some direction, and then if it was necessary we could amend the legal noticing for the second public hearing.

CHAIR HAMILTON: Right. Well, I just wondered if there isn't some – there were some really substantive questions asked and we've had minimal discussion on them. Like, has there been consideration among staff about what the pros and cons are for limiting total number of potential renters or doing or making some caps by street or region by region? When I think of the difference in impact between having an AirBnB in Glorieta Estates and Eldorado and in a neighborhood much closer to the city, it's substantial. The rural to urban nature of the neighborhood would have an effect on the impacts. Have they been discussed by staff and Legal?

MS. ELLIS-GREEN: Madam Chair, at a high level, but certainly for the first public hearing what I got was the total number of short-term rentals, the density on any kind of given street or separation between short-term rentals, and the possible number per person for short-term rentals. We could bring back some wording for options with that with some pros and cons at the first public hearing and take direction from the Board as far as what you would want us to move forward with and that would allow us time as well to get additional public comment on those.

CHAIR HAMILTON: That sounds good. I don't know how the other Commissioners feel but I feel like having that kind of input as a starting point would be helpful to actually have some substantive discussion on that, particularly in terms of pros and cons, potentially related to experiences from the City or from communities that would have some similarities to ours that we could draw inference from. Does that sound reasonable, Commissioner Hughes, since you asked a lot of those questions, and Commissioner Hansen?

COMMISSIONER HUGHES: Yes, Madam Chair, yes. I think that having some concrete options to consider would be great, particularly I think it sounded like limiting the number of owners might be a futile effort, but the other two I think were worth looking at, limiting the overall number and I was joking with my wife that the overall number should be the number we have plus one, but I think there should probably be more leeway than that. I'm not sure. If we were to say 1,000 for example, that would allow plenty of room for growth and settling out of the options while still having some limit.

And I do think if we think about it there's probably some way to limit the density. Maybe it's even a different limit depending on the zoning category. So if you're in a really dense area like Rancho Viejo, maybe it's one limit. If you're in the ranch area maybe it's not quite so regulated. Because having the next ranch over having an AirBnB is probably not very annoying, but having it in a dense community, having both neighbors be an AirBnB would be extremely annoying. But yes, I would like to see options and if we can do that while still going ahead with publishing title and general summary, so as not to slow the process down, I think that makes sense.

CHAIR HAMILTON: Right. And I just want to throw in, since it's apropos to that and then I'll go to Commissioner Hansen, that it's hard to tell from the map. I just want to point out as somebody who deals with data a lot that that was a very large-scale map with very large dots and you can't really interpret density very well. It looks like an area is completely covered with short-term rentals and that may not be the perspective at all. So I don't know. I would have to see more information which is why part of the motivation for my question because I don't know whether 541 existing rentals is nothing, compared to most communities or is outrageous. I just have no sense for what that actually means. And that would also be helpful to think of those numbers. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I have a slightly different view about limiting the number than Commissioner Hughes does. I'd probably go to 1,500, just to make sure that we're not coming back like all of a sudden we have a line out the door of people saying, well, I want to do AirBnB, but at the same time I don't know if that's the reality, if we're going to have that kind of input or not, but I do like the

idea of making some changes. Possibly we could use the zoning map as a way to limit density. I know it makes more work for you, Penny, in changing the SLDC, but if at the same time if it's linked to the zoning of our zoning map, which is where we have our growth area, where we have density, where we have larger areas, that might be a way to create categories of how many AirBnBs could go in a certain area.

I think that's all I have to say. Thank you, Madam Chair.

CHAIR HAMILTON: Thank you. From this discussion, I was sitting here trying to think of what kind of additional information would be useful, and it seems to me that thinking about things, like community by community, and I'm using that word broadly. I think you could interpret it reasonably, like how the areas are zoned and what are considered communities – Eldorado, Glorieta, and then there are places that might be broken out more, depending on if density of zoning is different.

I think it would be useful to know how many residential houses there are in each community compared to how many short-term rentals there are. Because it would put some perspective on the 541 number. So for me that would be a useful thing. Attorney Brown.

MS. BROWN: Madam Chair, given all of the variations that are coming up and the requests for additional data, there is nothing to prevent us from bringing this back again prior to moving forward with publishing title and general summary, so that you have more certainty as to what you're bringing forward to the public, if that's preferable to you.

CHAIR HAMILTON: I would take input from the Commissioners on that. Are you suggesting that it get tabled to the next meeting? That's the option you're putting forward?

MS. BROWN: You could opt to table it, or you could opt to simply instruct that we not public title and general summary and we bring back all of the data you're asking for and some variations.

CHAIR HAMILTON: Right.

MS. BROWN: For you to make a determination as to what you want to publish title and general summary on.

CHAIR HAMILTON: Is there a preference? Commissioners, what would you like to do?

COMMISSIONER HANSEN: I would be ready to publish title and general summary.

COMMISSIONER HUGHES: Yes, Madam Chair. I think I might ask Penny if she has a preference. Which would be easier for her?

CHAIR HAMILTON: Can you even get the data that we asked for in two weeks or four weeks?

MS. ELLIS-GREEN: Madam Chair, if we were to table it would be at least a month. My packet material is due for the next meeting tomorrow. So we would need several weeks to be able to do that. Really, whichever way works best for the Board, as well as the information I had said before that we would bring back. We could also bring back mapping, kind of blow-ups from the communities to show you that, like number of actual dwellings there and number of short-term rentals and you'd be able to see if we had mapping, kind of like focusing in on communities, how many there really

seem to be. And remembering that that number does fluctuate. It's been anywhere between 500 and 600. It depends what's active at the time. So they do a search and this morning it was 541. But it would be able to give you that kind of information.

We could also look at densities just based on specific zoning districts and say, okay, traditional community, has smaller lots. We'll do a separation there, and on residential community, residential estate, but when you get to rural at 40 acres and ag-ranch we won't have a separation. So there's a lot of different options we could bring back.

CHAIR HAMILTON: Okay. I would think that having a little more information laid out the way you just did would be also useful to get meaningful public input because I would think that if we have the questions about what does this really mean and what would I object to, other people, the public might have it too. Commissioner Roybal, do you have thoughts on this?

COMMISSIONER ROYBAL: Right now I still would like to see how it will look and see what the restrictions would look like, because I think that's going to make a big difference as far as making sure we get people in compliance, to work with us on that. So I'm still interested. I think the City is a little bit too restrictive so I'd like to see what we can come up with.

CHAIR HAMILTON: So I have one person who's ready to publish. One person who wants to wait. Commissioner Hughes, are you thinking which way?

COMMISSIONER HUGHES: Well, my normal inclination is to always want to charge ahead, but I think perhaps the wiser thing to do would be to table it for now and allow more time to think about it. It's going against my normal inclination but sometimes that's the best thing.

COMMISSIONER HANSEN: Madam Chair, I don't think we need to table it. I think we just need to not publish title and general –

CHAIR HAMILTON: Like bring it back in a month?

COMMISSIONER HANSEN: Yes. Is that correct?

MS. BROWN: Am I understanding that you're entertaining – you're looking for a motion to bring this back at a future meeting for further discussion and publication of title and general summary.

CHAIR HAMILTON: Correct. We're looking for a motion. I would entertain a motion. Commissioner Hansen.

COMMISSIONER HANSEN: I'll make a motion to bring back to publish title and general summary in a month, at the end of July meeting, if that works for you, Penny.

MS. ELLIS-GREEN: Madam Chair, Commissioners, we'll bring it back as soon as we can. It may not be early July; it may be a little later, just because that would only give me two weeks.

COMMISSIONER HANSEN: That's why I say the end of July.

MS. ELLIS-GREEN: Okay.

CHAIR HAMILTON: Which is six weeks.

MS. ELLIS-GREEN: We can aim for that.

COMMISSIONER HANSEN: Okay. So that's my motion.

COMMISSIONER HUGHES: Second.

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

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

7. B. Presentation of 2019 Inventory of Countywide Greenhouse Gas Emissions Results

CHAIR HAMILTON: I assume it's Jacqueline. Welcome.

JACQUELINE BEAM (Sustainability Manager): Thank you, Madam Chair, Commissioners, and thank you for the opportunity to present on our 2019 greenhouse gas emissions countywide inventory. I am Jacqueline Beam, Sustainability Manager for the Sustainability Office within the Community Development Department, and I'm accompanied by Adeline Murthy, the Sustainability Specialist, who's also the project manager and lead for this inventory and report.

What we will be presenting to you today is mainly the highlights and the full report is in your packet. The greenhouse gas inventory was calculated for the year of 2019 and the reason for that is because it is the most recent non-pandemic year, and this creates a baseline we can use to implement targeted programs in the future to reduce those emissions.

We partnered with ICLEI which is the International Council for Local Environmental Initiatives and they really set the standard for best practices on tracking and data collection for greenhouse gas emissions for local governments worldwide now, and are recognized by the UN for that. And so we feel very confident in our membership with them and their support.

We will be going over what is included within the greenhouse gas inventory as well as what was excluded and the reasons behind that, the results, the comparison to other counties, and key take-aways and strategies for reducing our emissions, and our next steps.

This is information only and no fiscal impact or action is required, yet I would be remiss if I did not recognize that the former presentation on fire and the impact that we're already having on our planet, so we can use this as a baseline in understanding how we can move forward and reduce our impacts in the future.

So in order to put us into context, this journey began in 2013 and that was through the resolution 2013-7 which really sets us up to lead by example, and then following, the County in 2017 adopted and supported the goals of the Paris Agreement to reach net zero greenhouse gas emissions by 2050. In 2019 the County approved the creation of the greenhouse gas inventory which was for our operations and in April 2021 the County joined the Race to Zero, which further solidified our commitment and really made us think further into the future in our buildings and reducing our greenhouse gas emissions by 60 percent by 2030 is the pledge that the County has agreed to.

And in 2021 in May, the Board of County Commissioners approved publishing the operational greenhouse gas emissions inventory report and now in January of 2022 to bring us more current, the Board of County Commissioners voted to adopt the greenhouse gas emissions reduction plan for our operational emissions. And with that I will ask Adeline to dig into the data and details and pass it on.

SFC CLERK RECORDED 07/19/2022

ADELINE MURTHY (Sustainability Specialist): Thank you, Jacqueline. Good afternoon, Madam Chair and Commissioners. This greenhouse gas inventory includes emissions from energy use in buildings and facilities, transportation and other mobile sources, solid waste, wastewater treatment, potable water treatment and supply, land use and fugitive emissions from natural gas distribution. The data was collected from a variety of sources including directly from the multiple utilities that serve the county as well as from national agencies such as the Census Bureau, Energy Information Administration, and the Environmental Protection Agency.

The inventory includes the three primary types of greenhouse gases – carbon dioxide, methane, and nitrous oxide. These are aggregated into a standard unit called carbon dioxide equivalent which takes into account the different global warming potentials of each gas. Several types of emissions were not included in the inventory, either because they were outside the scope of the intended inventory, or because the data was unavailable but emissions were determined to be minimal. These include lifecycle emissions from the consumption of goods by community members, emissions from refrigerants, emissions from the use of natural gas and other types of fuels such as propane in industry, point source industrial emissions that were not reported to the EPA, meaning they are below a certain threshold of emissions, methane emissions from closed landfills, emissions from other non-utility fuels such as wood-burning, and emissions from less common types of aviation such as helicopter flights and sightseeing tours.

This is a graphic of total emissions in 2019, which were nearly 1.6 million metric tons of carbon dioxide equivalent. Nearly half were from transportation and mobile sources while residential energy contributed to a quarter or emissions and commercial energy to 17 percent. The remaining sectors combined contributed to 11 percent of emissions.

On a per-person basis emissions in Santa Fe County were lower than the US average which is the far right bar. Nationwide, only a handful of counties have conducted recent greenhouse gas emissions inventories such as Montgomery County in Maryland and Boulder County in Colorado. This shows us that Santa Fe County is at the leading edge of this type of work nationwide, particularly among more rural communities. Santa Fe County had higher per-person emissions than Montgomery County and lower than Boulder County.

Broken down by sector, Santa Fe County's transportation emissions were higher than those two other counties relative to total emissions, while emissions from commercial energy were lower.

The results of the inventory show us that the county needs to prioritize emission reduction efforts in transportation and in residential and commercial buildings, since these sectors contributed to 89 percent of measured emissions. In addition, gasoline passenger vehicles was the single largest source of emissions in the county, contributing to almost a third of inventories emissions. Clearly, the county is more car-centric in its infrastructure than some other counties in denser areas, maybe. In addition, many members of the workforce travel long distances to work in Santa Fe County. According to the 2020 Santa Fe County housing study, nearly 40 percent of workers commute from outside Santa Fe County, with 22 percent of those having a commute that is longer than 50 miles.

SFC CLERK RECORDED 07/19/2022

Addressing transportation emissions presents a challenge that is entangled with the rising costs of living and inaccessibility of affordable housing in the county.

Innovative land use planning is needed to create environments where community members can work and live in Santa Fe County with minimal use of a vehicle. This underscores the need for an equity centered approach to climate action planning. Thank you, and now I will pass it back to Jacqueline Beam who will go over some additional strategies through reduced emissions.

MS. BEAM: Thank you, Adeline. So going forward, even though this is an inventory are really just tells us where we are currently, we will be digging into this much deeper and we're continuing to work with ICLEI on a strategy and plan. And some of the areas of focus that are considered best practices are of course to support policy, which would be for EV transportation and infrastructure, as well as energy efficiency and renewable energy in the built environment. While we know that the built environment, that's lower hanging fruit right now so it might be an area that we want to concentrate on while the EV infrastructure is happening, and so we're always looking at opportunities and the best way to approach the areas that are considered the highest impact actions.

But also thinking about smart growth and smart development, how can we reduce our vehicle miles traveled or the need for vehicle miles traveled? How can we promote bicycling, walking, pedestrian traffic, as opposed to those miles that are needed for commuting into the county? And it's also entangled, obviously, with the cost of living here and housing prices are really high and so that's a challenge that's going to take several years to untangle and so our goal is to really look at the things that we can control immediately and through our policies effect change. And then also through incentivizing energy efficiency and electrification for all residents, and we're hoping that we'll see more funding for this coming from the federal government in the future.

And three, also increasing the use of renewable energy, which we have begun in our community solar, ordinance changes, hopefully which will be within the next month or so, and then looking at ways that we can promote renewable energy through funds and access to funding for loans.

So the Climate Action Plan is our next step and we have a list of these priorities which are considered high impact actions that will help with mitigation, adaptation, resiliency and equity as the goals within the Climate Action Plan, and ICLEI has guided this list for us. And so we will be working in many different areas, all of the sectors that we've reported upon, but we're also incredibly excited about working with NCS currently, which is a focus on nature-based solutions as well, and that's part of the low hanging fruit that we're referring to. And that includes ecosystems services and inventory to see where we stand in the county and our ecosystem services are what's nature doing now for free? And then also risk assessments to those ecosystem services. And both of those will be used to inform our climate adaptation strategies.

So it's critical that we are oriented towards the 2030 goals, which is really reduction, just like the three R's of reduce, recycle, reuse, we really need to start thinking about reducing immediately, and that is something that we can all do in all of our households and as a county, because this is a countywide inventory we are really looking to promote and incentivize in ways that are beyond our operations, and so we'll be reaching out with education and awareness programs as well.

We need to plan ahead and be in concert with the rapidly changing trends around the grid – de-carbonization and advancement of heat pumps as well as EV technologies, and we believe the best programs are those that create tangible local benefit, create healthy cities, while addressing community resilience and equity. And with that I will stand for any questions along with Adeline Murthy, and I do want to acknowledge Adeline will be leaving our division to move on to the Open Space Division as a senior planner, and so I just want to thank her for leaving this groundwork behind for us, because we now have a very solid trail to following in our endeavors.

CHAIR HAMILTON: Excellent. Before I go to people comments I'm going to say very well done and thank you for this and congratulations Adeline, and yikes. It's very nice to take off leaving on a high note. That's not the articulate way I wanted to say that, but you're leaving producing something that's very workable and leads some place is outstanding. I know Commissioner Hansen had her hand up.

COMMISSIONER HANSEN: Thank you, Madam Chair. Yes, thank you, Adeline, for all your work on this. I'm glad you're not leaving the County. I'm glad you're only moving to Open Space, so we're grateful for that, but we're sorry to lose you in Sustainability. Thank you for your work, also.

I'm really glad that the partnership with ICLEI is fruitful and beneficial. I think they are doing a lot of good work throughout the United States, throughout the world and have made a big impact. And so being a member is a great thing for Santa Fe County. As you could just see from the previous presentation on the forest and what it says in the Paris Agreement about reforestation and not deforestation, I have asked Sara to send you the white paper and the cover letter that I sent out to our congressional delegation because I think we do have to start thinking about how we're dealing with the forest even though that is not a huge carbon issue for us right now. If we had a forest fire in the Sangre de Cristos on the west side it would be a massive impact to us and definitely increase our carbon output. So anything that we can do there I think is really important.

I'm glad that we are leading the way. I'm wondering what you think about the fact that now the gas prices have gone up to \$5 and we do have the Rail Runner. Do you think that – I did read in the paper the other day, or maybe it was today; I don't know – that ridership on the Rail Runner is increasing. So if that's so, do you think public transportation has an ability to help us in any way with our transportation and mobile sources.

MS. BEAM: Madam Chair, Commissioner Hansen, I'm seeing some trends that started even before this, before the gas price increase in the ways that we've adapted to COVID, working from home, just recognizing that we don't necessarily need our vehicles as much as we thought that we did. And as technology improves and we learn this new way of being, I think we are just naturally going to evolve and move towards ways that are cleaner and more efficient and healthier for all of us. So the gas prices is a natural – it obviously does affect those that are of lower income more and so ways that we can mitigate that effect I think are important and that's where we need to maybe start thinking in terms of bike lanes and public transportation and encourage alternative transportation.

COMMISSIONER HANSEN: And Madam Chair, it is unfortunate that definitely, the lower income people are the ones that usually need to travel the furthest to

get to their jobs, and are not usually capable always of working from home. And so thinking about that is a really important thing.

So you did continually mention that the greenhouse gases for the county, how do you incorporate the City of Española, the City of Santa Fe, the City of Edgewood into this and how are we working with them?

MS. BEAM: I'm going to defer to the data collector, Adeline Murthy.

MS. MURTHY: Madam Chair, Commissioners, so the purpose of a local greenhouse gas inventory is to specifically measure areas that are under – that can be influenced by government policies. However, this inventory includes everything within the geographical boundaries of Santa Fe County, so that includes areas outside of the County's jurisdiction, like the towns and cities and tribal areas, and also federal and state land. However, the county level is the scale at which that data is available, so that's why it's a geographical inventory and not an inventory of what is under the County's jurisdiction.

COMMISSIONER HANSEN: So as we work to reduce this, are we working with the cities and counties and towns to also find out what they're doing to reduce this? They do have a Sustainable Department at the City. I don't know what Española has, I don't know what Edgewood has, but –

MS. MURTHY: Madam Chair, Commissioners, we do have a very open dialogue with the City Sustainability Office, City of Santa Fe, and they are implementing a lot of programs to reduce emissions, particularly in their buildings, like the Solarize Santa Fe program, which provided solar to I think 50 households this year at a reduced cost and they're building upon that program in future years. And they have their own sustainability goals that are very much aligned with the County's, so we are always working in conjunction with them, also through the Coalition of Sustainable Communities of New Mexico. We're always up to date on which programs they're implementing and that network acts as kind of like a knowledge exchange with us and the City of Santa Fe.

COMMISSIONER HANSEN: Thank you. I think the Coalition is a great tool that we all have to benefit from. And then my last question is, once we get community solar online, how are we going to – like a woman called me yesterday and said, well, I don't know if I want to put solar on my house, yada yada yada, and I didn't say to her, well, you could join community solar because I didn't feel like I had enough information to tell her how to get into a community solar program at the moment.

So as we start rolling that out, I think that would be a really good project to start offering to constituents to get them into community solar, because that would be another way for us to reduce our residential energy.

MS. MURTHY: Yes, absolutely, Madam Chair, Commissioner Hansen. The Santa Fe County Sustainability Office has a website that's dedicated to solar and we act as a point of contact for residents and businesses who are interested in installing solar. We help them answer questions on how to navigate that process and we'll absolutely be including information there about how to sign up for community solar and telling the community about how to apply for community solar through other avenues as well, such as the Sustainability Office's newsletter and also media campaigns.

COMMISSIONER HANSEN: That sounds great, so thank you very, very

much. Thank you, Madam Chair.

MS.MURTHY: Thank you.

CHAIR HAMILTON: Commissioner Hughes, and then I'll go to Commissioner Roybal.

COMMISSIONER HUGHES: Thank you, Madam Chair. I actually don't have any questions, I just want to thank you for the presentation and say that I'm really looking forward to some really concrete recommendations of what the County Commission can do to move us all along toward net zero as we all need to do. Thank you very much. And congratulations on your promotion.

MS.MURTHY: Thank you.

CHAIR HAMILTON: Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. Same thing. I'm really glad that you're staying at the County. It's good that you're going into another field and that you're going to try and expand I guess your knowledge. So we appreciate it because we know that you'll be an asset anywhere here at the County. So we appreciate that you're staying here.

The other thing that I wanted to ask is, and I've asked before in the past, is there any way we can look at the possibility of like recycle bins at some of our community centers. I had a little girl come here, probably six years ago and gave a presentation. She lives in my community in El Rancho and she wanted to see if the County could put some sort of recycle bins, and she kind of went on to talk about reducing our carbon footprint and how everybody needs to try and recycle. And I thought it was really neat to see her. She was probably – I'm going to say maybe between six and eight years old where she came and did a presentation to the Commission at that point. I think I'm probably the only Commissioner that was here during that time, but I thought it was really great, but we never got anything put out at any of the facilities, the senior centers or community centers.

