

SANTA FE COUNTY
BOARD OF COUNTY COMMISSIONERS
REGULAR MEETING
October 29, 2024

Hank Hughes, Chair - District 5
Camilla Bustamante, Vice Chair - District 3
Justin Greene - District 1
Anna T. Hamilton - District 4
Anna Hansen - District 2

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1. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:00 p.m. by Chair Hank Hughes in the County Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico.

B. Roll Call

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

Members Present:

Commissioner Hank Hughes, Chair
Commissioner Camilla Bustamante, Vice Chair
Commissioner Justin Greene
Commissioner Anna Hamilton
Commissioner Anna Hansen

Members Excused:

None

C. Pledge of Allegiance

D. State Pledge

E. O'ga P'ogeh Owingeh Land Acknowledgement

F. Moment of Reflection

The Pledge of Allegiance and the State Pledge were led by Chair Hughes. He acknowledged that this building and Santa Fe County as being in the original homeland of the Tewa people also known as O'ga P'ogeh Owingeh, "White Shell Watering Place." The Moment of Reflection was led by Brittney Montoya of the County Manager's Office.

Commissioner Hughes asked for a moment of silence for Victor Hedron, father of County employee Maxx Hedron. Commissioner Hansen requested a moment of silence for the passing of Monique Maes of the Buckman Direct Diversion staff.

SFC CLERK RECORDED 11/27/2024

G. Approval of Agenda

CHAIR HUGHES: Manager Shaffer, are there any changes to the agenda?

GREG SHAFFER (County Manager): Mr. Chair and Commissioners, there are no recommended changes to the agenda as presented. I would just note that the initial agenda was posted for today's meeting last Tuesday, October 22nd, and the amended agenda was posted on Friday, October 25th in excess of 72 hours as required by the Open Meetings Act. Thank you.

CHAIR HUGHES: Okay.

COMMISSIONER HAMILTON: Mr. Chair, move to approve the agenda.

CHAIR HUGHES: Is there a second?

COMMISSIONER BUSTAMANTE: Second.

CHAIR HUGHES: Commissioner Hansen moved and Commissioner Bustamante seconded.

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

H. Years of Service, Retirements, and New Hire Recognitions

CHAIR HUGHES: Manager Shaffer.

MANAGER SHAFFER: Thank you, Mr. Chair and Commissioners. I wanted to acknowledge several County employees who are celebrating significant milestones with the County. The following two individuals are celebrating their fifth year anniversary with Santa Fe County: Christopher Sandoval in our Housing Division and Joshua Ribeiro in the Adult Detention Facility. We have four team members who are celebrating 15 years with us: Demetrio Padilla in the Adult Detention Facility, Paul Portillo in the Public Works Solid Waste Division, Ramon Vilorio in the Fire Department and Lisa Chavez in the RECC Department. I want to acknowledge their continuous years of service to the County.

We also want to recognize that Eugene W. Brommer is retiring from the Santa Fe County Fire Department on October 31st after 18 years of service to the County and wish him all the best in his new endeavors.

On the other end of the spectrum we had 30 new hires join Santa Fe County in the month of September. In the Community Development Department, Leila Shadabi joined the team as an economic development specialist. In our Community Services Department, Johnathon Mason was hired as a driver/cook's assistant, and Erin Rakestraw joined the team as a secretary.

In the County Manager's Office we had four new hires: Kyle Elliott joined the Office of Emergency Management as an emergency communication outreach and volunteer coordinator, Nina Fresquez joined our Finance Division as a procurement specialist senior, Joshua Hernandez joined the IT team as a desktop support specialist I, and Russell Hunter joined IT as an IT generalist.

In the Growth Management Department, Bianca Mata Mata joined their team as an administrative assistant. In Public Works, Jovan Perez joined the team as a

maintenance technician. We have five new Sheriff's deputies, four deputies and one cadet: Violeta Baca, Kyle Blakely, Brenda Molloy, all started with the Sheriff's Department as Sheriff Deputy IIIs, Cesar Lopez as a Sheriff Deputy I, and Erick Ortega Leyva started as a Sheriff deputy cadet.

We have a bumper crop of firefighter cadets, 16 in total, Frederico Adame Garcia, Pablo Armijo-Arellano, Natalie Arritt, Isaac Chavez, Cody Danner, Fabian Dominguez, Fabian Duran, Alazae Griego, Leslie Lujan, Dallas Marable, Desarae Martinez, Noah Pena, Ricardo Pena, Lanz Sanchez, Santiago Sandoval, and Anthony Scott.

