

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
September 14, 2021

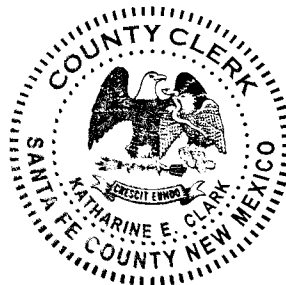
Henry Roybal, Chair - District 1
Anna T. Hamilton, Vice Chair - District 4
Rudy Garcia - District 3
Anna Hansen - District 2
Hank Hughes - District 5

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 68

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SANTA FE COUNTY
REGULAR MEETING
BOARD OF COUNTY COMMISSIONERS

September 14, 2021

1. **A.** This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:10 p.m. by Chair Henry Roybal in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

 This meeting was conducted in a hybrid manner with in-person and virtual participation. For clarity purposes, repetitive identification and confirmations of those on the phone have been eliminated and/or condensed in this transcript.

B. Roll Call

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

Members Present:

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

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. Moment of Reflection

 The Pledge of Allegiance and the State Pledge were led by Chair Roybal and the Moment of Reflection by Tori Gallegos of the Human Resources Department.

 Commissioner Garcia asked for a moment of silence to remember the lives lost on September 11, 2001.

1. **F. Approval of Agenda**

 CHAIR ROYBAL: Are there any changes? I did have some requests to

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move some items forward on the agenda. Any other, Commissioner Hughes?

COMMISSIONER HUGHES: Yes, Mr. Chair. Just to move item 8. C to be right after 2. A.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hughes. Commissioner Hansen, you had a request as well?

COMMISSIONER HANSEN: Yes, I'd like to move up 8. D to right after Consent.

CHAIR ROYBAL: So we'll have 8. D right after Consent. Okay, any other requests for changes to the agenda? Manager Miller.

KATHERINE MILLER (County Manager): Mr. Chair, for the record, the agenda was posted on Tuesday, September 7th at 5:16 pm. The amended agenda was posted on Friday, September 10th at 5:12 pm, and the items that were changed from the original agenda to the amended agenda are item 3. A, approval of the resolution. There were additional packet materials uploaded to BoardDocs. On item 4. A, which was originally the approval of the return flow project agreement with the City, that item was withdrawn. Item 7. B, which is just a discussion item relative to the American Rescue Plan funding recommendations. That item and packet material were added. And item 9. A, Executive Sessions, Matters from the Attorney, items 3, 4, and 5 were added along with 9. B, a potential action item as a result of executive session. That item was added as well. And those were the changes to the original agenda that have been posted.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. Okay, so, we have those amended agenda items and requests. Is there a motion?

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: Move for approval of the amended agenda.

COMMISSIONER HANSEN: Second. And I'd also like to mention that Lois Mee and the people from Agua Fria Village will be joining via Webex for the presentation, so I don't see that at the moment, that we have access to that, but that's where they are.

CHAIR ROYBAL: Okay. Thank you, Commissioner Hansen. I'm really happy to hear that they'll be joining us as well. We have a motion from Commissioner Garcia and a second from Commissioner Hansen.

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

2. APPROVAL OF MEETING MINUTES

A. Request Approval of the August 10, 2021 Regular Meeting Minutes

CHAIR ROYBAL: Are there any changes, Commissioner Hansen?

COMMISSIONER HANSEN: Yes, Mr. Chair. There are changes that I have given to the stenographer right before this meeting, and so I move to approve with changes.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen, a second from Commissioner Hughes, with amended changes.

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

8. C. A Proclamation Proclaiming September 14, 2021 as “Edward H. Moreno Day”

CHAIR ROYBAL: I’m going to go to Commissioner Hank Hughes and Commissioner Hamilton.

COMMISSIONER HUGHES: Thank you, Mr. Chair. As we know, Ed Moreno was a loved public servant and community servant. He served on the County Commission for 3 ½ years and before that had a distinguished career which is outlined in the proclamation that we can read together in a few minutes. And I’m really glad to welcome Janet Wise and the rest of Ed Moreno’s family to the chambers today for the reading of the proclamation, and I guess if anybody else wanted to add to that we could do that before we read.

CHAIR ROYBAL: Yes, Commissioner Hughes, and thank you for that opportunity. I had the honor of serving with Commissioner Moreno for four years. Prior to that I never had met Commissioner Moreno but I’m really grateful that I had the opportunity to get to know him. We traveled together to different meetings a few times and we really had the opportunity to talk to each other and get to know one another. Up here on the dais we’re pretty serious but at the same time we still will talk and joke around on the sidelines.

Commissioner Moreno was just a great man all the way around. I think it was an honor to have him as a County Commissioner and all the work that he did. He was really passionate about the way he felt about representing his community and he was just a great man, all around. I can’t say enough about him. So like I say, it was just a wonderful opportunity to serve with him and I wish that he was still here with us but that’s not always within our control. I just want to thank god that I had the opportunity to get to know Commissioner Moreno. Thank you. Other Commissioners, Commissioner Hamilton.

COMMISSIONER HAMILTON: Thank you. No question, I’m truly honored to have co-sponsored this proclamation. It’s a small but wonderful idea to give him a day. Commissioner Moreno and I ran at the same time when we started this crazy business of being Commissioner, together. And he’s one of those people that is so delightful to be around. He was so nice, and he was so gentle. It was just – it was great motivation to do things with him. And then, after a while of hanging around with him and serving with him you realize it’s much more than being nice. There was an incredible amount to respect him for in the expertise he brought to things and for the attitude he had about why you do things and how you do things. So that’s a lot to up to.

You are really blessed in this life if you have people that you can look at and go, I want to be able to do something like that, to have a role model who can exemplify something that you really hold as being important. And I think that’s one of the things Ed excelled at and that I’ll always remember him for.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. I’ll go to Commissioner Garcia and come this other direction after.

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COMMISSIONER GARCIA: Thank you for bringing this forward, Commissioners. Very, very well deserved. I was kind of chuckling up here because it seems like Commissioner Moreno and myself have this little laughter thing that we used to do. He used to make me laugh and I used to make him laugh because he had it in him and for some reason he and I felt that connection. Just little minor jokes that we would do and it was actually awesome to see him laugh and smile because he would look at me and he'd say, Rudy, Rudy. We had a good time when we would laugh. It was good to see him laugh like that. It was awesome.

Commissioner Moreno, he worked for a newspaper. I never realized he actually was a writer for the local paper and he knew government. He knew how to look at different situations and write about them, obviously. He was very good at that, I heard. I actually went to his announcement at the Eldorado Community Center and the candidates were there and he did a great job as into announcing for County Commissioner and he succeeded and he won.

It's – to sit up here listening to local government issues as the Commissioner next to me mentioned. Local government is very challenging. I just came back from Michigan and I saw some local government meetings and recalled how different they are here. We do a lot of stuff up here that we deal with that people out there don't realize what we do and how we do it and why we do it, and yes, it's because everybody communicates in meetings very well. The gentle giant, I think one of those situations that Commissioner Moreno had – he had some challenges in the Eldorado area in regards to two road issues. It was a pretty heated meeting and I give him credit because he held his ground and he did what he needed to do. He felt it was the right thing for the community. It was a pretty intense meeting. He did it. I wanted to see if he would do it and he did do it. Like I say, a gentle giant.

A delightful individual, as the Commissioner mentioned up here. Very delightful. Very quiet. A quiet man. He did a great job. I'm sure he'll be missed by his family. He's actually up there watching down on us right now. He's looking at Rudy and laughing and saying, Rudy. It was great to see that man laugh. Thank you, Mr. Chair. He will be missed.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I remember one year, I'd been on the dais and I had three Commissioners all come in at the same time and all three of them ran together, which was Commissioner Hamilton, Commissioner Hansen and Commissioner Moreno. That was a great addition to have those three Commissioners come on board. It's just one other thing and I'd like to mention. He was just a great man. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. I was extremely honored to be able to run for County Commission at the same time he did and spend those 3 ½ years working with him. We brought forward many, many, many resolutions together. He always was my partner, my comrade, the person I could go to and I trusted him. He was honest. He was kind, and he was sincere about his beliefs. I know that one of the greatest resolutions that he was incredibly proud of and that we worked on together was one of the last resolutions that we passed and that was a resolution on civil rights and the recognition – recognizing the need for racial and social justice.

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I know one of the things that he said was that his children were also black and this was a really important issue to him. And as somebody who grew up in Southern California, was at the Watts riot and always supported my black brothers and sisters I felt very strongly about that also. And I am grateful to have always sponsored all these resolutions with him. It was really important to me because he and I regularly had lunch together and talked about the issues that we needed to work on together. I am still in shock that he is gone. It just doesn't seem like that's possibly, considering what a kind and good man he was and I am glad that he did not suffer too long and that he will always remain in my heart.

That is one of the things as a Buddhist and as a practitioner is that you always want to take people into your heart who have passed away. So I will always have him in my heart because he was such an important person to me on this Commission. We had so many really good times together and I will miss that.

So thank you, Janet. I want to especially thank you, Janet, for sharing him with us for those 3 ½ years. Of course none of us knew that he would be leaving us but I am grateful that we had that opportunity and I am grateful to you for sharing him with us. That was really a gift to all of us and a gift to all of the constituents in Santa Fe County. So blessings to all of the family and I look forward to seeing you all at the memorial on Saturday, September 18th at 3:00 at the Rivera Chapel. And Mr. Chair, I would like to respectfully ask if when we finish, if we could please have a photo with the family.

CHAIR ROYBAL: Absolutely, Commissioner Hansen. Commissioner Hughes, would you like to start the reading?

COMMISSIONER HUGHES: Yes. Thank you, Mr. Chair. I have always thought that I had very big shoes to fill and I feel that especially today. When Ed told me that he wasn't going to run again for a second term I was kind of sad because I felt that he should have been Commissioner for eight years and sometimes I still wish that he was here and that I was preparing to run when he was finished instead of starting early. But it didn't work out that way, unfortunately. So we're going to all take turns reading this proclamation and I'll read the first part and pass it to my right.

Santa Fe County Proclamation proclaiming September 14, 2021 as Edward H. Moreno Day.

Whereas, Edward H. Moreno was born on February 17, 1954 in Mexico City, and migrated with his family to the United States as a young child when his father accepted a job at the first Spanish speaking radio station in Denver, Colorado; and

Whereas, Edward earned a bachelor's degree in journalism from the University of Northern Colorado in 1977 and began his career working for small newspapers; and

Whereas, Edward worked for several newspapers including the Santa Fe New Mexican, then joined the Associated Press where he served as New Mexico Capitol Correspondent for ten years; and

COMMISSIONER HANSEN: Whereas, following Edward's work with the Associated Press he joined the New Mexico State Land Office as Assistant Commissioner for Public Affairs where he developed skills in policymaking, facilitation and government decision making; and

Whereas, in 2005, Edward took his talents to the Keystone Policy Center, an organization that worked to overcome national and local policy conflicts previously

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thought insurmountable in energy, environment, education, health, agriculture, and management and tribal communities, traveling the country, helping to solve complex problems through dialogue and public involvement; and

Whereas, using his policy, mediation, and facilitation skills, Edward established Edward Moreno consulting, taking on a number of projects for state and local government in New Mexico; and

COMMISSIONER GARCIA: Whereas, Ed served as a volunteer on the Board of Eldorado Community Improvement Association, where he helped guide the Eldorado community through a difficult time; and

Whereas, Edward's capstone experience when he was elected on January 1, 2017 to serve as Santa Fe County Commissioner for District 5. During his term he served on the following boards: North Central Regional Transit District, Santa Fe Solid Waste Management Agency, Metropolitan Planning Organization, and he Santa Fe Housing Authority, and

Whereas, Edward was most proud of taking part in the Aamodt settlements and expanding water service to rural areas including the Pojoaque Valley, Eldorado and Cañoncito, and also was very proud of his role in growing the trail system, as well as overseeing the new County Administrative Complex and renovation of the old County Courthouse; and

COMMISSIONER HAMILTON: Whereas, Ed had a deep passion for public service and was a champion for environment and social justice, representing the needs of underserved populations and the immigrant community during his time in office; and

Whereas, Edward possessed an incredible talent to write and also carried abundant intelligence, good humor, and could carry on an interesting conversation with anyone on any topic; and

Whereas, Edward was loved and appreciated by County staff and his constituents for his honesty, integrity, and highest ethics as an elected official; and

CHAIR ROYBAL: Whereas, on August 31, 2020, Edward announced his early retirement from the Board of County Commissioners due to health issues; and

Whereas, Edward passed away at his home in Eldorado on Tuesday, July 27, 2021, at the age of 67 years old; and

Whereas, the Santa Fe Board of County Commissioners wish to recognize the accomplishments and contribution, activism and remarkable life of Edward H. Moreno, former County Commissioner for District 5.

COMMISSIONER HUGHES: Now, therefore be it resolved that we the Board of County Commissioners of Santa Fe County do hereby proclaim the day of September 14, 2021 as Edward H. Moreno Day.

CHAIR ROYBAL: So I also wanted to just say it's not good bye but so long until we meet again. Commissioner Hughes, would you like to make the motion?

COMMISSIONER HUGHES: Yes. I would move that we adopt this proclamation.

CHAIR ROYBAL: Commissioner Hamilton

COMMISSIONER HAMILTON: Second.

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CHAIR ROYBAL: We have a motion from Commissioner Hughes, a second from Commissioner Hamilton.

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

[Photographs were taken with the family.]

3. CONSENT AGENDA

A. ISOLATED FOR DISCUSSION

B. Request (1) Approval of Amendment No. 2 to Agreement No. 2021-0063-CSD/TVR with YouthWorks, Increasing the Compensation an Additional \$75,000 for a Total Contract Sum of \$425,500, Inclusive of NMGRT, and Extending the Term an Additional Year To Provide Food Services, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order (Purchasing Division/Bill Taylor and Community Services Department

C. Request (1) Approval of Amendment No. 5 to Agreement No. 2017-0244-TR/KE Between Santa Fe County and Automated Election Services to Provide Printing and Mailing Services for the Office of the County Treasurer, Increasing the Amount of the Compensation by \$150,000 for a Total Contract Sum of \$450,000, Exclusive of NM GRT, and Extending the Term an Additional Two Years, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order

D. Request (1) Approval of Amendment No. 4 to Agreement No. 2019-0233-CSD/MAM with Equanimity Solutions, LLC, Increasing the Compensation by \$87,000, to Provide Case Management and Navigation Services for a Total Contract Sum of \$261,000, Inclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order

CHAIR ROYBAL: This is the Consent Agenda. Are there any items on this Consent Agenda that Commissioners would like to pull off to get some additional information on?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Yes, I would like to pull off A.

CHAIR ROYBAL: Three A, is that correct?

COMMISSIONER HANSEN: Yes, 3. A.

CHAIR ROYBAL: So do you want to ask questions on this item that staff can answer right away or would you like us to vote on the rest of the agenda and then come back to it?

COMMISSIONER HANSEN: I think we should vote on the rest of the items and then come back to it.

CHAIR ROYBAL: Okay, are there any other requests from

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Commissioners? Any other items? If not, what's the pleasure of the Board?

COMMISSIONER HANSEN: I move to approve the Consent Agenda with A removed.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hansen with item 3. A removed, and a second from Commissioner Hamilton.

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

3. A. **Request Approval of (1) Resolution No. 2021-077, a Resolution Amending Resolution No. 2012-164, a Resolution Adopting the 2012 Santa Fe County Human Resources Handbook to Replace the 2008 Santa Fe County Human Resources Handbook; (2) Amendment No. 1 to Collective Bargaining Agreement Between the County of Santa Fe and the New Mexico Coalition of Public Safety Officers (Regional Emergency Communications Center-RECC); and (3) Amendment No. 3 to Collective Bargaining Agreement Between Santa Fe County and the American Federation of State, County, and Municipal Employees; New Mexico Council 18, Local 1782, AFL-CIO**

CHAIR ROYBAL: I do also want to recognize that we do have our County Clerk that is joining us virtually, just to recognize that she is here. She was not feeling well today, but she is joining us virtually. So thank you, Madam Clerk, for being here as well.

We're going to go ahead and go item number 3. A and I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: I would just like County Attorney Shaffer to speak about the changes and just give a brief overview.

GREG SHAFFER (County Attorney): Mr. Chair, Commissioner Hansen, I would actually defer to our HR and Risk Management Division Directors, Sonya Quintana and well as Rachel Brown, the Deputy County Attorney, who are really the point persons on this.

COMMISSIONER HANSEN: That's fine. Thank you.

RACHEL BROWN (Deputy County Attorney): So what you have before you this afternoon are three amendments: an amendment to the RECC collective bargaining agreement, the amendment to the AFSCME 1782 bargaining agreement, and an amendment to our HR Handbook. Each of them accomplishes the same purpose, which is to recognize that in light of changes to the law brought about by the Cannabis Regulation Act we re-evaluated our drug testing policies and have proposed amendments and reached out to the collective bargaining representatives about those proposed amendments and gained their support for them.

The amendments allow us to continue to have a zero tolerance policy as we always have for our safety-sensitive and CDL-holding employees so that if they were ever to test positive for indications of cannabis use they would face disciplinary consequences. However, the changes is that for non-safety-sensitive positions we would

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take the information from a positive drug test and use that as evidence and we would look at the totality of the evidence in regards to whether the employee was impaired at work as a basis for a disciplinary action. So it would not be an automatic discipline but merely evidence that might support discipline.

And so we again have reached agreement with the bargaining units affected and propose that all three of these changes be put into place.

COMMISSIONER HANSEN: So the bargaining units and everyone is good with these changes? They feel it adequately will protect the employee and will adequately protect also, the employer?

MS. BROWN: Correct. We reached out to the presidents of both bargaining units and they were supportive of these revisions which apply more lenient concepts to non-safety-sensitive employees and employees who don't hold CDLs.

COMMISSIONER HANSEN: Okay. Thank you. I just felt that it was important that that be on the record and that people know how we have changed the handbook for employees, because everyone doesn't have the opportunity to always read the handbook every time we make a change. So I just felt that it was important that we put this on the record. So thank you very much, and with that I would move to approve Resolution No. 2021, a resolution amending Resolution No. 2012-164, a resolution adopting the 2012 Santa Fe County Human Resources Handbook and to replace the 2008 Santa Fe County Human Resources Handbook.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: Okay, so we have a motion from Commissioner Hansen and a second from Commissioner Hamilton. Under discussion, Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Under discussion, with the state actually adopting the new Cannabis Recreational Statute, the State of New Mexico is going to be dealing with a lot of cannabis and a lot of other type of things that are going to be floating around the State of New Mexico. To get to the point, sometimes you can poppy seed, you can take anxiety pills, you can take anti-depressant pills. Now marijuana is going to be offered a lot more. So if an employee does test positive – I see where the CDL requirements are, and that's nationwide. So if an employee has a problem what can the employee do to come and seek help other than getting documented and tested due to stuttering at work, smelling like alcohol, smelling like marijuana? Is there an avenue that the employee has to get some help?

SONYA QUINTANA (HR Director): Chair Roybal, Commissioner Garcia, yes. There is a self-identification process which is outlined in the handbook where the employee can come in advance to self-identify that there is an issue with substance abuse or alcohol and we would assist that employee to get help. That process does need to happen in advance of discipline being identified. So if there's a reasonable suspicion issue and then an employee identifies after that, typically the consideration would be different than if they came in advance to identify that they have a problem. They need to go into a facility or need some assistance finding resources.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Ms. Quintana. I appreciate that that the Santa Fe County does have that ability, because talking about society out there, there's so many addictions out there it's unbelievable,

whether you shoot a gun too much – there's addictions for everything out there. And as long as Santa Fe County does provide help for individuals that feel that they need some help, that's good to know. Thank you.

MS. QUINTANA: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Was that it, sir?
Any other questions or comments from the Board? Seeing none, we have a motion and a second.