I think it was more of a challenge of people just throwing trash and having to hire someone to maintain, but I know we talked about some of the recycling bins have like the shape of a bottle so you can only put bottles and things like that in those recycle bins. But I don't know if that's possibly something we could look at in the future to try and put those out there. I know personally I recycle plastic, cardboard, everything glass that I can and I know sometimes that seems like it fills up a lot faster than my trash, so I think that would bring a benefit even if we could do it maybe once a week in community if we had a vehicle that could go and collect recyclables I think that would be good. I don't know if that's something we could look at in the future.

But thank you guys. Great presentation and appreciate all your hard work.

MS.MURTHY: Madam Chair, Commissioner Roybal, thank you. We'll start a conversation with Public Works to see if that's a possibility. Thank you.

MS. BEAM: Thank you, Madam Chair, Commissioner Roybal. We are actively working on increasing our recycling rates right now and we do have dedicated staff to that goal. So that is something that we will be focusing on. Right now we're at a much lower percent than the national average. We would like to bring our percentage up to 30 percent. I believe right now it's 12, 17 – something. It's low. It's something we need to work on and is definitely a way to reduce emissions even further.

I don't know if you remember that graph that we put up on the screen but it's a smaller portion of our emission so as staff we're focused on the immediate areas that will have the most impact and that right now is transportation and buildings. But it certainly doesn't mean that all the other areas and sectors go away.

CHAIR HAMILTON: Excellent. Thank you. There were just a couple of quick things. You've made such great substantive progress on this. One of the next steps we've talked about is conducting climate risk and vulnerability assessment, which is great. Everything else that's listed is collaborative, so I'm sure you're working interdepartmentally. I just wanted to throw out there that in case you're not – haven't interacted with Assistant Chief Martin Vigil. It's in a particular area he put a lot of effort into developing risks and vulnerabilities having to do with fire and flood and that sort of thing. So there is a tremendous overlap that I wanted to point out.

The other interesting this is just a week ago I read a scientific paper that was a meta-analysis of several hundred community climate action plans around the country and one of the questions was how many of them went from the planning to implementation stage, and that's all over the place and a lot of applications, kind of a big brick wall. It's the big bugaboo. And one of the principal reasons, in their analysis they identified was because very few of the action plans actually set priorities. And you can easily imagine why. That's such a difficult thing to do. But I could imagine that giving information around the actions that are being proposed that would allow priority decisions to be made would be a really valuable thing, and I just wanted to throw that out there, because this is such a valuable thing to do, and it's not something we want to see done and then – not that anybody does paper reports anymore but the classic report on the bookshelf. We want it to be an implementable thing.

MS. BEAM: Yes, Madam Chair, Commissioners, absolutely. You may all know, I'm former military so I don't do any strategy without action, to a fault sometimes. I'm sure others might not agree with that philosophy all the time but we should talk about it more. But I really – I feel that in our planning, action has to be a part of the process as well as feasibility. We really need to be practical about how we choose to go forward. And it does absolutely require an interdepartmental collaboration.

CHAIR HAMILTON: Excellent. Thank you so much. Are there other questions or comments? This was just wonderful. I really hope we see you periodically because these are great updates to have and we really appreciate your work on it.

MS. BEAM: Thank you. Thank you, Madam Chair, Commissioners.

7. C. Presentation Concerning Financing Tools for Development

CHAIR HAMILTON: Joseph Montoya, welcome.

JOSEPH MONTOYA (Community Development Director): Madam Chair, members of the Commission, thank you very much for allowing us to present today. You can see how a lot of the issues we've talked about today, are related to land use, carbon reduction, and one other aspect we're going to bring to you today is the issue of finance. How do you pull these things together from a financial standpoint so we can have a far more livable community as it might be.

This presentation is about several things. One is kind of to inform you where we

are with our economic development plan, what financial tools we're kind of implementing as part of that economic development plan, and then to specific kind of projects that are coming in a little before that that we wanted to get the gist of in terms of what your thoughts are and things of that nature. So there's a necessity for a large amount of capital available, so we want to get a few things from you. This is a standard from a policy standpoint, standard public processes that have been used throughout the state. We again just want to inform you a little more about them.

With that, so one of the things that we've done, and you may remember as Manager Shaffer, who was actually County Attorney Shaffer, had provided you with a presentation of economic development tools, finance tools available to be able to assist in development of infrastructure. That was based on a previous internal conversation that we had had in terms of tools that we should use to be able to assist the development from my perspective of opportunities for development and opportunities for affordable housing. And County Manager Shaffer had presented several of the things that are currently on our books.

The Community Development Department took those and we've reformatted those in terms of kind of policy issuance there, inserting kind of programmatic ways in terms to make it easier to be able to use these tools and to be able to kind of market them. Those are currently in Legal being reviewed right now. The idea being is that these kinds of tools not only are used throughout the state and the County has not been taking big advantage of those amendments, and we are in dire need of them. One of the biggest reasons, after 2008, once the smaller banks used to be able to provide financing for public infrastructure or infrastructure that will become publicly owned and operated, closed down, because they were the only ones lending for development. And so because of that, there's been a dearth of financing and capital to be able to provide the necessary infrastructure, such as water, sewer, streets and things of that nature.

And so what we want to do is make sure that we're involved in the public policy process about providing assistance where we can. They've listed our goals in terms of economic development opportunities for growth, jobs, and of course affordable housing. There's not a lot of changes to the ordinances themselves, just so you know. They're statutory. We can't change state law. We can only make sure that we add kind of policies on overlays and systems in places to make them far more available to us. And that will come as a package. It can come before, during or slightly after we present you a new economic development plan. Just so you know, the economic development plan, will be approved by ordinance, because it's part of the Economic Development Act, which is an Anti-Donation Clause issue in terms of it allows us to be able to provide benefits to folks under a specific economic development plan that we wouldn't normally otherwise be able to do.

We do have an actual ordinance in place currently right now. We have an economic development plan in place. However, it reads more like just a series of projects, right? There's no kind of valuation. There's no policy about it. There's no process. there's no theoretical modeling. This is what we feel that's going on. Here's how we can support it. Here's an analysis. So we've taken a great deal of time in terms of our desire to be able to really make a comprehensive economic development plan for you.

And as I was pointing out here, the goal is to – that process is to just provide more

clarity to allow folks to be able to have access to the tools that we have available to us, and that you actually approved, for us to be able to move forward.

I did want to introduce two folks that are in the audience just in case you want to have questions that I may not be able to answer to. First of all, we have David Buchholtz from the Rodey Firm. David is one of the foremost, from my perspective, the foremost public finance attorney in the state. We're very lucky to have his cooperation on one of the projects that we'll be speaking about. We also have Krista Kelley of Motiva, a consultant with another project. You know her face; she's actually worked with Community Services Department and the Community Development Department in the past as a development consultant.

So, we have several tools that we have at our disposal or that we want to increase those tools at our disposal relative to this economic development plan that we're promoting for you. One of these is of course bonds, and you've seen examples of us using bonds, for instance. We just recently approved a bond issuance by resolution and this is the second one, actually the second one that the Rodey Firm was actually involved in this, for a movie studio. And so that's a common form of using our capacity to be able to bond and pass on a lower cost of financing to those developers.

In addition, we've used LEDA projects. We want to substantially increase the amount of projects that we use for LEDA, based on the policies that we're putting in our economic development plan. We will be using our own assets to be able to assist developments, or not necessarily developments but businesses, specifically businesses, in a targeted fashion relative to what we've produced in terms of the economic development plan.

Then, we have special assessment districts, and this is one conversation we're going to have today in terms of PIDs, TIDDs, SIDs, and this is a way of being able to elicit public financing, to be able to use the auspices of the County, the ability of the County to bond, providing lower cost financing and then being able to pass on that lower cost financing to developers, things that actually we will eventually own anyway. So this is a classic way that the State of New Mexico has provided counties and municipalities for private-public partnerships. This is a kind of common model that we use in terms of: we can't do it all. It's very difficult for us to build all the streets, all the roads, as we have seen, right? All the infrastructure. And developers can't do it all themselves either. So we need to be able to work with communities to develop the kind of communities that we're looking for, especially as it relates, as we just spoke about, in terms of kinds of communities that lower our carbon footprint. And that's one of the things we are trying to achieve.

And then another one of the areas we'll be increasing or hoping to increase with your authority is loans that pass through financing. So we have an example today about a possibility of pass-through financing. Nothing is set in stone here. We're being fairly innovative in terms of what we want to do, so I don't want to say this is going to happen anyway, but I just want to say that we're on a solid model and we're going to work toward seeing if we can use this way of passing through financing in another way, again, for public infrastructure development to be able to assist one of our corporate partners.

So just to talk about – the first thing that we're going to talk about here is PIDs. PIDs are public improvement districts. There's so many acronyms I lost my mind a long

time ago, so I'm happy that I remembered that one. We had several examples for you that we have put in. One of the biggest ones is the Mesa del Sol project. Just to be clear, I was a consultant to the Mesa del Sol project, both in terms of financing for it, and if you recall, that was one of the larger development that had to do some construction with the City of Albuquerque in order to go on to be able to – and the State of New Mexico. The State of New Mexico had some land there and they needed to provide infrastructure development and wanted to provide affordable housing. We wanted to provide economic opportunities and as you know, that is where a large, large, large film industry has increased and is really highly supported by institutions there, and it has a great return on investment.

The other ones that we're talking about here were based in Albuquerque. Juan Tabo Hills, and Inspiration PID ABQ. These are kind of along the lines that both Bernalillo County and the City of Albuquerque have used to be able to assist in PIDs. This is nothing new to the State of New Mexico, nothing new to the kind of finance organizations that have been dealing with this, nothing new to David who's been involved in probably at least a fourth of these if not half of them throughout the whole state. However, just to be clear, it is new to the County of Santa Fe. And so this is why we want to take this opportunity today to be able to talk about the possibility of a PID that's coming up very soon here, a possibility with your direction.

And so, just to be short, these are bonding authority to bring upfront money that is later paid back by the homeowners, the people who buy lots and buy units, and what happens of course, how it becomes politically sensitive is that there's an extra bill when you're paying your property tax. It's another levy that shows up. You're paying for this infrastructure. And so we wanted to make sure that you're aware of this and making sure that there's full disclosure before we move forward because there's a huge amount of capitalization costs before we move forward to it. We want to feel confident about that. Not that you can approve it nor do we wish you to approve it, because there's an enormous amount of work that has to be done before we get it in place.

So, specifically what we want to talk a little bit about is Oshara Village. There's at least one person on the dais that's very aware of this particular development who as it happened historic [inaudible] this particular area. From a land use standpoint, Oshara Village and the new Oshara Village is within our planned development code. It is part of the Community College District. It's approved – it's had its approvals already. So from a land use perspective this is already a solid institution so we know exactly what it is we want to produce it and how we want to produce it. From an engineering standpoint, there's been a lot of engineering work, along with our Public Works Department, in terms of making sure that it does two different things. One is it takes people off a system now that's close to failing and it will provide better, more efficient service and provide us with liquid gold, as it might be, to be able to assist in some of the areas that we need assistance with.

So it's a win-win situation for that. What we are lacking is a way to actually financially achieve it. And so what we want to be able to do is use this PID process in order to be able to achieve our goals of financing the infrastructure. We've put some of the issues in there. The question for us, and again, this is already an ordinance that you have in place but we'll be adding later on these kinds of process issues just to make it

very clear to people how to be able to acquire this. But since David has worked with us for many years, his firm has worked with us for many years and of course there's already been consultations with our finance people on our side that we employ, and there's been initial conversations already with the County Manager's staff and with the Finance Department. We've come to a conceptual level of what it is that we – a back of the envelope kind of finance initiative.

So we believe at this stage, based on the total number of units, the length of the engineering that it takes for this line, that the assessment will be somewhere equal to the property tax rate of the – one would normally assume the property tax would be some sort of on the size of the valuation. So we wanted to make people aware of that in order to understand what the cost of this PID is. Generally speaking, because there's nobody there, so it will not surprise anybody, we want to make sure that the process is done appropriately. So just so you know, both statutorily, according to our rules, we have to create a committee. You actually appoint two members of that committee. Generally speaking finance people are on that committee, and what we do is we do a financial analysis. We do market projection analysis. We do engineering analysis. We look in terms of what the overhead is to be able to make sure that we're operating this appropriately, make sure that we understand all the variables that can occur, and then what we do is we make sure we package it in a manner in which it's saleable. Because we're actually selling this product on the open bond market to be able to finance these issues.

So the only times when we see the rubber hits the road as it might be, is when people receive a tax bill and they have this thing, like in the City of Albuquerque you have several different lines and in Santa Fe too, where you have different lines on it. This would be a line on their tax bill indicating why they paid for it and what it was for. It is vitally important that we go out of our way to make sure that the marketing of this, and people are fully aware of this when this happens so that there are no issues of people feeling that they're going to be in any way – that they weren't aware of anything of that nature. That usually is the biggest issue that we talk about.

What we're coming to you today with is to just make sure that you understand what this is about and the capital that's taken to be able to get to the point where we can actually truly inform you in terms of the depth of this type of project. I'm personally very excited about this possibility because it allows us to be able to think about ways that we can partner in assisting with development, with actually no real cost to us. Just so you know, the development itself has to pay for not only the cost of all the studies and the issuers and the bond issuance, it also pays for staff costs. The ordinance says there's a \$5,000 [inaudible] originally, if I'm not mistaken.

So it's not that there's very little chance of the County actually losing money on this kind of issue. I did want to bring up that in the past, there was a development that did go bankrupt. Now, since that time there's been substantial changes to the law and many of us that were doing those kinds of things had input in terms of those laws, and so they're very bulked up, but there's been many, many PIDs done since that time because there's a lot more confidence in the market. So I just wanted to point that out that there is a history of a development that I had forgotten. It was a very large development and it was very hard to deal with and there was some negativity and appropriate negativity, because the homework was not done appropriately. So it's very important that we do our

homework appropriately, and they have the right folks around making sure that those decisions that are made in terms of the finance aspect of this are clear and capable.

With that, I don't know if David, you had anything to offer in addition to that.

MANAGER SHAFFER: If I could, Madam Chair, before we get to that, I just wanted to highlight a few things. Sorry to cut off Mr. Buchholtz at the pass. We're talking about a potential PID application. I just wanted to make clear that that's separate and apart from any land use matter that may come before the Board relative to this particular project. In other words we're just talking conceptually about a financing tool, not any land use approvals, number one.

Number two, the purpose of coming forward to the Board to give a greater context was really to take a non-binding – get a non-binding reaction of the Board, is this something the Board would even contemplate in terms of a financing mechanism, because the cost of putting together a full-blown application is not insubstantial. And so if it is a non-starter use of this financing tool, which this Board of County Commissioners has never utilized, then the potential applicant would just as soon then spend their efforts looking at other financing options that may be available to them. So I just wanted to clarify the reason and augment what Joseph said in his presentation in terms of bringing this forward is we hope to give a very high level overview of what that potential PID could look like. It is subject to change and it would all be based upon the analysis that would be brought forward in a full-blown application. And again, nothing that the Board does here today is binding on it in any legal sense, but it is really to just ask that sort of threshold question, should we be spending our resources elsewhere, rather than attempting to put together a package and going down what is not an insubstantial application process. I hope that clarifies what we were hoping to get today. Go ahead, Mr. Buchholtz.

DAVID BUCHHOLTZ: Just a few things. David Buchholtz from the Rodey Law Firm. First off, very glad to be here in person today. I think it's the first meeting that I've come to in quite some time. I know I've appeared before you on Zoom over the last couple of years but it's very good to be back here. I agree with all the comments that Joseph and the County Manager made. There are other matters going on that I'm not directly involved with. Those matters are not before you today and we're not here to prejudice your views on any of that. And as to this particular matter, all we are here is to sort of explain in advance how this might work. Nothing we're talking about today or nothing we talk about today will bind anybody.

My client will have a significant application to put together. We'd probably be before you at least twice in the future with actual actions, but that's done the road.

The PID, as Joseph explained, is a tool that's been used over the last 20 years in a variety of jurisdictions, from Farmington, all the way down to Carlsbad, Doña Ana County, Santa Teresa and Sunland Park, a significant use in Albuquerque, in Rio Rancho and Sandoval County and Bernalillo County. But Santa Fe County has not completed a PID transaction. It does have a PID ordinance, a policy ordinance, which is based on what others have done. Joseph, I understand, is working on some updates to that and of course we'll be happy to provide input on that when it's appropriate.

But the concept here is as was explained. It is a mechanism to assess the particular property owners in the future of these particular lots in a way that disclosure is made to

them before they purchase the lots, and then those assessments are on the property tax bill and pay for financing over time. The County is not responsible in any way for that payment. The only thing that the County would do would be to form the district and the district will provide financing based solely on those assessment payments.

Indicated, we think, very preliminarily about a \$5,000 a year per homeowner in that district, something that would be frankly comparable to what their property tax would be if there was no PID. We did some very back of the envelope calculations and we think we're talking about a property that when developed would be in the range of about \$5,000. Importantly, again, as Joseph mentioned, the statutes have been revised over time. There was a problem in Rio Rancho in a project that was developed by the Albuquerque Academy. The great recession came. It went into some bankruptcy and litigation then came out, fortunately successfully. There was very good work done in the legislature, a combined effort of now Senate pro tem Stuart who was in the House at that time, and then Representative Harper who is one of the very smart people in the House on finance matters. They cooperated together to clean up the PID statute so that we now have things that took care of the issues that occurred in that one transaction and that's how we moved forward.

There were probably 15 to 20 PIDs across the state that have moved through this process, and of course, I'm happy to answer as many questions as you have, but I think today we're just here to familiarize you with that concept, talk a little bit about what we intend to do with staff going forward, and then we'll come back in a formal way, we hope, later on down the road. And with that I won't keep you any longer, but I'd be happy to answer questions.

CHAIR HAMILTON: Thank you very much. So Joseph, we're at the point where you're wanting to field questions on this? Because I see you have two things on the list. I assume we want to just do them sequentially.

MR. MONTOYA: Madam Chair, we'd be happy to answer any questions you have now. I was remiss – Greg, the County Manager, had actually asked me to present you with some information that I did not present to you in terms that were provided by Peter Franklin, who's also involved in this process, in terms of funds in other communities. In this case specifically Rio Rancho in terms of the assessments that were made. So just to be clear, the Cabezon public improvement district, that's in Rio Rancho. It's kind of the far northwest side, allocated \$480 per lot for single family, mixed mostly \$312 per residential lot, commercial is \$4,000.

So these vary considerably, depending on the mechanics of what we're working on. Stonehenge public improvement district, two developments were done at \$1,800 per lot. Residential R-4, a little higher density, a little smaller, just to be clear, I want you to understand, the higher the density the less per unit. Because you can have more people paying into certain geographical areas. This is another advantage of higher density developments. Residential R-3 is \$900 per lot. Lomas Encantado public improvement district is anywhere from a little over \$900 to \$1,700 a lot. Just want to let you know, that's kind of the variability from folks that have done this before. The cost has gone up considerably since that time. We have a fairly even court in our high density areas. It's extremely low density because of open space and because the actual [inaudible] themselves, you might get yields of R-4, maybe R-3 at best. So the per-lot costs are

considerably higher.

CHAIR HAMILTON: Great. Thank you. So are there questions. I'm going to go backwards this time. Commissioner Hughes, then Commissioner Hansen.

COMMISSIONER HUGHES: Thank you, Madam Chair. Did I understand correctly, you're estimating about \$5,000 a lot per year in Oshara? And this is on top of their property tax, right?

MR. BUCHHOLTZ: Very preliminarily, that's correct. And then as to the people who are buying those properties, those disclosures will be made to them prior to their purchasing.

COMMISSIONER HUGHES: Okay. Thank you.

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

COMMISSIONER HANSEN: Thank you. So Commissioner Hughes asked one of my questions. Housing is really quite expensive these days, and so I thought there were 900 units that could be built all together in Oshara. So is this only for one subdivision part of it? One phase?

MR. BUCHHOLTZ: My understanding that what we're working on now is smaller than that, something in the range of maybe 250 lots. And so to the extent that there might be further development down the road, those lots would be considered at some time in the future. But right now we're looking in the range of \$10 to \$15 million of public infrastructure for approximately 200 to 250 lots. Again, very round numbers at this point.

COMMISSIONER HANSEN: And then the people who already have homes there, would they be assessed?

MR. BUCHHOLTZ: People who already have homes there would likely not be in the PID. We can't come and ask for the PID unless I have a unanimity of interest in landownership. So if the assessments were to be made against existing homeowners, you'd have to go and have an election with those homeowners to say that they're agreed. But if we come and say this piece of land is owned in a unanimous way at this point, then we don't have to go through an election process and the sales are subject to the disclosures that say here's what you're buying into in effect.

COMMISSIONER HANSEN: So it's my understanding that Oshara Village, or this second phase, Arroyo Something de Santa Fe, I think, has already agreed to build this connection to the Quill plant?

MR. BUCHHOLTZ: That's a fair question, Commissioner. I'm not sure I have the answer. Perhaps the County Manager or Mr. Montoya have a better sense of what might be before the Commission on those questions, but again, they may be hesitant to discuss those matters right now so not to prejudice your decisions. But I can get you that answer probably if you'll give me the time after the meeting to do that.