So again, welcome all of those new hires to the County. Thank you.

CHAIR HUGHES: Thank you. Commissioner Hansen.

COMMISSIONER HANSEN: I know this is a little out of order but since it's my last year I just want to recognize that on this date, six years ago I hired Sara Smith, became my liaison, and it is her anniversary and she has been an incredible asset to me the entire time I have been a Commissioner, and she has been an incredible asset to the County Manager's Office, so thank you, Sara.

CHAIR HUGHES: Six years of service. We're clapping for all of them, actually.

I. Recognition of Employees for Awards, Accreditations, Recognitions, and Other Accomplishments

MANAGER SHAFFER: Thank you, Mr. Chair and Commissioners. I want to recognize that battalion chief Ramon Vilorio was awarded the fire officer of the year award at the New Mexico Fire and EMS Expo. This award recognizes BC Vilorio's leadership, courage, and unwavering dedication to the Fire Department and County residents and visitors. In 2023 and 2024 he successfully led responses to major incidents, including a plane crash, numerous rescues and wildfires. His decisive actions aided in reducing the loss of life and prevented further damage. His commitment to mentoring future leaders and extensive experience in firefighting and emergency medical services has made him a cornerstone of the Santa Fe County Fire Department. So again, I want to recognize BC Vilorio on this prestigious award.

In our Human Resources and Risk Management Division we had five employees obtain significant OSHA certifications that will enable them to better serve our workforce and keeping them safe. Three employees earned certification in OSHA 511, which is standards for general industry. They are Isaiah Vigil, Eric Martinez and John Baker. In addition, two additional employees earned OSHA certifications as specialists in safety and health with an emphasis on risk management. They are Eppie Tapia, the risk management supervisor, the deputy director for HR and Risk Management, Melinda Jagles-Moquino. So I want to recognize them.

And so finally, Valerie Park, our HR director, who has been keeping the annual Commit to be Fit Challenge under tight wraps would like to put forth the winners of this annual competition, which, while it's all fun and games does, I think, exemplify some things that we aspire to as a team at the County. They include continuous improvement, teamwork and team support, but also trying to take a step back and find the fun in the work that we do on behalf of our constituents. So go ahead, Valerie.

VALERIE PARK (HR Director): Thank you, Chair and committee members. We had a total of 11 different groups that all joined together and I'd like to invite the teams. I've invited them here today to celebrate the winners. We had the Fit Misfits from Fire. We had Cobra Kai from the Treasurer's Office. We had the Squat Squad. We had the War Pigs. We had the L-3 from the County Manager's Muscle Makers. We had the Nacho Lazy Liaisons. We had the Beancounter Alchemists. We had the Legal Bunch. We had the Four Z-A from Corrections. We had Commission Impossible four, and we had the Muscle Munchkins also from the Treasurer's Office.

So we are going to announce the top winners. This was secretly, highly guarded. I had to lock this in my office. So drum roll please. Cobra Kai is our winner. Now, we have a very unique situation. We have a tie for second place. So our second place winners go to L-3 and Fire Misfits who can't bother to come. Okay. Never mind. And our third place winner are our Muscle Munchkins from the Treasurer's Office.

So thank you all. The million step challenge is about to wrap up as well so we will have more fun and things to announce to you shortly in terms of our dedication to employee wellness and engagement in our workplace. Thank you so much.

COMMISSIONER HANSEN: So Valerie, Mr. Chair, weren't we on the list, the Commission Impossible?

MS. PARK: Sorry. You came in sixth.

COMMISSIONER HANSEN: Okay. At least we came in in a decent place.

MS. PARK: You did. This was sometimes – some of these weeks were really, really tight. Some weeks were not. But, yes, you came in sixth. I'm sorry, but yay, good job.

CHAIR HUGHES: Thank you.

MS. PARK: Prizes will be passed out.

J. Employee of the Quarter, 3rd Quarter 2024 Award

MANAGER SHAFFER: Thank you, Mr. Chair and Commissioners. We have three nominees from the Public Works group, one from the elected office group, and one from the Public Safety group. So as we acknowledge those who were put forth by their respective groups, I would just ask them to come forward and sit in the front and Sara will provide them with a copy of their certificate.

First we have Justin Martinez, a utilities operations foreman with Public Works. Justin has consistently shown a positive, can-do attitude and exceptional initiative in all he does. He goes above and beyond to ensure team members are well-informed and equipped, with a strong focus on safety and thoroughness. When a newer staff member struggled with a task while on-call, Justin traveled from north of Santa Fe to the project site south of town on a weekend to ensure the work met his high standards. His dedication has set a positive example, boosted team morale, and demonstrated his commitment to teamwork and problem-solving. So congratulations, Justin.