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

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

8. D. Presentation of Certificate of Appreciation to Lois Mee for her Dedicated Service to the Nancy Rodriguez Community Center

[Those participating via Webex were welcomed to the meeting.]

COMMISSIONER HANSEN: So I will start this, because I am grateful to Lois Mee for all that she has done for the Agua Fria Village over the years. There really are not words to express her generosity that she has given to the community. When Lois Mee began serving on the Nancy Rodriguez Community Center Board of Trustees as an alternative, the community center hadn't even officially opened yet. That didn't happen until 2007 and Lois had been involved with the Nancy Rodriguez Community Center ever since. She has devoted countless hours of her time and a tremendous amount of her energy into her work as a trustee over the last 14 years.

This certificate seeks to honor Ms. Mee for her many years of dedicated service to Santa Fe County, the community center itself, and our constituents who utilize it. A lifelong and sixth generation resident of the Agua Fria Village, Lois Mee says she tries to stay involved because she realizes how important the work is that our government officials do to obtain money and get everything in motion to provide things like the community center for us, and we have a responsibility to take care of these things after so much hard work went into them to now have a place for us.

In her 14 years at the Nancy Rodriguez Community Center Lois has gone above and beyond our expectations of a community center trustee. In addition to meeting with renters, submitting paperwork for rentals and managing the calendar, she opened and closed the center and provided training for community center trustees at other locations in the county. She has gone to the center on a moment's notice to reset security lines when trespassers tried to get into the facility after hours, reset tripped electrical outlets, and always kept a watchful eye on the landscaping, promptly contacting the County when the drip irrigation system stopped working.

She worked to redirect funds slated for a portal for the center which was no longer needed to make improvements to the facility, including a new stove, range hood and sink, a portable PA system, and a new drinking fountain that refills water bottles. Recently she recalled a time a renter frantically called to tell her that a huge and unexpected rainstorm

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blew in causing flood waters to enter into the center from under the door. She and her husband William reported to the scene and used old towels and rags to block the water from entering through the doors and helped the renters mop up all the water.

Lois is now stepping down as a trustee to spend more time with her family. I am so honored to present this certificate of appreciation to Lois Mee for her many years of dedicated service as a trustee at the Nancy Rodriguez Community Center. The certificate reads as follows: Lois Mee, on behalf of Santa Fe County we award this certificate of appreciation in recognition of your dedicated years of service as a trustee to the Nancy Rodriguez Community Center. Your contribution has enriched the Agua Fria Village community and we are grateful.

I cannot say enough good words about Lois and all the kind things that she has done for everyone in the community. She is definitely a role model for all of the trustees and I want to just at this point make a plug for the fact that we do need a trustee in the Village of Agua Fria. I know that it is very hard to fill Lois Mee's shoes but we look forward to finding that person and moving forward. So thank you, Lois, for everything and I will get this certificate of appreciation to you in the next few weeks. Thank you very much.

COMMISSIONER HAMILTON: Till the Chair returns, would Lois care to say anything?

COMMISSIONER HANSEN: I don't know if Lois is on or maybe she's just watching via YouTube.

LOIS MEE (via Webex): I'm here.

COMMISSIONER HANSEN: Yay. Okay, Lois. Yay. Thank you. Would you like to say anything?

MS. MEE: I just want to thank you for the recognition and actually thank Santa Fe County staff for just being partners with us the whole time because without them there, somebody to call on when things do happen at the center we wouldn't be able to do the job that I was doing. I especially wanted to thank Commissioner Garcia for being a partner in crime with us. Every time that we needed help negotiating that money, especially for that portal, he was the one person that made the meetings happen and kept on top of the coordination of all the money that we were able to get from Jeff Branch and Associates. So I appreciate the partnerships that I've had with the County staff throughout the years. And I look forward to just keeping on top of the center, making sure things are still working well and everything is being kept up, because ultimately we're the ones that benefit from having the center there, so thank you very much.

COMMISSIONER HANSEN: Thank you, Lois, very much for being here.

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Okay, Commissioner Hansen. Thank you, Lois.
Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Lois Mee, as you brought it up, 14 years ago whenever we actually started construction of that center, from the main event to helping it be designed – why this was here, why this isn't here. Very great asset to Santa Fe County, Lois. You are right. For individuals that may not know, the developments that are getting built off of Agua Fria there, anywhere from the theaters to the restaurants to Lowe's to residential development, we worked – they worked with

the developers in that area to contribute some money to the community center. This is pre-, pre-, pre-COVID and it took a little while to talk with the individuals and this was always as into Rudy, where's it at? Rudy, Rudy – she worked very hard and we worked very hard. It's not that easy to get people to donate money to the government but they did. We got some money from it and Lois actually, and her husband, obviously, because they're a partner, worked very hard on that stuff.

She would come to me and she would ask me, what about this? Where's this? It took a little while but things got done for that beautiful community center, anywhere from the landscaping to the asphalt paving, to the project managers that were on it after I kind of got moved to a different division. It's a great center. People such as Lois Mee or individuals that actually are caretakers of our community centers are very much appreciated in my eyes and in County staff's eyes. I know sometimes County staff would get a little frustrated as into what the caretakers would like and want, but they're there on a daily basis and they're there on the weekends.

I know an individual that worked on weekends and it's tough. You want to go on vacation? Who's going to watch the center? Who's going to watch for the baby shower? Who's going to do this? Who's going to open and close it? Who's going to monitor it? The caretakers of the community center. And Lois, for 14 years already. Time flies. You've done an excellent job in being the caretaker for that community center and those shoes will be hard to be filled.

One of the things I would like, because we're having a new caretaker that's going to be happening in the La Cienega area and thank you for stepping forward for that. Maybe we could have staff as well as individuals that are caretakers or have been caretakers so they can give guidance to the new caretakers as into some of the stuff that you deal with out there. Like I said, I was out in Michigan this last five, seven days and I was dealing with the La Cienega Community Center. And it turned out well. It turned out good. Thank you, staff for that.

But Lois, you've done an excellent job there. Thank you for your services to the community. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Very well said. Thank you to all our volunteers and trustees in our community centers and Lois, thank you so much for having the dedication to Santa Fe County and the service to our constituents. Thank you. Any other Commissioners? Commissioner Hansen.

COMMISSIONER HANSEN: I just want to finish by recognizing that that money that we did get from Mr. Branch for the repairs, I also want to thank the County Manager for her dedication and non-stop work on trying to get that finished. Since none of us have been in the community center since the COVID I haven't really even seen the improvements, but I'm sure Lois has been in there and checked it out and that it is satisfactory and up to par. So thank you, Lois, once again, for everything that you've done for Santa Fe County and all the residents of Agua Fria. I'm grateful.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments? Do we have a motion yet, Commissioner Hansen?

COMMISSIONER HANSEN: It looks like it's just a presentation, but I'm happy to make a motion.

CHAIR ROYBAL: Sure.

COMMISSIONER HANSEN: So I move that we approve this certificate of appreciation to Lois Mee and all the great work that she has done for the community of Agua Fria.

COMMISSIONER GARCIA: Second.

CHAIR ROYBAL: We have a motion to approve the certificate that we are awarding to Ms. Lois Mee and a second from Commissioner Garcia.

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

CHAIR ROYBAL: Thank you, again, Ms. Mee. We really appreciate your service.

[Commissioner Roybal read the case captions throughout the meeting.]

4. MISCELLANEOUS ACTION ITEMS

A. ITEM WITHDRAWN

B. Request (1) Approval of Amendment No. 6 to Agreement No. 2016-0319-CM/MM Between Santa Fe County and Desert Elements Design to Provide Webhosting and Maintenance Services, Increasing the Amount of Compensation by \$150,000 for a Total Contract Sum of \$540,000, Exclusive of NM GRT, and (2) Delegation of Signature Authority to the County Manager to Sign the Purchase Order

CHAIR ROYBAL: From the Purchasing Division we have Mr. Bill Taylor and also we have from the County Manager's Office Mr. Daniel Fresquez. Mr. Taylor.

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners. Thank you for having this presentation today, or action item. This is amendment #6 to the agreement with Desert Elements. Desert Elements agreement, they manage the webpage, webhosting of all the County throughout the County. They provide graphic design for designing different faces for webpages, access for the public to it, and this agreement would extend the contract beyond the four-year term to the fifth year and add compensation to continue those services. With that, Mr. Chair, I'll stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Mr. Taylor and great job that you guys provide. I'm going to go to Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Mr. Taylor, for bringing this forward. I've actually visualized this. I've gone to several different restaurants and to see that big streaming TV on the wall there and it's interesting to me to see individual tourists, actually, looking at that and seeing different advertisements go by. This is what we're talking about, right? Where they do? Or this is a whole different thing?

MR. TAYLOR: This is actually, Mr. Chair and Commissioner Garcia, this is actually our own internal website so I think the advertisement they have in restaurants is more with the Sunny 505 contract promotional lodgers tax agreement that we have for promoting tourisms. This is more of our internal County website management.

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COMMISSIONER GARCIA: Thank you. Thank you, Mr. Chair. With that, if there are no other questions, move for approval.

CHAIR ROYBAL: We did have an additional question from Commissioner Hansen but we'll go ahead and keep that motion and we'll ask for a second later. Commissioner Hansen.

COMMISSIONER HANSEN: I second it.

CHAIR ROYBAL: You'll second it? Okay. And then there's discussion, Commissioner Hansen.

COMMISSIONER HANSEN: Yes. I want to say thank you because I think Desert Elements has done a good job on our website. My constituent liaison for District 2, Sara Smith, always comments on how easy it is to find things on our website and to me that is a really good example of a well designed website, if things are easy to find. And that was what you want on a website; you want it to be easy for the public when they're out there looking for a resolution, looking for something to be able to find it, and I appreciate all of Daniel's work in working with them because a lot of that is his probably direction and helping us get to the right place. So thank you, Daniel, and thank you for bringing this forward. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. So we do have a motion which was from Commissioner Garcia and a second from Commissioner Hansen. Any other questions or comments under discussion? Seeing none.

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

4. C. Request the Delegation of Authority to the County Manager to Negotiate and Execute on Behalf of the County All Contracts and Purchase Orders Necessary for the Construction of Two Overlay Projects for County Roads 67 and 84

CHAIR ROYBAL: Again from the Purchasing Division we have Mr. Bill Taylor and also Mr. Ryan Ward if there's any questions.

RYAN WARD (Public Works): Thank you, Mr. Chair, Commissioners, good afternoon. I wanted to give an overview as well as some background on these two projects. On August 29, 2021 the Purchasing Division issued invitation for bid, which was IFB #2022-0037-PW/APS for two overlay projects for County roads 84 and 67. Bids are to be received September 17, 2021. The road materials necessary for road overlay projects must be applied when temperatures are maintained above 50 degrees Fahrenheit. This is identified as the paving season.

In the interest of completing the subject roads before the end of paving season authorizing the County Manager to negotiate and execute all contracts and purchase orders would assist in expediting the contract award process. The award will be based on the lowest responsive bidder. The final bid and award results will be presented to the Board of County Commissioners as an informational item at a later BCC meeting.

In the background on these two projects, they're both bond projects. The County Road 84 is approximately 3.9 miles long, so it's a significant overlay when we're talking about these type of overlays. They're two inches thick. Within the project, what the

contractors will be doing aside from that is getting the roadway, the existing paved roadways prepped. So we'll be doing some crack sealing. We'll be doing some possible blade patching – some different things to improve the pavement surface enough to where we can overlay it with the new pavement. So there'll be some grubbing, cleaning, at the right-of-way edges and some of those things.

I think it's important to note that as we've kind of worked through this paving season we've taken on several new projects like we do every year, but we wanted to make sure before we kind of run out of the temperatures that we need that these two roadways are addressed. Old Santa Fe Trail is approximately 3 ½ miles long. It's exactly the same scenario. So Commission District 1 for County Road 84 and Commission District 4 for Old Santa Fe Trail or County Road 67.

CHAIR ROYBAL: Okay. I know I can speak on behalf of County Road 84. I've noticed they've starting cleaning and widening the shoulders a little bit and that road definitely is in desperate need. There's a lot of delamination and I actually noticed was identified out there with white spray paint when I've driven it. So it's going to be really good to see that redone, so thank you.

MR. WARD: We're excited about these two projects. And the one other thing that I would note, just so the Commission knows this, running up against FTEs and availability of staff was really why we tried to merge these two projects together to keep it moving. We're currently working on actually two projects right now, getting those prepped, and then we'll move to our LGRF, which is seal coat projects, paving. So we're really trying to ramp up so that we can hopefully finish more roads at the end of the season and that was really the intent of this.

CHAIR ROYBAL: Okay. Great job. Any other questions from the Commission? Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Ryan, for you and what your staff do. So County staff will actually be performing this work?

MR. WARD: This work will actually be bid out, so there'll be contractors doing these two projects. Yes, sir.

COMMISSIONER GARCIA: And regarding County Road 84B, that's the road that goes from Pojoaque – it's basically the old highway to Los Alamos. 4.4 miles, will that stop at the San Ildefonso Pueblo?

MR. WARD: Correct. County Road 84 and 84B split into a Y. That's where it will end there. It begins at the Pojoaque River, is where the start of the project is.

COMMISSIONER GARCIA: And this will include striping if needed, right?

MR. WARD: Correct.

COMMISSIONER GARCIA: Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. So on this one I'll go ahead and make a motion for approval. I make a motion to approve item #4. C.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: A second from Commissioner Hamilton. Under discussion, any questions, comments? Okay.

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

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5. MATTERS OF PUBLIC CONCERN

CHAIR ROYBAL: Is there anybody from the public that would like to address the Commission? Tessa Jo or Daniel, do we have anybody from the public that has signed up for public comment?

DANIEL FRESQUEZ (IT): Anjali Bean.

CHAIR ROYBAL: Is there anybody else from the public that would like to address the Commission? If you are calling in to the meeting you would hit star 6 to unmute yourself, or if you're on Webex you can unmute yourself and just state your name for the record please.

MR. FRESQUEZ: Mr. Chair, through the chat we have Su Barnum.

CHAIR ROYBAL: Sue Barnum? Okay. Is that it right now, Daniel?

MR. FRESQUEZ: So far.

CHAIR ROYBAL: Okay. So if anybody else would like to address the Commission you can send that request through chat or unmute yourself with star 6. First we're going to go ahead and go to Anjali Bean.

ANJALI BEAN (via Webex): Thank you. Good afternoon, Mr. Chair and Commissioners. I would like to make a brief comment as a County employee regarding Manager Miller's COVID-19 update last meeting, and the County's intent to require a COVID-19 vaccine for all employees. I know you heard from several County employees last meeting who did not support this action and in hearing the comments and discussion I felt it was important that the Board also hear from staff who do.

I can be sympathetic to the desire for privacy when making health decisions. However, I firmly believe that a person's right to choose does not override my right to be safe in the workplace, especially if the County has called workers back to the office, in my case in a cubicle with no doors or walls. I am supremely aware that the actions of my colleagues affect me. Masks are not infallible and interacting with unvaccinated individuals increases my risk of a breakthrough infection, or transmitting this disease to someone else. I simply could not forgive it if interactions with unvaccinated colleagues at work led me to unwittingly infect an immuno-compromised friend or loved one.

Furthermore, requiring a safe, effective, and fully FDA approved vaccine is not different from any other condition of employment currently being enforced. Just as being under the influence of drugs or alcohol is a personal health choice any employee could make the consequences of doing either at work can be termination, because both of those actions put others at unacceptable danger. Refusing an approved and lifesaving vaccine is not different. For these and all the other reasons Manager Miller listed in her presentation last week, I cannot state strongly enough how supportive I am of this action. I am very proud to be working for a government who takes this seriously, and I thank you all for standing up for science and for the public good. Thank you.

CHAIR ROYBAL: Thank you for your comments, Ms. Bean. Okay so we're going to go on to our next public comment, and we have Ms. Sue Barnum.

SUE BARNUM (via Webex): Hi. There were five of us who came to support this request. This is a request for a Santa Fe County ordinance regarding abandoned houses. The house is at 1350 Bishop's Lodge Road has been abandoned for at

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least 12 of the 15 years I have lived here. It has blue, leaking tarps over what were once roofs. It's full of trash, rodents and other animals. The property is overgrown and a fire hazard. Most recently a squatter couple decided to make it their home. I called the County and enforcement went out with the Sheriff and the squatters seem to have gone. There have been several burglaries in the area.

I know that the County has no ordinance for such houses and that there are a lot of them. Commissioner Roybal told me that. As a member of the Planning Committee of the Tesuque Valley Community Association I've attended several meetings with the County where this subject has been broached but no action has been taken. Not only is the property a health hazard, sure to be full of mold, but two years ago my property insurance was canceled because I refused to trespass in order to "clean up the property" the back part of which is next door to mine. The insurance company considered it a fire hazard.

I sent a registered letter to the person who pays the taxes on the property but it was never picked up. At considerable expense and trouble I hurriedly found other house insurance. Neighbors and I have spent considerable funds to thin trees and clear a fire-wise space around our houses but the 1350 property remains a tangle of brush. There are pictures that I included where you can see that. You've probably seen it before. It is an insult to taxpaying homeowners who maintain their property to allow a house like this to stand for 12 years vacant, open and trashed. You have cited the person who pays the taxes three times in those years and each time he rents a dumpster, cleans out the place, but within three months it's right back to where it was, along with various homeless people who make it a temporary shelter.

Last but not least, this house affects our property values. We understand that people want to pass their land on to future generations and that sometimes the property is vacant for a time. We request that you write an ordinance that sets a normal standard for an empty or abandoned house to prevent its being condemned and torn down. Such an ordinance would require a roof that doesn't leak, no tarps allowed, intact, locked windows and doors, no trash on the property and maintenance of brush so that it's not a fire hazard. If standards are not met we suggest owners are cited twice with substantial financial penalties. If repairs are not made within a reasonable time the house is condemned and must be torn down and cleared at the owner's expense.

We expect the County to maintain reasonable standards for housing. The ordinance must be addressed. If the color of stucco in the historical district is regulated, surely the condition of abandoned houses in the county can be. Thank you very much for your consideration.

CHAIR ROYBAL: Thank you, Ms. Barnum. We appreciate your comments and your request today to consider an ordinance and thank you for being here and bringing forward a public comment. Okay, Daniel, did we have anybody else that wanted to address the Commission?

MR. FRESQUEZ: Nobody else has signed up.

CHAIR ROYBAL: Okay. So at this point I'm going to go ahead and close Matters of Public Concern.

6. PRESENTATIONS

A. Presentation and Request for Direction on Proposed Amendments to

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**Chapter 12 of the Sustainable Land Development Code (SLDC) to
Facilitate the Implementation of Impact Fees; Utility Expansion
Charges; and Transfer of Development Rights (TDRs)**

CHAIR ROYBAL: From the Growth Management Department we have Mr. Robert Griego and also Maggie Moore.

ROBERT GRIEGO (Planning Manager): Good afternoon, Mr. Chair, Commissioners. The item before you today is to request direction to move forward with proposed amendments to Chapter 12 of the xxx. That's the growth management chapter, to address impact fees, utility expansion charges and transfer of development rights. The purpose of Chapter 12 is to implement the County's growth management strategy set out in the SGMP which includes directing growth to areas served by adequate public facilities and services.

Chapter 12 includes sections on adequate public facility requirements, capital improvement plan, development fees, funding mechanisms including public improvement and County improvement districts, and transfer of development rights. Staff and our impact fees consultant, Economic Planning Systems, provided a presentation to the Board in December in regard to the process and proposed schedule for considering impact fees in accordance with the New Mexico Development Fees Act. The Act requires establishment of a Capital Improvements Advisory Committee, which was established in May of this year, land use assumptions, which were reviewed by the Capital Improvement Advisory Committee, an impact fee CIP, a impact fee study, and staff has also identified amendments to the SLDC that are required to move forward with the impact fees process.