MANAGER SHAFFER: Yes, Madam Chair, Commissioner Hansen. The sewer line extension is part of the proposed infrastructure for the project. If the project doesn't happen, obviously the infrastructure doesn't happen, and so this is a separate idea about how that infrastructure could be financed if in fact the project goes forward.

COMMISSIONER HANSEN: So basically we're adding \$5,000 a year to the price of the home, so if a home is \$650,000, which might be mild, it's now \$655,000.

How long does this assessment last?

MR. BUCHHOLTZ: Depending on the term of the financing, the assessment would likely last from ten to fifteen years. That would be – in the PIDs that we've done on the past, that would be the typical length of time that assessments would be payable in order to have the debt paid. And so to be clear, you're looking at \$5,000 a year in terms of the assessment, not just a one-time \$5,000 amount. But it goes into the consideration of what the purchase price of the home would be, all of that being disclosed to the owner before they purchase. And again, we're estimating homes – again, very roundly now – in the \$650,000 to \$800,000 range.

COMMISSIONER HANSEN: So then really actually you basically are adding \$50,000 to the house.

MR. BUCHHOLTZ: Over time, as an assessment, subject to repayments in advance and that kind of thing, I think that round number would be fair.

COMMISSIONER HANSEN: Okay. That was just a quick, back of my tablet math. So then with the Bishop's Lodge water treatment facility, I don't see any – I see one project cost, but –

MR. MONTTOYA: Madam Chair, Commissioner, that's actually a whole different tool. It has nothing to do with the PID at this time.

COMMISSIONER HANSEN: Oh, okay.

CHAIR HAMILTON: So we are going to get there.

MR. MONTTOYA: Yes. As long as I get my computer back.

COMMISSIONER HANSEN: Okay. So I won't ask any questions there.

MR. BUCHHOLTZ: Madam Chair, if I could just make one point of clarification. In regard to the purchase price, the infrastructure ultimately would have to be built. So whether or not the purchase price would be the same or higher if the PID was not used is a question of how to determine the right pricing for all the infrastructure that would have to go in. The benefit of the PID is the extent of infrastructure that's necessary – public infrastructure, remember – the borrowing can be done tax-free. So the cost to the developer is lower, and in consideration of the appropriate sales price number, the developer would take that into consideration, I imagine, in regard to the ultimate pricing to the owner.

I don't mean to suggest though that your arithmetic on the assessment wasn't correct. \$5,000 for a period of time that would probably be ten, no longer than 15, would be the amount of assessment that would be required to cover the \$10 to \$15 million infrastructure. Very round numbers.

COMMISSIONER HANSEN: Right. Very round numbers but also is the developer actually going to really take that into consideration in pricing the houses and not – like if we do this public financing – is that what it's called? A PID, what does it stand for?

MR. BUCHHOLTZ: Public improvement district.

COMMISSIONER HANSEN: Public improvement – so will the developer then recognize that he's getting relief so to speak? And that he's going to not take that to the customer? I'm thinking about the constituent. I'm putting myself in the constituent's place. And the County.

MR. MONTTOYA: Madam Chair, one of the values of the PID is it

actually shows what the actual cost of infrastructure is for that development. Now, some communities in Santa Fe County have not decided to do that, it's tried to provide all the infrastructure itself and therefore everybody pays. This is not the case that Santa Fe County has taken. So the issue is that is a particular finance tool for that particular development, so the people who are taking advantage of that, i.e., the people who are living there, are paying for it. Nobody else is paying for it, only them. And that it is actually the real cost. So just to be clear, we're creating – if it's financed some other way, where it's not that particular development, then other people are paying for it besides the people. Those people will be subsidized. That is not what the County has traditionally done for the most part. So if the County is willing to do that, that's a whole other kind of issue in terms of us providing our bonding capacity which we don't have enough of for the amount of infrastructure that we need to be able to provide.

So your numbers are absolutely right. It's the real cost of infrastructure for sewer, for that development.

CHAIR HAMILTON: Do you mind if I ask a subsidiary question to yours?

COMMISSIONER HANSEN: Go ahead.

CHAIR HAMILTON: Because what's running around in my mind is the question of the alternative for that development, one alternative, is that the developer pays for the infrastructure. It's the same infrastructure, but then that is put directly into the cost of houses. So the residents in those two scenarios pay for the infrastructure one way or the other. The question is whether they're getting charged for it explicitly and it's not theoretically, but that is a valid question in my mind, buried into the cost of the house, and it's also tax free, so that it's somewhat lower by some percentage, or it's paid for up front and taxable by the developer and it's buried in the cost of the house.

MR. MONTOYA: Madam Chair, that's absolutely correct. The reason why we would do this is we want to provide lower cost financing to lower the cost eventually for the housing units. Now, it is difficult to put your mind around the fact that what the prices are. That is another issue that we do want to bring back to you in terms of how we actually lower those costs. Right? And we can. But it takes a substantial issue for us in terms of what our public policy is to be able to achieve this. What these numbers are based on is the current approvals, the current densities that are there, the current yield that is there, and just to be clear, we don't know if that will go up or down because we're in a volatile market right now. Interest rates are highly variable. We don't know what the future will bring. So those are back of the envelope issues. It may go up. It may go down. Because we don't know at this time based on what the bond market is doing.

MR. BUCHHOLTZ: I have some comments on that. First of all, they're very good questions and these questions have been asked by other governing bodies in their consideration of PIDs. My client, I believe, is listening to us, either on the web or through some public device so he's hearing this discussion, and while I'm not ready to concede anything right now because it's early on, I think this is the very reason we came here, to hear what the original concerns of the body might be, to have something to chew on and work with staff on, and then when we come back with more formal presentations, be prepared to answer the questions that you're asking today/

CHAIR HAMILTON: Thank you so much. So back to Commissioner

Hansen.

COMMISSIONER HANSEN: Madam Chair, thank you. So part of the reason I'm asking these questions is because I am concerned about the constituent and the County, and so if we do decide that, oh, yeah, we'll do a PID and that's a great idea. But then is it really beneficial to the homebuyer, the constituent? Or are we just lining the pockets of the developer? And if we're just lining the pockets of the developer to make them more money, then I'm totally opposed. But just to be clear. But if we're really helping to reduce the price of the home for the homeowner over time, because it's a short, extended amount of time, and then after 15 years, which is maybe the same amount of time of their mortgage, maybe mortgages are 15 to 30 years, then they have that reduction and there's a benefit to that.

So that's why I'm asking that question and that's where I'm going.

MR. BUCHHOLTZ: Commissioner, I appreciate the question.

MR. MONTTOYA: Madam Chair, and thank you for asking it because I think that's one of the things that comes up commonly and as part of this, it is public financing. And because of that you get to look at where the money is going, how it's being amortized, what the overhead is, and you get to agree or disagree with that. So you will receive a package of what the money is going, and so if somehow you believe that the developer's project is aligning, really generally speaking, it's a way to pass on the cost, which would have to be passed on anyway, but it makes it clear where the cost is coming from.

So because of that analysis that has to be done before, and I would highly suggest that we might have a study session or something of that nature to really explain all the details of it, but the reality is, it's a fairly formidable document in terms of exactly where the money is coming from, what it is, where it's going to, what is being paid for the actual development itself, overhead and things of that nature. And so I think your question is right on the money, and it's important for both staff and the developers to keep that in mind in terms of this is not a way for increased profitability. This is a way to pass on financial savings, and that's what it needs to be used for.

COMMISSIONER HANSEN: Financial savings to the homeowner.

MR. MONTTOYA: That's correct.

COMMISSIONER HANSEN: Okay. Madam Chair, thank you for your allowing me those questions. I'll take a break.

CHAIR HAMILTON: Thank you. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Madam Chair. Now that I understand it better, I think this is a legitimate way to finance the infrastructure. I think I would want to make sure that there was a lot of disclosure to the potential homeowners because if you're comparing a house in this development with a house in one that's in a development that doesn't have a PID, we want to know that there's this \$5,000 difference per year. In other words, a \$600,000 house in one is not the same as a \$600,000 in the other, because you have this extra amount you have to pay.

MR. BUCHHOLTZ: Without bothering you with too much history, the PID is a tool that's been around for about 20 years. For many years before that there was a financing structure used in a variety of places called special assessment districts. And the tool was unwieldy. It could be imposed on existing homeowners without their

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knowing exactly what was going on in the process, and then at the end of the day when they got their bill, they felt, wait a second. Where did this come from, and I wasn't advised of this?

So one of the things that the PID can do is make that disclosure to a potential homeowner in advance. So while you get a property tax bill, you don't know for sure what anybody's going to say down the road. The process is done in a way so that when the purchase of the property goes on, you get a thick bunch of documents and you're supposed to have a lawyer to help you read it to tell you what it says. But I will say, this kind of assessment that will be placed on you and that will be part of your property tax bill. That information is given before the purchase, and not as it had historically done in other circumstances through a process that was done -- obscure way where much higher than it was.

CHAIR HAMILTON: Thank you. So it seems to me -- I really appreciate getting this much information because it takes time to think about these things and I recognize some of the questions indicate that it's hard to feel totally comfortable with how things are going to actually be implemented because there are good developers, bad developers and things that have gone wrong and things that have gone well. But I kind of feel like it's a good potential tool. We have need for development for various kinds of housing and various levels of affordability in Santa Fe County and we traditionally have a reputation for being very difficult to deal with, right? In terms of development. And we have a Community Development Director who is really focused on affordable housing development and equity and those kinds of things in addition to economic development recommending it as a tool.

I would be concerned about specifics when things come up but I personally, as one of five people who are looking for input, I think it looks like a potentially good tool to use. Are there other questions before we move on to the Bishop's Lodge piece or other input from you guys? I very much appreciate your being here, Mr. Buchholtz.

MR. BUCHHOLTZ: And thank you for having this at this early date so we could begin to flesh this out with the governing body and react to that in connection with the work that I anticipate will be going forward.

MR. MONTROYA: Madam Chair, we'll still have another possible opportunity here. This is not enveloped in the statutory authority right now. However, there is -- I'm not going to say it's experimental. As you know, there's a Bishop's Lodge development that includes not only the development, the resort itself, but also many houses that they serve. They own and operate a pocket plant, a sewer pocket plant currently. And it needs to be replaced. Part of the ownership -- I don't know if there was full disclosure or not but they have discovered recently that it really is at the end of its useful lifecycle here.

Now, there is financing opportunities for sewer that the State of New Mexico has and they provide 0.1 percent interest rates to municipalities, and they've been commonly doing this. They've just had a large injection of federal money. Very large injection of millions upon millions of dollars in federal money. And they're very anxious to be able to lend it out. A lot of them are simply not sophisticated enough to kind of put together the packages necessary to be able to do that. This was an option that we saw to do something a little slightly different in that the relationship between us and the state is well founded.

The administrative procedures are in place. They operate in the same way as if we were to get capital outlay funds.

What is different here is what we have a desire to attempt to do is be able to pass on that savings in the same way that we'd pass on a lower interest rate bond savings, we'd pass on the savings with a little bit off the top for my vacation. And then be able to provide lower cost financing to the developer in the case of Bishop's Lodge. So that is where things get a little tricky. I want to just make sure that we're doing it legally. Make sure that there's no chance of a loss for us. We want to make sure that the administrative procedures are set in place.

Now we, as part of our economic development plan and our financing tools, we put this as a pass-through. This is a pass-through system that we have the ability to get lower cost finance. We have the ability to pass it on. We've had two very long, good conversations with the State of New Mexico. They don't have a problem with any issue with the support that we've provided to them at this date. We do have to work out – there are some legal concerns that have to be worked out if in fact we are to move forward. But I feel confident – we want to make sure that we have collateral. We want to make sure that it will be built, it will be built on time, it will be built to EID standards. We want to make sure that we're fully made whole. We want to make sure that we don't have to put out a lot of money in security that actually it's on the folks who actually build this.

Now, to say it is very necessary from just a health and safety standpoint. We don't believe that we have more than maybe a year, a year and a half and things will start failing and that's going to be kind of a problem and that becomes our problem. So we want to be able to protect the Tesuque Basin. We want to make sure we don't have sewage running down the Bishop's Lodge or in the Tesuque River. We want to make sure too that we do it in a pattern that might establish a new way of us doing business. And again, this is another tool that we'd use for an economic standpoint, infrastructure standpoint that if successful we'll be able to provide another way. And just so we'll be clear, this money can only be used for wastewater. It's wastewater infrastructure so it can be used for all kinds – it can be used for pocket plants. It can be used piping, pumping, things of that nature but only for that purpose. And it is a very specific program that's run by the State of New Mexico and the State of New Mexico has enhanced it with their own money, which interestingly enough puts up another roadblock to get over because they did you some state money.

But that being the case, we just wanted to put this in front of you because we do think it's a very positive way in terms of us assisting the development there and making sure that our water stays clean, making sure that at very little risk to us, if any. Part of the point is we want to make sure that we're completely covered in terms of risk basis. And in addition that we continue to enhance our tourism industry. As you know there's been millions of dollars put both in the acquisition of new development of this particular resort. So if you have any questions I'd be happy to answer any questions you might have.

CHAIR HAMILTON: I'm sure we all do, but just to be clear, you made reference to Bishop's Lodge, but there's also existing residences that use this failing plant, constituents.

MR. MONTOYA: They would be out of sewer – constituents that are

long-term residents that have lived in that valley for many, many years.

CHAIR HAMILTON: So I'll go to Commissioner Hansen.

COMMISSIONER HANSEN: As you well know, I'm a big fan of wastewater plants and sewer facilities. Who would have known? But I did learn about wastewater plants in Oshara Village, so I am well aware of their benefits and their function and how they work. I think this is an important project to look at, and just so you know, Bishop's Lodge, the resort, not only is a resort but up above it it owns land which is large residential. I just want to make sure it's not just the people, but on that note, it is the people in the valley also who would be able to hook into this. If we rebuilt this wastewater plant, people in the valley, going down, would be able to hook into this wastewater plant also, besides just the people at Bishop's Lodge?

MR. MONTOYA: Madam Chair, because it's a gravity flow system those above where the sewer plant is, not those below. So a large part of the valley is below. Madam Chair, Commissioner, you bring up a very good point, we've had some discussions with the Public Works Department in terms of trying to think if there's an overall long-term system to be able to provide sewer capacity to the whole valley, and including the possibility of the pueblo itself. Because of recent issues that have come up, we felt that was too long to be able to get there, because by the time we do the engineering, we do the design, we actually put a finance package together, we get all the approvals, we're coming close to that date by which this has to be built. And so we're – if this isn't going to happen we need to know fairly quickly to be able to find some alternative to be able to finance this.

So unless you're pumping up, which there's no design for at this stage, that would not be the case.

COMMISSIONER HANSEN: So if we put the wastewater plant at the lowest possible location, so to speak, so that we have the gravity flow for the residents, then I think that's an important thing because what I have found in the village in dealing with installation of sewer lines is the grinder pumps are always an issue. I think this is a good thing but I also want to mention that there's a tremendous amount of money in the federal infrastructure package for just this kind of thing. So can we tap into that money?

MR. MONTOYA: That's exactly what we're doing. The State of New Mexico has received these funds specific for this purpose. We're providing it way, way below market rate and we're using it for that purpose. So that's exactly what we're doing.

COMMISSIONER HANSEN: Okay, so they're not grants, actually.

MR. MONTOYA: No.

COMMISSIONER HANSEN: Okay. The State of New Mexico has decided not to use that.

CHAIR HAMILTON: I assume it's the revolving fund, right?

MR. MONTOYA: Madam Chair, that's correct.

COMMISSIONER HANSEN: Yes, but at the moment there's this money that has been put aside in the infrastructure package that was just passed, the infrastructure and jobs act, and there's a lot of money in there for wastewater. And so that money is not grants? It's just –

MR. MONTOYA: Madam Chair, there are actually different sources of funds. We've actually created a matrix of different sources of funds, both for

transportation infrastructure and community development oriented kind of stuff, like broadband. Each of them has different criteria. Each of them has different ways to access the funds. Currently right now, as it sits right now, we don't have immediate access to funds as a grant to provide this kind of thing. And if we did, however, what I would support us doing – of course this is really Public Works' call, not mine, is that we provide the public infrastructure where necessary according to where our utilities master plan is now. And so we would just continue to fund that, which is the overall goal of the Public Works Department.

COMMISSIONER HANSEN: Okay. Well, I definitely support the Bishop's Lodge water treatment facility upgrade. I think that's really important. That's all I have to say, Madam Chair. Thank you.

CHAIR HAMILTON: Commissioner Hughes, did you have –

COMMISSIONER HUGHES: Yes, thank you, Madam Chair. I agree this is a find project to be funding this way and I have a really simple question but maybe you could elaborate a little bit on why can't Bishop's Lodge apply themselves and it has to go through the County.

MR. MONTOKA: I think that's an excellent question. It's come up several times. They can apply for themselves but the interest rate is considerably higher. And so this is a way for us – and so the question – County Manager Shaffer brought this up himself. If the state is allowing us to pass it on and they're fully knowledgeable that we're doing this, what would it matter to them? I can't answer that because that's the State of New Mexico. But they're fully knowledgeable about what we intend to do. They're fully knowledgeable about how we intend to do it, and so my assumption is there might be some statutory language that I'm not aware of or something in a regulatory process that's too difficult for them to get over, so I can't tell you more than that.

It does put us in a good position, to be quite honest with you though, besides paying for my next vacation, it does allow us some extra capital from our side without any real risk, which our intention is to do if this comes out to be possible, to do several of these in order to build up an economic development fund.

CHAIR HAMILTON: Excellent.

COMMISSIONER HUGHES: Thank you.

CHAIR HAMILTON: Thank you. Commissioner Roybal.

COMMISSIONER ROYBAL: Thank you, Madam Chair. I think this is a great opportunity for the County as Director Montoya indicated. I think this could change our ways of doing business and actually open up a lot of opportunities. And this is in District 1 and it does have some health and safety concerns and so I definitely support working on this project and seeing what the County can do and then see what other opportunities come forward that we could utilize a lot of this funding to create other projects. So it's something that I'm really glad to see come forward and I'm excited to see where we go from here. I think this is a great opportunity though. Thank you.

MR. MONTOKA: Thank you.

CHAIR HAMILTON: Yes, and I also really support investigating this and doing it if at all possible. It's an important thing to do. We've used other mechanisms in the county, although it's kind of comparing apples and oranges and I know there are differences in getting new capital outlay and being the fiscal agent of doing CDBG and

being the agent for it that help communities do things that are really important in terms of critical utilities – water and sewer are the primary ones. So I think you see pretty unanimous support for trying to pursue this.

MR. MONTOYA: Madam Chair, thank you.

CHAIR HAMILTON: Thank you. So where does that leave us, Joseph?

MR. MONTOYA: We just really wanted to get in front of you in terms of these two possible opportunities and any time you're trying something new you want to check in with the bosses to make sure you're going in the right direction. And so that was the reason for this presentation today and to let you know this is not because of these two developments that just happened to come along at this time, this is part of an overall strategy that we intended to do as part of that ongoing plan and as part of our ability to be able to assist in financing opportunities for people. So it just happened this was a little earlier than we had prepared for but it's not as though these people came to us and said I want you to do this for me personally. This is not some kind of personal favor. We want to set precedents and policy and have these tools available for anybody who wants to make use of them.

CHAIR HAMILTON: Fabulous. Thank you so much and thanks everybody who helped in the presentations.

MR. MONTOYA: Thank you.

8. MATTERS OF PUBLIC CONCERN

CHAIR HAMILTON: So hopefully, Daniel, you're going to help me out with this. As far as I know, I've been told there are two people on who have requested to speak to the Commission during Matters of Public Concern. The first that I have listed is David Buchholtz. If you're on.

MANAGER SHAFFER: Madam Chair, Mr. Buchholtz was just here. I think he had signed up as a prophylactic measure in case he couldn't attend in person. So he's good.

CHAIR HAMILTON: I thought the name was familiar. Okay. Well, never mind. So we have one other person. Is that still true? Ricardo Sanchez who wanted to speak. Mr. Sanchez, if you're on, if you can unmute yourself and give us your comment. Daniel, Mr. Sanchez – does he appear to be on Webex?

DANIEL FRESQUEZ (Media Specialist): Madam Chair, I do not see Ricardo Sanchez online. However, there is a phone caller. Mr. Sanchez, if you called in, you can hit star 6 to unmute.

CHAIR HAMILTON: Thank you, Daniel. So if the caller is Mr. Sanchez, could you hit start 6 and unmute? Or frankly, if there's anybody else on the Webex who wishes to speak.

BARAK WOLFF (via Webex): Madam Chair, this is Barak Wolff and I was signed up with Sara to make a comment today, and I will appreciate that opportunity at this time.

CHAIR HAMILTON: Absolutely. Please go ahead. Introduce yourself and let us know.

MR. WOLFF: Thank you. I see the clock and I will be brief. My name is

Barak Wolff and my wife Leah Popp and I have been 30+ year residents of Tesuque and we're regular users of the transfer station since it opened in 1980. And I'm not going to go into all the reasons that transfer station is so important to public safety and to our welfare and that people will be adversely affected if it's closed, as we were told, just at the end of last month that we had 30 days and that was it. This was going to be a permanent closure of that transfer station.

That transfer station used to be four days a week and now it's been cut to three and maybe there's potential to cut it further. But to take it away entirely at this point in time with no public discussion around it, at least ones that I can find, seems like it would be a real mistake. Again, it was an abrupt announcement and I'm hoping that we can slow that down a little bit so that we can deal with some of the environmental impacts that it will cause and the suffering of some of the people with challenged and us elders.

