



Tuesday, October 29, 2024
Regular BCC Meeting (Agenda 10-22-2024 - 6:25 PM)

Board of County Commissioners of Santa Fe County
Hybrid In-Person and Virtual Meeting
Santa Fe County John Gaw Meem Historic Building
BCC Chambers, 2nd Floor
102 Grant Avenue
Santa Fe NM 87501

The Board of County Commissioners of Santa Fe County strives to make its meetings accessible to the public through alternatives to in-person attendance, such as virtual meeting platforms and webcasting. Those alternatives, however, are not guaranteed, due to internet and other service disruptions and equipment failures, and duly noticed meetings may be held notwithstanding that those alternatives are unexpectedly unavailable. Accordingly, members of the public assume the risk that they may be unable to watch and listen and/or participate in BCC meetings through such alternatives.

Subject to the above disclaimer, the County intends to allow members of the public to listen and participate in this meeting virtually via Webex and to watch via YouTube and Facebook. For instructions on joining the meeting via Webex or watching via YouTube and Facebook, visit www.santafecountynm.gov/joinmeeting.

1. Opening Business

- A. Call to Order - 2:00 p.m.
- B. Roll Call.
- C. Pledge of Allegiance. (Chair Hank Hughes)
- D. State Pledge. (Chair Hank Hughes)
- E. O'ga P'ogeh Owingeh Land Acknowledgement. (Chair Hank Hughes)
- F. Moment of Reflection. (County Manager's Office/Brittney Montoya)
- G. Approval of Agenda. (Action Item)
- H. Years of Service, Retirements, and New Hire Recognitions. (County Manager's Office/Gregory S. Shaffer)
- I. Recognition of Employees for Awards, Accreditations, Recognitions, and Other Accomplishments. (County Manager's Office/Gregory S. Shaffer)
- J. Employee of the Quarter, 3rd Quarter 2024 Award. (County Manager's Office/Gregory S. Shaffer)

2. Approval of Meeting Minutes (Action Item)

- A. Request Approval of the September 13, 2024, Board of County Commissioners Special Meeting Minutes.
- B. Request Approval of the September 24, 2024, Board of County Commissioners Meeting Minutes.

3. Consideration of Commissioner Proclamations, Resolutions, Recognitions, and/or Other Items (Action Items)

A. Presentation of Certificates of Appreciation to the Winning Teams of the 2024 Neighbor to Neighbor Fund Drive. (Commissioner Justin S. Greene)

4. Consent Agenda (Action Items)

A. Request (1) Approval to Enter into an Agreement with Axon Enterprise for a Five-Year Term to Purchase Taser 10 for a Total Amount of \$399,031.32, Inclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Negotiate and Execute the Axon Master Service Agreement and Sign the Purchase Order(s). (Purchasing Division/Bill Taylor and County Sheriff's Office/Ken Johnson)

B. Request (1) Approval of Amendment No. 2 to Agreement No. 2022-0287-CORR/KE with Mira Consulting, Inc. to Provide Dental Services at the Adult Detention Facility, Extending the Term of the Agreement to November 16, 2025, and Increasing the Compensation by \$180,000 for a Total Contract Sum of \$498,000, Exclusive of NM GRT, and (2) Delegation of Authority to the County Manager to Sign the Purchase Order(s). (Purchasing Division/ Bill Taylor and Public Safety Department/Derek J. Williams)

C. Resolution No. 2024-____, A Resolution Requesting a Budget Increase to the Fire Operations Fund (244) in the Amount of \$35,161 for the Falling Colors Grant. (Finance Division/Yvonne S. Herrera and Public Safety Department/Jacob Black)

D. Resolution No. 2024-____, A Resolution Requesting a Net Budget Increase to the Fire Protection Fund (209) in the Amount of \$19,025 for Various Fire Districts. (Finance Division/Yvonne S. Herrera and Public Safety Department/Jacob Black)

E. Resolution No. 2024-____, A Resolution Requesting a Budget Increase to the General Fund (101) and the State Special Appropriations Fund (318) in the Total Amount of \$212,000 for Grants Received from the State of New Mexico. ((Finance Division/Yvonne S. Herrera and Community Services Department/Anne Ryan)