Additional amendments to Chapter 12 of the SLDC include changes to the transfer or development rights section of Chapter 12 to address technical changes, increase the TDR transfer ratio for multi-family and affordable rental dwelling units, and create a TDR transfer ratio for adjustments to the dimension standards in accordance with the allowable adjustments identified in the zoning districts in Chapter 9 of the SLDC.

Senior Planner Maggie Moore will provide a presentation to the Board on the proposed amendments and timeline. At the conclusion of the presentation staff will be available to address questions from the Board in regard to the proposed amendments and proposed timelines for amendments to Chapter 12 and County Utility staff will also be available to answer questions regarding water and wastewater questions. Thank you and I turn it over to Maggie Moore.

MAGGIE MOORE (Senior Planner): Thank you. So thanks, Robert, and good afternoon. I'm just going to give a brief presentation to accompany our memo and Robert's comments on our proposed amendments to Chapter 12. We believe these amendments are needed to help facilitate implementation of impact fees and utility expansion charges.

As Robert mentioned, we're kind of highlighting these sections – the adequate public facilities, development fees and TDRs.

And then before we get into the amendments I wanted to provide just a big picture overview of our policy and code framework that we're working under. Our Sustainable Growth Management Plan Policy 47 establishes that new development should pay impact

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fees to support public facilities and services necessitated by that growth. Said another way: growth should pay its way.

Further, the stated purpose of Chapter 12 is not only that growth pays its way but also that we direct growth to areas where we have adequate public facilities and services, namely SDA-1 and SDA-2 for the county.

This strategy is implemented via a number of tools and techniques including capital planning, development agreements, TDRs and development fees.

One of the strategies in the toolkit in Chapter 12 is the adequate public facilities regulations. Some of the proposed changes we're recommending are to Table 12-1 in the code, and this is the adopted levels of service. So for example, we would propose changing the service area for fire and rescue. Currently it is the individual fire districts, and so we recommend changing that to a countywide service area. For roads as a service category, we would recommend changing the service area from road maintenance districts to SDA-1 and SDA-2, as that is the area where we have identified the primary growth needs for roads in the county. We would recommend removing the Sheriff's vehicles from the level of service as the New Mexico Development Fees Act requires that capital improvements be of a greater than \$10,000 value and ten-year lifespan, and we know that Sheriff's vehicles do not fit under those standards.

The next one, we would remove water and sewer from this list, as we are pursuing the utility expansion charges for those services, and we would combine parks, open space, trails and trailheads into one service category. Currently now it's divided up into a number of different service categories.

And then moving on into the development fee section of the code we propose removing the limitation that fees only apply to developments where "five or more lots are created" and allow impact fees to apply equitably to all development regardless of size.

We also propose that the Board considers impact fee exemptions for affordable housing as allowed under the New Mexico Development Fees Act. Currently Chapter 13 allows for an exemption for affordable housing that is required under the code but doesn't give a blanket exemption to all affordable housing, so we believe that's something that should be considered.

Also, we propose making a distinction in the code for what we are calling an impact fee CIP. This would be a smaller subset of our larger CIP, which would be projects that were specifically growth related and eligible for impact fee revenues. Right now the code, it just reads CIP and can get a little confusing.

And here we're just kind of referring back to that Table 12 and making sure that when we discuss service areas and service categories and level of service in Chapter 12 that all the references are consistent and compatible in the code.

And we're also proposing a number of amendments to the TDR program. This is a program that promotes and preserves agricultural, rural open spaces, and directs growth to areas with adequate public facilities and services.

So some of the specific proposed changes would be to change that single properties cannot be sending areas and receiving areas. Change the title from "Allocation of Development Rights" to "Transfer of Development Rights Certification," and change language in the section to clarify the procedures for the TDR certification process that are needed.

Additionally, with the TDR program, we would recommend changing the section title from TDR unit equivalencies to TDR transfer ratio, also increasing the TDR transfer ratio, and creating a transfer ratio for what we would define and multi-family and affordable rentals. We would also propose creating a TDR transfer ratio for dimension standards to align with allowable adjustments per density and dimension tables established in Chapter 8 for the following zoning districts: planned development districts, commercial, general, industrial, light industrial and mixed use.

And then moving on to the utility expansion charges amendments, we propose amendments to Ordinance 1998-16, including replacing Section 3, Sewer Service Connection Fees, with a Sewer Service Utility Expansion Charges consistent with previously provided presentation on the UEC's proposals.

We've also identified amendments to Ordinance 2018-4, which would include changing – replacing this section with the utility expansion charge notice that we're working on.

And so our request today is direction and support from the BCC to move forward with these proposed amendments to Chapter 12 so that we can proceed with our work on impact fees and the utility expansion charges and the TDRs. We've also included a timeline of proposed next steps over the next several months pending the Board's decisions. And so with that, I thank you for your time and we would be happy to take any questions that you have on the memo or the presentation.

CHAIR ROYBAL: Okay. Thank you very much for the presentation. I'm going to go to Commissioner Hamilton and then I'll go to Commissioner Hansen.

COMMISSIONER HAMILTON: Most of these sound like a good idea. I'm generally supportive of a lot of them. The change in the way impact fees are applied in the Fire Department is kind of a big change. It used to be required to do it district by district and now it's I think a lot of the logic of that was that you have more need so the money should stay there. The idea of spreading it out of change would mean a little more freedom of putting the money where it's needed, so there are a lot of areas that are underserved because they're underdeveloped; they still have a lot of need. So my only question is was this discussed with the fire districts in the process?

MS. MOORE: Short answer, yes. We've been working with the Fire Chief and her staff on this.

COMMISSIONER HAMILTON: Of course the Fire Chief. That's not also the districts. I just want to know what the breadth of the outreach was within the Fire Department.

MR. GRIEGO: Mr. Chair, Commissioner Hamilton, yes, we have worked directly with Fire staff here at the County. I'm not sure how the communication has been made to the fire districts. We will communicate with the Fire Chief as we proceed with this to see how the communication with the fire districts has occurred.

COMMISSIONER HAMILTON: Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Maggie. Thank you, Robert. I really appreciate you bringing this forward. I think this is something really important. The Board has talked about impact fees and utility expansion fees for quite some time

and I'm happy to see it being moved forward, so the sooner the better. I do completely believe that growth should pay its way. I think that's really important. I didn't quite understand exactly what you're going to do with the TDRs but I get that you want to increase them to some degree for multi-family units. Am I understanding that correct?

MR. GRIEGO: Mr. Chair, Commissioner Hansen, that is correct. Both multi-family and affordable rental units is the way we have defined it. We will be going through a process to identify for you the specifics in regard to that but we have identified again the need to provide some incentives for affordable housing and multi-family and affordable rentals.

COMMISSIONER HANSEN: The increase would only be for the affordable and sustainable and subsistent housing so to speak?

MR. GRIEGO: Yes. We've also discussed the potential to increase the ratio for the overall TDR program to help to make it more functional but in regard to – there are currently a limited number of supply of TDRs on the market. There are developers who are interested in purchasing TDRs, so again, I think one of the concepts would be to increase the ratio overall but not increase it as high as for multi-family and affordable rentals. The current TDR ratio is one TDR from a sending area could result in four dwelling units within a receiving area.

One potential option would be to increase that ratio from one to four to one to six so we can incentivize development but also provide the monetary value for the TDRs from the sending areas for the property owner that does sending areas so they maintain the value for those TDRs as a sending area and then the development in the areas where we do want to see development to increase the number of dwelling units for that. Multi-family and affordable rentals we propose going a little bit higher, up to ten for multi-family.

COMMISSIONER HANSEN: But multi-family affordable.

MR. GRIEGO: Yes.

COMMISSIONER HANSEN: Not multi-family and affordable.

MR. GRIEGO: Multi-family affordable.

COMMISSIONER HANSEN: Because I don't want to incentivize multi-family; I want to incentivize affordable multi-family. Okay. I just want to be clear about that. So I have the presentation in front of me. It wasn't online what you just did but in general I'm completely in favor of this and moving forward, especially with the utility expansion fee and the TDRs and all the other things that you said. I just want to be careful with the TDRs that we're not giving that to developers to do more market-rate, but that we're doing more affordable units, because that is what we are really short of in this community, and providing homes for teachers – workforce. When I say affordable I think of the workforce, and our workforce that needs housing here in the city, and that's what I really want to see the TDRs expanded for, for workforce housing – teachers, police, fire, our services industry.

So thank you. That's all the questions I had right at the moment, or comments. But I really appreciate you bringing this forward. Maggie and Robert, thank you so much. I'm wholeheartedly behind this, 100 percent. Just because recently there was a letter in the newspaper, a letter to the editor, and they said, oh, nobody's ever talking about impact fees or anything. I thought, well, of course. Nobody pays attention to what we're

doing at the County. So they didn't know what we're doing. They didn't know that December we had a presentation about it because they only think the City exists when really the County is doing a lot of the heavy lifting. And so I really appreciate it. Thank you very much.

MS. MOORE: That's great. I'll look for that letter.

COMMISSIONER HANSEN: Okay. Thanks.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. We're doing to do an amendment to Section 12 of the SLDC, correct? So you guys are all coming forward to us to ask us that you want to look into these different items that you mention in your memo. So if we give you the okay for that you're going to come back and we're going to approve the fees? Are the fees higher? Are they lower? We're just going to give you authority to go put together what you feel is right, the studies that you're doing? And then it's adopted? Or is this just to give you authority to go look at that and bring it back to us?

MR. GRIEGO: Mr. Chair, Commissioner Garcia, yes. I think it's the latter. Basically, what we are proposing to do now is we need to make some changes to the code in order to bring forward the impact fee study that again, as we indicated, the impact fee study needs to have specific service categories with levels of service and service areas. So we need to align the code with what we're proposing with the impact fee study. The impact fee study will be brought to both the Capital Improvement Advisory Committee for review, and then it will be brought to the Board of County Commissioners for review.

As that is brought to the Board of County Commissioners there will be proposed impact fees for each of the service categories. The Board will review that, review the study, and then the Board at a later time will adopt a resolution or ordinance to approve the impact fees based on again the study. the study will identify what the maximum amount of impact feels could be charged. The Board could charge a lesser fee in accordance with the Development Fees Act.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Thank you, Robert. I guess where I'm going with this is – a couple of question I have. So this is going to open up the ability for you to go talk to the Sheriff's Department? To the Fire Chief and the volunteer departments? As well as the Utility Department? As well as the Public Works Department? As well as you guys are setting this up so you can go talk to all these departments and see how these amendments are going to affect them? Right? Yes or no?

MR. GRIEGO: Mr. Chair, Commissioner, we have been working with Public Works, Roads – we've been working with all departments internally within the County.

COMMISSIONER GARCIA: Who from the Sheriff's Department have you worked with?

MR. GRIEGO: We have been working with Major Madrid, and the County Sheriff has also been involved of all of our discussions.

COMMISSIONER GARCIA: Lieutenant Madrid? Mr. Chair, I just want to make sure that as planners you are communicating with every single department as into what's going to work, what's not going to work with Mr. Montoya from affordable

housing, whether it's going to work. As the Commissioner brought forward, she wants multi-family affordable. What's affordable? To me, to her, to the voters out there? I want to know what multi-family is affordable. We can sit here and say, recommend yes. We're going to have multi-family affordable, but what is affordable? I don't even know what affordable is.

In regards to the schools, hopefully we can communicate with the schools because I see all that development going on there down in Las Soleras which is the City of Santa Fe's jurisdiction, but it's coming out to the county in that area and I want to make sure that everybody's communicating because we can all have the great homes. Just communication is key to me.

In regards to we want to adjust the water charges for hookups. Is this for land use subdivision as you mentioned for five or more lots. Or is this for Mr. Montoya that's lived surrounded by this development and now he needs to go pay \$50,000 to get a water hookup to disconnect his well? Those are just things I'm interested in.

MR. GRIEGO: So Mr. Chair, Commissioner Garcia, in regards to water and wastewater, we have levels of service in service areas within our development fees in the SLDC currently. There's a process that we are proposing to not have impact fees for water and wastewater and utilize the utility expansion charges in lieu of the impact fees. There has been a study that's already been completed to identify that and there's a process ongoing.

COMMISSIONER GARCIA: Let me finish real quick. And I appreciate you guys bringing this forward because it's something that's a working target, a working plan. Because we figure out how things are going to work in the SLDC as we mentioned, it got adopted, what? six years ago? We have to see how these subdivisions are affecting the community, when it comes to public safety, roads, infrastructure, health and safety to the general public.

One of the things I'm interested in is the new development that we're approving off of State Road 14 which is actually south of the Santa Fe Brewing Company. That's a 680-lot subdivision that's under construction right now. And I'd like to see or know how that 600-lot subdivision, how the new regulations, how they got approved, affected public safety, affected water connections, affected all the stuff that we want to amend. How did that subdivision, how did it impact these rules and why are we wanting to change these rules. Do they work for that new subdivision or do they not work? I'd like to know that.

And also for the consultants out there, as the Commissioner here mentioned. Did they talk with the general public about this or now maybe they'll talk to the general public as soon as the County Commission gives you authority to move forward for changes?

MS. MOORE: Well, one of the things with the Capital Improvements Advisory Committee which we established in May, I think. We've held three public meetings with them to discuss impact fees. Those are publicly noticed meetings that happened over the summer, and so we're currently really engaged with that committee and we continue to be. So hopefully through the next few months as we kind of review the impact study and then bring it to the BCC in a public setting.

COMMISSIONER GARCIA: So Mr. Chair, do right now, just for my knowledge we're allowing you guys to move forward on these different topics that you're

talking about, and you're going to bring the recommendations back to this Commission. Is that correct?

MS. MOORE: Yes, that's the plan, that we would continue our work with our legal counsel to kind of draft some amendments and changes to Chapter 12, and then bring those back to the Board in hopefully the next month.

COMMISSIONER GARCIA: Next month. So Mr. Chair, so how many subdivisions have actually gone through the process since we adopted the SLDC ordinance? Is the 680-lot subdivision part of this? Did it go through these requirements?

MR. GRIEGO: Mr. Chair, Commissioner Garcia, I'm not sure I understand your question. Since the code was adopted, you're asking how many subdivisions were approved?

COMMISSIONER GARCIA: Mr. Chair, my question is why are we amending this? Have we already have five, ten, fifteen different subdivisions that have gone through the existing SLDC code and therefore we feel that there needs to be amendments to it?

MR. GRIEGO: Mr. Chair, Commissioner, we have not – the Sustainable Growth Management Plan and the code identified the need for new growth to pay for itself and to direct growth to areas with adequate public facilities and services. Part of the Chapter 12, Growth Management, identified development fees as a way for new growth to pay for itself. We have not implemented those impact fees at this time and that's why we're bringing it forward now. We're trying to bring those impact fees forward for new growth to pay for itself in accordance with our policy framework.

COMMISSIONER GARCIA: Mr. Chair, the impact fees are for large developments?

MR. GRIEGO: As we indicated, currently in the SLDC it identifies that development fees will be applicable for five lots or more. There are some issues and concerns with that specifically in regard to potential projects that can be brought forward that are not subdivisions. So we've had this issue with the affordable housing regulations in Chapter 13 of the Sustainable Land Development Code where a subdivision could be created – development could occur without a subdivision happening, so you could have a large number of residential units on the lot that did not get subdivided. Therefore they are not subject to affordable housing requirements.

This is a similar issue with that section of the code. If we only require it for five lots or more, lots between one and four would not be subject to the impact fees, but there would also be the potential for development to come forward that are not subdivision that also not be subject to the impact fees.

COMMISSIONER GARCIA: Thank you, Mr. Chair. I appreciate all the individuals bringing this forward because like I mentioned, it is a moving target, right? And if we can have a plan that isn't working or is working or what we're going to do, I understand. And I look forward to meeting with you prior to next month because if we don't have all these changes drafted out by next month you guys are moving. So if you could please set up a meeting with me in the next week or so, next week, I'd appreciate that so that way I don't have to go through it up here. Thank you. Thank you, Mr. Chair.

COMMISSIONER GARCIA: Thank you, Commissioner Garcia.
Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair I was just wondering in terms of the affordable housing and the impact fees, how would that work for a development that's like most of them, a mixture of both. So they have to develop a certain number of affordable homes. Would the affordable homes be exempt from the impact fees and the other home subject to it, or how would that work?

MS. MOORE: Right now, the state law, the New Mexico Development Fees Act does specifically allow for municipalities and counties to exempt affordable housing. So we would propose considering that and adding that to the Chapter 12 and removing that five-lot exemption. And so we would have to consider defining what affordable housing would be and then setting that in the code to exempt not the entire development but the affordable units in that development.

COMMISSIONER HUGHES: Okay. Thank you. I'm glad you're moving forward on this, but that's my only question. Thank you.

COMMISSIONER GARCIA: Mr. Chair, I have another question.

CHAIR ROYBAL: Go ahead, Commissioner Garcia.

COMMISSIONER GARCIA: Sorry, I maybe asked this earlier but what is the New Mexico Development Act. It mentions in the memo that we're going to be in conformance with the New Mexico Development Act. What is that?

MS. MOORE: The New Mexico Development Fees Act, that is the state statute that authorizes the County to impose impact fees. And so as part of – right now the County has the fire impact fees, which were implemented back when I was in high school, in 1998 and those have been reviewed every five years per the act. And so every five years we'll have to come back and do this whole process over again per the Fees Act to not only review the fees but our land use assumptions, our population projections and things like that. So it's quite a process that will be coming back again and again, and it's all kind of guided by that state statute. And the code, when it was written, or Chapter 12, it was kind of meant to mirror that, but there are some differences and some adjustments and we feel that making it more in line with the state statute will give the County the maximum flexibility to implement these fees. That makes the most sense for us at this time.

COMMISSIONER GARCIA: Yes, Mr. Chair. I was going to mention, I don't know how to go about working on this but it's something we need to talk about and what it is – it breaks my heart and actually sometimes frustrates me, and it's something that we're dealing with as a community, in the city limits it's happening a lot and that's the individuals that live out of a basket. And you see that going down the lower part of Cerrillos Road. They come at 7:00 in the morning you see the individuals hauling stuff up to the homeless shelter. Commissioner Hughes maybe sees this a lot and the situation is getting larger and larger and larger. And as the planners for the County, I don't know how we do this but I just would like to put that on the record that it's just – it breaks my heart. It frustrates me, because individuals are out there and need help. Some of the individuals in my personal opinion are doing it because they want to do it. But that's one thing that I would like for you all to look into as into how can we work with affordable-type housing for individuals that are homeless. How do we do that? It's just something we need to work on. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. Any other

questions or comments from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I just wanted to be clear, and I'm sorry I missed Commissioner Garcia's question and this was to clarify, but the market rate on the TDRs, it's for affordable, not market-rate. Okay. I thought you got that in my last comment but I wanted to make sure. Thank you very much. Thank you, Robert. Thank you, Maggie, for everything. I'm grateful we're moving forward with this. The sooner the better.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Okay, so if there's not any other questions from the Board we want to thank you for your presentation, Ms. Moore and Mr. Griego. We appreciate it. Thank you.

6. B. Report on 2020 Census Data and Potential Impacts

[Exhibit 1: Precinct Populations; Exhibit 2: City Deviation Map; Exhibit 3: County Deviation Map]

CHAIR ROYBAL: From the Growth Management Department we have Mr. Erle Wright.

ERLE WRIGHT (GIS Manager): Good afternoon, Chairman Roybal, Commissioner. It's a pleasure to be with you. I'm Erle Wright, GIS Manager for Santa Fe County. A quick little presentation that our 2020 Census results have been released, the first version of these, which actually deals with the redistricting data, which is Public Law 94-171. This data was released in August and it's a bit of a bear to go through but we've been doing that. But in a nutshell, the 2020 Census data is showing that Santa Fe County currently, or as of April 1, 2020, had a population of 154,823 individuals. This indicates a growth of about 10,653 or about a 7.4 percent growth over the past ten years since our 2010 Census.