So I've spoken to – there's a lot of rumors floating around about why this is happening. It's hard to get a handle on it and I don't think I have it yet. I know Commissioner Roybal has been involved. People have been working on it, but the announcement of the decision to close was abrupt. I've spoken with the tribal utilities director and she indicated she hasn't been involved in meetings but she does know that there's not a sense of urgency by the tribe to shut this down in two weeks, that they are open to continuing to discuss it, and I think that's very important.

There are probably alternatives. We haven't had a public meeting about this. There's been no public input that I can ascertain. I wrote each of you a letter last Friday with all the information that I had, all the Commissioners and Manager Shaffer and I'm hoping that because of that and because of the newspaper articles and the manner of discussion in the community that we could perhaps have a community meeting at the Tesuque fire station and get some good ideas about how to sustain this, and in the meantime to keep it available to those of us in the community. It's going to be a hardship to have to go up to Jacona and figure out how to use access to other than what we've been doing now for well over 40 years. So we're really quite surprised. I think our citizens are in the middle of it. It doesn't seem like there's any sense of urgency that this has to close in two weeks. I've listened to all this discussion for the last several hours. This is an issue that's going to affect real people, real citizens, really immediately. And I sure appreciate your listening to this plea that we take a little more time and get some real community input so that we can find a good solution, not just close it down. Thank you so much.

CHAIR HAMILTON: Excellent. Excellently timed. Thank you very much for your input. Is there anybody else on Webex who wishes to speak during Matters of Public Concern? Just to confirm, Daniel, I assume you don't see anybody else except for the one person who's called in.

MR. FRESQUEZ: Madam Chair, that is correct. We did receive a comment in our public comment forum. Would you like me to read that?

CHAIR HAMILTON: Is this for public comment or for the public hearing later? You're welcome to read it now.

MR. FRESQUEZ: You're right; it is for the hearing later on.

CHAIR HAMILTON: So let me ask quickly. Attorney Brown, should we read it now or wait until the public hearing and read it then? If it is specific about the

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public hearing?

MS. BROWN: If it's specific to the public hearing I would include it in that process.

CHAIR HAMILTON: Okay. Excellent. Thank you very much. Okay, Daniel. We'll wait on that. And I'm going to go ahead and close Matters of Public Concern.

9. MATTERS FROM THE COUNTY MANAGER

A. COVID-19 Updates

CHAIR HAMILTON: Manager Shaffer, you can proceed through your items.

MANAGER SHAFFER: Thank you, Madam Chair. I'll be brief. Not much in the way of COVID-19-related updates. Santa Fe County continues to be at medium community level per the CDC. Today is the first meeting in a while where we did open the meeting of the Board of County Commissioners to in-person public participation. Again, that was done in part due to the fact that we do have machines that allow us to do visit screening more readily and that will be our model going forward. We do plan to continue to offer a hybrid participation model so as to reduce the number of folks in the chambers but also allow individuals to participate in a way that they're comfortable with, given their own risk factors.

B. Miscellaneous Updates

In terms of general updates, we have announced a community meeting next Monday at 6:00 pm at the Pojoaque regional fire station to discuss and explain the closure of the Tesuque convenience center. Notice of that meeting was sent out to constituents via email earlier today, if I'm not mistaken.

With regard to other things of interest, the Fire Department participated in their third townhall meeting on fire preparedness and prevention in District 2 last Saturday at Commissioner Hansen's Coffee and Tea under the Trees at Reunity Resources. We did have another opportunity this past week in our support for President Biden's visit to the state for the regional and district staff to participate together on those efforts as part of an ongoing effort of the Fire Chief to find ways for regional and district staff to work side by side. The Fire administration is continuing to assist district chiefs with the preparation for ISO inspections from June through December. There are a variety of districts that will be inspected as part of that important ISO rating process.

In addition, the Fire Marshall intends to bring forward at the next Board meeting a request to extend the fireworks ban for an additional 30 days since our drought conditions continue to not improve.

A very quick update with regard to the implementation of Resolution 2022-031, a copy of that resolution concerning a potential nationwide or statewide ban on single use plastic and polystyrene products was sent to our federal and state delegations. Assuming that there is no action at the federal state level we are proceeding to form the working group to analyze what local county-only policy options might look like, and we are in the

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process of reaching out to organizations who may have individuals willing to work on that working group. So we are moving forward with the implementation of that ordinance and I wanted to keep you generally apprised of that.

Finally, looking ahead to the next Board meeting, this is with regard to our Solid Waste Ordinance amendment that would allow for the Board to authorize free solid waste days by resolution. The Legal Department has concluded that it would be within the Board's legal authority to declare that it is necessary for public health and safety for the ordinance to go into effect immediately. That's obviously a policy decision for the Board to make, but given that conclusion we'll be presenting language for the Board to consider that would accomplish that. In addition, Gary Giron, our Public Works Department director and his team will be working on a resolution for the Board to consider at the same time to at least begin the process should the Board choose, of having greenwaste disposal days that would help our community better deal with risk associated with wildfires by cleaning up their properties, creating defensible space, what have you. But I did want to give you that update that both the option of an immediate effective date as well as a resolution to move forward with some free greenwaste days will be coming forward to the Board at the end of the month. Thank you.

CHAIR HAMILTON: Fantastic. Thank you very much. Are there questions from the Board on –

9. C. Presentation and Potential Direction Concerning Final Budget, Including Capital Projects, for Fiscal Year 2022-2023 (FY 2023) and Potential General Obligation Bond Questions for November 2022, General Election [Exhibit 1: Presentation]

YVONNE HERRERA (Finance Director): It's been a really long afternoon and I apologize to have to add more to all the information that you have all listened to today. Chair and Commissioners, we're here to present – Katherine Miller and myself are here to present the update to the budget for fiscal year 23 which will include the biggest component, or the adjustment or the addition that we're making as related to projects. And again, we have our population goals that we always continue to keep in mind as we go through this process.

We actually broke out our budget into three different pools. The first one that we see here on the slide is just a summary of all the different projects and we'll look at the details here in a moment, but this group of projects are projects that are fully funded, don't need any additional money. We are just going to include in the final budget the amount of the unencumbered budget as of today, including any encumbrances that still have balances on them, so they can be rolled over into the next year so that the departments can continue operating on those POs.

For this group of projects we have \$49 million of unencumbered budget that we will include for next year as well as \$11.1 million in encumbrances, for a total of \$60.1 million. As you can see we have a broad range of projects that are in this pool from ADA compliance, improvements to broadband, to fire, to open space, roads, solar, solid waste, utilities and vertical. I think I forgot to mention housing in this list.

The second group of projects that we are including in the budget for fiscal year 23

is related to project funding that we're proposing a reallocation from one project to another. Most of these projects here are closed, so everything specifically related to the project on the left side has been completed and there's additional funding that is available that we will request to be reallocated to another project that falls in line with either the bond proceeds, the purpose why the bond was issued, or GRT revenue. As you can see most of the dollar amounts are relatively small. We do have several items that are larger.

The first item that I wanted to point out to you is the 102 Grant. We issued bonds and set aside GRT for the 102 Grant project. The project is completed. We've set aside additional funding to finish up some punchlist items and we are asking that \$1.5 million of that go to what we are calling the Airport Road facility, which is the old YDP building for that improvement.

In addition, I wanted to point out the Abedon Lopez Senior Center. We're asking that \$800,000 be moved over to the Highway 14 Senior Center, and that is due to the Abedon Lopez Center actually receiving two state GOB grants in the amount of \$2 million. So they don't need that \$800,000 of funding. So we're asking that we move to a project that needs additional funding to complete it. Then in addition we have the Pojoaque-Jacona fire substation. At this point in time the project isn't moving forward, so we would request that that funding be moved to other projects that are ready to move forward so that we can complete those projects but also try to limit the increase in costs that we're seeing across the board.

And then we've got the Eldorado Fire One. Again, that one is not ready to move forward but the Eldorado Fire Two station is. So again we are asking that we move that money to Eldorado Fire Two.

The other projects, as I mentioned before, are closed. They're completed. So in order to keep, particularly with our bond funds, in order to get those bond proceeds spent as quickly as possible, we are requesting that on the other projects that are bond-related that we move to reallocate to the other projects on the right so that we can continue spending those bond proceeds and actually close out those bonds. We still have unspent bond proceeds from 2009. So it's really important that we get those bonds spent as quickly as possible. So that as we go later on into the presentation we will be presenting a group of projects for bond election now in the fall. So we definitely want to continue moving any projects that were approved under old bond questions and get those monies spent so that we can continue issuing new bonds to fund other projects.

The total amount of this group of projects, of just the reallocations; the budget is already there. All we're doing is moving it from one project to another, is \$4.9 million.

CHAIR HAMILTON: Before you go on, I just can't help myself. On the second line, are we really reallocating \$2?

MS. HERRERA: Yes, ma'am.

MS. MILLER: Gary doesn't let go of a dollar.

CHAIR HAMILTON: Okay. I just had to ask in case it was a typo, totally cool. No judgments here. Thank you.

MS. HERRERA: Yes, ma'am. Those rounding pennies. And to clarify, Sam and I actually discovered that line #3 is a duplicate. So the Double Arrow Road for \$219,000 is actually our first item there. So the total amount that we would include in next year's budget is \$4.7 million.

CHAIR HAMILTON: Okay. Thank you.

MS. HERRERA: And then finally, the last group of projects is projects that currently do have funding as well as have POs, but because of rising costs, changing in scope, they need additional money in order to be able to complete that project. So again, as we saw in our first group of projects, we have unencumbered budget that we'll include in next year's budget. We have encumbrances, open POs, so we will roll those over so that the departments can continue operating and pay bills, and then the additional – the column labeled additional funding is the additional amount that we are requesting approval for to add to the specific projects that again is listed later on in the presentation and we will review that.

So for this group of projects, the unencumbered budget balance is \$38.4 million and encumbrances that we will roll forward is \$4.9 million, and then the additional funding that is needed for these projects to be completed is \$19 million.

The total – we wanted to show what the impact would be to the budget. At the last – at the special meeting that we had in May to ask the Board for approval of the interim budget, the interim budget balance at that moment in time was \$2989 million. We've got some department adjustments that we'll talk about here in a moment but those last three items listed there, the capital projects carry-over, reallocation and new funding, the inclusion of those three items make up the largest portion of the \$131 million that we would be adding to the interim budget balance, giving us an estimated total as of today of \$430.1 million for fiscal year 23 budget.

At this moment in time, would the Board want to look at the detailed projects for group 1 and 3, the projects that have the funding and just we need to roll forward, and then the projects that need additional funding?

CHAIR HAMILTON: I would think yes. I think some information would be good.

MS. HERRERA: Okay.

CHAIR HAMILTON: But in addition can you just briefly remind us, the budget that had to be turned in, the draft budget that had to be turned into the state was the operating budget, right? So this is the additional information which we knew was coming, I know, but I just wanted to make sure everybody was clear on it. Okay, good.

MS. HERRERA: Yes, Madam Chair. The budget that represented the interim budget includes the operational activities but also the fixed asset requests, and then some capital grants. So like specifically with housing grants. The capital fund that we get from HUD, but yes, it was basically the operational budget for the County. And then the second portion, the bulk of it will be the capital portion which is the capital projects.

CHAIR HAMILTON: Okay. Do capital project, does capital budget have to be turned into the state at all?

MS. MILLER: Madam Chair, so the way we do it – we do it this way somewhat intentionally for to make it easy to follow. The interim budget has to be turned in by June 1st. So we really focus on getting the operating budget together, the departments' budgets together. It would be nice if the state did multi-year capital budgets, but they don't. So most of your capital projects – that's why we get fixed assets. Those might be capital items. We get those into the operating budget but our capital projects,

like road construction projects, vertical construction, open space projects, typically those are multi-year projects. And so we start budgeting first planning and design funding, then we'll come to you in a year or two to say, okay, now we need to put money in for construction. And then everything goes up in cost so we say, hey, we need more money for construction.

But what we try to do is carry – so we'll create a cost center for each project and we'll keep carrying that budget from beginning to the end of the project forward whatever's remaining and keep track of what's been spent so that at the end it can all be capitalized, put on the fixed asset list, depreciated if it's going to be depreciated and the costs capitalized. But we're always having to guess, well, where are we going to be at June 30 on expenditures. How many invoices are we going to get from the architects, the engineers, the construction company – what not, so we're trying to get a good target of what's remaining budget that we can roll forward, or what additional budget do we need in order to award a contract once the year starts.

And we try to get that into the final budget because we're not able to do budget adjustments between once we turn in the final budget and DFA approves it, which is usually the entire best part of construction season – July, August, September. So we separated out for purposes of one, let's get our operating budget in, get our interim budget approved, so that we know July 1 the departments are ready to roll with their department budgets. And then we focus on the capital projects in the final budget, so that we've spent down and paid invoices as close as possible, and spend time meeting with Public Works, Finance and Public Works, and Sustainability, Utilities, anybody who has projects to say where are we going to be? Is that going to be encumbered and awarded before June 30 and we're just rolling an encumbrance over or are we going to need to carry budget authority over into the next year so you can sign a contract in July.

So that's the reason we do it separate. It's easier to follow. Otherwise you've got all this mixed in with the operating budget and it's harder for us to know where we're going to end on June 30th back in May. So we try to separate it. I'd say some entities lump it all together and the clean it up afterwards. We still have cleanup that we end up doing in September/October but we try to get it as close to what we think we'll have spent on a project or what we'll need in the next fiscal year. If you could to do, just to state aloud, a multi-year budget, you'd set up a three- or four-year budget for a project and not have to do what we're doing but that's just the way DFA has us submit our budgets.

CHAIR HAMILTON: Thanks. I just thought the review would be helpful and put what we're doing in perspective.

MS. HERRERA: So to add to that, we'll also – we met and determined these amounts for today's presentation but we'll take a look at again, just like we will with the salary analysis because as you know, POs will continue to change, invoices will be processed. We have a 60-day accounts payable accrual process so a lot happens in the time that we present to the Board the capital projects to when we actually know what the final balances are, which we do the best we can. Sam does a really good job of trying to estimate and calculate with Public Works that we have a really good number, so the cleanup that we present to the Board next fiscal year is a lot less or not as cumbersome to try to figure out. But the goal is to get the numbers as best as we can so the departments

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can keep moving forward with as little or as few adjustments to next year's budget through the BAR process.

The detailed list of the first group of projects, which are the projects that had funding, didn't need any additional amounts begins on slide 10. They are grouped by project category, which matches the summary slide. So we have the ADA improvements, along with broadband, fire, housing, open space. As you can see, most projects there have unencumbered budget balance and some have some POs that we will roll over, bringing the adjustments of the budget for each of those budgets under that total column.

As you can see, this group of projects is about 2 ½ pages long. We are also in the presentation, we are also including the district or districts that are involved in those specific projects.

MS. MILLER: Madam Chair, on this I'd like to point out, so that the unencumbered budget to roll forward, what we try to do is once the Board has allocated funding for a project – so say, you allocate \$2 million for a project, we try to budget that right away so that we don't lose track, even if they're not going to spend it, we budget it each year so that we know and can reconcile to cash that we have available that we have enough money in the actual bank and the fund balance for that project. But what will happen is you might only encumber the engineering for the first two years. And so you'll have encumbrances to roll forward, which could be architects, engineers, environmental analysis, survey work, whatever, and then you'll have this big balance unencumbered which is there for the construction of the project.

So that's why you have these two columns. You have the column of unencumbered which is what the Board has already approved as budget for a project, plus part of that is anything encumbered that might be for services, for design work or preliminary work. And then you've got the total. So that's what you're looking at on these sheets. So these are existing projects that have had budget maybe for a year, could be as much as eight or nine years, like the northeast/southeast connector, we started with \$5 million and are up to \$16.5 million right now and probably will end up more like \$20 million.

But each year, whatever's been budgeted, we keep rolling it forward until the project is closed.

MS. HERRERA: And then our next group of projects is again, those that have a budget as well as POs as well as need additional funding to be able to complete the project, again, bringing each project to a new total under that total column. The one thing that is different between this list and the previous list is we do have some new projects, but the new projects are related to grants. So there's no actual new project that we're bringing to the Board that wasn't already previously approved. The new projects are related to grants that were awarded to the County through the application process.

So again, we have the same categories for the different projects, and that far right column, which is the funding source, there's a legend on the final page, on the next page that tells you what that is. Most of the projects are being funded by state appropriations which is the A, and then we do have some that we'll be providing GRT to, and then bond funding as was mentioned before, we still have unspent bond proceeds that we need to get spent.

And then we do have some projects that have been allocated ARPA funds, so

those will be budgeted using that funding source. And then the Utilities Department is funding some of its own projects. And that, Madam Chair, Commissioners, is the complete list of capital projects from moving the budget from this fiscal year to next fiscal year and then providing new additional monies for the projects to be completed and then the reallocation of available from projects that are closed and completed or not ready to move forward to projects that are ready to move forward and to continue to move current projects forward. Madam Chair, if the Board has any questions on any specific projects, I did make Director Giron stay around so that he could answer questions and be available. Okay, well, we didn't make him.

COMMISSIONER HANSEN: Madam Chair.

CHAIR HAMILTON: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: Mr. Giron likes to stay here with us so I don't think you made him.

COMMISSIONER HUGHES: Madam Chair, are we taking questions?

CHAIR HAMILTON: We are taking questions.

COMMISSIONER HUGHES: So I'm looking at page 7, which I think we skipped over, the general obligation bond question projects. How did you come up with these and when do we vote on them? I've never been through this process before so I'm very excited about the process.

MS. MILLER: Madam Chair, we were actually going to get back to slide 6, we just wanted to show you the detail in slides 10 through 14 of the bigger numbers on the summary page, the list of all the projects so you could see it. So actually we needed to go back to 6 through 9 anyway, and the rest of it. So we can go back to that. Yvonne can do the rest of 6, the other things we needed to change and then I'll go through what we did for proposed bond projects.

CHAIR HAMILTON: Thank you.

MS. HERRERA: Madam Chair, Commissioners, going back to slide 6, this was the summary slide that we provided to show the impact of the projects, as well as additional department adjustments reconciling items between the interim budget to what we think might be the final budget, assuming no other changes are being made. As you can see, the first six, seven lines – so we start off with the 2023 interim budget, which is \$298 million that was presented to DFA as the County's interim budget. And then we have some additional adjustments that we'll need to make as a result of department operations carryover requests. So most of these will be items that department had submitted to Finance for processing through the procurement process but isn't far enough along yet to become a PO. So in order to make sure that that funding is available, because it wasn't part of what the departments had planned for next year will include those amounts in the interim budget so that the department's procurement can continue to move forward.

As we review the budget and continue to reconcile everything, we will continue to find corrections, which I've labeled up there as Finance corrections. These are items where we may have eliminated a department request in error. As we've gone back and double-checked everything it was supposed to be an adjustment versus a complete elimination, so we want to make sure that we put that back in the budget for the department.

And then as we discussed in the past, we'll continue to have grant adjustments. Departments may not have the actual grant award available so we kind of estimate what that amount will be and if the award becomes available we'll make those adjustments so that we have the budget for that grant as close as possible to what it actually is supposed to be. Again, this is with the intent to try to eliminate or reduce the amount of budget adjustments we have to bring to the Board the following fiscal year to make these kinds of corrections.

Fixed asset carryover – departments during the budget process, the Board approves fixed asset requests for the departments and as they go through the year and make those purchases, some things they may not be able to actually purchase or they may not be able to get it by June 30th. So because that funding was previously approved we want to make sure that we carry over those amounts into the next year so they don't use next year's budget to pay for those items that were already approved in a different fiscal year.

And then for the next two items, capital project carryover and the maintenance project carryover, these items normally would have been included in the project list we provided the Board but these came after. And so we're still reconciling those amounts with the departments to make sure that we have the correct amount. So we didn't want to exclude them, but they're there. We just don't know yet if the amounts that we're presenting to the Board today will be the final amounts for these ones. So as soon as we can tie those out and get them reconciled they'll actually show up on one of those other three project lists.

And then the last three items are our three pools of projects that were presented bringing a total adjustment of \$131 million to the interim budget as of today, if we were to present this as the final budget to DFA.

So including all those adjustments to the interim budget, that brings us to a preliminary final budget amount of \$430 million for fiscal year 23. As mentioned before we'll continue to look at the project budgets, especially the income receipts to make sure that don't – that we adjust those accordingly, that we continue to add as much as we can to the budget in terms of any new projects that the County has appropriated through the state that we know will be coming to the County for the Board's approve or Manager Shaffer's approval. Just as a matter because we can't do budget adjustments, as Katherine mentioned, for two months, if we can get as much of those transactions into the budget then the department can immediately begin. As soon as that grant is awarded the department will be able to begin spending those funds instead of waiting until September, October to submit a BAR for processing.

So as of today, \$430 million. There might be some additional adjustments which we will again provide in detail just like this slide to the Board before we actually bring forth the final budget for fiscal year 23. And with that, Chair, if there are any questions related to the projects or related to the adjustments that are presented on this slide as of right now, as of today. And if not then we'll go to that next screen or the next slide related to the bond election.

CHAIR HAMILTON: Why don't we proceed on ahead?

MS. MILLER: Thank you, Madam Chair. So as we go through this whole process of reconciling all the projects, we're obviously looking at projects the Board has

already approved, and of those projects what needs additional funding and we're looking to our different sources to try to finish out projects that are already underway. In what Yvonne presented so far we're using capital outlay GRT, existing bond funds that we either have earned interest on and have accumulated interest earnings within the fund and we'll allocate those, we'll come to you to allocate those to different projects, projects that have finished that have access bond funds or GRT.