F. Resolution No. 2024-____, A Resolution Requesting a Budget Increase in Capital Outlay Gross Receipts Tax Fund (313) in the Amount of \$3,208,131. (Finance Division/Yvonne S. Herrera)

5. Appointments and Reappointments (Action Items)

A. Request Reappointment of Member to the Transportation Advisory Committee (TAC). (Growth Management Department/Brett Clavio)

6. Miscellaneous Action Items

A. Request (1) Approval to Utilize the Design-Build Project Delivery Method with Facility Build Inc. for Design and Construction Services at the Bennie J. Community Center in the Amount of \$962,695, Exclusive of NM GRT and Contingency, and (2) Delegation of Authority to the County Manager to Negotiate and Execute the Contract and Sign the Purchase Order(s). (Public Works Department/Ira Roybal and Finance Division/Bill Taylor)

B. Resolution No. 2024 - _____, A Resolution Amending Resolution No. 2024-023 to Authorize Santa Fe County (County) to Amend County Agreement No. 2024-0218 (CWSRF EC 138) or Otherwise Enter into a Grant Agreement with the New Mexico Environmental Department Under the Same Terms and Conditions as County Agreement No. 2024-0218 (CWSRF EC 138) for the Purpose of Obtaining Project Subsidy Grant Funds in an Amount Up to \$1,500,000 and to Designate the County Manager as the Authorized Officer. (Public Works Department/Travis Soderquist)

C. Resolution No. 2024-____, A Resolution to Amend Resolution No. 2015-155 by Updating Map 10-1 of the Sustainable Growth Management Plan, 'Existing Transportation System,' with the 2024 Functional Classification of Roadways System Map. (Growth Management Department/Brett Clavio)

D. Request Authorization to Publish Title and General Summary of Ordinance No. 2024-____, An Ordinance Approving the 2024 Economic Development Plan; Updating the Local Economic Development Act (LEDA). (Community Development Department/Paul Olafson and Juan Torres)

E. Request Approval of Developer Assistance Program Loan Funding Awards for the 2024 Funding Cycle. (Community Development Department/Paul Olafson)

7. Presentations

A. Presentation Concerning Proposed Records Retention Schedule Tailored to the Records of Santa Fe County. (County Attorney's Office/Naomi Solomon)

B. Presentation Concerning Special Purpose Entities to be Created to Implement Nueva Acequia 4% and 9% Low-Income Housing Tax Credit (LIHTC) Projects. (Community Development Department/Paul Olafson)

8. Matters of Public Concern - To Be Heard at 3:45 p.m. (Subject to Three (3) Minutes or Other Time Limit Imposed by the Chair; Pre-Register at www.santafecountynm.gov/comment)

9. Matters from the County Manager

A. Miscellaneous Updates.

10. Matters from the County Commissioners and Other Elected Officials (Action/Non-Action Items)

A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)

B. Other Elected Officials Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions, and Requests for Updates or Future Presentations. (Non-Action Items)

11. Matters from the County Attorney

A. Statement for Inclusion in Meeting Minutes Concerning October 8, 2024 Executive Session. (Action Item)

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

12. Public Hearing on Proposed Ordinance - To Be Heard No Earlier than 5:00 P.M.

A. Ordinance No. 2024-____, An Ordinance Authorizing the Issuance and Sale of Santa Fe County, New Mexico Multifamily Housing Revenue Obligations (Cresta Ranch Apartments Project), In One or More Series of Tax-Exempt and/or Taxable Obligations, In an Aggregate Amount Not To Exceed \$60,000,000 (The "Obligations") for the Purpose of Financing the Acquisition, Construction and Equipping of a 240-Unit Multifamily Affordable Housing Complex to Be Known As Cresta Ranch Apartments, To Be Located in Santa Fe County, New Mexico (The "County"), and, as Applicable, Paying Certain Costs Of Issuance of the Obligations And Funding Capitalized Interest on the Obligations During Construction; Providing for the Payment of the Obligations From Revenues Received Pursuant To an Indenture of Trust, Loan Agreement, and Other Transaction Documents Between the County And Cresta Ranch Apartments LLP and/or An Affiliate Thereof, or Their Respective Successor In Interest; Providing For the Form, Execution, Delivery and Other Details Concerning the Obligations, the Funds Appertaining Thereto, the Indenture of Trust, Loan Agreement, Lease Agreement, and Related Regulatory Agreement and Other Documents Relating To the Obligations; and Providing That the County Shall Not Be Pledging Its Faith and Credit To the Payment of the Obligations; Approving and Ratifying Action Previously Taken In Connection Therewith. (Community Development Department/Paul Olafson)