The good news is none of our precincts exceeded the 2,500 total persons per precinct, so therefore we don't have to split everything. If you remember, a few months ago we had a bunch of splits that were created by voter turnout in the last general election. But what this number of 154,823 persons means is that each of our Commission district in a perfect world would be composed of exactly 30,965 people. The courts have allowed a deviation of about five percent in those to ensure that we maintain this caveat of one person/one vote. So applied to Santa Fe County this translates to an allowance of just over 1,500 people per district. And in other words, each Commissioner district should contain no more than 32,512 persons, or no less than 30,964 persons. Again, that's that plus or minus a little over 1,500.

So looking at our current Commission districts we have essentially three districts that are actually over that threshold. One in particular, District 2 is at 6.7 percent over ideal population, and then those districts that are under that ideal population are also that five percent, and that is Districts 3 and District 4. So basically we have to redistrict and unfortunately this has to be done by the end of the calendar year this year. So normally we would have done this a month ago in a normal year but as everybody knows, this pandemic has not left us in a normal world of late.

I do have some maps and some tables to hand out for you to show you precinct counts by district. So this is really just to let you know and that we will be coming

forward with proposals and I'll turn it over to the County Manager and to the Board just to get direction on how we want to proceed with this. I'll go ahead and pass these out for you.

MANAGER MILLER: So Mr. Chair, we have done redistricting twice in the time that I've been at the County, once as County Manager, once when I was here as Finance Director. This is Erle's third time I think as well. Just a reminder. When County's do redistricting we're only redistricting County Commission districts. There's some confusion that it affects legislative districts; this doesn't have anything to do with legislative districts. That's up to the state. So this is just County Commission districts. All the other elected officials at the County are also countywide so where these boundaries go don't affect the countywide elected officials for the county. These would affect – any changes we do at this time would affect election boundaries for the County Commission districts 1 through 5 for the next ten years.

Also, they could potentially be done in a way, depending on if we have slow growth, whether or not you'd have to do them again in ten years. We tried ten years ago to make it so that we didn't have to do redistricting again, but slightly missed the mark because I think as Erle said if it's over five percent variance you do have to move some lines. So I sat with Erle about potential options. There's a really simple way to fix the redistricting with just picking up or losing one precinct in District 2 to District 3 and one from District 1 and one from District 5 to District 4. And that would take care of the issue of the percentages of population within the districts.

However, you may choose to do something a little more extensive than that. What we've done in the past – how we've done it is we've had some study sessions but Erle, he gets some feedback from the Board, things that you would like to see relative to your own districts, what it could potentially look like, where you could lose, where you could gain. And we have had – at one go-round we had something like 50 maps. It'd be nice if we don't have that many because it's not nearly as complicated as some of the redistricting that we've had in the past, but if you provide Erle with some feedback of what you would be interested in seeing how it could potentially look. What he does is goes and makes some adjustment to the district boundaries, picking up and moving districts. The precinct lines don't change. It's just your district boundary would either lose or pick up a precinct, depending on what your numbers are, to try to get the populations all as close to each other as possible.

The other thing that we did the last time we did redistricting we tried to also pick up so that Commissioners had a similar representation in incorporated areas as in unincorporated areas, since much of the County services we provide are only to the unincorporated areas that gave each Commissioner an area to represent when we were looking at policies that affected only the unincorporated areas, and we also equally wanted to make sure the Commissioners had constituents within the incorporated areas so when we were making policy decisions that affected the incorporated areas you also had similar representation in the incorporated areas. Obviously, Edgewood is at one end of the county and Española is at the other and that portion of those municipalities which sit within Santa Fe County are not currently divided by any Commissioners, but the City of Santa Fe, each Commissioner does have a percentage of the constituents within the city limits.

So what our thought was with Erle is that we would put in front of you what our changes need to be made, not saying which precincts to move but population-wise the districts that need to reduce population and those that need to be gaining population so that you could see that. And then what we could do if you want to give Erle some feedback as to what you would like to see within your districts and he prepares some maps that would represent those discussions. And then we've had some – we've either done it during the regular Commission meetings or when we did really extensive ones we had separate study sessions just to talk about redistricting. It's up to the Board as to what you would like to see in the way of proposed redistricting and how it will affect your individual districts. So with that I would just say we can do, if you want to give Erle some feedback what you would be interested in seeing, knowing whether you need to be a gainer or a loser of population and then we could develop some maps and schedule either at the next BCC meeting, some time at the next BCC meeting, or we could schedule a study session to go through some different alternatives.

CHAIR ROYBAL: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Manager Miller and thank you, Erle. I had the pleasure of meeting with Erle and I'm very happy that I did. I see this as a relatively simple fix. I'm the one who has to give up the most people, which is a little hard for me to believe considering that I have low voter turnout, but I think it's probably because I have a large immigrant population and a tremendous amount of renters along Cerrillos Road that affects that. But most of the precincts that we have to give up or move around are in the city and I don't know if anybody else has looked at this but for me there's clearly one precinct that could easily be moved to District 3 and would fulfill my requirements. I looked at District 5 and there's one clear precinct that could easily go to District 4. As you said, there's one precinct from District 1 that could go to District 4 since they all have to be continuous. I think that's between Commissioner Roybal and Commissioner Hamilton, what Commissioner Roybal, which precinct he wants to give up or which Commissioner Hamilton wants.

But it seems relatively minor and an easy fix for all of us and not a big impact on our constituency.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other questions? Commissioner Hughes.

COMMISSIONER HUGHES: I just wanted to agree. It seems like I can see the fix on here too so I think maybe you should bring that map or a couple of versions back to us and we could just fix it rather quickly.

CHAIR ROYBAL: Okay. Any other comments or questions from the Board?

COMMISSIONER GARCIA: Mr. Chair.

CHAIR ROYBAL: Commissioner Garcia.

COMMISSIONER GARCIA: First of all, I'd just like to thank the Board. I think you would be chair of the Census Board, Mr. Chair. Since this COVID we've had a challenging time going out there and getting numbers from individuals, especially in my district because my district is the southern part of Santa Fe and sometimes when the census individuals when to their places in order to count their family members sometimes it seems like my constituents didn't want to answer the door for their personal reasons

and I understand that.

So the census was doing a good job knocking on those doors. I can remember one time when we got a CDBG grant and actually it was for the Nancy Rodriguez Community Center, myself and several staff members went knocking on some doors and I understand the personal challenges. Some of those individuals don't want to be counted. And I see their point. Especially in the last administration, it was hard for them. I thought the census did a great job trying their hardest to get these numbers.

It's really easy for us to sit up there and say I can amend this. I can get rid of people out of my district, but when you're absorbing more people into your County Commission district then it's a different playing field. Like I said, you can get rid of individual precincts all you want but whenever somebody has to absorb more, it's something the County Commission has to think about. And I do understand that the fix is needed, and as Commissioner Hughes and Commissioner Hansen brought it forward, this has to happen. It is going to happen but I just want to give everybody a different perspective as into having more precincts into the district is a little challenging. But I know what we need to do. Thank you for the presentation, Erle. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia, and I think probably – I don't know if there's any Commissioners that have – I'd be curious – the maps that you gave us doesn't show what the original cut was and what the new one is? Or does it actually show?

COMMISSIONER HANSEN: This is existing.

CHAIR ROYBAL: This is existing, correct?

COMMISSIONER HANSEN: Yes.

CHAIR ROYBAL: And so which precinct did you say would be the one that District 1 would transfer to District 4.

COMMISSIONER HANSEN: I don't think he said but I'll give you some suggestions.

CHAIR ROYBAL: I'll probably have to sit down and meet with you, Erle, I just want to be clear on where we're at.

COMMISSIONER HANSEN: It looks like there's precinct 130, and there's precinct 30 that are both connected to Commissioner Hamilton's district that would be kind of a clean cut.

CHAIR ROYBAL: 130 and 30 you said?

COMMISSIONER HANSEN: Either one of those.

CHAIR ROYBAL: Either one. Okay. All right. Thank you for your presentation, Erle. Appreciate it. I guess I'll call if I have any other questions. Thank you, sir.

MR. WRIGHT: My pleasure, Mr. Chair and Commissioners.

MANAGER MILLER: Mr. Chair, also Erle, when did they need to have it done by?

MR. WRIGHT: It needs to be done by the end of the calendar year, so ideally, it does require an ordinance, so public hearings, notice of title and general summary. So yes, there is a bit of a time crunch. We only have one more meeting in September. A couple in October. Not sure what the November, December schedule is with the holidays but we need it fairly quickly.

MANAGER MILLER: I wanted to make sure that we got that on the record and let you know that we don't have a lot of time to debate it. The regular meetings, we have six regularly scheduled meetings and like I said, there's a couple of options that are incredibly simple. It requires moving three precincts around and that's the simplest one. But if you're interested in looking, like what we did in 2001 was a major shift. A major shift of all the districts. And that tends to bring out quite a bit more public input. So we will have to publish title and general summary. We would have to have public hearings. We've done those in the past. If we've made major shifts we've done at least two public hearings, plus study sessions. Because it requires a lot of map-making and a lot of juggling. If you choose not to do any major changes and you literally just shift a couple precincts, it's publish title and general summary, one public hearing and we could be done with it.

So I just put that out there because I need the Board to understand that if we are going to do a lot of different scenarios it does take Erle a lot of time to do that, and he has to make sure that it complies with what we're statutorily required to do, so we'd have to know that well in advance of putting those maps in front of you and publishing title and general summary and we'd have to know all those options that you want to consider.

CHAIR ROYBAL: Okay. Thank you, Manager Miller. Any other questions, comments?

COMMISSIONER HANSEN: I will say this again for the record. I see this as a really simple fix. I don't see us making major changes. I don't have any desire to change my district. I don't think any of us have strong desires to change our districts. It looks as though with moving one to three precincts, max, we're in line with federal rules and that is what we're after, is to be in line with federal regulations.

CHAIR ROYBAL: Thank you, Commissioner Hansen. And it's one of those things that you want to look and you represent certain constituents in Santa Fe County but at the end of the day we represent the entire constituency of Santa Fe County as a governing body. So I would agree. I know sometimes it's one of those things you want to stay the Commissioner for these different precincts but you have to understand that we have to make decisions like this to make sure that we are giving them the best service possible. So I agree. Thank you. Thanks again, Mr. Wright.

MR. WRIGHT: Thank you, Mr. Chair, Commissioners.

CHAIR ROYBAL: Okay so I think that was the last of our presentations. And going back to the census, Santa Fe County, just to give kudos once again to the board that worked on the census. Great job. We met our goals and Patricia Boies did a great job and just a shout-out to Santa Fe County. Great job, you guys. Thank you.

7. MATTERS FROM THE COUNTY MANAGER

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

CHAIR ROYBAL: We're going to go to our County Manager Ms. Katherine Miller.

MANAGER MILLER: Thank you, Mr. Chair. So I don't have a lot of updates right now. Just to start with miscellaneous COVID updates. We have some issues

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to discuss with you in executive session relative to mandatory vaccination policy and talking to the six bargaining units that the County has. So I'm not going to provide an update on that specific issue in the open meeting.

And secondly, our COVID-19 numbers, the average from 8/24 to 9/6, are cases per 100,000 has increased substantially to 19.5. If you recall, we were down under 8 per 100,000 earlier this summer, and now we're up at about 20 per 100,000. Also our positivity rate was down around one percent. We're at 3.22 percent. However we do have per statistics from the Department of Health at least 89.7 percent of our residents with at least one shot and 79.2 percent with their full vaccination series completed, although I would not say that is the same percentage – that doesn't translate to our workforce or the City or the State workforce.

Also, we are working on an education and training campaign for County staff. The Community Services Department has finalized an educational training model on the COVID-19 vaccination and they've tested it on some focus groups. They've got positive feedback on that from the group and they're working on changing the training based upon suggestions that were provided from the focus group.

Also, I'm not sure if you had heard that the New Mexico Counties Gathering of Counties at the New Mexico State Fair as well as the New Mexico True Day have been cancelled, so that was to be held on September 16th, this Thursday at 10:00 am. Our Treasurer's Office had coordinated the Santa Fe County booth for the event but New Mexico Counties has cancelled that so we will not be going. Additionally, next week was the New Mexico Counties conference in Lee County, in Hobbs, and that also has been cancelled, although I do know some of the affiliates are going to continue with affiliate meetings. The County Managers will not be but the legislative committee is going to meet on recommending legislative initiatives for New Mexico Counties at the end of the month.

Also, the 2022 County Manager's Commit to be Fit Challenge has concluded and we'll be announcing winners of that in October and we're finishing up the Million Steps Challenge as well and we'll give dates when the winners of both of those events when will be able to announce those. We'll probably do some kind of virtual announcement of the winners for those events since we've stopped doing our in-person group meetings.

Then that is all I have relative to my updates and miscellaneous updates. Do you have any questions on those?

COMMISSIONER HAMILTON: Seeing no questions maybe you could go on to B. and the American Rescue Plan.

7. B. American Rescue Plan Act Funding Recommendations

MANAGER MILLER: So during the budget session for fiscal year 2022 the federal government actually signed into law the American Rescue Plan Act or ARPA on March 11, 2021. We subsequently learned that our allocation under that our allocation would be \$29 million, or \$29,205, 279, and that we would receive that directly as opposed to the CARES Act funding that went to the state and we had to apply.

We did receive our first payment of \$14.6 million or 50 percent of the allocation on June 1, 2021 and we included recommendations in the 2022 final budget for the total

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\$29 million, but specifically stating that we would work with half of it in 2022 and half of it in 2023. What we have, essentially, is two years or through December 31, 2024 to claim revenue replacement based upon a formula that's in the act that says your revenues should have gone from a baseline in 2019 and grown like 4.1 percent per year, and then there's target dates that we can compare our actual revenues with what that formula would state that we should have, and if any of that \$29 million that could be utilized to replace those revenues that didn't materialize between the baseline of 2019 and whatever those dates were, that that could be used for revenue replacement, which we have done to date and about \$20 million of the \$29 million did qualify for revenue replacement.

That said, that's not what the Board allocated it for. So I just want to be clear, we're still working as we report to the federal government because we are required to do quarterly reporting in a way that allows us to clear up most of it through revenue replacement, which gives us a little more flexibility with the funding.

Also the act said that you have a little longer to spend on infrastructure and infrastructure was through December 31, 2026.

So in the final budget direction that we were given on June 29th the Board allocated the funding to buckets, and we said \$12 million – with \$6 million in 2022 to be used for revenue replacement and \$6 million in 2023 to be used for revenue replacement, and that that would essentially cover new FTEs in Public Safety, Public Works, Community Development Department and cost of living allowances as well as compensation packages, to include raising up our minimum wage at the County to \$15 by July 1, 2022.

Also, we put \$1.2 million in public awareness and public health-related expenses. That funding is used to help do our education campaign to our employees about getting vaccinated. That's the only funding we've used so far. That's just been a few thousand to get that going. As far as other public health-related expenses we've still been able to request reimbursement from FEMA through the end of September 30th, so we're still hitting FEMA funds for that until we can't do that any longer and then we'll turn to this bucket for those types of expenses.

Also, the Board allocated \$1.5 million to economic development but we did not break down at that time what specifically we would – what programs we would put that towards. Also \$8 million for infrastructure, same thing. We didn't allocate it to specific projects. Two million to affordable housing and shelter assistance, \$3 million to our CONNECT programs and \$1.5 million to behavioral health and mobile crisis. For a total of \$29.2 million.

So what we considered at that time and what the Board approved is we put it in those buckets. So we did that. We now have gone through submitting our final budget to DFA and we have heard back from DFA that our final budget is approved. So that now puts us into the ability to do some budget adjustments and to start allocating money around to specific programs that the Board deems appropriate.

So what we did is worked with Joseph Montoya and his staff in economic development, in housing, affordable housing, public housing, with Rachel in Community Services with her programs, in CONNECT and behavioral health, and we went through each one of the buckets, and now what's before you today and I'm not asking for approval today but this was just to put in front of the BCC the suggested and

recommended specific allocations within those buckets.

So in economic development, we're looking for \$250,000 for job training programs, and this would be working with the Community College, looking at the PROTEC contract we currently have, looking at training for helping getting a workforce to install broadband, working with the Community College to create some training programs along that line and expand what they do. We also put in – are recommending \$300,000 for tourism recovery programs, and that's just things like helping promote tourist-related events. We current do that through our lodgers tax assistance fund. These would allow for a little broader expenditure on the lodgers tax fund. We can only help with advertising events; this would help them maybe pay for COVID-related expenses if they have to provide masks, hand sanitizers, things like that. We can broaden what we can assist those tourist-related events with.

Also, we were looking at \$250,000 for technical assistance to support businesses in recovery. It seems that most businesses have opened but one of the things that we learned during this whole pandemic is a lot of businesses need assistance with understanding how to apply for funding, understanding what kind of financial statements to provide when you're applying for federal funding and assistance. There's a lot of assistance out there from the state and the federal government, through SBA and New Mexico Finance Authority for business grants as well as business loans at zero percent or one percent interest. They have a lot of difficulty in actually applying. And so that was one of the things to look for, proving technical assistance to businesses, working with the business incubator to do that as well. And then the last \$100,000 to do business licensing software for online permitting, and then the \$600,000, we'd look at adjusting that in next year's budget to target some similar programs.

I'm hoping Joseph is on the line in case you have any questions about that. I don't know if you have any questions on that one. I could go through all of them if you'd like and then come back to them. It's up to you, Mr. Chair.

CHAIR ROYBAL: I think if you go through all of them and then we can come back to them.

MANAGER MILLER: So on infrastructure, the infrastructure is pretty limited. It essentially says that you can spend it on water, wastewater and broadband. But then as you dig into the act, it is very complicated on specifically what type of water, wastewater and broadband initiatives. I've understood that most local governments that were thinking right off the bat they would go use it for broadband. It's very specific about the speed you have to have, etc., so they've looked more towards water and wastewater for infrastructure, and the other thing with water and wastewater, it needs not to expand your water system to support new development but rather programs or projects that actually support existing development. And that might be running a waterline to a community that's currently on wells and their wells aren't adequate, or it might be doing reuse, but you're providing water into your current supply system by treating reuse.

So this list of projects – what I asked Anjali and John Dupuis to do is go through all of the projects that we have already on our ICIP that we could move forward sooner rather than later, and that would qualify under the clean drinking water fund because that's kind of where the act says it needs to be targeted to that type of project, or the revolving – I think it's wastewater fund. Those are programs that are currently at the state

but they're federally funded and they have very specific requirements. These would be done as grants, not loans like those are, but you need projects that essentially adhere to those type of requirements.

And I know that Ryan and Gary were here as well to provide some information on that, but most of these projects I believe that you have heard us talk about. We do need to finish out the Cañoncito water system within the actual community, looking at rain for rent through completion meters, past rain for rent. We also – we have funding – what's not on here and I want to – we have funding in the Senate side, there is funding that we're trying to get so we don't have the rest of the Eldorado-Cañoncito waterline of that \$91,000. If I showed you a couple other columns, what we do have through Senator Heinrich has a request in so we're hoping we'll have an earmark to help us with the remaining funding on that project to get that one done, plus this \$91,000, plus the \$515,000, and all the GO bond money that we've put towards that project to take it in the three different segments, which is to the Rancho Viejo tank, from Rancho Viejo to Eldorado, then from Eldorado to Cañoncito, plus what we've done with the community of Cañoncito to upgrade their distribution system. This is just like the final piece of that.

Also, connecting the existing TL2N line, that's a line that we ran down Old Santa Fe Trail from the end of the City's water system. The problem has been water pressure, that if we charge that line and hook houses up during the fire emergency there would be no water pressure in the system. So we would need to modify that system and this proposal would be to modify that connection so that if there were a fire and the City needed to use fire hydrants, we needed fire hydrants that you could actually shut off during that time of use of the fire hydrants to pressurize the fire hydrants and shut off the water system to the homeowners just for that brief time, and we do believe we'd be able to connect that line up and that the City would be amenable to that.