We have the capital outlay GRT. We also have the hold harmless GRT that was put into place in 2015 to fund this building and the other building, the road construction for the settlement agreements, and \$2 million worth of ADA projects. And then the rest of that that doesn't pay debt service is also dedicated to maintenance projects on our County facilities – roads, buildings, etc. So that's another one of the funding sources. Some impact fees in fire, not much, fire funds from the state and carried forward that we have in fire funds, quarter cent fire excise tax, and I'm trying to think if there's any others. The housing funds, capital funds. So those are the primary sources that we use to fund our capital projects.

And then we have general obligation – and we work through all the existing projects and what's needed to move those forward, and look at, okay, well we can put funds there for that, etc., etc. But then we also have our general obligation bond funds and the County always used to be – well, I shouldn't say always, but for the last 25 years or so, been on about a four-year bond election to the voters. And typically have anywhere from three to five questions to the voters. And three of those questions are – and since 1999, I think, or 2000, open space, trails, parks, roads, and water and wastewater.

Some of the questions we've had are public safety, additional questions we've had are public safety where we've done the expansion to the dispatch center, expansion to the Public Safety building and fire stations. We've done a couple of those, and we've done the health facilities. We had done questions in the past for administrative buildings. Those typically don't pass. So administrative items we look to our other growth receipts tax and other revenue bonds in order to fund those.

So we've done it typically on a four-year cycle and we'll do in the last few years \$25 to \$35 million. But in 2020 the Board made a conscious decision to do \$20 million and do half. We could have done \$40 million at that time and kept our debt service rate on property tax the same, and the Board made a conscious decision because of the pandemic to only go out to the voters for \$20 million. And so we got authorization from the voters for \$20 million; we sold those bonds. What we previously had done is we would do, say, \$30, \$35 million and then you have five years after voter approval in which to issue those and we would split it up into funding cycles. So we'd have the election in November. The following spring we would maybe issue maybe a third to a half of it or maybe even two-thirds of it, and then two years later issue the rest of the authorization. And that's how the debt service rate had been really worked with our financial advisors to stay flat and not fluctuate to the property owners.

In 2020, when we decided to only do \$20 million, we had the ability to do \$40 million and spread it out over four or five years, but we just felt that that wasn't really a fair thing to ask of the voters to support \$40 million in bond questions so we cut it in half and we did \$20 million. Working with the financial advisors now would be the time that we would go to the other half of the question, and based on our assessed values our

financial advisor believes that we could stay in the same debt service rate with about \$25 million.

So that starts kind of our target of what we would recommend in capacity in questions to the voters is that we're doing the other half of our four-year cycle, and then in 2024 you could decide whether you like being on a two-year cycle or you could decide to go back to the four-year cycle but at the moment we were sticking with just the other half of that four-year cycle. You could – if you wanted, you could go now for the four-year but we're still on a precarious economic situation and with inflation, I think keeping the dollar levels lower and even though it's still going to be the same debt service rate, it's just a matter of you'd be putting something like \$45 million with the questions to the voters, and we're usually the last ones on the ballot, so there could also be fatigue with checking yes to big dollars in bond questions. So a lot of it is also thinking strategically about what will the residents feel comfortable supporting.

So we started with the \$25 million and the first thing we did is we looked at all the projects we have out there that are existing projects, where are we short in funding. We have put forward to you in the spreadsheet in the packet where we think existing cash needs to go, because we don't want to jeopardize existing projects. We want to try to get those funded and awarded, get the contracts awarded. So that's the premise also that we recommend the funding sources for the projects you've already seen, the \$160 million, the \$4.9 million, the \$62 million.

This is an additional funding source of \$25 million, and as I said, for the last 22 years, our questions, we've always had these three questions, and that's on open space and trails, roads, and utilities. So that was our second thing that we worked with was sticking with what has typically gotten a great deal of support from our voters. We usually get 65 to 75 percent approval on these questions, and then the \$25 million being the amount that would keep our debt service rate the same, based on current property valuations.

So those are just – I give you the thought process behind this slide. Then what we did is we went through everything with Public Works and the departments about, well, what's next? What is the next phase in projects that we have? So if you look at – and what are kind of the next priorities. In open space and trails, the Santa Fe River Trail. How we've worked that is it's been broken down into segments, and while we're doing construction on one segment, we're looking for funding sources and a preliminary design for acquiring land for the next segment. So this – in the budget proposal you've already seen, that additional funding for the river trail is to finish that segment. The construction on the segment from Siler to San Ysidro, we're short on funding for construction, that proposed funding that we have, most of that increased proposed funding in the proposal you already saw, is the money from the sale of the South Meadows property to put that directly right back into open space immediately and get it so that we can fund the estimated construction cost of the river trail that we have already designed and acquired 99 percent of the property for.

So these are the next two priorities in the open space management plan and construction plan and that is Thornton Ranch. We already have some funding for Thornton Ranch and I believe we also were looking at moving in the proposal that you already saw, some of the money is from the Mt. Chalchihuitl property that we're no

longer pursuing the procurement of that, and we had suggested that that funding roll to the Thornton Ranch. It's in the same area, the Galisteo Basin/Cerrillos area. But that's not enough to do the first phase of the construction. We're doing design. This would help fund the first phase of construction in Thornton Ranch and get it open to the public.

The second project recommended there is \$3.2 million for the next section of the Santa Fe River Trail and that's design and acquisition of the Santa Fe River Trail from Caja del Oro to Cottonwood Drive. And there will still need to be additional segments from Cottonwood Drive to the existing trail at Agua Fria to Constellation that also goes out to Diablo Canyon, and then the next phase is we take it out into La Cienega. But this would be the next phase to try to connect those sections.

Then in roads, Avenida del Sur, we have funding currently and it's in the proposed final budget for design. That's the total funding secured \$1 million. That's in our existing bond, and an estimated funding gap of \$5.5 million to do the construction of \$6.5 million, for 1.85 miles, taking Avenida del Sur, connecting it out to Highway 14 from within Rancho Viejo.

Then County Road 51, a water crossing at Ojo de la Vaca. This is a bridge. We also, I believe, need additional funding to finish the paving at the top of Ojo de la Vaca.

Then General Goodwin Road, that's a project we've been working on for several years and have pretty much completed design, and we have an updated estimate of costs of \$6 million. This would be the first phase of construction on that. We've secured funding of \$1.457 million; we need an additional \$1.8 million to finish that. The next phase actually will be quite complicated. That will be trying to get an easement from the railway to go under the railroad tracks for drainage.

Then County Road 78, Camino Chupadero, a drainage and paving. We currently have \$750,000 but this is a pretty complicated project to take the drainage to the river and needs an additional \$2.7 million for a total of \$3.5 million.

Those are the road projects recommended for a total of \$13 million would be the bond question for open space a bond question for \$5 million, and then \$7 million for water and wastewater. If you recall we had the redirect of the Abajo lift station in the ARPA funds, a million dollars in the ARPA funds but we moved that to do the broadband conduit in the northeast/southeast connector, and that was an immediate need, because we want to bid that out now. We asked the Board to move that money to the broadband and then we need to replace that million dollars and suggest that that would come out of the 2022 bond questions.

Agua Fria sewer, that's a project that is actually – we see total costs of \$5.1 million, but really it just depends on how many streets we do and what the costs are of each street, but our next phase, we'd like another additional \$1.2 million for that project. Then Hyde Park Estates water system improvements of \$1.2 million. Cañoncito waterline upsize, I believe – I don't know if John is here – but I believe this one was one we actually requested the funding in federal funding as an earmark but we didn't get that.

JOHN DUPUIS (Utilities Director): From 25 to 75 acre-feet.

MS. MILLER: Thank you. From 25 acre-feet to 75 acre-feet. And then Oshara Phase 2. This is – I think you talked about this earlier. I was sort of listening and sort of writing at the same time. So this is taking the sewer line to the Abajo lift station and then eventually connecting that to the system at the state pen, and then the aquifer

storage recharge partnership in Rancho Viejo of \$1.1 million for a total of \$7 million.

So that is what we're recommending to the Board. We're putting this out here now so that if the Board has questions, concerns, don't like some of these projects, want to see different projects, want us to make different proposals. Basically, we have till 90 days prior to the general election to pass the bond resolution and provide that to the Clerk with the bond questions. So we target having that done by the last meeting in July. So there's definitely time to talk about this and discuss it, but because when we're going through this whole final budget process and budget reconciliation for existing projects we're also looking at, okay, which ones are better for a bond question because we have maybe design money now but we need to move into construction, or we need to start designing and we don't need the money though until next year.

So that's how we approached the proposals on the capital projects and funding the capital projects. It's pretty complicated. It's a lot of funding sources, multiple funding sources for each project. Then we get funding from state appropriations so then that moves things around. So we kind of brought all of this to you so you could ask questions about any of the projects that we have and what we're recommending in the way of funding sources and total funding in order to keep them moving forward.

So with that, I would say I stand for questions on the general obligation bond projects or any of the projects that we've listed.

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

COMMISSIONER HUGHES: Thank you, Madam Chair. So now I'm ready for my question. So this is in relation to general obligation bonds but maybe it's just more general. I thought that there was a need for some utility work or other infrastructure work on the new affordable housing development on Camino Jacobo. Is that taken care of somewhere in this budget? Or is that not – I thought at one point we might even put that in the bond questions. So I'm just wondering if that's in here somewhere.

MS. MILLER: So Madam Chair, Commissioner Hughes, it is not, and that's one of the things I think that really a good discussion needs to be had with Joseph and the affordable housing staff and how that whole project is going to be financed. Because piecemealing it through general fund over here, general obligation over here, we don't have the whole picture, so we don't know what the whole picture is. It's not to say it couldn't potentially be put in here, but the reason it's not in here is we really need to understand the total financing of – if I recall it's about an \$18 million project, and I don't know if we're at a place yet to say, oh, yes, we should have that. In addition, there's lots of funding sources at the state and the federal level. They seem to really like funding our public housing and our affordable housing projects.

But we kind of keep getting piecemeal requests to fund different pieces of this project, and I think we really need to understand and the Board and Greg and Joseph, what is the total cost and what is it that's going to be subsidized by County funds as the developer? Because we don't have that total picture yet.

COMMISSIONER HUGHES: Okay. I agree we need to get the total picture. I just sort of wondered where that was at.

MS. MILLER: I don't see Joseph. But we did have some discussion about

it. It kind of came up as a last minute thing, like well, what about money for the infrastructure at the housing. So it's not included in here yet because we don't have a real clear understanding of what that ask is and how that fits into the overall funding of the project.

COMMISSIONER HUGHES: Okay, then I'll go to the other end of my questions which is Oshara Phase 2. Do we need to put that in here if we're going to fund that through a public improvement district? Do they also need bond funding?

MR. DUPUIS: Madam Chair, Commissioner Hughes, that funding is specifically to pay the developer back the proportionate share for the investment that they made in the construction of the sewer line from Richards down to the Abajo lift station, and our ordinance requires that reimbursement to the developer, and this is our calculation of the estimated reimbursement from Oshara Phase 1 to the Oshara 2 developer. And from La Pradera if they do choose to connect and then subsequently be acquired by the County utility.

COMMISSIONER HUGHES: So in other words, this would be the money to reimburse the developer for allowing the existing users to hook up to their sewer line.

MR. DUPUIS: That's correct.

COMMISSIONER HUGHES: Okay. Thank you.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. So I know that this might have to do with where we're at with projects, but last time we allocated \$600,000 for Lopez Lane sidewalks and design, and then we were going to, in the next bond question, put in the money to build the sidewalks. And so I'm wondering where it is in the list. I don't think we've done the design. I think it's because we don't have a project manager but this is something I've been mentioning for quite some time, and so I'd like to know what and where and how.

BRIAN SNYDER (Public Works): Madam Chair, Commissioner Hansen, the sidewalks were ready to go out for a preliminary design with the original funding. We do not have that designed yet. We are in the process right now of pulling money together to do a paving project in the Agua Fria, Lopez Lane, Caja de Oro Grant, and Henry Lynch area, because it's definitely in need of that. That's in advance of the sidewalks. So we're going to be looking at doing sidewalk design. There is some really constricted areas for sidewalks as I know you're aware, so we need to do a further evaluation of how feasible and where it may not be feasible and what the alternatives are around those areas. So we're going to be undertaking that here shortly, with the existing funding we have.

COMMISSIONER HANSEN: So it's been – we're investing money in Romero Park and we're investing money on the road construction but people don't have a way to walk to the park. Lopez Lane is a very narrow road and I know that it has restrictions, but to me, it's public health and safety and trying to get people – we're talking about reducing carbon and public transportation and most people have to walk from Agua Fria all the way to Airport to get public transportation and now having sidewalks to walk on is challenging.

MR. SNYDER: Madam Chair, Commissioner Hansen, it's understood and we're going to be starting that design and looking at that. And like I said, there are some constricting areas that we will really have to take a close look at because on the feasibility

of where we can put the sidewalk and not affect or disrupt existing walls, utilities, those kinds of things. So from what I understand is the preliminary engineering report was done several years ago as a first basis and we're going to use that as the stepping stone to move into the next phase of preliminary design, with the existing funding we have now.

COMMISSIONER HANSEN: So do we need more funding? Could that be – do we need to put this in the general obligation bond? Or can we find funding somewhere else? But when we talked about this in the past we talked about that we would put the first \$600,000 in the bond in 2020 and then we'd do the second half of the bond in 2022.

MR. SNYDER: Madam Chair, Commissioner Hansen, the \$600,000 we have now is we believe adequate for the design as well as any property acquisition that we'll need. That will be determined during the preliminary design and the property acquisition and what the associated costs may be with that, but we believe that's adequate to get us to the stage to go out for construction. But the \$600,000 that we currently have does not include construction.

COMMISSIONER HANSEN: I know.

GARY GIRON (Public Works Director): Madam Chair, Commissioners, if I could also add, it is probably my expectation that by the next bond sale that we will have a clear estimate of what it's going to take to construct those sidewalks. We will have completed the design and started with acquisition, and that will allow us a clear path forward. So that's still a high priority for us.

COMMISSIONER HANSEN: So we're talking about the bond sale of 2024?

MR. GIRON: Madam Chair, Commissioner, yes. But with this design we'll be able to have some money to start to do some of the acquisition, which is probably going to be the biggest part of the project with the sidewalks being the smaller part of the projects.

COMMISSIONER HANSEN: Okay.

CHAIR HAMILTON: Other questions.

MS. MILLER: Madam Chair, Commissioner Hansen, I think the biggest concern is what it will cost to acquire the property. A lot of the properties have even been subdivided more, and there will be an issue with whether we make some non-conforming if we have to condemn part of them. I think it's going to be a very complicated project and I think it was on our list. And we're like, we're not ready to say what we think that project will cost, because we think we're going to have to do a lot more detailed study and in-depth study to figure out what the land acquisition is going to cost. Building the sidewalk is not the issue, it's getting the land to build the sidewalks because there just aren't any easements. And even the largest stretch of land that was there has been subdivided into multiple small lots now.

So I think Gary's right that by 2024, we'll hopefully have a much better idea and actually have some progress on land acquisition. As you know, whenever we have to acquire multiple parcels, the projects take a great deal of time to actually execute, because we try to negotiate with each property owner acquisition of the easement as opposed to go through condemnation.

COMMISSIONER HANSEN: Thank you.

CHAIR HAMILTON: Thank you. So Katherine, Yvonne, is there more? Shall we roll along?

MS. HERRERA: Madam Chair, the only slide that we have left to go over with the Board is just the next steps. So from here, we will begin to finalize what we will present to the Board as the final budget for fiscal year 2023. Our starting point is the interim budget and then any changes that we make to that, which would include any corrections, any adjustments, a salary analysis – we want to make sure that we include the most current salary information so the departments have the appropriate budget for the following year, and then the capital projects, which we just covered.

In addition to that we'll also budget the second half of the ARPA funding, so we will have the entire \$29 million or whatever portion is unspent as budgeted for fiscal year 23. We tentatively are looking to present the final budget June 28th. That could change. Again, that budget would include the interim budget as well as capital projects. The final budget cannot be submitted to DFA until we complete the fiscal year 2022 fourth quarter report, which we'll bring to the Board, because it basically creates our beginning balances for the budget within the DFA system. So the two are kind of tied together.

And then once we submit the fourth quarter report we'll be able to submit the final budget to DFA. As part of the packet we did include an addendum section, and within that section we have the complete details of all the projects that we quickly reviewed during the presentation but we've also provided budget information. There is a copy of the year-to-date activity and budget for fiscal year 22 along with where we think may be at as of June 30th, and then just as a reminder, what the interim budget will look like, and everything reconciled, all the transfers match. Hopefully you don't find anything, Chair. If you do then I think I'm going to have to hire contractors to come in and help us.

CHAIR HAMILTON: Just get me to help.

MS. HERRERA: I can do that. So that information is provided for your review. If there are any questions as far as what we look like for fiscal year 22, or where we think we're going to be at the end of the year, we can prepare responses for those. And then again, the interim budget complete with all the different revenues, and then all of the departments' budgets including the fixed asset requests for fiscal year 23 for the interim budget. And with that, Chair, Commissioners, we stand for any additional questions the Board may have.

CHAIR HAMILTON: I just have a quick question. After capital projects, the ARPA spending – unspent and new funds. But we've already projected potential – okay. Great.

MS. HERRERA: So the Board allocated the ARPA funding back in September to the different priorities. We only budgeted half of those, and now we'll budget the other half which will cover the rest. Some of the departments reallocated how they – so like certain projects within those priorities they did full funding, now in 22, with the idea that those projects weren't ready to move forward by year 23, but still, the same priorities that were established back in September, everything now will be fully funded, so in addition to that we'll also have the \$6 million in the revenue replacement, which will cover that \$12 million was set aside for the revenue replacement of the ARPA money, leaving the remainder for all of the initiatives that were presented to the Board

and approved.

CHAIR HAMILTON: Okay. Are there other final questions? Thank you.

MS. HERRERA: Thank you, Chair, Commissioners.

CHAIR HAMILTON: Katherine, that was a really good presentation. You might consider applying for a County position.

COMMISSIONER ROYBAL: Madam Chair, maybe for budgeting director.

MS. MILLER: I hear they need a budget director.

COMMISSIONER ROYBAL: The Finance Director indicated possibly a contractor and I think there's a K. Miller Financial Consulting Support Services, something like that.

CHAIR HAMILTON: What a good idea.

MS. MILLER: Thank you, Commissioners.

CHAIR HAMILTON: Thank you so much.

10. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

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

CHAIR HAMILTON: Maybe I'll start at this end. Commissioner Roybal, do you have things?

COMMISSIONER ROYBAL: I was going to make an announcement. I believe our County Manager made an announcement earlier of a meeting with the residents for Tesuque, and that's on Monday, June 20th I believe, at 6:00 pm. Is that correct, Manager Shaffer? And that will be at the Pojoaque fire station. Correct?

MANAGER SHAFFER: Madam Chair, Commissioner Roybal, yes, that's correct.

COMMISSIONER ROYBAL: So that was what I was going to bring up but it was announced earlier, so that's it for me. Thank you.

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

COMMISSIONER HUGHES: Thank you, Madam Chair. I just wanted to commend our Fire Department for putting out the fire that was on the border of districts 4 and 5 on June 4th. That was a little bit scary to have a fire so close to some of our residences. But it was put out rather quickly.

CHAIR HAMILTON: Not if you were on scene.

COMMISSIONER HUGHES: Oh, yes. When I drove by there was no smoke. We did have a community meeting after that as well as I got several emails wondering why we had not put out an alert Santa Fe-wide that the highway was closed, because for a few minutes there no one from Eldorado could get to town, because both Las Vegas Highway and the I-25 were closed to put out the fire. And so in talking with our Fire Chief and Martin Vigil who's the Assistant Fire Chief, I think we at least conceptually agreed that that would be a good thing to use Alert Santa Fe for, and so I

assume, I hope, that we're moving forward on figuring out how to implement Alert Santa Fe for major road closures in the county and not necessarily every little thing like the City announces but at least the major things.

And that's it for me at the moment.

CHAIR HAMILTON: Excellent. That was an excellent thing to bring up. Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Madam Chair. I just want to thank the Fire Department, Jaome, Martin, Isaiah, and everybody from the Fire Department who came and gave the presentation on Ready, Set, Go at the Coffee and Tea under the Trees. It was extremely successful. Close to 30 people. Obviously, it was a good topic and that's all I have. Thank you, Madam Chair.

CHAIR HAMILTON: Excellent. And don't really have anything. Everybody has thanked the Fire Department multiple times for the ongoing work, which is really critical.

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

CHAIR HAMILTON: Deputy Clerk, do you have something, or is our Clerk on Webex?

EVONNE GANTZ (Deputy County Clerk): I'll keep it real quick. We are about two-thirds of the way through canvassing so we'll be ready for Friday's meeting. The goal is anyway that we'll be ready. And I just want to, from the Clerk's Office, say thank you to all the County for all their help through the election. We borrowed vehicles from different departments. We used conference rooms. We were in the lobby and everything, so we just wanted to say thank you for all of their assistance.

CHAIR HAMILTON: Excellent. Thank you so much. Are there any other elected officials on Webex, since I don't see any in the audience who wish to speak during their comment period here? Daniel, do you see if we have any elected officials on Webex?

MR. FRESQUEZ: Madam Chair, I do not see any other elected officials on Webex.

CHAIR HAMILTON: Excellent. Okay, thank you so much. So we'll get to move on. I wonder, Manager Shaffer, given the hour should we skip to the Public Hearing and then to Matters from the County Attorney?