13. **Public Hearings on Administrative Adjudicatory Matters - To Be Heard No Earlier than 5:00 P.M.

A. Case #24-5180 Refinery 14 Beer and Wine Liquor License. Refinery 14, Applicant, Requests Approval of a Beer and Wine Liquor License. The Property is Located at 2849 NM 14 and is Zoned Traditional Community (TC) Within the Madrid Community District Overlay and Also Within the Rural Commercial Overlay (MCD O-RC), Within Section 25, Township 14 North, Range 7 East, (Commission District 3). (Growth Management Department/Maggie C. Valdez, Case Manager)

B. Case #21-5142 Esencia Holdings LLC, Applicant, JenkinsGavin, Inc., Agent, Request Approval of Amendment to Final Order of the Esencia Conceptual Plan for a 710-Lot Residential Subdivision Consisting of 277 Acres More or Less. The Property is Located at the End of Camino Vista Grande and at the End of Vista Del Monte (South of the Intersection of Avenida del Sur and A Van Nu Po) Within the Community College District, Within Section 30,

Township 16 North, Range 9 East (Commission District 5). (Growth Management Department/Kenneth Quintana, Case Manager)

14. Informational Items / Reports

- A. Community Development Department September 2024 Monthly Report.
- B. Community Services Department September 2024 Monthly Report.
- C. Finance Division August 2024 Monthly Report.
- D. Growth Management Department September 2024 Monthly Report.
- E. Public Safety Department September 2024 Monthly Report.
- F. Human Resources and Risk Management Division September 2024 Monthly Report.
- G. Public Works Department September 2024 Monthly Report.
- H. Quarterly Report on Restricted Housing at County Correctional Facilities Pursuant to Laws 2019, Chapter 194 (HB 364).

15. Concluding Business

- A. Announcements.
- B. Adjournment. (Action Items)

16. Public Meeting Disclosures

A. Santa Fe County makes every practical effort to assure that auxiliary aids or services are available for meetings and programs. Individuals who would like to request auxiliary aids or services should contact Santa Fe County Manager's Office at (505) 986-6200 in advance to discuss specific needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).

B. * During the course of an open meeting, the Board of County Commissioners (BCC) may go into Executive Session at any time to discuss any item on the agenda that falls within the enumerated exceptions to the open meetings requirement of the Open Meetings Act, upon a motion stating the authority and reason for closure (with reasonable specificity) and approval by a majority vote of a BCC quorum. NMSA 1978, §10-15-1(I). While the BCC has a practice of listing on its agendas for its open meetings specific items to be discussed during for Executive Session, the Open Meeting Act does not require executive sessions be listed on the agenda at all or that executive sessions be listed on the agenda multiple times for multiple executive sessions to occur (so long as the subject to be discussed in executive session is on the agenda). If a closed meeting is called when the BCC is not in an open meeting, the BCC will provide public notice stating the specific provision of the law authorizing the closed meeting and stating with reasonable specificity the subject to be discussed.

C. **These are administrative adjudicatory proceedings. Among other things, this means that Commissioners generally may not discuss a case with the applicant or other members of the public outside of the public hearing on the case. In addition, before taking final action, the Board of County Commissioners may choose to deliberate on an administrative adjudicatory proceeding in closed or executive session, as permitted by Section 10-15-1(H)(3) NMSA 1978. Finally, the Board may not announce its decision on a land use case at the conclusion of the public hearing tonight.