Also Highway 14 bulk water station expansion. We have the bulk water system by the County jail and Public Safety Complex but the line can get pretty long and with a lot of people's wells being pressured during drought, and if the City's wastewater reuse tap goes out, the line down Highway 14 is extensive so we thought that this would be a good use to expand that existing station. We also still have an ICIP expansion down at the end of the line on 14 which is past the Turquoise Trail Elementary School or charter school.

Then you can also see the return flow pipeline, if that project and that agreement goes through with the City of Santa Fe, this would be an ideal place to fund that, \$2.2 million, or seven percent whichever I believe of the two is greater. Then the Hondo bulk water station. If we run the line, when we run the line to Cañoncito we go right past our fire station on 285 and Old Las Vegas Highway. We would propose to take a T off of that line and create a bulk water station in that area. Then there's the Rancho Viejo tank improvements. This is on our ICIP, something that is on our list in the next couple of years to make sure we take care of improving the Rancho Viejo tank. Then the Agua Fria wastewater improvements. One caveat I would make here and I did talk to Commissioner Hansen about this, this also is in line for an earmark from Senator Ben Ray Lujan and Senator Heinrich. If we were to receive both of those earmarks, that's over \$2 million, plus with the funding that we currently have we might have trouble keeping up with the funding so it would be one we'd want to make sure we watched that we don't overfund to

our ability to spend. But we would recommend at this point that we do fund another \$1.1 million there.

The Romero Park waterline reroute, this is to actually reduce our long-term wheeling fees. Even though we get our water from BDD it does run through a City line up to a City tank and back down. This is a way to have it directly not go through the City's system and therefore incur a charge for wheeling fees. This is on our ICIP.

Then I already mentioned the next one. That was just the remaining money of the \$8 million. And then the Chupadero water system improvements – well treatment, connection to the existing system, the next phase that we have, we do have some funding from our state legislature. We have some of our own funding, and then we do have this scheduled to be in the 2024 bond for a much bigger project to actually drill the wells and move the transmission system. Right now we're working on their tanks and their community distribution system.

Pojoaque fire station number one, septic connection, \$100,800 and Eldorado station two waterline, that's one we don't have adequate water to. That's \$224,000 and then the Abajo lift station redirect, that's taking what we currently have that comes from the Community College District and the sewage is taken to the Abajo lift station and then sent to the City of Santa Fe's sewer treatment plant, but this would actually redirect it, allow us to also co-locate a reuse line for effluent and what we've looked at would be the first \$1.8 million for design and some preliminary construction, and then in 2022 to request an additional \$2.35 million in bond funding.

So those projects, I believe, in total are about \$8 million and what we would recommend for earmarking for the \$8 million that was put in the bucket for infrastructure.

Then we'll put \$2 million in the affordable housing and shelter assistance bucket. We don't have specific dollar amounts right now but what we are looking at, this is very specific what we can spend it on. It does need to be with shelter assistance or specifically affordable housing to the lowest income with the intent through the ARPA funds that you're helping get people off the streets and into living where they're not in a place where they could actually spread COVID. So one of the things that the City had been looking at is acquisition, along with the coalition, looking at acquisition of the Lamplighter Motel for a homeless shelter and transitional housing. We haven't really seen the financials on that. I believe that they're just looking at them now as to whether – how much we would recommend out of the \$2 million for that.

Also there's a couple of nine percent tracks credit projects that could be done within Santa Fe County, possibly within the city limits but may need some additional gap funding to make those work. And then the third or fourth potential expenditure, these would be to capitalize our low income housing rehabilitation program. Joseph Montoya has talked to the Board and to the Housing Authority Board about getting a rehab program. Not just our Happy Roofs program but a more extensive affordable housing rehabilitation program together and we'd look at whether some of those funds could be used to help capitalize that.

Then with CONNECT, these are all of our CONNECT providers that we currently have but this would be recommended funding from Rachel and increasing funding. I'll skip over Up Together right now but all of the other ones – Food Depot,

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Interfaith Shelter, St. Elizabeth's Shelter, Las Cumbres, Growing Up New Mexico, Communities in Schools and YouthWorks, these are all partners we have in CONNECT that help us with navigation services and helped us with all of the expenditure of the CARES Act money in the fall, and these would be the recommended amounts to go towards their contracts to assist with all the programs that we've been doing through CONNECT during the pandemic and with or without the pandemic we'll hopefully continue to do.

The Up Together, this is the program that Marcela Diaz from Somos un Pueblo Unido had referred to about cash assistance to those who were ineligible to receive either the \$1200 that was provided from the first Corona virus relief fund or the second relief funds that were provided last December. I think the first batch of funds was \$1,200 to individuals and then the second was \$600. That was the last April timeframe, and then \$600 back in December. We would work with the City. They did this program but they did not provide any funding to those individuals who were outside the city limits, so we've talked to them about providing a million dollars of our ARPA funds to them to as they get applicants that if they were outside of the city limits but still within Santa Fe County boundaries that they would review them and utilize this funding to assist those who qualify.

And then this is the final bucket that the Board had put funding to and that is for behavioral health initiatives and crisis triage and our mobile crisis van, and we would be looking at funding \$400,000 year one, \$400,000 year two, to assist with our mobile crisis van and getting our Edgewood Crisis Center up and running. We do already have some funds and Bernalillo County has some funds set aside for that and we have been meeting with them and Edgewood to look at the best facility and the best location for it as well as looking to set some operating funds aside to get that started, hopefully this fiscal year.

And then also youth services. Many youth have had significant behavioral health challenges with the pandemic and inability to go to school and to interact with their classmates in a normal way and we can provide assistance through contract services and working directly with the schools.

So those are the recommended buckets or I should say recommended allocations within the buckets and I would stand for questions and if there's any of the directors that also helped put this together I would hope they would speak up.

CHAIR ROYBAL: Thank you, Manager Miller. Are there any questions?
Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Manager Miller, for a good overview of what is our intention or plan or allocation. I have a couple questions. I know this hasn't been brought up anywhere, but I'm wondering if the BDD would qualify for any money.

MANAGER MILLER: Mr. Chair, Commissioner Hansen, I think it would depend on specifically what that might be, but I think it's possible, if there's something specific, we could definitely look into it if you want to let me know what it might be I can look into it and see if it would qualify under the provisions in the act. Because they're very specific. I was at a conference where the members of GFOA presented all about the ARPA funds and when they got to infrastructure, everybody was like, oh, that's a lot harder than the other buckets. They're very specific of how we can utilize those. So I'd

have to know the project and then probably Anjali and John could research whether it's a type of project that would qualify for the Clean Water revolving fund type funding.

COMMISSIONER HANSEN: I just kind of wondered. I haven't even brought that up and the Buckman has not brought that up either, but I just wanted to ask if that was even something that we could think about with some repairs and replacement, something in that regard.

Then I think the Fiesta Council was grateful that we gave them some funding. They mentioned that when I saw people on the plaza, so that was good we were able to do that. I think as far as the Agua Fria wastewater goes, I think that if we get that money we should be able to spend it because we know the 37 roads that need sewers in them and I have found it very successful to go and meet with the families directly. I loved being on the plaza on Friday. Commissioner Roybal and myself were there and it was kind of like old school Santa Fe. I got a lot of business done right on the plaza. One of the people who I'd been trying to connect with about an easement for their sewers, I introduced myself and there they were and they said, oh, yeah. I want to talk to you about that. And we've been trying to get a hold of them for weeks and weeks, so I found it a very successful way to be reaching out to the people in Agua Fria to get that done.

I think all the buckets that you have done, like the Romero Park water line also will allow us possibly to do in the future more development at the Romero Park and the Nancy Rodriguez Center and that area. So thank you very much for the overview. I am a little concerned and I will talk to Commissioner Hughes about the Lamplighter Motel because it's right in my district and in my neighborhood and I know that the residents there already feel impact by the LifeLink so I think it would be helpful to talk about that with the residents before that happens. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. I'm going to go to Commissioner Garcia and I believe Commissioner Hamilton.

COMMISSIONER GARCIA: Thank you, Mr. Chair. Just a quick question. Is this list final? Or is this just recommended?

MANAGER MILLER: Mr. Chair, Commissioner Garcia, this is just recommended.

COMMISSIONER GARCIA: Thank you. And also in regards to the budgets, did you guys collaborate with staff for the actual budgets of them? How did we come up with the budgets?

MANAGER MILLER: So Mr. Chair, Commissioner Garcia, the estimated costs on these projects was based on Utilities staff working together on what we've been experiencing. I will point out that that's not necessarily the total budget on those projects. There's several of those projects on there that have other funds; some of them don't. It just depends on whether they were something that's a small, one-off thing. So for instance the reuse for the Highway 14. The facility is already there, so that's just to add another station so they can fill two trucks at a time as opposed to one. So that infrastructure is already there. That particular project, that's the estimate of what it would cost to add a second station there. But the TL2N, that infrastructure is also there. It's ready to be hooked up but we'd need to modify TL2N on Old Santa Fe Trail. We'd need to modify what's there in order to make it so that we're not affecting the City's water pressure if we activate that line.

Eldorado-Cañoncito line has millions of dollars in it. That amount that while there's a request in to the Senators, which we're hoping that earmark funding will come through. If we do then we estimate that would be enough to get that done, but the actual community of Cañoncito needs some additional improvements that we currently don't have funding for, so that was the very top one on the list.

So each one of them is different. Some of them have planned future expenditures, like this might just be one phase of it. So for instance, the Agua Fria sewers, that project in total will probably cost somewhere between \$10 and \$15 million to complete all of the streets that need sewer lines. We've been kind of doing it, estimating it street by street, how far can we do one more street? Can we do another street? So it just depends on the project, but most of the estimates that the staff put together are based on what we've been currently getting in bids for similar type projects.

Mr. Chair, I did want to point out one other thing on this. So many of these projects too are already on the ICIP and we were looking at funding them with general obligation bonds or capital outlay. If we remove these from the list, if we use this funding to do those then obviously that means there's more capacity for and another reminder that next year we would go for at least a \$20 million bond question based upon what we did in 2020. So we had the capacity without raising our property tax GO bond mill levy rate beyond the 2.12 that we currently have. We had the capacity to do \$40 million, but the County Commission decided that that was not an opportune time to put \$40 million worth of questions to the voters considering we were going through an economic downturn in the pandemic. So we only did \$20 million which I'd like to thank the voters in Santa Fe County because they did approve with a very good percentage all three bond questions and they approved \$20 worth of projects. Our intent was that we would also go back out in 2022 for another \$20 million.

So we will have in front of you before this time next year another list of capital projects. One of the things we're going to struggle with is getting all this capital out the door. We only have so many staff to manage projects and we do have to kind of balance that. This funding, as I said, if we do it for the right type of projects we have till 2026 but the intent was with this list also though, these are things that we could get moving pretty quickly so that we didn't get a big backlog of water and wastewater projects.

CHAIR ROYBAL: Okay. Is that it, Commissioner Garcia?

COMMISSIONER GARCIA: Yes.

CHAIR ROYBAL: Okay. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just wondered on the tax credit affordable housing projects, the two, are those the two that Joseph has been talking about? The one on Camino Jacobo and the one on Galisteo Street?

MANAGER MILLER: Mr. Chair, Commissioner Hughes, I do not believe they are the ones of our own. They're actually other developer-driven projects.

COMMISSIONER HUGHES: Okay. And then I just wanted to mention that the Lamplighter Motel should be more property characterized as affordable housing because the plan is really to redo – fix up the motel very nicely to be 60 rental units, of which 20 would be more or less designated for voucher use, either our vouchers or the LifeLink's vouchers. So it wouldn't really be – it may end up being a shelter for a very short period this winter for COVID, but then after that the plan is to make it permanent

housing. Not as scary when you put it that way.

MANAGER MILLER: Mr. Chair, thank you, Commissioner Hughes. I also want to just put that out there. We haven't gotten any specific recommendations on dollar amounts for any of those yet. Joseph said as he receives more information he'd like to bring that to the Board and request specific allocations.

COMMISSIONER HUGHES: I guess the only other thing I would say about the affordable housing projects is that \$2 million probably isn't enough to make a dent in all of that, so we might pick and choose which ones we do.

MANAGER MILLER: Mr. Chair, Commissioner Hughes, I would venture to say just the top one could use all two million, from numbers I've heard. So I think the Board is going to have to decide what you want to do with those funds.

COMMISSIONER HUGHES: Thank you, Mr. Chair. Those are my questions.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Do we have any other questions or comments from the Board? Okay, seeing none. I just want to thank you, Manager Miller, for the update and all the information you provided.

MANAGER MILLER: Mr. Chair, real quick. At the next BCC I'd like to bring the list back and work towards approval of some of those. We don't have to approve everything all at once but for instance I would say I'd like to come back for approval for sure on some of the economic development initiatives that we could get, because we'll have to do procurements for all of those. Also for CONNECT we'll have to modify all of our contracts. I don't see us coming back at the end of the month for anything specific on housing, and I don't have to know at the end of the month specifically on the water and wastewater projects but we'll probably want to start honing that down into specific projects so that we can get moving on them.

So what I'll probably do, and I can also talk to you all individually but I'll probably come back at least at the end of the month with behavioral health and CONNECT. I think they're pretty straightforward. It's the stuff that we've been doing since the pandemic hit and even pre-pandemic, but what we've done to increase those services during the pandemic. And then work on the infrastructure, maybe for the first meeting in October, that we could hopefully get that list nailed down. And then economic development too for this year at the end of September and then infrastructure at the October meeting would be ideal so that we can start moving. I'd like to try to get all those – all the procurements take a while and so I just want to make sure that we don't miss our window of opportunity to get those moving.

CHAIR ROYBAL: Okay. Thank you, Manager Miller.

8. MATTERS FROM COUNTY COMMISSIONERS AND OTHER ELECTED OFFICIALS

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

CHAIR ROYBAL: I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So I did see this

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letter earlier on from Sue Barnum about the abandoned house issue and as all of you know I think that is something that I have been concerned about so I was surprised to hear about in District. 1. You have a serious abandoned house issue. I read her email this morning. I do think we need a policy. I've thought that for a long time and I actually have an abandoned house right in my own neighborhood that is very concerning to me and I live in the center of the city, and to see a house be abandoned and the windows broken is really concerning.

Then I sat in on a webinar on PFAS and it was really illuminating and concerning how much PFAS is in the environment and how damaging it is throughout the United States and I think it's something that we should start paying attention to. I know that there is some PFAS contamination up in Los Alamos that could be running down into the Rio Grande but there's also PFAS over by the Santa Fe Airport and by Calle Debra. I think that advocating for drinking water standards is really important when it comes to PFAS. It's a very dangerous chemical and it was in firefighting foam and it's been in Teflon, so if any of you eat off of Teflon I suggest you stop it because it's very dangerous.

As I mentioned a little earlier, Commissioner Roybal and I had the fun pleasure of being on the plaza for the opening of Fiesta and it was actually really fun. The Speaker of the House was there and it happened to be his birthday so they sang Las Mañanitas to him, which was really sweet. I don't think he'd ever had that happen before.

And then I have been sending the County Attorney comments from both the BDD and from the City of Santa Fe on the WOTUS rules and we have until October 3rd to make comments from the County and I believe that the County Attorney is working on that and we will have comments to the EPA for the WOTUS rule which I also consider really important, something that I have worked on for quite some time.

I know there's a page in here in my notebook of things that I wanted to mention but I can't seem to find it at the moment so I think I've mentioned enough things for the moment and I will move on. So thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Hamilton, did you have anything?

COMMISSIONER HAMILTON: Thank you, Mr. Chair. I just wanted to take the quick opportunity to thank our County Fire Department and other volunteer districts, many of whom participated in the various recognitions of 911 including stair-walking and various gatherings with equipment. It's obviously something that's really important to everybody who does firefighting and is part of that brotherhood. There were a lot of individuals in the Fire Department on both sides that put out a lot of personal effort to do that, so I just wanted to thank them.

CHAIR ROYBAL: Thank you, Commissioner Hamilton. Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just have a couple things I wanted to mention. There is a more or less abandoned house in District 5 which was causing quite a bit of trouble these last few weeks because of the people who had chosen to squat there, basically causing problems in the neighborhood including an individual running around with an assault rifle and scaring people. So yes, the Sheriff has obviously dealt with that individual. But I do think that maybe we need to look at how we

deal with that issue.

And then also just to let the other Commissioners know that Commissioner Hansen and I are working on a resolution to ban or have the staff look at banning single-use plastic bag and things like that, which will probably come at the next meeting. So keep an eye out for that. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. As mentioned, fire and rescue, to all the volunteers that actually volunteer their precious time to the County, thank you. Fire and rescue, about a week and a half ago, there was a horrendous accident right under I-25/599 on the off-ramp off of I-25. Our fire crews, our Sheriff's Department stayed there until about 3:00 in the morning and the accident happened, I want to say about 4:00. Major fatality at that intersection. It was horrible just to pass by there and see that. But they did an excellent job. Thank goodness they were right there down the road.

I'd like to thank the employees and all of our staff for working with the COVID situation that's happening nationwide. Like I mentioned, I was back east this last week and just to see the difference as into the Southwest, the East, the difficulties happening throughout this country. COVID is a major moving target and I know Manager Miller is working her hardest and working with the staff and whenever we have 800+ employees it's challenging to satisfy every single employee out there. It's challenging to see what comes up on the media day by day, case by case, city by city, area by area, school by school. It's something that us as policy makers and our Manager are working to try to figure out what the best thing is for our community as a whole, because like I said, it's a major moving target throughout this country.

In regards to the abandoned homes, I have three abandoned homes in my area. Been there for a while. I'd like to thank staff and our Public Works Department for working on Camino San Jose. Gary, thank you for that. I know I've been a pain in the you know what for a while but thank you for starting that project as well as the bar ditch that cleaned up. Paseo C de Baca, the staff did an excellent job, and I know on Camino San Jose. I get texts at 9:00 at night people show up, what do you do with the road? What's going on with the road? It just took a little bit to get started, but please, thank your staff. Those guys did an excellent job.

On one of our former – Stacy Garcia is going to be leaving soon. Those will be tough shoes to fill because she knows the County roads throughout this county inside and out.

Anna, as well as Estrella, as well as Camille Bustamante, thank you. I got a call on Friday or Saturday in regards to the key to the community center and at last it was worked out. Thank you for that, if you're listening out there.

I think those are the only things I have to say. Mr. Chair, thank you for the opportunity.

CHAIR ROYBAL: Okay, thank you, Commissioner Garcia. I'm sure our constituents appreciate us sharing all the different information. I'm going to go back to Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. I just wanted to remind everyone that my Coffee and Tea under the Trees will be September 25th. At this

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next Coffee and Tea under the Trees we will be under the great grandmother tree at Reunity Resource and we will have as a special guest Joseph Montoya and we'll be talking about housing, affordable housing, subsistence housing, sustainable housing and what the County is doing about it. We'll also be talking about the affordable housing plan and so I want to invite everyone out there in District 2 to please join us at Reunity Resources from 10:00 to noon on September 25th. Thank you, Mr. Chair,

CHAIR ROYBAL: Thank you, Commissioner Hansen. Commissioner Garcia.

COMMISSIONER GARCIA: Just on that note, the Speaker of the House as well as myself will be having a townhall type meeting on Saturday and this will be from 10:00 to 11:30. It is on his webpage, but we will be meeting with the community, so just on that note, thank you.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I'm not sure. I might have missed it, but did you say a time, sir?

COMMISSIONER GARCIA: Yes. From 10:00 to 11:30. We still haven't decided where the location is going to be a but it will definitely be on his webpage.

CHAIR ROYBAL: Okay. Thank you, sir. Appreciate it.