MANAGER SHAFFER: That would be at the pleasure of the Board, Madam Chair, given that there are other individuals who are waiting for that item of business. I think that would not be inappropriate to go straight to the Public Hearing so that that matter can be attended to.

12. PUBLIC HEARINGS

- A. CASE# 22-5020 Tierra que Canta Condition Change and Preliminary & Final Plat Approval. Rembe Las Campanas, Applicant, James W. Siebert & Associates Inc, Agent, Request an Amendment to a**

SFC CLERK RECORDED 07/19/2022

Previously Imposed Condition by the BCC Which Requires Roads within the Tierra que Canta Subdivision to be Built to Collector Standards. The Applicant is Requesting to Change the Requirement to Cul-de-Sac Standards. The Applicant is Also Requesting Preliminary Plat and Final Plat Approval for a 22-Lot Residential Subdivision (Tierra que Canta at Las Campanas) on Tract B & Tract H of the Los Santeros Subdivision, Consisting of 11.39 Acres More or Less. The Property is Located Off of Calle Gonzales, Within the Las Campanas Planned Development District, Within Section 15, Township 17 North, Range 8 East (Commission District 2)

CHAIR HAMILTON: Okay. If there are no objections from anybody else I think that would be the prudent and polite thing to do, if everybody's ready. Kenneth, take it away.

KENNETH QUINTANA (Case Manager): Good afternoon, Madam Chair, Commissioners. So before you guys today, Commissioners and Madam Chair, we have Rembe Las Campanas, applicant, James W. Siebert & Associates, agent, request an amendment to condition # 21 of the BCC's approval of the conceptual plan which required roads within the subdivision to be built to collector standards. The applicant is requesting that it be amended to state that roads within the subdivision are to be built to cul-de-sac standards. The applicant is also requesting preliminary plat and final plat approval for a 22-lot residential subdivision know as Tierra que Canta at Las Campanas on Tract B & Tract H of the Los Santeros Subdivision consisting of 11.39 acres, more or less. The property is located at off of Calle Gonzales, within the Las Campanas Planned Development District, within Section 15, Township 17 North, Range 8 East, Commission District 2.

A quick history of the project: In 1992 the Board of County Commissioners granted approval for the development known as Las Campanas consisting of 1,419 residential lots to be developed in phases, two golf courses with club complex, tennis and equestrian center, and related accessory facilities on 3,549 acres.

On February 8, 2000, the Board of County Commissioners approved the master plan, master plat and final plat known as Los Santeros at Las Campanas de Santa Fe. The approval consisted of a residential subdivision consisting of 68 lots to be developed in one phase, with an additional eight tracts to be developed in future phases. The total number of phased master planned lots approved for Los Santeros was 194 lots on 128 acres.

On July 17, 2019, an application was submitted for a conceptual plan and three variances for Tierra que Canta. On February 18, 2021, the Planning Commission granted approval of the three separate variances requested by the applicant of the Sustainable Land Development Code: Chapter 7, Section 7.17.9.2.4, Steep slope disturbance in excess of thirty percent slope with more than three separate areas exceeding 1,000 square feet each; also Chapter 7, Section 7.17.9.2.1 to allow other buildable areas on the property; and a variance of Ordinance 2017-7, Section 7.11.12.4 to allow driveway separation of less than 100 feet from turn radius of an intersection. The Planning Commission also recommended approval of the proposed conceptual plan to allow 22

residential lots to be developed in two phases subject to conditions.

On October 13, 2021, the Board of County Commissioners granted approval of the Conceptual plan request for a 22-lot residential subdivision to be built in two phases, subject to conditions of approval. The subdivision is now proceeding as a single-phased development.

The applicant is now requesting an amendment to condition # 21 of the BCC approval of the conceptual plan which required roads within the subdivision to be built to collector standards. The applicant is requesting to amend the condition to state roads within the subdivision shall be built to cul-de-sac standards. The applicant requested the cul-de-sac standards at the Planning Commission meeting on February 18, 2021 which the Planning Commission approved. This was not reflected in the final order from the Planning Commission or in the report and conditions of approval presented to the Board of County Commissioners. Staff had supported the cul-de-sac standards, as one connecting road is through a locked gate that was previously approved. The Planning Commission approved an amended final order on May 19, 2022 making the correction to allow all roads built with Tierra que Canta to be constructed to cul-de-sac standards. The applicant now requests that condition #21 imposed by the Board of County Commissioners on the conceptual plan be amended to state "cul-de-sac" rather than "collector Road" in accordance with the Planning Commission's decision.

The Applicant is now also requesting Preliminary and Final Plat approval to create a 22- lot residential subdivision within an existing Planned Development District. The subdivision is proposed to be built-out in a single phase.

SLDC Section 5.7, Preliminary Plan for Major Subdivisions, and Section 5.8, Final Plat approval for all subdivisions both major and minor. No final plat shall be recorded until final plat has been approved as provided in this section.

The application has been reviewed for compliance with the application standards as set forth in Chapter 7 of the Sustainable Land Development Code and Ordinance 2017-7, Road Design Standards as follows: Access, fire protection, landscape and buffering, lighting, signs, parking and loading, water supply, wastewater and water conservation, open space, protection of historic and archaeological resources, terrain management, flood prevention and flood control, solid waste, operation and maintenance of common improvements, affordable housing.

Staff recommends the conceptual plan condition #21 as stated in final order be amended to state "Applicant must build all roads within Tierra que Canta to SDA-2 cul-de-sac standards" in accordance with the approval from the Planning Commission. Staff has determined that this application for preliminary and final plat to allow a 22-lot residential subdivision know as Tierra que Canta to be developed in a single phase in compliance with the subdivision and design standards set forth in the SLDC and therefore recommends approval of the applicant's request, subject to the following conditions.

Madam Chair, may I enter the conditions into the record?

CHAIR HAMILTON: Yes.

[The conditions are as follows:]

1. The boundaries of the development area shall be clearly marked on site with limits of disturbance (LOD) and fencing or construction barriers to be approved by Staff prior to any grading or clearing and before starting construction in

- accordance with submitted engineered Grading & Drainage Plan.
2. Applicant must provide an approved Storm Water Pollution Prevention Plan (SWPPP) with the permit application for infrastructure construction.
 3. Mass grading of the site will be prohibited and noted as "Special Building Condition" on recorded Final Plat and transferred to any other plats associated with Tierra que Canta.
 4. All residences built on lots classified as ridgetop lots shall be limited to fourteen (14) feet in height and be built in accordance with terrain managements standards set forth in Chapter 7 of the SLDC. This shall be noted on the Final Plat.
 5. Limits of grading shall be shown on Final Grading & Drainage Plan.
 6. All residences built on Lots 17, 18 & 19 shall meet a minimum setback of 25-feet from slopes in excess of 30%. This restriction is also for any accessory structures built on Lots 17, 18 & 19.
 7. Calle Que Canta shall be a minimum of 25 feet from the return radius of the proposed 4-way intersection.
 8. The Construction gate located at the end of Calle Gonzales must be permitted After-the-Fact by the Las Campanas HOA prior to commencement of infrastructure and road construction for the Tierra que Canta Subdivision.
 9. Applicant must comply with all Review Agency's Comments and Approval Conditions.
 10. The Conceptual Plan Showing the site layout and Conditions of Approval shall be recorded at the expense of the applicant in the office of the County Clerk in accordance with Chapter 4, Section 4.9.9.9, prior to Final Plat recordation.
 11. The Applicant must follow reclamation plan submitted with Preliminary and Final Plat submission to ensure that as much disturbance as possible is reclaimed and revegetated.
 12. Applicant must build all roads within Tierra que Canta to a SDA-2 "Cul-de-sac" standard.
 13. Final Plat shall be recorded within twenty-four (24) months after its approval or conditional approval or the Plat shall expire. Prior to the expiration of the Final Plat, the subdivider may request, from the Board. An extension of the Final Plat for a period of time not exceeding thirty-six (36) months.
 14. Applicant must submit a Financial Guarantee prior to Final Plat recordation.
 15. Lots 8, 12, 15, 16, 17 & 18 shall be limited to single story homes.
 16. Accessory dwelling units are prohibited within this subdivision. This shall be noted on the Final Plat.
 17. All staff redlines and comments shall be addressed prior to plat recordation. The Applicant shall enter into a Subdivision Improvement Agreement with the County for completion of all subdivision improvements on-site and off-site, this agreement shall be signed by the Administrator, recorded and referenced on the plat. Water restrictions and conservation covenants shall be filed in the County Clerk's office and referenced on the plat.
 18. All roads/easements being created with the subdivision plat shall be named and rural addresses shall be obtained prior to plat recordation.
 19. The Preliminary and Final Plat is subject to all the conditions of approval listed.

MR. QUINTANA: Staff would also like to add one additional condition of approval. Condition #20 to state: Staff recommends a geo-technical engineer be retained to perform sufficient review during construction of the project. Observation testing shall be performed during construction to confirm that suitable fill soils are placed upon competent materials and property compacted and foundation elements penetrate the recommended soils.

CHAIR HAMILTON: Thank you.

MR. QUINTANA: Madam Chair, I stand for any questions.

CHAIR HAMILTON: Thank you. So before I go to public hearing, are there questions? Or do you want to do the public hearing and then ask questions.

COMMISSIONER HANSEN: Madam Chair, please do the public hearing and then I'll ask questions.

CHAIR HAMILTON: Okay. So I'm going to go ahead and open public hearing and I know that before I ask generally that we have one comment that was emailed that I'm going to ask Daniel to please read at this point since the public hearing is open.

MR. FRESQUEZ: Madam Chair, would you like me to read the name and address of the user that emailed us?

CHAIR HAMILTON: Yes, please.

MR. FRESQUEZ: The name is Ken Kirk. The address is 30 Camino de Colores, Santa Fe, New Mexico, 87506.

MS. BROWN: Generally you go to the applicant before you do the public comment.

CHAIR HAMILTON: You are correct. I am so sorry. Vicki, if you can help me. Is the applicant present and wishes to make a statement.

VICKI LUCERO (Building & Development Services Manager): Madam Chair, the applicant is present via Webex. Jim Siebert and Associates is representing the applicant.

CHAIR HAMILTON: Mr. Siebert, I really apologize. Thank you. Would you like to address the BCC?

VICTORIA DALTON (via Webex): Good evening, Madam Chair and Commissioners. This is Victoria Dalton with Siebert and Associates.

CHAIR HAMILTON: Okay, Victoria, before you make your statement could you please get sworn in?

[Duly sworn, Victoria Dalton testified as follows:]

MS. DALTON: Victoria Dalton, 915 Mercer Street, Santa Fe, New Mexico, 87505. Good evening, Commissioners, and Madam Chair. This evening we're here tonight for preliminary and final plat approval for 22 lots consistent with the previously approved variances and conceptual plan. The conceptual plan is no longer necessary since we will be building the subdivision now in one phase rather than two. I also want to let you know that the subdivision is accessed off of Calle Gonzales, which is between Las Campanas Drive and Paseo Aragon.

As far as the amendment of the condition, there was an issue with a typo and the condition had got carried over for a collector type road. There were two conditions, one

that state cul-de-sac roads and one that stated collector roads. So it was just a little bit of a mix up. So what we will be doing is requesting the cul-de-sac road as requested in the report. So I'll make sure we say cul-de-sac roads that go into the findings so we don't have to come back again.

The project's been going on for a couple of years and it's been in front of you probably a couple of times, so I won't go too much into the specifics about it. It's in the PDA of Las Campanas and as staff mentioned it was previously part of the Los Santeros phase of Las Campanas, which had a master plan for 22 lots which we are proposing today. I also wanted to point out that on some of the lots there will be – we left some areas for casita/studio type dwellings. Not dwellings. They won't have a kitchen in them; they'll have a bathroom. So I wanted to clarify that with staff. Staff may have thought that there possibly may be guesthouses but I want to clarify that they're just like mother-in-law quarters which is very common in Las Campanas.

And I can show you – I will go ahead and share the site plan with you and just go over it briefly. Okay, so if everyone can see this, let me just kind of zoom out. What I really just want to point out here is that Jay Rembe, who is also on the Webex here. He's available for questions. He has been working with all the neighbors within Las Campanas to determine the best way to develop these lots. He has restricted himself to not allowing two-story homes on lots 8, 12, 15, 16 and 17, which are all the hatched lots that are here on the frontage next to Calle Gonzales.

With that, I stand for questions.

CHAIR HAMILTON: Thank you. Before I go back to public hearing, Commissioner Hansen.

COMMISSIONER HANSEN: So does this road go anywhere else except for within this little area and is it really a cul-de-sac?

MS. DALTON: Madam Chair, Commissioners, the road doesn't go anywhere else. It will serve just these tracts within the Tierra que Canta Subdivision.

CHAIR HAMILTON: County you zoom out and show which road you're talking about?

MS. DALTON: Yes, of course. So this is Calle Gonzales here and it comes from Paseo Aragon, which stems off here on this side, goes all the way through and ends here at the construction gate, which staff has spoke about, which is under the jurisdiction of Las Campanas HOA. There is no access through here at this point and there are – staff is working with the Las Campanas HOA on establishing the permit for that gate. So it doesn't go through. So the cul-de-sac roads, or we should call them maybe hammerhead roads, but they do meet the design standards of a cul-de-sac roads which is a 38-foot easement with a 20-foot driving surface. So they are dead-end hammerheads on each side off of Calle Gonzales. Does that answer your question?

COMMISSIONER HANSEN: Is Calle Gonzales already built?

MS. DALTON: Calle Gonzales is built to a point.

COMMISSIONER HANSEN: So is it being built to a cul-de-sac standard or a collector standard?

MS. DALTON: It will be built to a cul-de-sac standard but it will be paved.

COMMISSIONER HANSEN: So these other two roads will not be paved?

MS. DALTON: They will be paved.

COMMISSIONER HANSEN: And so the construction gate is I think one of the things that people are concerned about. It looks like there's a way to connect. Does that ever plan to connect?

MS. DALTON: Commissioners, Madam Chair, there is no plans for connection. The Las Campanas HOA is working with the County on establishing the permit to keep the gate there. However, there will be no connection out.

COMMISSIONER HANSEN: So what will the gate o?

MS. DALTON: It's a construction gate. It will just remain there. It's not – we're not proposing a throughway onto Las Campanas Drive.

COMMISSIONER HANSEN: That seems odd to me.

MS. DALTON: It is an emergency access though, for emergency purposes.

JAY REMBE (via Webex): And Madam Chair, this is Jay Rembe, the developer. We do not control that road. It's more of a gate. I'm just being required to –

MS. DALTON: It's Calle Gonzales Road, Madam Chair.

COMMISSIONER HANSEN: So we're not talking about that road being a cul-de-sac road? We're talking about the other two roads that you want cul-de-sac standard for?

MS. DALTON: That's correct.

CHAIR HAMILTON: I'm not sure that's correct. That's not my understanding. My understanding is –

MS. DALTON: Yes, if I could go ahead and show you. If you see my arrow, this is Calle Gonzales and it ends here with the gate. It continues to go on but there's a gate here. So it's a construction gage. So Calle Gonzales is going to go stem all the way up north to the north. The standards are built to cul-de-sac standards. Cul-de-sac standards are a 38-foot wide easement with a 20-foot driving surface, but we will be paving it. So on both sides it's a cul-de-sac standard all the way to the gate.

As Jay mentioned, we don't control Calle Gonzales nor does he control the gate. It's under the jurisdiction of the Las Campanas HOA.

COMMISSIONER HANSEN: But you're building the road.

CHAIR HAMILTON: Jay Rembe, if you would like to give some explanation, can you please be sworn in?

MR. REMBE: Absolutely. Would you like my address?

CHAIR HAMILTON: I'm going to let the Clerk direct this.

[Duly sworn, Jay Rembe testified as follows:]

MR. REMBE: Jay Rembe, 9808 Bona Terra Loop, Albuquerque, New Mexico. I do understand I'm under oath.

CHAIR HAMILTON: So can go ahead with what you were going to explain? I'd appreciate it.

MR. REMBE: So Calle Gonzales Road is, as I said earlier, is not controlled by me; it's controlled by the HOA. Part of some of the comments we received early on with the road is that they would like me to pave the road, and so I agreed to do that.

COMMISSIONER HANSEN: And you have houses off of this road?

MR. REMBE: I do.

COMMISSIONER HANSEN: So these houses off of Calle Gonzales are part of your subdivision, right?

MR. REMBE: The street to the north, correct, are in Tract B, yes, ma'am.

COMMISSIONER HANSEN: So this road, Calle Gonzales, what road does that come off of?

MR. REMBE: The Las Campanas Drive. So that road exists today. It's been there for years. It's improved but without asphalt. So it comes off of Las Campanas Drive. There's a gate so you can't access it, you can't come in unless you have a code, and then it continues up to Paseo Aragon, which is the main loop road in Los Santeros.

COMMISSIONER HANSEN: So I have another question, I thought it said there were no casitas in this subdivision, but you're adding additional units?

MR. REMBE: No. All that really is, is it's a detached bedroom or a little office, so it allows you to create this wonderful little courtyard. You come through a zaguan and it creates just a wonderful little New Mexican courtyard with an additional bedroom. No kitchen, just a little bedroom with a bathroom. That is allowed.

COMMISSIONER HANSEN: And is that going to be rented out as an AirBnB?

MR. REMBE: No. It's part of the house.

COMMISSIONER HANSEN: Okay. So I would like some definition of collector versus cul-de-sac so that I understand. I understand that the Planning Commission originally approved the cul-de-sac plan. Is that correct?

MS. DALTON: That's correct.

MR. QUINTANA: Madam Chair, Commissioner, that is correct.

COMMISSIONER HANSEN: So somehow in our translation, when we approved it, we didn't get that piece of information.

MR. QUINTANA: that's correct, Madam Chair, Commissioner. It was relayed to the BCC as a collector road rather than the cul-de-sac standard.

COMMISSIONER HANSEN: Okay, and so when did it get caught?

MR. QUINTANA: During the preliminary plat review when it was brought to me as my case.

MS. LUCERO: Of the cul-de-sac standards, when it went forth to the Planning Commission, we did enter that condition into the record saying that we were requiring them to build it out to cul-de-sac standards. The Planning Commission approved it that way. It was when the final order was adopted it didn't get caught in the final order; it said collector road standards. And then that's how it was presented to the County Commission with the conceptual plan application. So it should have just gotten carried forth the BCC with the condition saying that it meets cul-de-sac standards. But it was a staff error at that time.

COMMISSIONER HANSEN: Okay.

CHAIR HAMILTON: I think it would be good to have some additional questions after we have the public hearing because I know they are part of the question. There's a related question that gets raised. So is that acceptable? Because this is in your district.

COMMISSIONER HANSEN: Yes. Okay.

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CHAIR HAMILTON: I'm going to go ahead and reopen public comment on this. I apologize for the confusion. And Daniel I apologize I got you started and then cut you off. Thanks for your patience. Can you go ahead and read the public comment that was submitted by email and then I'll ask if there is any additional comment.

MR. FRESQUEZ: Absolutely. Would you like me to read the name and the address again?

CHAIR HAMILTON: Yes, please. Just so the record's clean.

MR. FRESQUEZ: Okay. The person's name is Ken Kirk. He lives at 30 Camino de Colores, Santa Fe, New Mexico, 87506 and this is their comment: I oppose the request by Rembe Las Campanas for the amendment to the previously imposed condition by the BCC requiring roads with the Tierra que Canta Subdivision to be built to collector standards and change them to cul-de-sac standards. We live very close to the proposed development which includes a construction gate which we always assumed would be turned into another entrance gate to our community. We do not oppose the new development but an additional access point is imperative for our community. As we recall, the developer always intended to convert the construction gate into a viable entrance gate for the community. Please deny this request.

CHAIR HAMILTON: Thank you very much, Daniel. Public comment is still open. Is there anybody else on Webex who wishes to speak to this matter? If there is, please unmute yourself and identify yourself.

JAN WATSON (via Webex): This is Jan Watson. I'd like to make a comment, please.

CHAIR HAMILTON: Thank you. Could you please get sworn in and then make your comment?

[Duly sworn, Jan Watson testified as follows:]

MS. WATSON: My name is Jan Watson. My address is 7 West Alameda Sebastian. I understand that I am under oath for this testimony. My concern about changing from a collector status to a cul-de-sac status had to do with whether or not that construction gate was going to end up being part of that cul-de-sac, effectively eliminating the construction gate. From what I'm understanding so far, that is not the case. The gate will still be a construction gate. It has nothing to do with Mr. Rembe's development. Is that correct?

MS. DALTON: Yes.

MR. QUINTANA: Madam Chair, that is correct.

MS. WATSON: Okay. That was my only concern, because I'd always viewed that construction gate as basically one of the amenities so that we don't end up with a lot of construction traffic coming through the Paseo Aragon gate and rumbling right past my house. If that's not going to happen, that the construction gate will still exist as a construction gate, then that answers my question and I have no objection.

CHAIR HAMILTON: Okay. Thank you, Ms. Watson. Is there anybody else that wishes to make a comment to this matter? If there is please unmute yourself and identify yourself. Daniel, do you see anybody else on Webex who might be interested in this and wish to make a comment?

MR. FRESQUEZ: Madam Chair, I do not see anybody indicating they'd like to speak.

CHAIR HAMILTON: Okay. Thank you very much, Daniel. So I'm going to go ahead and close public comment. I'm sure the Commissioners may have questions but I actually have a question, so with everybody's tolerance. I'm still confused about the construction gate. It looks, from that map that was shown, it looks to me like approving going to cul-de-sac standards will make this a one way in, one way out community, which, given fire concerns and everything else is what we've been trying to avoid everywhere. Am I wrong about that?