CHAIR ROYBAL: Okay, updates from myself. We are going to have our next community meeting is going to be October 19th, 6:00 pm at El Rancho Community Center. Discussions right now in the meetings have been broadband infrastructure. There's some ideas as far as internet service providers for our communities and in some cases in our communities that's really all that's lacking. So we're trying to think outside the box. I just want to invite community members to join us at this meeting that we're going to have as I indicated on October 19th.

The other thing is also addressing the abandoned homes in the area. I did get an email and a phone call in regards to this and I know that's a discussion that the County has had before in the past. I just want to – if we can revisit and look at what other communities are doing, other counties, other cities, and see if there's a feasible way that we can put something together to address this situation. Santa Fe County isn't the only area that has this situation. I know that there's other cities and counties throughout New Mexico and throughout the United States to be quite frank. I know that's there's probably been some ideas that have been brought forward to offset the cost. So I think it's something that Santa Fe County can look at. So I just wanted to also put that on the record.

And then the other thing is the Fiestas. As Commissioner Hansen mentioned, I just want to give kudos to Aaron Garcia, who's the president of the Fiesta Council. It was a really successful opening ceremonies and I was honored to be a part of the ceremonies that day. They did indicate that the representation of City elected officials and County elected officials that were presented was more than they've seen in as many years that they could think of, so I just want to thank all our counterparts from the City and the County that were there to support this. The Speaker of the House, we had the PRC commissioner, Mr. Joseph Maestas – just everybody that was there to support the opening ceremonies, and just to be a part of the heritage that has taken – that we've had here in Santa Fe County for many generations. So thank you all and once again, thank you to the president, Mr. Aaron Garcia for his hard work on putting that together.

And really that's all that I have right now as far as updates. Just the next meeting for my community. And I think that's it unless any of the other Commissioners have any other updates that they want to share. Commissioner Hansen, did you have something else?

COMMISSIONER HANSEN: Yes. I wanted to just give a shout-out to Sheriff Mendoza for also showing up on the plaza at Fiesta, and Jennifer Manzanares was there, our County Treasurer. So the County had a good representation besides myself and Commissioner Roybal and Sheriff Mendoza and Treasurer Manzanares. Was anybody else there from the County?

CHAIR ROYBAL: I believe that was it. Just a huge presence from our Sheriff's Department and in general we had a lot of Sheriff's deputies that were there as well.

COMMISSIONER HANSEN: Yes, it was great. Thank you.

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

CHAIR ROYBAL: I'm going to go to our County Treasurer who I believe is online. Treasurer Manzanares.

JENNIFER MANZANARES (County Treasurer -via Webex): Good afternoon, Mr. Chair, members of the Commission and Madam Manager. I am so thankful to be speaking this afternoon in gratitude for the crisis center. Recently I was fortunate to attend, and to Rachel and Alex and the team that have been working out there. Last week we were at a GOIA conference in Las Vegas and I just happened to get off at the wrong stop and I ran into the memorial garden that was done for the 58 that were part of the shooting some years ago and [inaudible] through the years. And so I'm having a conversation with Commissioner Roybal and some community members. I just wanted to propose an idea and that would be to be thinking about maybe a garden for our own community. We could possibly do this in conjunction with Rio Arriba County and the City. I was thinking our neighbors in the Sikh community. So I was thinking of an inclusive type of a project, and it really touched my heart to see that each individual had a spot to not only grieve but to heal. And so I wanted to share that today.

It's different from duties as Treasurer but it really stood out to me for the community and we have a lot of grief when it comes to guns and domestic violence as well as substance use disorder deaths. So Commissioners, thank you for the opportunity to speak and if that idea grows I would love to be a part of that.

CHAIR ROYBAL: Thank you, Treasurer Manzanares. I think that would be a great idea for a memorial garden in the area. So I look forward to future communication. And believe me, as an elected official, you're not only obligated to work as the Treasurer but also to bring forward these types of ideas. It would be a great area that, like you said, people can take the time to reflect and heal and move forward. So I think this is a great idea. So I look forward to hearing more about it. Thank you, Treasurer Manzanares.

Okay, I'm going to go to our Clerk, Ms. Katharine Clark. Are you on, Katharine?

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MS. GANZ: Chair Roybal, if she can't actually speak she gave me a couple items to mention.

CHAIR ROYBAL: Oh, okay. Thank you. I'm sorry. She's on electronically but she can't speak Okay, so I appreciate that, Deputy. Thank you.

MS. GANZ: Her voice is a little rough right now. She did want me to mention that the regular local election is coming up soon. Early voting starts October 5th and expands October 16th, and election day itself is of course November 2nd.

The Clerk's Office is recruiting poll workers and messengers who would be interested in working during that time and if anyone is interested they can email us at elections@santafecountynm.gov and in the meantime, County employees can vote right now on voting stickers. So we asked Amanda Lucero to send out an email yesterday to all County staff. The Clerk's Office ran a contest with schools and youth organizations and students aged 14 to 18 could submit a design for those voting stickers that everybody sees when you go vote, and so designs were allowed to use up to four colors I believe. They could be in English, Spanish or indigenous languages. We received six designs. The email that was sent out yesterday provided a link where County employees can vote in a ranked choice style voting system they have to vote by this Friday. There are six designs they can choose from and they can rank them in order of preference, and there's some fun choices. So we would love it if all the County employees could click on the link and vote on their favorite designs. So that's it. Thank you, Chair Roybal.

CHAIR ROYBAL: Awesome. Glad to hear that and thank you for that update and sharing with the constituents as our Deputy County Clerk, Ms. Evonne Ganz. Thanks again. Daniel do we have any other elected officials that are online right now?

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

CHAIR ROYBAL: Okay, if there's any other elected officials who would like to address their constituency please unmute yourself and go ahead and proceed. Okay, hearing none, I'm going to go ahead and go to Commissioner Garcia.

COMMISSIONER GARCIA: Just really quick, Mr. Chair. Thank you. Appreciate that. In regards to the County Clerk, I just thought of this idea We always have the stickers that we're going to be voting for that say I voted today. Maybe we might have some sort of a campaign out there saying I will vote early, or I am going to vote, like two or three weeks or a month before that, and that way people can just get the word out there that, oh, voting, early voting is coming up. Just food for thought. Thank you, Mr. Chair.

MS. GANZ: Thank you, Chair Roybal and Commissioner Garcia. I know Clerk Clark is interested in having a contest each year for different sticker designs, so we're hoping to make it a little new tradition.

COMMISSIONER GARCIA: This would actually be like way before voting starts, so you could give out stickers that say, I will vote. I am going to vote.

MS. GANZ: That's a good possibility. Thank you.

CHAIR ROYBAL: Do you think we might have an opportunity to share those on the County website, just all the contestants that are entered and even possibly just recognizing them at one of the BCC meetings the one that we actually pick for the design. That would be great.

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MS. GANZ: Chair Roybal, we're certainly hoping to be able to share on social media and other avenues, who the winner is going to be. So I'll let the County Clerk know about it. Thank you.

CHAIR ROYBAL: Awesome. Thank you. Okay, so we're going to deviate from the agenda just slightly. What I'm going to do is instead of going into executive session I'm going to go ahead and go into our next items. They're going to be 10. which is Public Hearing and also both parts of the Public Hearing. So we're going to go onto those items next, but I do want to have a ten minute recess for the Commission. We've been in a meeting for at least for hours so we're going to take a ten minute recess and we'll be right back. Thank you.

[The Commission recessed from 5:23 to 5:40.]

10. PUBLIC HEARING ON PROPOSED ORDINANCE

A. Ordinance No. 2021-04, an Ordinance Amending the Sustainable Land Development Code, Ordinance No. 2016-9, to Amend and Restate Appendix F, Maps 2 & 3 (Map 2: Santa Fe County Sustainable Land Development Code, Santa Fe Community College District Circulation Map, & Map 3: Santa Fe County Sustainable Land Development Code, Santa Fe

CHAIR ROYBAL: From the Growth Management Department we have Mr. Nathan Manzanares.

NATHAN MANZANARES (Growth Management): Thank you, Mr. Chair. Issue: The Board is asked to render a final decision for this item. If an approval is granted by the Board the proposed ordinance would then take effect 30 days after recordation of the Board's final decision, which is scheduled to be heard on September 14, 2021.

On August 10, 2021 the Santa Fe County Board of County Commissioners authorized the request to publish title and general summary by a unanimous vote of 5-0. Per the SLDC, public hearings of this item must be reviewed and done and now it is time for the Board to take action on this ordinance.

Overview of proposed ordinance: The proposed ordinance to the SLDC text to Appendix Map 3 and Map 2 is requested in regards to the Oshara conceptual plan amendment that was approved on April 13, 2021 by the Board of County Commissioners. Staff recommends, as well as the Santa Fe County Planning Commission, approval of the proposed ordinance and requests that the Board render a final decision. If final action is taken by the Board today, the ordinance will take effect 30 days after recordation. Mr. Chair, thank you. I stand for any questions.

CHAIR ROYBAL: Thank you, Mr. Manzanares. Do we have any questions from the Board? Commissioner Hansen.

COMMISSIONER HANSEN: I'm just going to state for the record again that I think this is too large of a section taken out. The whole idea of the Community College District was to have industrial, commercial use and this basically eliminates a tremendous amount of that and that was not the idea of the Community College District. So

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it upsets me to see a plan – I can understand them changing some of the commercial, some of the industrial, but I think the piece is too large and I just want to state that on the record so that in the future when we realize that it wasn't really the right thing to do it will be there for the record. Because I do think it's important to have walkable communities with many different uses. Now, the Oshara area and everything is really just becoming a bedroom community with only residential, which I think is disappointing.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other comments or questions? Commissioner Hughes.

COMMISSIONER HUGHES: Thank you, Mr. Chair. I just wondered, I was looking at the map and sort of trying to figure out what was taken out and what was left. I wondered – I know from his – in general in this whole area is there going to be land somewhere for schools when we need another elementary school in that area?

MR. MANZANARES: Mr. Chair and Commissioner Hughes, if you look at Appendix B and C, pages 6 and 7, they show a comparison of the existing versus proposed on the new maps that will be taking effect if a decision is rendered. And really the only area that's affected in the Community College District is going to be the area that Oshara is located in. They also had to amend the circulation plan due to the access roads that will be utilized by Oshara as well. But this is not an amendment of the entire CCD zoning map. It's just the area specific to Oshara. So there still will be schools and other things designating mixed use, designated in the Community College District. This is just specifically for Oshara.

COMMISSIONER HUGHES: Okay. Then specifically in Oshara, but how much land is left for commercial?

MR. MANZANARES: Mr. Chair, Commissioner Hughes, when this project was brought forward back in April there was a designation of how much square footage was allocated for commercial, and it's going to be in Appendix D, page 10. The Board approved for there to be an approximate 303,000 square feet of commercial square footage in Oshara. So not all of it was eliminated, but it was reduced from the original approval.

COMMISSIONER HUGHES: How much was taken away then? So there's 300,000 square feet left.

MR. MANZANARES: So initially 1.3 million square feet was allocated for the original. Now it's reduced to 303,000 square foot.

COMMISSIONER HUGHES: Okay. Thank you. That's my only question for now.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Any other questions from the Board? Commissioner Garcia.

COMMISSIONER GARCIA: Thank you, Mr. Chair. So this property is located near where? Los Dos? The new restaurant out there? In that vicinity?

MR. MANZANARES: Mr. Chair, Commissioner Garcia, this is the entire Oshara master planned area, so yes, that's a part of phase 1 of Oshara, and there will be additional phases that are going to be built out per the conceptual plan amendment that was approved by the Board in April. So that whole Oshara area.

COMMISSIONER GARCIA: So Mr. Chair, and maybe Ms. Jenkins can help out. She was the consultant for Oshara. So the way I view it, whenever you see the new restaurant there that's the commercial that's there, correct?

MR. MANZANARES: Correct.

COMMISSIONER GARCIA: There's a park area there and then you go further to the east. Are there other designated areas in Oshara Village for commercial activity? Or are we getting rid of those?

MR. MANZANARES: Mr. Chair, Commissioner Garcia, if you look at page 9 that will show the proposed amendment. If you look there there still is the potential for commercial, it's just reduced but there still will be those zones dedicated for that.

COMMISSIONER GARCIA: So Mr. Chair, the web doc that I'm looking at that you're seeing, that is proposed commercial?

MR. MANZANARES: Mr. Chair, Commissioner Garcia, that's a new community center, is that red dot. If you look at some of the employment center and campus centers, that will be designated for commercial development. It's going to be on the northwest corner of the property, the hatched area.

COMMISSIONER GARCIA: So Mr. Chair, so I have questions on this with all due respect to the Commissioner. So the limits of Oshara are from Interstate-25 south all the way to the Community College District?

MR. MANZANARES: Mr. Chair, Oshara is approximately I believe 160+ acres so I believe that is correct. I apologize. It's 470 acres.

COMMISSIONER GARCIA: So Mr. Chair, Nathan, who's requesting this? Is staff requesting this? Or is the consultant requesting this?

MR. MANZANARES: So staff recommended a condition of approval that in order to build out the Oshara development consistently that the applicant be required to request a text amendment to the SLDC zoning maps. So the applicant is trying to fulfill that condition of approval that was imposed by staff and the Board from the conceptual plan amendment that was approved back in April. So in order for the applicant to move forward with future development and platting of Oshara they need to take care of this amendment to the maps 2 and 3 of Appendix F of the SLDC.

COMMISSIONER GARCIA: Mr. Chair, I just – I see the concerns that my fellow Commissioners have because whenever you do go out to that restaurant and you do see the park there it just seems like a place to actually have commercial activity.

MR. MANZANARES: Mr. Chair, Commissioner Garcia, unfortunately, due to the conceptual plan amendment being approved back in April that was really the time to really bring these discussions forward and we're kind of at the point where that time has passed and now we're doing some cleanup and getting to make sure that the applicant satisfies their conditions of approval. So a decision has already been rendered on that conceptual plan amendment. Unfortunately, we're kind of in the predicament of the final orders are even approved and a decision has been rendered on that.

COMMISSIONER GARCIA: Thank you. Thank you, Mr. Chair.

CHAIR ROYBAL: Thank you, Commissioner Garcia. I believe – go ahead.

VICKI LUCERO (Growth Management): Mr. Chair, I just wanted to clarify on Commissioner Garcia's question regarding if there's additional commercial development. There are some additional commercial lots adjacent to and catty corner to the existing restaurant that's out there, and there are some existing commercial lots further east in phase 1 of the subdivision.

CHAIR ROYBAL: Okay. Thank you for that clarification. Are there any other questions or comments from the Commission? Is this is Commissioner Hughes' district? Is that correct?

COMMISSIONER HUGHES: Mr. Chair, I believe it's mostly in District 5 but a little bit in District 4. I think some of the development spills over to District 4.

CHAIR ROYBAL: Some of it is in District 4 as Commissioner Hughes had indicated. I just wanted to see if there was any additional comments. But this is a public hearing. So we're going to go to the public next. Is there anybody from the public – well, actually, is there an applicant that would like to speak here?

MR. MANZANARES: Mr. Chair, yes. The applicant's agent, Jennifer Jenkins, is here on behalf of the applicant today.

CHAIR ROYBAL: Okay, Ms. Jenkins, if you'd like to address the Commission.

[Duly sworn, Jennifer Jenkins testified as follows:]

JENNIFER JENKINS: Good afternoon, Commissioners, Chair Roybal. I'm Jennifer Jenkins with JenkinsGavin here this evening on behalf of the applicant. I acknowledge that I am under oath. I really don't have much to add as I think Nathan covered it very clearly that we're really here, this just kind of the last step in the conceptual plan amendment that was approved back in April. We just have to clean up the existing Community College District maps to reflect the amendment that the Board approved back in April. I just want to acknowledge that we do have mixed use in each of our phases, so by no means are we eliminating the opportunity for commercial activity in the balance of the project. I don't have much more to add but I'd be happy to stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Ms. Jenkins. Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: So did you leave any commercial or industrial areas for schools in Oshara?

MS. JENKINS: So it's my recollection, and maybe staff can correct me if I'm wrong, but the Community College District land use zoning map identifies school sites and I don't believe there's a school site identified in the balance of Oshara. But we are bound by – there are some conceptual school sites that have been sprinkled throughout the Community College District, so I just honestly – I don't recall. I don't think there is but maybe staff can clarify that. There's no industrial land that remains as a result of the amendment.

COMMISSIONER HANSEN: Right. Unfortunately. But also we did amend the affordable housing plan also with this change?

MS. JENKINS: Because the unit count changed, so we are still complying with the 15 percent affordable housing requirement, but because our unit mix and the density for the project changed we had to update our affordable housing plan to comport with that.

COMMISSIONER HANSEN: Okay. So that's done.

MS. JENKINS: Yes.

COMMISSIONER HANSEN: Okay. I'm just – April –

MS. JENKINS: It feels like a long time ago.

CHAIR ROYBAL: Okay. Did that conclude your questions, Commissioner?

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COMMISSIONER HANSEN: Yes. Thank you.

CHAIR ROYBAL: Okay. So thank you, Ms. Jenkins. I'm going to go ahead and go to the public. Is there anybody in the public that would like to speak to this item in support or opposition. If you are a call-in participant you have to hit star 6 to unmute yourself, and if you're on Webex just hit unmute and state your name for the record. Mr. Fresquez, does it look like there's anybody that send a message through chat?

MR. FRESQUEZ: Mr. Chair, I do not have anybody signed up through chat.

CHAIR ROYBAL: Okay. So once again I'd like to ask if there's anybody from the public that would like to speak in support or opposition to this ordinance that we're considering. Okay, seeing none I'm going to close public comment. And we're going to go to the Board for a motion. What's the pleasure of the Board?

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

CHAIR ROYBAL: We have a motion from Commissioner Hughes.

COMMISSIONER HAMILTON: Second.

CHAIR ROYBAL: And a second from Commissioner Hamilton. Could I get a roll call?

The ordinance passed by majority [4-1] roll call vote as follows:

Commissioner Garcia	Aye
Commissioner Hamilton	Aye
Commissioner Hansen	No
Commissioner Hughes	Aye
Commissioner Roybal	Aye

11. PUBLIC HEARINGS

- A. CASE # 21-5170 G.E. Richards Property, LLC (Oshara Master Planned Major Subdivision), Requests to Amend Previously Approved Conditions Imposed by the Board of County Commissioners (BCC), as Well as Correct an Error in the Final Order for Case #16-5280. G.E. Richards Property, LLC, Applicant, Jenkins Gavin Inc., Agent, are Requesting to Amend Conditions of Approval Imposed by the Board of County Commissioners (BCC) for the Conceptual Plan Amendment for the Oshara Village Planned Development/Master Planned Development, as Well as Correct an Error in the Final Order for Case #16-5280 as Approved by the Board of County Commissioners on April 13, 2021. The Property is Located in the Community College District, within a Planned Development District, East of Richards Avenue and South of Rabbit Road, within Section 16, Township 16 North, Range 9 East (Commission Districts 4 and 5)**

CHAIR ROYBAL: Once again our case manager is Mr. Nathan Manzanares.

MR. MANZANARES: Thank you, Mr. Chair. As stated, this is going to be in conjunction to what we just discussed as far as the approvals that were granted for the Oshara conceptual plan amendment back in April. The applicant requests to amend condition #8 and #17 as well as remove language from paragraph 12 of the final order.

Condition #8 imposed by the BCC on April 13, 2021 states: The applicant shall submit an application for preliminary plat approval after the final design of the northeast and southeast connectors have been finalized.

Staff recommends an amendment to condition #8 to state: The applicant may submit an application for preliminary plat and final plat but may not record a final plat until final design of the northeast and southeast connectors have been finalized and required easement dedications to the Santa Fe County have been satisfied.

Condition #17 Imposed by the BCC on April 13, 2021 states: No applications for preliminary and final plat for future phases will be accepted until all required affordable housing units from previously approved phases have been built-out and offered for sale.

Staff recommends amending this condition due to the fact that the SLDC does not specifically state that all affordable units within a given phase of an approved subdivision need to be built-out and offered for sale before a new phase can receive preliminary and final plat approval. However, Chapter 13, Section 13.2.2.2, of the SLDC states: Affordable dwellings shall be constructed and offered for sale in each phase of a phased development in approximately the same ratio as the number of parcels to be developed in a given phase bears to the total number of parcels in a phased development. Based off the language in Chapter 13, Section 13.2.2.2, staff believes that future required affordable housing units will be built out correctly in the remain phases associated with the Oshara Planned Development.

The error stated in paragraph 12 of the final order for the Oshara conceptual plan amendment that was approved by the Board back in April states – it refers to a different subdivision, so therefore staff recommends the correction of this and eliminating that language from the new final order that will be drafted before a decision is rendered by the Board.

Staff recommendation: Staff recommends approval of the applicant's request to remove condition #8, However, staff recommends that a replacement condition #8 be added as stated in the staff report.

Staff also recommends approval of the applicant's request to remove previously imposed condition #17, in accordance with the recommendations stated in the staff report.

And lastly, staff recommends approval of the applicant's request to delete the erroneously included item in paragraph 12 of the June 29, 2021 final order for BCC Case #16-5280, the Oshara Conceptual Plan Amendment.

Lastly, staff recommends that all previously imposed conditions that were approved by the Board remain intact for the previously approved Oshara conceptual plan amendment. In addition to the Oshara planned development, all future development also comply with the pertinent requirements of the Sustainable Land Development Code.

Mr. Chair, I now stand for any questions.

CHAIR ROYBAL: Okay. Thank you, Mr. Manzanares. Questions, Commissioner Hansen.

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COMMISSIONER HANSEN: Would you go over item 8 again?

MR. MANZANARES: Mr. Chair, Commissioner Hansen, yes. So the language that was state in the original condition #8 had to do with the northeast-southeast connector.

COMMISSIONER HANSEN: Right.

MR. MANZANARES: And the way it is written right now does not allow the applicant to move forward with the platting process of the project. The proposed amendment from staff will allow them to move forward with the public hearing process, but they will not be able to record a final plat until the requirements for the northeast-southeast connector are satisfied and the design is fully done and easements are dedicated to the County.

COMMISSIONER HANSEN: Until the road is built?

MR. MANZANARES: No. This is strictly where they can submit application. The way the condition reads right now they wouldn't even be able to submit an application until. So we're trying to streamline the process and allow them to – because it is going to be a process for them to come in, submit, go through the public hearings, so we're allowing them to come forward to the Board with an application but will not be able to finalize it and record a final plat until the northeast-southeast connector is fully designed and easements are dedicated to the County

COMMISSIONER HANSEN: So they can come in and start building before we build the northeast connector? I mean you're saying the design. The final design is one thing. I'm concerned about the building of the northeast connector and it being finished.

MR. MANZANARES: So Mr. Chair, Commissioner Hansen, the applicant will not be able to move forward with the final plat or infrastructure until the connector is begun. And that will be a condition when the applicant comes forward for preliminary plat for their next phase.

COMMISSIONER HANSEN: I'm concerned. When the northeast and southeast connectors are designed that's one thing. That's a different issue than having a finished road for them to do and put infrastructure in.

MR. MANZANARES: Mr. Chair, Commissioner Hansen, if you look at page #16, approval condition #15, that was already covered by staff that no single-family residences may be built until the northeast and southeast connectors are approved and open for public use. So they can go forward with the platting process as stated but they will not be able to go vertical until the connectors are approved and open for public use.

COMMISSIONER HANSEN: What about putting in infrastructure?

MR. MANZANARES: Mr. Chair, Commissioner Hansen, we'll discuss that once a preliminary plat is submitted and we will condition accordingly, but we need to have those discussions with staff. It's not a condition that was imposed for the conceptual plan amendment.

COMMISSIONER HANSEN: Well, it concerns me that if they're allowed to put in infrastructure before the northeast and southeast connectors are done.

MR. MANZANARES: And like I said, Mr. Chair, Commissioner Hansen, when the applicant comes forward for a preliminary plat for the next phase we will have those discussions and staff will look at that and make note of that.

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COMMISSIONER HANSEN: Then on the affordable housing, let's go over that again. So what you're saying is that they do not have to have all their housing requirement units done before they go to the next phase?

MR. MANZANARES: Mr. Chair and Commissioner Hansen, approval condition #17 was purely based off of phase 1 for Oshara. Staff, along with Affordable Housing Department has verified that the applicant has satisfied the affordable housing agreement for phase 1, the requirements for phase 1, and as far as future build-out, they will have to built out in accordance with Chapter 13.3.2.2 which has that ratio. You only get so many houses before you'd have to build another affordable. So they will have to satisfy those affordable units in future phases, and they have satisfied the affordables in phase 1.

COMMISSIONER HANSEN: Okay.

MR. MANZANARES: So there's really no need for that condition any longer.

COMMISSIONER HANSEN: Okay. I understand and I'm good with that. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hansen. Any other questions from the Board? Commissioner Hughes.

COMMISSIONER HUGHES: Yes. Thank you, Mr. Chair. So how many phases are there in Oshara?

MR. MANZANARES: Mr. Chair, Commissioner Hughes, the Board approved the Oshara to be amended to have nine phases in total. So it will be a nine-phase development.

COMMISSIONER HUGHES: And does what we're approving, does this, what we're considering right now, which phases does it affect?

MR. MANZANARES: Mr. Chair, Commissioner Hughes, this isn't for any of the phases. This is just to amend the final order for the conceptual plan amendment that was already heard and action was taken. This is just to clean up the final order.

COMMISSIONER HUGHES: I'm assuming that order affects phases basically 2 through 9, then, right?

MR. MANZANARES: Mr. Chair and Commissioner Hughes, each phase will have to submit for a preliminary and final plat and additional conditions of approval will be imposed to each phase. So this is just an amendment to the overall conceptual plan of what they're planning to build out. So it doesn't have any effect on phase 1 or future phases. It's just strictly for the conceptual plan amendment. And the newly approved conceptual plan amendment will be for phases 2 through 9. Phase 1 has already been completed.

COMMISSIONER HUGHES: Right. Phase 1 is what we see when we drive out that way on Rabbit Road and drive through the neighborhood on to Richards.

MR. MANZANARES: Right.

COMMISSIONER HUGHES: Okay. I think those are my questions. Commissioner Hansen asked my other questions so I'm good. Thank you.

CHAIR ROYBAL: Thank you, Commissioner Hughes. Any other questions from the Board? Okay, do we have the applicant that would like to address the

Board?

MR. MANZANARES: Mr. Chair, yes. The applicant's agent is present.

MS. JENKINS: Good afternoon, Board Chair, Commissioners. Again, I'm still Jennifer Jenkins on behalf of the applicant. I acknowledge that I am still under oath. I really don't have anything to add. We are in agreement with staff's recommendation, but I'd be happy to answer any questions.

CHAIR ROYBAL: Thank you, Ms. Jenkins. Any questions for Ms. Jenkins? Okay. Thank you. So this is a public hearing so next I'm going to go to the public. Is there anybody from the public that would like to express concerns or support or opposition for this Case #21-5170? If there is somebody calling please hit star 6 to unmute yourself or if you're on Webex please just unmute yourself and state your name for the record. Mr. Fresquez, has anybody sent anything through chat that they would like to speak to this item?

MR. FRESQUEZ: Mr. Chair, nobody sent anything from chat.

CHAIR ROYBAL: Nobody from chat, okay. Once again, I'd like to ask if there's anybody from the public that would like to speak in support or opposition of this case number. Okay, hearing none, I'm going to close public comment. And this is the first public hearing. Is that correct, Attorney Shaffer? It's not something we're voting on today or is it?

MR. SHAFFER: Mr. Chair, this is a land use application so this is the only public hearing that's required.

CHAIR ROYBAL: Okay, and that's the same for our next item as well, right? Okay, so what's the pleasure of the Board? Commissioner Hamilton.

COMMISSIONER HAMILTON: I move to approve.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: We have a motion from Commissioner Hamilton, a second from Commissioner Hughes.

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

- 11. B. Case # 21-5020 Manuel Roybal Rural Commercial Overlay. Manuel Roybal, Applicant, Siebert and Associates, Inc., Agent, request approval to create a Rural Commercial Overlay District (O-RC) on three contiguous parcels of land (SLDC, Section 8.11.2.) The current zoning on the parcels is Residential Community (RES-C) for all of 17723 B US Highway 84/285, virtually all of 17747 US Highway 84/285, and approximately half of 17725 US Highway 84/285, and Rural Fringe (RUR-F) for a small sliver in the northwest corner of 17747 US Highway 84/285 and the western portion (approximately half) of 17725 US Highway 84/285. The parcels are located at 17723 B US Highway 84/285; 17725 US Highway 84/285; and 17747 US Highway 84/285 within Township 19 North, Range 9 East, Section 28, SDA-2 in Commission District 1**

CHAIR ROYBAL: I'm going to go to Mr. Larrañaga.

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JOSE LARRAÑAGA (Case Manager): Thank you, Mr. Chair. Manuel Roybal, Applicant, Siebert and Associates, Inc., Agent, request approval to create a Rural Commercial Overlay District on three parcels of land that are either contiguous or connected by a relatively small easement. The establishment of the overlay zones is governed by Section 8.11 of Chapter 8 of the Sustainable Land Development Code and the establishment of a Rural Commercial Overlay District is governed by SLDC Section 8.11.2.

The parcels are located at 17723 B US Highway 84/285; 17725 US Highway 84/285; and 17747 US Highway 84/285 within Township 19 North, Range 9 East, Section 28, SDA-2 in Commission District 1. Tract A and Tract C are contiguous, sharing a 520.41-foot boundary on the west side of Tract A and the northeast portion of Tract C. Tract C and Parcel B are not contiguous, but are connected by an ingress/egress/utility easement that is 20 feet in width and approximately 60 feet long and connects the – and Mr. Chair, this is typo, it should be northeast instead of northwest corner of Parcel B to the westernmost point of the southern boundary of Tract C, all as shown on the Boundary Survey Plat Prepared for Miguel Roybal, recorded on December 9, 2020 in the records of the County Clerk as Instrument No. 1936895, Book 871, page 5, which survey plat is part of the final plan set submitted by applicant and attached as an exhibit in the Report.

The current zoning on the parcels is Residential Community for all of 17.723 B US Highway 84/285, virtually all of 17.747 US Highway 84/285, and approximately half of 17725 US Highway 84/285; and Rural Fringe for a small sliver in the northwest corner of 17747 US 84/285 and the western portion of 17725 US Highway 84/285.

The application was reviewed for the following applicable design standards as per Chapter 7, Sustainable Design Standards of the SLDC: access, fire protection, road design standards, water supply, wastewater and water conservation, protection of historic and archaeological resources, terrain management, flood prevention and flood control.

Building and Development Services staff has reviewed this project for compliance with pertinent SLDC requirements and has found that the facts presented support the request to create a Rural Commercial Overlay District. The three parcels are either contiguous or in close proximity; the current zoning on the three parcels is Residential Community and Rural Fringe; there are adjacent tracts of land that are currently zoned as Commercial General; the creation of a Rural Commercial Overlay District will not alter the existing zoning of Residential Community and/or Rural Fringe on the three lots.

If the overlay zone is approved by the Board of County Commissioners, it will be included on the zoning map when that is next updated. These adjustments to the existing zoning map will reflect the three lots as a Rural Commercial Overlay zone with the underlying zoning as Residential Community and Rural Fringe

Staff has established findings that this application to create a Rural Commercial Overlay District within a Residential Community zoning is in compliance with criteria set forth in the SLDC.

On May 13, 2021, this request was presented to the Sustainable Land Development Hearing Officer. The Hearing Officer memorialized findings of fact and conclusions of law in a written order on this request. The Hearing Officer, based on the evidence presented recommended approval of the request for the creation of a Rural

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Commercial Overlay District on three parcels of land with the underlying zoning designated as Residential Community or Rural-Fringe with the conditions recommended by staff.

On July 15, 2021, this request was presented to the Santa Fe County Planning Commission. The Planning Commission, based on the evidence presented recommended approval of the request for the creation of a Rural Commercial Overlay District on three parcels of land with the underlying zoning designated as Residential Community and Rural-Fringe with the conditions recommended by staff.

Staff recommends approval of the request for the creation of a Rural Commercial Overlay District on the three parcels of land with the underlying zoning designated as Residential Community or Rural-Fringe with the following conditions. Mr. Chair, may I enter those conditions into the record?

CHAIR ROYBAL: Yes, you can.

[The conditions are as follows:]

1. A Mylar illustrating the three lots within the Rural Commercial Overlay District shall be recorded at the expense of the Applicant in the office of the County Clerk. The limits of the floodplain shall be identified on the Mylar.
2. The uses within the approved Rural Commercial Overlay District shall comply with SLDC Section 8.11.2. (Rural Commercial Overlay (O-RC)).
3. Submittal of a Site Development Plan/Conditional Use Permit and/or residential permits for any of the three (3) parcels within the approved Rural Commercial Overlay District shall comply with all pertinent SLDC requirements.
4. The three lots within the Rural Commercial Overlay District shall be required to connect to the Regional Water System when it becomes available, in accordance with Section 3.1.4.1 of the Aamodt Settlement Agreement.
5. At such time when a Site Development Plan/Conditional Use Permit is submitted for any of the three (3) parcels, a commercial driveway permit shall be secured from NMDOT. Lots may be required to share access.
6. A Traffic Impact Assessment (TIA) may be required when a Site Development Plan/Conditional Use Permit is submitted for any of the three (3) parcels.
7. A 75' setback shall be maintained from the FEMA designated floodplain. The setback can be reduced to 25' provided that engineered bank stabilization is provided. Other studies may be required per SLDC Section 7.18 (Flood Prevention and Flood Control).

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

CHAIR ROYBAL: Thank you, Mr. Larrañaga. Do we have any questions from the Board for Mr. Larrañaga? No? Okay. Is the applicant present?

MR. LARRAÑAGA: Mr. Chair, I believe he's online, on Webex.

CHAIR ROYBAL: Okay. Mr. Roybal, are you present online? If you are, if you'd like to address the Board you can unmute yourself and we'll swear you in.

[Some technical difficulties ensued.]

[Manuel Roybal was duly sworn and provided his name and address]

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COMMISSIONER GARCIA: Mr. Roybal, can you hear me? This is Commissioner Garcia.

MANUEL ROYBAL (via Webex): Yes, I can.

COMMISSIONER GARCIA: I just want to commend you, the walls behind you are very beautiful walls. Very nice job. I like those. I like that style.

MR. ROYBAL: Thank you. I'm at the office. The area in question – I built this office in 1974. This is part of the area that is commercial or part of the area in question right now.

COMMISSIONER GARCIA: Very beautiful.

[Duly sworn, Jim Siebert testified as follows:]

JIM SIEBERT (via Webex): My name is Jim Siebert. My address is 915 Mercer, Santa Fe, and I acknowledged I'm under oath. We're going to do a brief power point presentation here, first of all showing the location where the Rural Commercial Overlay is proposed on the property. The pueblo there is immediately to the north, and there's some frontage road that serves this particular property.

So the zoning on the far right, so where the office is currently, that actually is commercial and the rest of the US 284 frontage road to the south, the majority of that is all zoned commercial as well. If you pull just a little farther to the north on the pueblo land, that was the area where the flea market took place. It was there for two or three years and they have just recently dismantled that for future development I assume. The property is, as Mr. Larrañaga stated is Residential Community. It would allow one dwelling per acre. It's inconsistent with the commercial uses both to the south, and to the partial uses on the pueblo that's on the other side of US 84/285.

So these are the properties are not part of the requested zoning action. The bottom right is the Roybal Enterprise office and that's commercial right now. The two others that have the red hatch on them are family members and they did not want to be part of the zoning action because they're concerned about the increase in taxes that would occur as the result of being zoned in a Rural Commercial Overlay. To the right is the list of uses that are permitted. The Rural Commercial Overlay has a various set of restrictions. It's not an unlimited commercial use. It allows only certain commercial uses and of a certain size and there would have to be separate review of the requests.

And that's the presentation. I'll answer any – there is, out of that 14.05 acres, it's the Rio Tesuque that is immediately to the left, so some of this property is in the floodplain and cannot be developed. So with that I'll answer any questions you may have. Oh, let me ask Manuel. Manuel, do you want to make a statement?

[Previously sworn, Manuel Roybal testified as follows:]

MR. ROYBAL: Yes, I guess so. It's a long story already but in 1999 I came to the Board of County Commissioners. Mr. Siebert brought it to the Board and we had all the property in question zoned as commercial. Somewhere when we did the rezoning, the County did rezoning, it got overlooked and got taken to residential. It makes no sense to have this area as residential anymore. I spent about a year on the County Zoning Commission a few years back, but to me it makes no more sense to build commercial in residential as it would be residential in commercial. This area, before I went to the County Commission was by our planners was made as a commercial area.

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We're talking Buffalo Thunder Casino. All of this is in the area. The area was set as a commercial zoning area, planned by the County and state. That's why we have overpasses and the frontage roads in this area as we speak. One of the stipulations given to me prior to development of commercial was that the frontage roads, which were not built in 1999 and the overpasses had to be built before I could come and develop it any further than what I had done. They have been built, the frontage roads, so during the years, adhering to the request by the County, prior to develop and we did as such.

Since right now, I'm paying – the area we're requesting, I have been using as vacant commercial. It's my pipe yard. We showed you the area of our office. Most of the area is for storing heavy equipment and selling irrigation pipe, irrigation supplies to people because it's not developed with buildings, but all these years I've been paying taxes as vacant commercial because we no buildings on it but we have been using it as commercial. That's the reason in 1999 we came to the County to have it zoned as commercial because we had planned to use it as a commercial area, and then it has been used as commercial.

Now we're planning on building, develop it a little further and in the end, I have to come back in the future to the County again and get any developments approved again. All I'm asking for is to give me back what I already asked for the first time and got approved by the County to be able to plan future developments in the area commercial. That's what I'm here for.

CHAIR ROYBAL: Okay. Thank you, Mr. Roybal. Are there any questions from Commissioners? Okay, and Mr. Roybal, you're okay with staff recommendations, correct?

MR. ROYBAL: Yes.

CHAIR ROYBAL: Okay, so I'm going to go, this is a public hearing so I'm going to go to the public. Is there anybody from the public that wishes to speak in support or not in support of this action that we're taking? Daniel, is there anybody that's reached out through chat to speak on this item?

MR. FRESQUEZ: Mr. Chair, nobody has reached out through chat.

CHAIR ROYBAL: Once again I want to ask if there's anybody from the public that would like to speak in support or opposition of this request. Okay, hearing none, I'm going to go ahead and close public comment. I'm going to make a motion for approval. This is in District 1 and I know the area so I'm making a motion for approval.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: A motion from Commissioner Roybal, a second from Commissioner Hansen.

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

9. 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**

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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. Real Property Interests for Solid Waste Convenience Center**
- 2. *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036**
- 3. Litigation and Discussion of Bargaining Strategy Preliminary to Collective Bargaining Negotiations Concerning COVID-19 Vaccine Policy**
- 4. In Re: National Prescription Opiate Litigation, US District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-md-2804**
- 5. In Re: *Mallinckrodt plc, et al.*, Case No. 20-12522 (JTD) (Bankr. D. Del.)**

CHAIR ROYBAL: Attorney Shaffer, can you give us a summary of what we're going into executive session for?