MS. DALTON: Madam Chair, Commissioners –

CHAIR HAMILTON: If you don't mind, I'd love to hear your response to that too, but I was asking Land Use first and then we'll go on to you. That would be great. Thank you.

MS. LUCERO: Madam Chair, the applicant is requesting to maintain that gate for the gate to continue to be there as a construction gate and emergency access. So there will be an emergency access point through Las Campanas Drive in addition to their primary access.

CHAIR HAMILTON: Okay, so before I go to Victoria, so what does this change then? Why are they requesting the change because it changes the standards to which the roads are built? Or because it lets them keep that gate locked?

MS. LUCERO: Madam Chair, the Las Campanas Subdivision was approved as a gated community, so there are several gates in the different subdivisions of Las Campanas, so I believe the applicants are requesting to retain that gate for purposes of only emergency access and controlled access to that specific subdivision.

CHAIR HAMILTON: And neither Fire nor anybody has concerns about having a one way in, one way out community?

MS. LUCERO: Because they are proposing to have that as an emergency access. I believe Fire is requiring them to install the Knox Lock system so they can access through that point if there is an emergency.

CHAIR HAMILTON: Okay. Thank you. So are there additional questions, comments? Commissioner Hughes.

COMMISSIONER HUGHES: Yes, I just want to be clear. But it seems like the person who wrote the letter had the same concern as the woman who spoke to us, so is it true that it doesn't really matter whether the road is cul-de-sac or collector standard, that gate is going to stay the same. Is that correct?

MS. DALTON: Madam Chair, Commissioner Hughes, this is Victoria. The gate is going to stay the same. And if I could just clarify that the cul-de-sac condition or the cul-de-sac request had always been part of our request going forward. The plan that was depicted at the BCC showed cul-de-sac standards. There was just two conditions, so it was the staff error that the word collector road got into the staff report and into the final order. So we were approved with a cul-de-sac standard. It's just that we need to amend it since that condition got put into the order by accident. So had that not happened we would just be here requesting preliminary and final plat rather than to amend the condition that was in error.

COMMISSIONER HUGHES: Right. I understand that and I guess my only other question is then is it correct then that you would be using the access through that construction gate for a lot of the construction traffic to avoid going through the

neighborhood that's on the other side?

MS. DALTON: Madam Chair, Commissioner Hughes, yes, that's correct.

COMMISSIONER HUGHES: Okay. So is it everybody's understanding that the concerns that were brought to us have really been addressed?

CHAIR HAMILTON: Victoria, I apologize for not coming back to you and I went on to Commissioner Hughes, but you were going to address that question for me as well, and Commissioner Hughes just asked it as well. This request is essentially not changing the nature of how many access points there are. Is that true?

MS. DALTON: That's true, Commissioner, Madam Chair.

CHAIR HAMILTON: Is there any other clarification you wanted to add on that point before I go on?

MS. DALTON: I would like to just say the difference between a collector road and a cul-de-sac road is based on average daily traffic, which our request is not to go over that average daily traffic for a collector road standard. So I just wanted to add that, and also that you know the differences between the two is that a collector road is an 80-foot right-of-way, which does not fit in with the characteristics of this type of subdivision. So it's an 80-foot right-of-way with a 22-foot driving surface, curb and gutter, and a cul-de-sac road is a 20-foot driving surface within a 38-foot easement with no curb and gutter and all the requirements of a major collector road for a bigger type of subdivision. And that's all I had to add. Thank you.

CHAIR HAMILTON: That was very informative. Thank you. So are there other questions? Commissioner Hughes, were you finished? Did that answer your questions?

COMMISSIONER HUGHES: Yes, that answered my questions.

CHAIR HAMILTON: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: Yes. So do you accept condition #20? Vicki, how do you want us to make a motion for this? I don't quite see it. All I see is approval of preliminary and final plat, and then the change to the requirement of cul-de-sac standards, and then you added in condition #20.

MS. LUCERO: Madam Chair, would you like us to read it again into the record so that it's clear what it is?

CHAIR HAMILTON: Commissioner Hansen, you're asking the applicant if they approve the condition?

COMMISSIONER HANSEN: I did. I was asking.

MR. REMBE: I'm willing to accept that condition.

COMMISSIONER HANSEN: Okay. Thank you.

CHAIR HAMILTON: You can read it again.

MS. LUCERO: Thank you, Madam Chair, Commissioner Hansen. So the condition would read: A geo-technical engineer be retained to perform sufficient review during construction of the project. Observation testing shall be performed during construction to confirm that suitable fill soils are placed upon competent materials and property compacted and foundation elements penetrate the recommended soils.

COMMISSIONER HANSEN: So with that, I would like to make a motion and the motion is to – do I need one motion to request the change from collector to cul-de-sac standard? Or do I just need one motion for everything?

MS. BROWN: Madam Chair, Commissioner Hansen, I think a single motion encompassing and all the provisions that you want to be approved in place.

COMMISSIONER HANSEN: Okay. So I move to approve the Tierra que Canta condition change and preliminary and final plat approval, and request the amendment to previously imposed condition of the BCC which required roads within the TQC Subdivision to be built to collector standards. The applicant is requesting a change to cul-de-sac standards. I am supporting the motion to change it to cul-de-sac standards, and the condition #20.

COMMISSIONER ROYBAL: I'll second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Is there any further discussion?

COMMISSIONER HANSEN: Did we include everything, Vicki and Rachel?

MS. LUCERO: Madam Chair and Commissioner Hansen, I believe so. Just clarification that it's all the conditions and condition #20?

COMMISSIONER HANSEN: All the conditions.

CHAIR HAMILTON: So if there's no further discussion I have a motion and a second.

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

11. MATTERS FROM THE COUNTY ATTORNEY

A. Executive Session. Limited Personnel Matters, as Allowed by Section 10-15-1(H)(2) NMSA 1978; Board Deliberations in Administrative Adjudicatory Proceedings, Including Those on the Agenda Tonight for Public Hearing, as Allowed by Section 10-15-1(H)(3) NMSA 1978; Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Between the Board of County Commissioners and Collective Bargaining Units, as Allowed by Section 10-15-1(H)(5); Discussion of Contents of Competitive Sealed Proposals Pursuant to the Procurement Code During Contract Negotiations as Allowed by Section 10-15-1(H)(6); Threatened or Pending Litigation in which Santa Fe County is or May Become a Participant, as Allowed by Section 10-15-1 (H)(7) NMSA 1978; and, Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as Allowed by Section 10-15-1(H)(8) NMSA 1978, including:

- 1) *Enterprise Bank & Trust v. the County of Santa Fe, et al.*, State of New Mexico, First Judicial District Court, D-101-CV-2021-2309**
- 2) Breach of Settlement Agreement and Related Agreements Related to Annexation**

MANAGER SHAFFER: Madam Chair, if I could, before we go, I did forget to inform the full Board of the fact that we were successful last week in achieving at present value savings and therefore proceeded to accept a bid for our Series 2022

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refunding bonds. You may recall that the Board authorized the sale of the refunding bonds back in March of this year. Due to market turbulence we held off on actually going to market and were not certain that we would be able to achieve the parameters set by the Board but we were in fact able to successfully sell our refunding bonds last Thursday. So forgive me, but I neglected to provide the entire Board that update earlier.

CHAIR HAMILTON: Thank you for remembering that. I'm sorry I didn't remember myself since I was there. That was actually very good news. So now, Attorney Brown.

MS. BROWN: Madam Chair, I would ask that you go into executive session as allowed by Section 10-15-1 (H)(7) of New Mexico Statutes to discuss pending or threatened litigation and specifically *Enterprise Bank & Trust v. the County of Santa Fe, et al.*, State of New Mexico, First Judicial District Court, D-101-CV-2021-2309, and breach of settlement agreement and related agreements related to annexation.

COMMISSIONER HANSEN: Madam Chair, I move to go into executive session as presented by Attorney Brown.

CHAIR HAMILTON: Thank you. I have a motion. Do I have a second?

COMMISSIONER ROYBAL: Second.

CHAIR HAMILTON: Thank you. I have a motion and a second. Can I get a roll call please?

??? who says something here?

CHAIR HAMILTON: Yes. Is that part of your motion?

COMMISSIONER HANSEN: I'm going to include that in my motion that we will adjourn at the moment and go over to executive session.

COMMISSIONER ROYBAL: That includes the second.

CHAIR HAMILTON: Okay, great. So just for clarity, we're going to take roll on a motion and a second to go into executive session and adjourn this meeting and we'll report back out in the minutes of the next meeting. So now can I have a roll call?

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

Commissioner Garcia	Not Present
Commissioner Hamilton	Aye
Commissioner Hansen	Aye
Commissioner Hughes	Aye
Commissioner Roybal	Aye

[The Commission met in executive session at 7:55.]

13. CONCLUDING BUSINESS

A. Announcements

B. Adjournment

Having completed the agenda and with no further business to come before this

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body, Chair Hamilton declared this meeting adjourned at 7:55 p.m.



ATTEST TO:

KATHARINE E. CLARK
SANTA FE COUNTY CLERK

Approved by:

Anna Hamilton, Chair
Board of County Commissioners

Respectfully submitted:

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

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Board of County Commissioners

Preliminary Final Budget Information – FY 2023 Budget
June 14, 2022

SFC CLERK RECORDED 07/19/2022

EXHIBIT

1

tabbles®

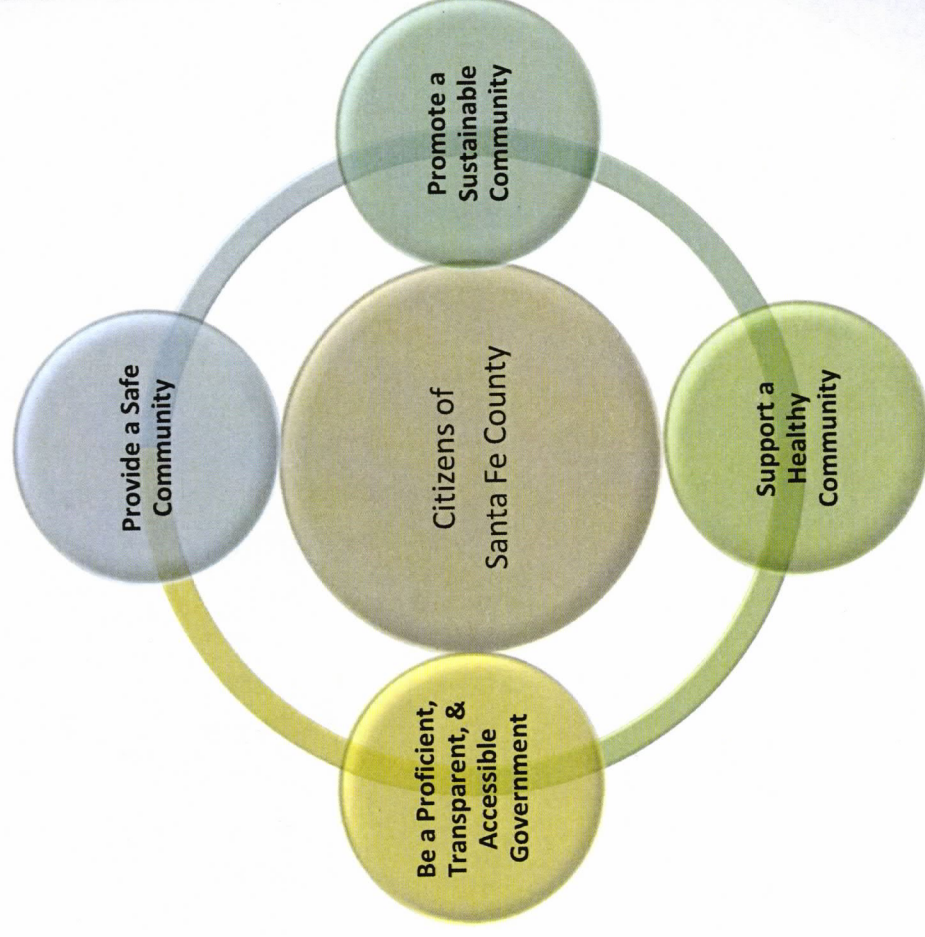
Populations Goals

Resolution No. 2011-024

Results Based Accountability
or Another form of Objective
Based Budgeting

Resolution No. 2015-127

Included Resolution No. 2011-02 and added the population goals for the current and future budget processes



FY 2023 Final Budget Capital Project Carry Over Funding

Project Category	Unencumbered Budget to Rollforward to FY2023	Encumbrances to Rollforward to FY2023	Total
ADA	\$ 920,941	\$ -	\$ 920,941
Broadband	1,085,000	-	1,085,000
Fire	3,718,551	69,642	3,788,193
Housing	452,688	-	452,688
Open Space	1,928,550	1,765,116	3,693,666
Road	18,880,379	755,686	19,636,065
Solar	276,207	204,829	481,036
Solid Waste	3,333,573	-	3,333,573
Utility	8,535,327	1,423,361	9,958,688
Vertical	9,889,303	6,926,531	16,815,834
Total	\$ 49,020,519	\$ 11,145,165	\$ 60,165,684

FY 2023 Final Budget Capital Project Funding Reallocation

From Commission District	Project Category	From Project	Budget Being Reallocated	To Project	To Commission District	Revenue Source
4	Road	DOUBLE ARROW ROAD	\$ 219,733	AGUA FRIA ROAD	2	Bond Funds
4	Road	LA BARBARIA ROAD	2	LOS PINOS ROAD	3	GRT Funds
4	Road	DOUBLE ARROW ROAD	219,733	AGUA FRIA ROAD	2	Bond Funds
1, 2, 3, 4, 5	Vertical	102 GRANT AVE	2,500,000	AIRPORT ROAD FACILITY	1, 2, 3, 4, 5	GRT Funds
1, 2, 3, 4, 5	Utility	WEST SECTOR UTILITY IMPROVEMENT	4,538	SYSTEM DISTRIBUTION	1, 2, 3, 4, 5	Bond Funds
1	Road	COUNTY ROAD 84	2,643	LOS PINOS ROAD	3	Bond Funds
3	Road	TORCIDO LOOP	2,000	LOS PINOS ROAD	3	GRT Funds
3	Road	RACETRACK SUBDIVISION	3,285	LOS PINOS ROAD	3	Bond Funds
4	Road	STAR VISTA	138,189	CR67/OLD SANTA FE TRAIL	4	Bond Funds
4	Road	STAR VISTA	100,467	LOS PINOS ROAD	3	Bond Funds
1	Vertical	ABEDON LOPEZ SENIOR CENTER	800,000	HWY 14 SENIOR CENTER	3	GRT Funds
5	Open Space	LEO GURULE PARK	7,242	CARLSON PARK	5	GRT Funds
2	Open Space	AGUA FRIA GATEWAY	56	CARLSON PARK	5	GRT Funds
1	Fire	POJOAQUE/JACONA FIRE SUBSTATION	52,250	POJOAQUE FIRE 1	1	GRT Funds
1	Fire	POJOAQUE/JACONA FIRE SUBSTATION	539,148	AGUA FRIA FIRE 1	2	Bond Funds
5	Fire	ELDORADO FIRE 1	99,187	ELDORADO FIRE 2	5	GRT & Bond Funds
1	Open Space	POJOAQUE RECREATION FIELDS	213,002	ROMERO PARK	2	GRT Funds
Total			\$ 4,901,475			

FY 2023 Final Budget Capital Project New Funding Requests

Project Category	Unencumbered				Additional Funding	Total
	Budget to Rollforward to FY2023	Encumbrances to Rollforward to FY2023				
Broadband	\$ -	\$ -	\$ -	\$ 125,000	\$ 125,000	125,000
Equipment	-	-	-	455,214	455,214	455,214
Fire	1,038,897	221,825		832,000	2,092,722	2,092,722
Housing	150,000	-		935,000	1,085,000	1,085,000
Open Space	6,894,039	779,639		2,473,976	10,147,654	10,147,654
Road	15,151,917	450,990		1,890,000	17,492,907	17,492,907
Solar	-	-		250,000	250,000	250,000
Utility	8,327,913	3,436,221		8,035,000	19,799,134	19,799,134
Vertical	6,856,117	1,201		4,013,950	10,871,268	10,871,268
Total	\$ 38,418,883	\$ 4,889,876	\$ 19,010,140	\$ 62,318,899		

FY 2023 Prelim. Final Budget Expenditure Adjustments

FY 2023 INTERIM BUDGET: \$ 298,788,068

ADJUSTED EXPENDITURE ESTIMATES:

Budget Adjustments:	
Department Operations Carryover	\$ 819,241
Finance Corrections	205,000
Grant Adjustments	1,501,344
Fixed Asset Carryover	216,236
Transfers	50,000
Capital Project Carryover *	828,001
Maintenance Project Carryover *	340,000
Capital Project Carryover	60,165,684
Capital Project Reallocation	4,901,475
Capital Project New Funding	62,318,899
	<u>\$ 131,345,880</u>
FY 2023 FINAL BUDGET - PRELIMINARY	<u><u>\$ 430,133,948</u></u>

* Projects are not included in the previous slides, budget is still being reviewed and assessed.

2022 General Obligation Bond Questions Projects

Bond Recommendations 2022

Priority	Title	Project Category	Start Year	District	Length of Road/Acres	Total Cost	Total Funding Secured	Total Funding Gap	Recommended Funding Amount
Open Space									
1	Thornton Ranch	Open Space	2023	3	2430 Acres	\$1,800,000	\$ -	\$1,800,000	\$ 1,800,000
	Santa Fe River Trail: Design and Acquisition of Santa Fe River Trail from Caja del Oro to Cottonwood Dr.								
2		Trail	2023	CW	1.51 m	3,200,000	-	3,200,000	3,200,000
Sub Total									\$ 5,000,000
Roads									
1	Avenida Del Sur - Construction	Road	2022	5	1.85 m	\$6,500,000	\$1,000,000	\$5,500,000	\$ 5,500,000
2	CR 51 Crossing Ojo De La Vaca	Road	2021	3, 4	Bridge	2,000,000	-	2,000,000	2,000,000
3	General Goodwin Road	Road	2021	3	2.21 m	6,000,000	4,157,541	1,842,459	2,000,000
10	CR 78 Camino Chupadero Drainage & paving	Road	2021	1	1.02 m	3,500,000	750,000	2,750,000	3,500,000
Sub Total									\$ 13,000,000
Utilities									
1	Redirect Abajo LS to Wastewater SFCWRF	Utilities	2023	5		\$2,350,000	\$1,350,000	\$1,000,000	\$ 1,000,000
2	Agua Fria Sewer	Wastewater	2023	2		5,156,485	5,028,730	1,200,000	1,200,000
3	Hyde Park Estates	Utilities	2023	4		1,732,000	532,000	1,200,000	1,200,000
4	Canoncito Waterline Upsize	Utilities	2023	4		500,000	-	500,000	500,000
5	Oshara Phase 2	Utilities	2023	5		2,000,000	-	2,000,000	2,000,000
6	ASR Partnership	Utilities	2023	5		1,100,000	-	1,100,000	1,100,000
Sub Total									\$ 7,000,000
Total									\$ 25,000,000

2022/01/18 DECEMBER 18, 2022 SEC. CLERK RECORDED

Next Steps

- Develop a Final FY 2023 budget to include:
 - Interim budget
 - All subsequent changes/additions
 - New/revised grants
 - Capital projects – shortfalls and rollover of unencumbered balances
 - Department budget rollover requests
 - Updated salary analysis to include new personnel changes
 - Fund reconciling/balancing adjustments
 - Capital projects
 - ARPA funding for unspent 1st half and new funds with 2nd half
- Tentative June 28, 2022 – Approval of Final Budget, including Capital Project Budgets.
- Submit FY 2022 4TH Quarter YTD Actuals Report to NM DFA
- Submit Final Budget to NM DFA.