MR. SHAFFER: Mr. Chair, executive session would be for the discussion of bargaining strategy preliminary to collective bargaining negotiations between the Board of County Commissioners and the collective bargaining units as allowed by Section 10-15-1(H)(5); 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; 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 real property interests for solid waste convenience center, 2), the *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036; 3), litigation and discussion of bargaining strategy preliminary to collective bargaining negotiations concerning COVID-19 vaccine policy; 4), in re: national prescription opiate litigation, US District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-md-2804; and five, in re: *Mallinckrodt plc, et al.*, Case No. 20-12522.

Thank you, Mr. Chair, and that's what the motion should encompass.

CHAIR ROYBAL: Okay. Thank you, Attorney Shaffer. Commissioner Hamilton.

COMMISSIONER HAMILTON: I'd like to move that we go into executive session to discuss the items that Attorney Shaffer just mentioned.

COMMISSIONER HANSEN: Second.

CHAIR ROYBAL: Okay. So we have a motion from Commissioner Hamilton, a second from Commissioner Hansen. Can we have a roll call, Deputy Madam

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Clerk?

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

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

[The Commission met in executive session from 6:40 to 8:40.]

CHAIR ROYBAL: Okay, everybody, we're coming back out of executive session. Can I get a motion to come out of executive session?

COMMISSIONER HANSEN: Mr. Chair.

CHAIR ROYBAL: Yes, Commissioner Hansen.

COMMISSIONER HANSEN: Mr. Chair, I move that we come out of executive session and only the things that we discussed were on the agenda and nothing else.

CHAIR ROYBAL: Okay, so we have a motion from Commissioner Hansen. Do I hear a second?

COMMISSIONER GARCIA: Mr. Chair, I'll second that, and just to add, no action was taken.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen, a second from Commissioner Garcia.

The motion passed by unanimous [3-0] voice vote. [Commissioner Hughes and Commissioner Hamilton were not present for this action.]

9. B. **Regarding *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department, et al.*, Cause No. D-202-CV-2018-08036, Request Approval of (1) Approval of Mediation Settlement Agreement, Settlement Amount and Contingent Fee on Behalf of Santa Fe County and (2) Release of Claims for Santa Fe County**

CHAIR ROYBAL: I'm going to go to Commissioner Hansen.

COMMISSIONER HANSEN: Okay, I would like to move, regarding the *City of Albuquerque et al. v. New Mexico Taxation and Revenue Department* I want to move request approval of mediation settlement agreement, settlement amount and contingency fee on behalf of Santa Fe County, and release of claims for Santa Fe County.

COMMISSIONER HUGHES: Second.

CHAIR ROYBAL: So we have a motion from Commissioner Hansen and a second from Commissioner Hughes.

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

MR. SHAFFER: Thank you, Mr. Chair, and before we move off that item I would just note for the record that I did notice this evening that one attachment for that item, which was not was the Board was approving but provided background to it was a mediation settlement agreement. I did upload that to BoardDocs and the County Clerk will be making that part of the official records on the meeting as well. So I just wanted to note that for the record. Thank you.

CHAIR ROYBAL: Thank you, Attorney Shaffer.

COMMISSIONER HANSEN: Is there anything else we need to move?

CHAIR ROYBAL: I believe that was it. Is that correct?

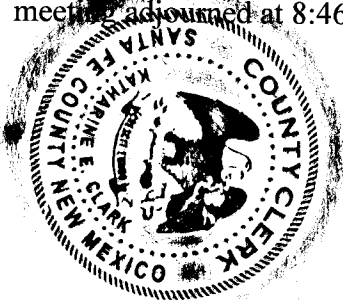
12. CONCLUDING BUSINESS

A. Announcements

COMMISSIONER HANSEN: Mr. Chair, I want to encourage everyone to get vaccinated as soon as possible for the safety and health of our community.

12. B. Adjournment

Upon motion by Commissioner Hamilton and second by Commissioner Hughes, and with no further business to come before this body, Chair Roybal declared this meeting adjourned at 8:46 p.m.



Approved by:

Anna Hamilton for
Henry Roybal, Chair
Board of County Commissioners

ATTEST TO:

Katharine E. Clark
KATHARINE E. CLARK
SANTA FE COUNTY CLERK

Respectfully submitted:

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

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2021 Redistricting
Precinct Population - All Precincts

EXHIBIT

tabbies

1

Precincts Sorted by Pct Number			Total County 2010 Population 154,823	Precincts Sorted by Population		
Precinct Number	Current Commission District	2020 Population		Precinct Number	Current Commission District	2020 Population
1	1	964		169	1	159
2	1	474		4	1	167
3	1	751		19	3	298
4	1	167		71	5	308
5	1	1,329		96	5	315
6	1	436		163	4	345
7	1	1,200		127	4	371
8	1	891		155	2	380
9	4	739		33	2	390
10	1	748		171	4	401
11	2	660		123	1	413
12	3	1,322		35	5	432
13	4	999		6	1	436
14	5	501		165	4	438
15	3	567		158	1	449
16	3	513		177	2	454
17	3	479		2	1	474
18	3	650		17	3	479
19	3	298		51	4	479
20	1	637		122	1	480
21	1	613		168	5	481
22	1	695		178	2	484
23	1	1,189		119	1	489
24	2	504		14	5	501
25	1	981		68	4	503
26	1	640		24	2	504
27	1	672		161	4	505
28	1	576		164	4	506
29	5	815		124	4	507
30	1	810		16	3	513
31	2	674		44	4	532
32	2	1,106		152	2	534
33	2	390		143	5	538
34	2	982		95	1	539
35	5	432		46	4	544
36	4	636		47	4	547
37	4	864		120	4	554
38	5	1,386		48	4	566
39	5	857		15	3	567
40	1	690		132	4	568
41	4	1,561		28	1	576

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2021 Redistricting
Precinct Population - All Precincts

Precincts Sorted by Pct Number			Total County 2010 Population 154,823	Precincts Sorted by Population		
Precinct Number	Current Commission District	2020 Population		Precinct Number	Current Commission District	2020 Population
42	4	881		162	4	577
43	4	710		65	5	584
44	4	532		131	1	586
45	4	614		91	1	589
46	4	544		21	1	613
47	4	547		142	5	613
48	4	566		45	4	614
49	5	983		121	1	617
50	5	1,195		172	1	618
51	4	479		159	2	619
52	4	997		156	3	625
53	4	714		36	4	636
54	4	1,031		129	4	636
55	4	995		20	1	637
56	5	1,172		26	1	640
57	4	1,155		173	5	642
58	1	2,135		144	5	646
59	1	1,660		18	3	650
60	1	662		69	5	651
61	1	1,275		87	1	656
62	3	1,134		11	2	660
63	4	661		63	4	661
64	2	1,679		60	1	662
65	5	584		167	5	667
66	2	1,049		27	1	672
67	2	1,399		31	2	674
68	4	503		83	1	674
69	5	651		90	2	685
70	5	951		94	4	689
71	5	308		40	1	690
72	3	841		110	5	691
73	3	1,065		146	2	692
74	5	1,508		22	1	695
75	3	1,170		43	4	710
76	5	1,247		53	4	714
77	4	877		140	2	716
78	5	835		130	1	720
79	1	1,673		82	2	737
80	2	1,933		9	4	739
81	4	1,083		100	4	742
82	2	737		10	1	748

2021 Redistricting
Precinct Population - All Precincts

Precincts Sorted by Pct Number			Total County 2010 Population 154,823	Precincts Sorted by Population		
Precinct Number	Current Commission District	2020 Population		Precinct Number	Current Commission District	2020 Population
83	1	674		97	2	748
84	3	1,151		3	1	751
85	3	1,325		139	5	752
86	3	930		111	5	763
87	1	656		166	5	765
88	5	975		98	2	772
89	3	1,323		149	3	793
90	2	685		117	4	798
91	1	589		133	5	808
92	2	1,326		30	1	810
93	3	1,300		175	5	811
94	4	689		107	5	814
95	1	539		29	5	815
96	5	315		134	5	818
97	2	748		109	2	827
98	2	772		114	3	832
99	5	845		78	5	835
100	4	742		72	3	841
101	4	998		99	5	845
102	4	912		39	5	857
103	4	999		37	4	864
104	4	956		77	4	877
105	5	1,076		42	4	881
106	2	1,337		8	1	891
107	5	814		160	2	896
108	2	1,173		128	1	898
109	2	827		137	2	905
110	5	691		179	2	906
111	5	763		115	3	909
112	5	1,137		102	4	912
113	5	958		86	3	930
114	3	832		157	3	930
115	3	909		70	5	951
116	3	2,299		153	2	952
117	4	798		136	2	953
118	1	1,136		104	4	956
119	1	489		113	5	958
120	4	554		150	5	961
121	1	617		1	1	964
122	1	480		88	5	975
123	1	413		25	1	981

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2021 Redistricting **Precinct Population - All Precincts**

Precincts Sorted by Pct Number			Total County 2010 Population 154,823	Precincts Sorted by Population		
Precinct Number	Current Commission District	2020 Population		Precinct Number	Current Commission District	2020 Population
124	4	507		34	2	982
125	3	1,135		49	5	983
126	5	2,237		147	1	985
127	4	371		55	4	995
128	1	898		52	4	997
129	4	636		101	4	998
130	1	720		13	4	999
131	1	586		103	4	999
132	4	568		54	4	1,031
133	5	808		66	2	1,049
134	5	818		73	3	1,065
135	2	1,653		176	3	1,070
136	2	953		105	5	1,076
137	2	905		81	4	1,083
138	2	1,242		141	3	1,102
139	5	752		32	2	1,106
140	2	716		62	3	1,134
141	3	1,102		125	3	1,135
142	5	613		118	1	1,136
143	5	538		112	5	1,137
144	5	646		84	3	1,151
145	2	1,647		57	4	1,155
146	2	692		75	3	1,170
147	1	985		56	5	1,172
148	3	1,192		108	2	1,173
149	3	793		23	1	1,189
150	5	961		148	3	1,192
151	3	1,693		50	5	1,195
152	2	534		7	1	1,200
153	2	952		170	3	1,201
154	3	1,325		138	2	1,242
155	2	380		76	5	1,247
156	3	625		61	1	1,275
157	3	930		93	3	1,300
158	1	449		12	3	1,322
159	2	619		89	3	1,323
160	2	896		85	3	1,325
161	4	505		154	3	1,325
162	4	577		92	2	1,326
163	4	345		5	1	1,329
164	4	506		106	2	1,337

**2021 Redistricting
Precinct Population - All Precincts**

Precincts Sorted by Pct Number			Total County 2010 Population 154,823	Precincts Sorted by Population		
Precinct Number	Current Commission District	2020 Population		Precinct Number	Current Commission District	2020 Population
165	4	438		38	5	1,386
166	5	765		67	2	1,399
167	5	667		74	5	1,508
168	5	481		41	4	1,561
169	1	159		145	2	1,647
170	3	1,201		135	2	1,653
171	4	401		59	1	1,660
172	1	618		79	1	1,673
173	5	642		64	2	1,679
174	2	1,831		151	3	1,693
175	5	811		174	2	1,831
176	3	1,070		80	2	1,933
177	2	454		58	1	2,135
178	2	484		126	5	2,237
179	2	906		116	3	2,299

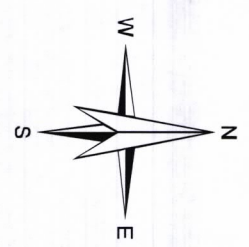
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Legend

Current Commission Districts
Deviation from Ideal Population

- 1790 Below Ideal
- 1774 Below Ideal
- 774 Above Ideal
- 912 Above Ideal
- 1881 Above Ideal
- 2022 Precinct Boundaries

- Roads
- Railroads
- Incorporated Areas

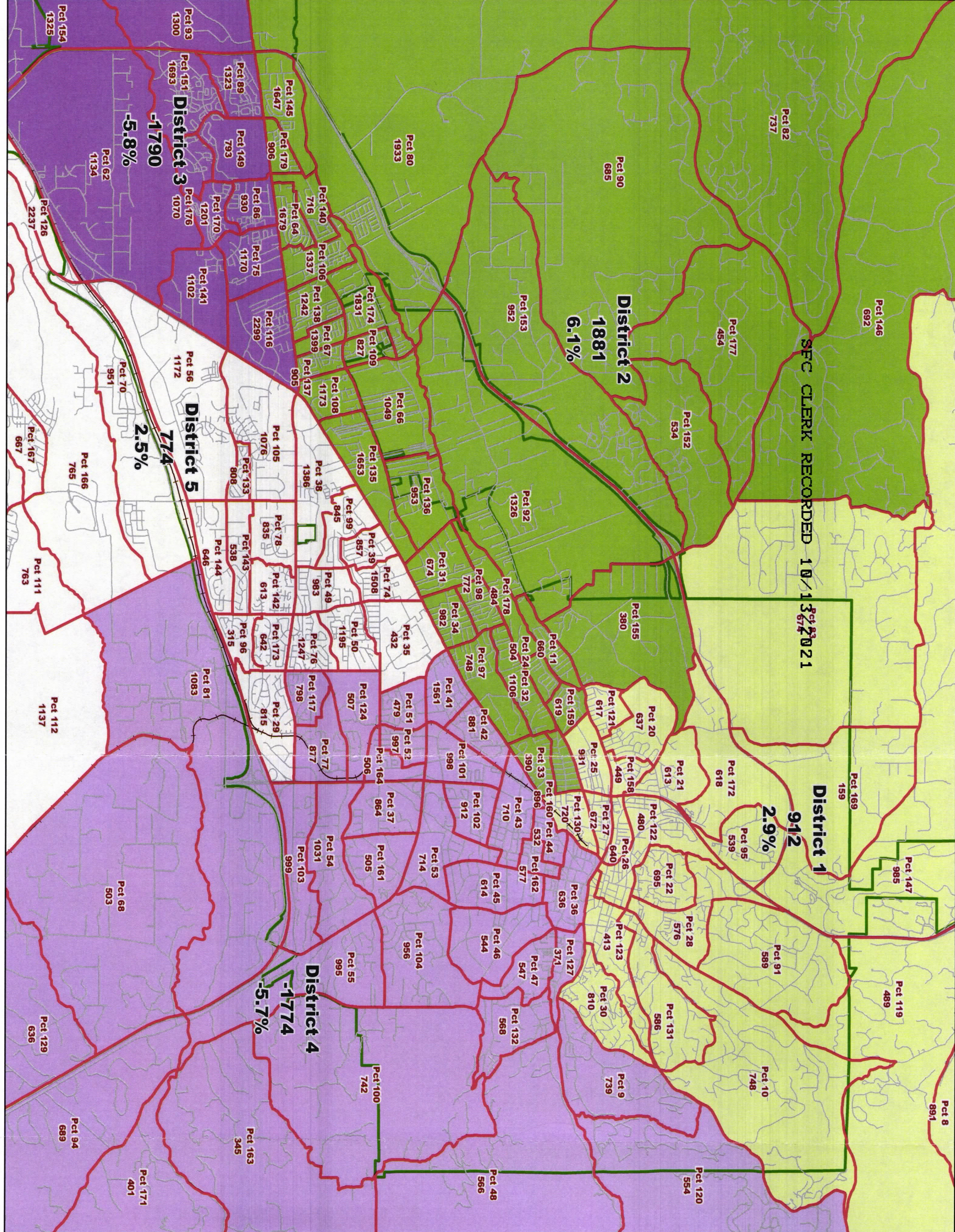


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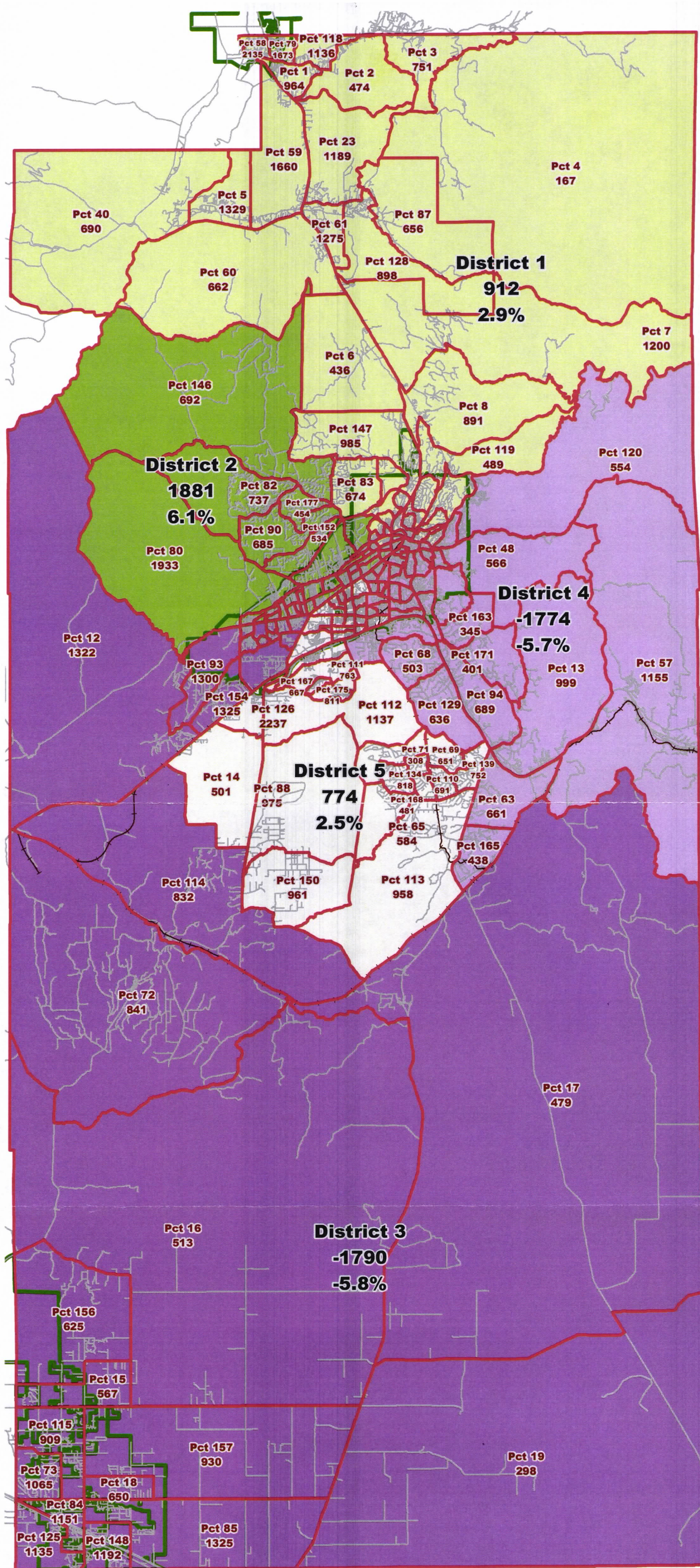


SANTA FE COUNTY
September 10, 2021



Santa Fe County 2021 Redistricting

Deviation Map
Full County



Legend

Current Commission Districts

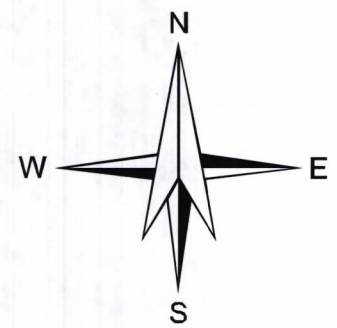
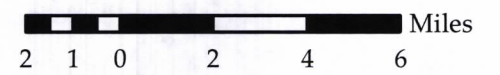
Deviation from Ideal Population

- 1790 Below Ideal
- 1774 Below Ideal
- 774 Above Ideal
- 912 Above Ideal
- 1881 Above Ideal
- 2022 Precinct Boundaries

- Roads
- Railroads
- Incorporated Areas

1:260,000

1 inch approximately 4 miles

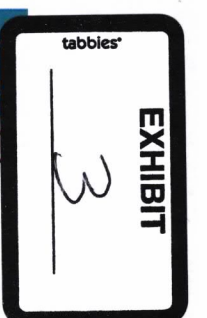


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September 9, 2021



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