Addendum

- FY 2023 Final Budget Capital Project Carry Over Funding Details
- FY 2023 Final Budget Capital Project New Funding Requests Details
- Revenue & Expense Projections Summary
- FY 2022 Revenue Projections
- FY 2022 Expenditure Projections
- FY 2023 Interim Budget - Revenue
- FY 2023 Interim Budget – Expenditure

FY 2023 Final Budget Capital

Project Carry Over Funding

Commission District	Project Category	Project Name	Unencumbered Budget to Rollforward to FY2023	Encumbrances to Rollforward to FY2023	Total
1, 2, 3, 4, 5	ADA	ADA IMPROVEMENTS	\$ 5,861	- \$	5,861
1	ADA	BENNIE J CHAVEZ COMM CTR	55,266	-	55,266
3	ADA	EDGEWOOD OPEN SPACE	37,062	-	37,062
1	ADA	EI RANCHO COMMUNITY CENTER	375,024	-	375,024
4	ADA	HONDO FIRE STATION #1	190,023	-	190,023
5	ADA	KEN & PATTY ADAMS SR. CENTER (ELDORADO)	18,106	-	18,106
3	ADA	LA CIENEGA TRANSFER STATION	21,649	-	21,649
1	ADA	NAMBE COMMUNITY CENTER	12,948	-	12,948
1	ADA	NAMBE PARK	21,016	-	21,016
3	ADA	SAN MARCOS TRANSFER STATION	63,801	-	63,801
3	ADA	STANLEY CYCLONE CENTER	85,082	-	85,082
5	ADA	VISTA GRANDE (ELDORADO) LIBRARY	35,103	-	35,103
5	Broadband	NE/SE BROADBAND	1,085,000	-	1,085,000
3	Fire	EDGEWOOD FIRE STATION #3	50,000	-	50,000
5	Fire	ELDORADO FIRE 2	224,000	-	224,000
4	Fire	HONDO FIRE STATION #2	480,558	-	480,558
3	Fire	MADRID FIRE STATION 1	654,422	10,001	664,423
1	Fire	POJOAQUE FIRE 1	100,800	-	100,800
1	Fire	POJOAQUE/JACONA FIRE SUBSTATION	100,000	-	100,000
1	Fire	TESUQUE FIRE WALL	179,000	-	179,000
3, 5	Fire	TURQUOISE TRAIL FIRE STATION #3 (CERRILLOS)	1,929,771	59,641	1,989,412
1	Housing	SANTA CRUZ HOUSING SITE	452,688	-	452,688
4	Open Space	ARROYO HONDO TRAIL PROJECT	361,855	167,650	529,505
1	Open Space	BENNIE J CHAVEZ PARK	367,678	-	367,678
2	Open Space	EL CAMINO REAL TRAIL (FLAP)	585	66,700	67,285
5	Open Space	ELDORADO PATHWAY	183,956	-	183,956
1	Open Space	LOS POTREROS OPEN SPACE	88,093	58,154	146,247
1	Open Space	POJOAQUE RECREATION FIELDS	170,211	830,428	1,000,639
3	Open Space	RIPLEY PROPERTY ACQUISITION	15,000	-	15,000
2	Open Space	ROMERO PARK	231,916	120,295	352,211
4, 5	Open Space	SANTA FE RAIL TRAIL	509,256	21,889	531,145

FY 2023 Final Budget Capital

Project Carry Over Funding

Commission District	Project Category	Project Name	Unencumbered Budget to Rollforward to FY2023	Encumbrances to Rollforward to FY2023	Total
2	Open Space	SOCCER COMPLEX AT MRC	-	500,000	500,000
2	Road	AGUA FRIA ROAD	250,000	-	250,000
5	Road	AVENIDA DEL SUR	1,000,000	-	1,000,000
2	Road	CAJA DEL ORO	200,000	-	200,000
2	Road	CAMINO JACOBO	196,527	-	196,527
3, 4	Road	COUNTY ROAD 51	1,871,000	-	1,871,000
4	Road	COUNTY ROAD 63	400,000	-	400,000
1	Road	COUNTY ROAD 72A	-	4,129	4,129
1	Road	COUNTY ROAD 89	1,312,072	82,797	1,394,869
1	Road	COUNTY ROAD 89-C (CAMINO CATALINA)	940,241	25,623	965,864
3	Road	CR 50A/CAMINO SAN JOSE	298,644	41,042	339,686
1	Road	CR 78 (CAMINO CHUPADERO)	750,000	-	750,000
3	Road	CR55A GEN. GOODWIN RANCH	4,157,542	91,666	4,249,208
3	Road	CR56 - CALLE DEBRA	1,200,000	-	1,200,000
5	Road	ENCANTADO ROAD	750,000	-	750,000
2	Road	LOPEZ LANE SIDEWALKS	600,000	-	600,000
2	Road	PHASE 2 ROAD ANNEXATION	-	25,000	25,000
3	Road	RANCHO ALEGRE	800,000	-	800,000
1, 2, 3, 4, 5	Road	RIGHT OF WAY SURVEY	646,921	73,356	720,277
1	Road	SAN ILDEFONSO ROW	3,507,432	412,073	3,919,505
5	Solar	KEN & PATTY ADAMS SR. CENTER (ELDORADO)	18,500	-	18,500
1, 2, 3, 4, 5	Solar	SOLARIZE OTHER COUNTY FACILITIES	257,707	204,829	462,536
1	Solid Waste	NORTHERN SFC TRANSFER STATION	3,333,573	-	3,333,573
5	Utility	ABAJO LIFTSTATION	2,350,000	-	2,350,000
4	Utility	CANONCITO MDWCA	50,399	250,948	301,347
1	Utility	CUATRO VILLAS/CHIMAYO WATER	-	203,456	203,456
1	Utility	GREATER CHIMAYO MDWCA	-	20,469	20,469
4	Utility	GREATER GLORIETA WELL	1,963,625	113,879	2,077,504
4	Utility	HONDO BULK WATER STATION	504,000	-	504,000
3	Utility	HWY 14 BULK WATER STATION	25,000	-	25,000
4	Utility	HYDE PARK ESTATES MDWCA	400,660	8,432	409,092

FY 2023 Final Budget Capital Project Carry Over Funding

Commission District	Project Category	Project Name	Unencumbered Budget to Rollforward to FY2023	Encumbrances to Rollforward to FY2023	Total
1	Utility	POJOAQUE BASIN REG. WATER SYSTEM (AAMODT)	260,000	-	260,000
1, 2, 3, 4, 5	Utility	QUILL PLANT IMPROVEMENTS	47,083	274,388	321,471
5	Utility	RANCHO VIEJO TANK IMPROVEMENTS	168,000	-	168,000
5	Utility	RANCHO VIEJO WATER SVC IMP	55,701	468,800	524,501
2	Utility	ROMERO PARK WATERLINE	1,825,000	-	1,825,000
1, 2, 3, 4, 5	Utility	SYSTEM DISTRIBUTION IMPROVEMENT	36,859	82,989	119,848
4	Utility	TL2N WATER LINE CONNECTION	476,000	-	476,000
1, 2, 3, 4, 5	Utility	WATER RIGHTS ACQUISITION	373,000	-	373,000
1	Vertical	949 ALAMEDA (OLD HR BUILDING)	12,283	-	12,283
1, 2, 3, 4, 5	Vertical	ADMIN BUILDING RENOVATION (102 GRANT)	1,073,896	216,052	1,289,948
1, 2, 3, 4, 5	Vertical	ADULT DETENTION FACILITY	1,361,207	563,549	1,924,756
1, 2, 3, 4, 5	Vertical	ADULT DETENTION FACILITY	201,069	258,284	459,353
1, 2, 3, 4, 5	Vertical	BEHAVIORAL HEALTH TRIAGE CENTER (LA SALA)	19,389	1,423	20,812
1, 2, 3, 4, 5	Vertical	DISTRICT ATTORNEY COMPLEX	2,315,701	74,301	2,390,002
3	Vertical	HWY 14 SENIOR CENTER	2,204,943	53,521	2,258,464
3	Vertical	LA CIENEGA LIBRARY	15,000	-	15,000
1, 2, 3, 4, 5	Vertical	PUBLIC SAFETY FACILITY	1,960,931	4,124,313	6,085,244
1, 2, 3, 4, 5	Vertical	PW FACILITY-PHASE 2	700,114	1,575,358	2,275,472
1	Vertical	SANTA FE MOUNTAIN CENTER	24,770	59,730	84,500
		Total	\$ 49,020,519	\$ 11,145,165	\$ 60,165,684

FY 2023 Final Budget Capital Project New Funding Requests

Commission District	Project Category	Project Name	Unencumbered Budget to Rollforward to FY2023	Encumbrances to Rollforward to FY2023	Additional Funding	Total	Funding Source
1	Broadband	BROADBAND INFRASTRUCTURE EXPANSION	\$	-	\$	125,000	A
1, 2, 3, 4, 5	Equipment	ELECTIONS EQUIPMENT		-	-	455,214	A
1	Fire	CHIMAYO FIRE STATION	559,307	37,948	502,000	1,099,255	A
3	Fire	EDGEWOOD FIRE STATION 1	-	-	20,000	20,000	A
5	Fire	ELDORADO FIRE STATION #4	46,551	-	130,000	176,551	A
3	Fire	ELDORADO FIRE STATION #4	46,551	-	130,000	176,551	A
3	Fire	MADRID FIRE SUPPRESSION	386,488	183,877	50,000	620,365	A
2	Housing	CAMINO DE JACOBO SIDEWALKS	150,000	-	100,000	250,000	A
1, 2, 3	Housing	HOUSING SITE UPGRADES	-	-	835,000	835,000	A
5	Open Space	AVENIDA AZUL TRAIL	-	-	130,000	130,000	A
3	Open Space	GALISTEO PARK	-	-	100,000	100,000	A
1	Road	AVENIDA VISTA GRANDE CROSSWALK LIGHTS	-	-	60,000	60,000	A
1	Road	ELDORADO ROAD PROJECTS	477	4,199	480,000	484,676	A
3	Road	LOS PINOS ROAD	1,488,426	56,885	250,000	1,795,311	A
2	Road	ZAFARANO ROAD EXTENSION	44,437	19,660	100,000	164,097	A
1, 2, 3, 4, 5	Solar	ESPERANZA SHELTER SOLAR	-	-	250,000	250,000	A
1	Utility	CHUPADERO MDCWA	696,828	142,950	525,000	1,364,778	A
3	Utility	LA CIENEGA/CIENEGUILLA SPRINGS	-	-	150,000	150,000	A
5	Utility	NE/SE CONNECTOR WATERLINE	625,000	-	400,000	1,025,000	A
1	Vertical	ABEDON LOPEZ SENIOR CENTER	3,301,423	1,201	137,000	3,439,624	A
1, 2, 3, 4, 5	Vertical	AIRPORT ROAD FACILITY	-	-	350,000	350,000	A
1	Vertical	BENNIE J CHAVEZ COMM CTR	-	-	685,000	685,000	A
1, 2, 3, 4, 5	Vertical	RECOVERY CENTER	3,554,694	-	2,841,950	6,396,644	A
3	Open Space	OSCAR HUBER BALLPARK (MADRID BALLPARK)	125,000	-	75,000	200,000	B
2	Open Space	SANTA FE RIVER GREENWAY	4,679,829	477,836	400,000	5,557,665	B
5	Road	NE/SE CONNECTOR	13,618,577	370,246	1,000,000	14,988,823	B
4	Utility	ELDORADO/CANONCITO WATER	574,407	643,189	400,000	1,617,596	B
1	Utility	POJOAQUE BASIN REG. WATER SYSTEM (AAMODT)	5,623,054	-	2,670,000	8,293,054	B
1, 2, 3, 4, 5	Utility	SAN JUAN/CHAMA RETURN FLOW	240,000	-	2,000,000	2,240,000	D
1, 2, 3, 4, 5	Utility	SCADA CORE DEVELOPMENT TECH.	-	44,976	35,000	79,976	E
5	Open Space	CARLSON PARK	-	-	130,000	130,000	A, B

FY 2023 Final Budget Capital Project New Funding Requests

Commission District	Project Category	Project Name	Unencumbered			Additional Funding	Total	Funding Source
			Budget to Rollforward to FY2023	Encumbrances to Rollforward to FY2023				
2	Utility	AGUA FRIA WASTEWATER	568,624	2,605,106		1,855,000	5,028,730	A, D
3	Open Space	THORNTON RANCH OPEN SPACE	2,089,210	301,803		1,638,976	4,029,989	B, C
		Total	\$ 38,418,883	\$ 4,889,876	\$ 19,010,140	\$ 62,318,899		

Funding Source Legend:

- A – New state appropriations
- B – Additional GRT funding
- C – Bond funding
- D – ARPA funding
- E – Utilities funding

Revenue & Expense Projections

Overall Projections for FY 2022 & FY 2023

- **Revenues Include:**
 - FY 2022 – Year-to-Date as of May 31, 2022
 - FY 2022 – June 30, 2022, calculated based on prior 11 months & 5-year history
 - FY 2023 – Estimated using a 5-year history
 - ARPA budget and actuals have been adjusted to reflect the revenue that will be recognized when expended
- **Expenditures Include:**
 - FY 2022 – Year-to-Date as of May 31, 2022
 - FY 2022 – June 30, 2022, calculated based on prior 11 months & 5-year history
 - FY 2023 – Department Requests, Fixed Asset Requests, Budget Proposals
 - ARPA and capital projects budgets will be expanded further in the final budget presentation

FY 2022 Revenue Projections

REVENUE TYPE	FY19 ACTUALS @ 6/30	FY20 ACTUALS @ 6/30	FY21 ACTUALS @ 6/30	FY22 BUDGET	FY22 YTD @ 5/31	FY22 PROJECTED @ 6/30	% RECEIVED OF FY22 BUDGET
General Property Tax	\$ 52,024,385	\$ 53,929,309	\$ 54,406,387	\$ 52,603,590	\$ 43,935,265	\$ 54,500,538	103.6%
Debt Service Property Tax	15,054,269	15,728,302	16,332,996	18,346,674	13,290,012	18,346,674	100.0%
Valuation Fund	1,578,150	1,641,703	1,667,447	1,547,127	1,368,531	1,952,548	126.2%
Payments in Lieu of Taxes	793,795	824,238	820,311	810,189	-	810,189	100.0%
GRT - Operational	35,271,570	36,601,667	37,657,553	39,932,404	46,235,808	49,926,343	125.0%
GRT - Non-Op & Capital	21,901,762	22,101,051	22,144,544	19,145,733	26,527,079	28,721,869	150.0%
HHD - Operational	1,462,555	2,118,305	1,666,650	1,421,155	1,179,257	1,960,939	138.0%
HHD - Non-Op & Capital	1,222,954	1,783,082	1,419,450	1,190,894	1,013,431	1,685,190	141.5%
Other Taxes & Assessments	2,141,763	2,171,497	2,112,301	1,815,000	1,829,754	1,996,095	110.0%
Lodger's Tax	534,108	460,328	593,674	465,798	1,120,125	1,221,955	262.3%
Ambulance Billing	1,457,028	1,323,855	1,630,487	1,500,000	2,277,037	2,484,040	165.6%
Care of Prisoners	5,190,047	3,832,408	3,668,508	2,650,000	2,629,205	2,630,835	99.3%
Utility Charges	5,899,467	6,349,701	6,963,339	8,059,439	7,166,286	7,817,767	97.0%
Employee Health Premiums	8,897,342	8,957,349	9,103,310	10,606,101	7,963,929	8,687,923	81.9%
Low Rent Housing	584,491	587,720	598,581	518,505	666,075	726,627	140.1%
Other Charges for Services	2,645,681	2,676,771	2,909,575	1,908,225	2,438,779	2,660,486	139.4%
Licenses, Permits, and Fees	880,806	1,078,009	1,188,335	875,487	1,167,344	1,273,466	145.5%
Fines & Forfeitures	281,148	239,401	155,356	189,606	133,940	146,116	77.1%
Grants	4,268,047	10,260,336	10,513,206	17,751,126	7,874,488	12,590,351	70.9%
CARES Act	-	-	14,306,627	-	-	-	N/A
ARPA	-	-	-	14,602,640	7,805,335	8,305,335	56.9%
Interagency & Subsidies	3,971,476	3,779,913	2,362,956	2,077,564	1,049,158	1,144,536	55.1%
Miscellaneous Revenue	1,952,821	520,778	783,620	628,602	1,999,087	2,126,063	338.2%
Investment Income	4,591,346	5,040,136	3,368,130	2,128,000	1,818,387	1,983,695	93.2%
Transfers In	70,859,911	71,144,317	77,117,339	67,297,725	1,685,910	67,297,725	100.0%
Budgeted Cash	-	-	-	135,960,804	-	-	-
Total Revenue	\$243,464,922	\$253,150,176	\$273,490,682	\$404,032,388	\$183,174,222	\$280,997,305	69.5%

FY 2022 Expenditure Projections

EXPENDITURE TYPE	FY19 ACTUALS @ 6/30	FY20 ACTUALS @ 6/30	FY21 ACTUALS @ 6/30	FY22 BUDGET	FY22 ACTUALS @ 5/31	PROJECTED FY22 @ 6/30	% SPENT OF FY22 BUDGET
County Manager Department	\$ 12,732,512	\$ 12,507,765	\$ 12,815,234	\$ 16,317,693	\$ 13,843,850	\$ 15,821,543	97.0%
Adult Detention Center	20,318,521	20,277,848	16,421,368	22,650,842	13,868,786	15,850,041	70.0%
RECC	3,406,014	3,760,809	3,220,416	4,339,172	2,455,457	2,806,237	64.7%
Fire Department	14,802,902	15,525,395	13,151,368	18,374,551	13,212,319	15,099,793	82.2%
Community Services Department	11,450,141	11,779,947	11,630,909	16,208,825	9,756,141	11,149,875	68.8%
Community Development Department	-	-	4,173,158	8,044,212	4,699,553	5,370,918	66.8%
Growth Management Department	8,226,865	7,801,369	8,448,143	4,376,874	2,882,795	3,294,623	75.3%
Public Works Department	13,493,166	13,285,925	12,028,349	16,969,177	10,020,159	11,451,610	67.5%
Utilities Enterprise	7,132,267	7,389,660	6,993,033	7,750,289	3,627,387	4,145,585	53.5%
Housing Enterprise	814,774	807,465	829,783	1,044,971	648,724	741,399	70.9%
Self-Insurance	9,019,822	9,585,486	8,292,785	10,609,101	8,741,166	9,989,904	94.2%
SFC Assessor	3,291,725	3,380,757	3,289,422	3,906,117	2,969,349	3,393,542	86.9%
SFC Clerk	1,946,696	2,142,504	2,417,215	3,443,741	1,961,142	2,241,305	65.1%
SFC Probate	42,301	41,926	41,320	42,819	37,454	42,805	100.0%
SFC Sheriff	13,019,822	12,862,262	9,628,814	14,663,219	11,026,734	12,601,982	85.9%
SFC Treasurer	1,167,741	1,155,914	963,883	1,312,038	985,930	1,126,777	85.9%
2020 CARES Act	-	-	12,386,726	-	-	-	N/A
2021 American Rescue Plan	-	-	-	12,662,140	7,805,335	8,305,335	65.6%
Capital Outlay	4,058,086	9,337,807	5,975,894	138,355,987	16,034,746	18,325,424	13.2%
Debt Service	24,297,661	26,842,664	29,457,294	28,846,386	22,767,692	28,846,386	100.0%
Contingency	56,485	23,232	-	6,816,509	18,287	20,899	0.3%
Transfers Out	70,859,911	71,144,317	77,117,339	67,297,725	1,685,910	67,297,725	100.0%
Total Expenditures	\$ 220,137,412	\$ 229,653,052	\$ 239,282,453	\$ 404,032,388	\$ 147,344,719	\$ 237,923,708	58.9%

2222/61/10 SFC CLERK RECORDED 07/19/2022

FY 2023 Interim Budget - Revenue

REVENUE TYPE	FY22 BUDGET	FY22 PROJECTED @ 6/30	INTERIM BUDGET FY 23
General Property Tax	\$ 52,603,590	\$ 54,500,538	\$ 55,904,801
Debt Service Property Tax	18,346,674	18,346,674	16,494,307
Valuation Fund	1,547,127	1,952,548	1,952,548
Payments in Lieu of Taxes	810,189	810,189	800,000
GRT - Operational	39,932,404	49,926,343	44,941,071
GRT - Non-Op & Capital	19,145,733	28,721,869	26,355,225
HHD - Operational	1,421,155	1,960,939	1,732,879
HHD - Non-Op & Capital	1,190,894	1,685,190	1,489,250
Other Taxes & Assessments	1,815,000	1,996,095	2,065,000
Lodger's Tax	465,798	1,221,955	1,092,936
Ambulance Billing	1,500,000	2,484,040	1,341,236
Care of Prisoners	2,650,000	2,630,835	2,328,348
Utility Charges	8,059,439	7,817,767	8,083,439
Employee Health Premiums	10,606,101	8,687,923	9,686,046
Low Rent Housing	518,505	726,627	592,761
Other Charges for Services	1,908,225	2,660,486	2,477,272
Licenses, Permits, and Fees	875,487	1,273,466	1,118,820
Fines & Forfeitures	189,606	146,116	175,000
Grants	17,751,126	12,590,351	11,128,478
ARPA	14,602,640	8,305,335	6,150,000
Interagency & Subsidies	2,077,564	1,144,536	971,231
Miscellaneous Revenue	628,602	2,126,063	440,750
Investment Income	2,128,000	1,983,695	2,228,000
Transfers	67,297,725	67,297,725	78,238,040
Budgeted Cash	135,960,804	-	21,000,630
Total Revenue	\$404,032,388	\$280,997,305	\$ 298,788,068

FY 2023 Interim Budget - Expenditure

EXPENDITURE TYPE	FY22 BUDGET	PROJECTED FY22 @ 6/30	INTERIM BUDGET FY 23
County Manager Department	\$ 16,317,693	\$ 15,821,543	\$ 21,886,325
Adult Detention Center	22,650,842	15,850,041	25,531,204
RECC	4,339,172	2,806,237	4,779,313
Fire Department	18,374,551	15,099,793	18,684,597
Community Services Department	16,208,825	11,149,875	17,013,890
Community Development Department	8,044,212	5,370,918	7,523,861
Growth Management Department	4,376,874	3,294,623	4,960,945
Public Works Department	16,969,177	11,451,610	17,525,939
Utilities Enterprise	7,750,289	4,145,585	7,933,724
Housing Enterprise	1,044,971	741,399	1,159,976
Self-Insurance	10,609,101	9,989,904	10,609,101
SFC Assessor	3,906,117	3,393,542	4,339,636
SFC Clerk	3,443,741	2,241,305	3,414,402
SFC Probate	42,819	42,805	43,261
SFC Sheriff	14,663,219	12,601,982	15,191,517
SFC Treasurer	1,312,038	1,126,777	1,408,913
2021 American Rescue Plan	12,662,140	8,305,335	100,000
Capital Outlay	138,355,987	18,325,424	26,760,094
Debt Service	28,846,386	28,846,386	26,883,330
Contingency	6,816,509	20,899	4,800,000
Transfers	67,297,725	67,297,725	78,238,040
Total Expenditures	2202/61/7 \$ 404,032,388	237,923,708	\$ 298,788,068