Also from the Public Works group, Erik Stratton, who is a department administrator. Erik consistently provides exemplary customer service in every interaction, always welcoming questions and work-related discussions from his

coworkers. His positive personality brightens everyone's day, making him a pleasure to be around. Erik goes above and beyond to ensure each customer has a comprehensive understanding of the information provided, taking the time to deliver clear and thorough answers. His dedication to customer satisfaction and supportive approach to his team make him an invaluable asset to our organization. So congratulations, Erik.

Also from the Public Works Group is administrative assistant Beverly Perez. Beverly has exceptional performance in managing key logistical tasks within the department. Her ability to navigate complex processes, train staff on important procedures, and adapt to sudden changes has been essential. Even when unexpected challenges arose, Beverly maintained a calm and professional approach, ensuring everything ran smoothly. Her commitment to excellence and effective coordination with teams across various departments has greatly contributed to the success of operations.

From the elected office group we wanted to recognize Daniel King, the chief mass appraiser. Daniel plays a vital role in accurately assessing property values across the county. His expertise in residential, vacant, and commercial markets, along with his commitment to mentorship and training, make him an undeniable leader in the office. Beyond his core duties, Daniel is dedicated to achieving office goals, volunteering for additional projects and training sessions, and consistently going above and beyond to meet deadlines. His innovative solutions have improved workflows and communication, enhancing overall efficiency and productivity. Daniel's expertise, mentorship, and commitment to excellence embody the values of Santa Fe County. So congratulations, Daniel.

Finally, from the Public Safety Group, Battalion Chief Salvatore Caputo. Battalion Chief Caputo is a dedicated leader who has played a pivotal role in enhancing training for incoming volunteers, introducing a course that provides essential practical experience in fire service operations. This initiative has not only expedited the preparation process for new recruits but also improved resource availability during critical situations. He is also known for his unwavering support and encouragement; he fosters both personal growth and professional development within the team. His commitment and leadership continue to leave a lasting impression on the department. So again, let's recognize with a round of applause all of the Employee of the Quarter nominees from the various groups.

So the Countywide Employee of the Quarter Award goes to Battalion Chief Caputo, who I believe is participating in the meeting virtually as he is in a conference in Albuquerque. So BC Caputo, is there anything you'd like to say to the Board?

[Due to poor audio quality BC Caputo's remarks were inaudible.]

MANAGER SHAFFER: You're welcome.

CHAIR HUGHES: All right. Congratulations to everyone. Thanks for the good job.

Approval of Meeting Minutes

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

CHAIR HUGHES: What's the pleasure of the Board?

COMMISSIONER HANSEN: Move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Moved by Commissioner Hansen, seconded by Commissioner Hamilton.

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

B. Request Approval of the September 24, 2024, Board of County Commissioners Meeting Minutes

COMMISSIONER HANSEN: I move to approve.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay. Moved by Commissioner Hansen, seconded by Neighbor to Neighbor Fund Drive.

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

3. Consideration Proclamations, Resolutions, and/or Recognitions

A. Presentation of Certificates of Appreciation to the Winning Teams of the 2024 Neighbor to Neighbor Fund Drive

CHAIR HUGHES: Go ahead, Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. So this body frequently recognizes the Food Depot for all their great work in Santa Fe County and beyond in our neighboring communities. But today we're going to take a moment to recognize one of their efforts that they do to get really granular and to organize the Neighbor to Neighbor Fund Drive, which pits our neighbors against each other in a competitive or a friendly competitive fashion to raise money for the Food Depot and for their efforts.

This year they raised a record \$482,000 between all of the communities around Santa Fe County and I don't know if that includes communities outside of Santa Fe County so I don't want to take credit for things that actually might be in other communities but I know that the Neighbor to Neighbor Fund Drive raised over \$482,000. The Food Depot does great work and for every dollar raised it generates four meals for families in need in Santa Fe and in the nine communities, counties that they serve.

I sought to recognize and create certificates of appreciation for the individual neighborhoods to recognize their good work in this and we have certificates for each of these, so just to recognize each of them individually. We have the Brownell Holland, the BH Road neighborhood, the Las Lomas neighborhood, the Sierra del Norte neighborhood, Monte Sereno, Nava Ade, and Tesuque. I'm pretty proud to say that a bunch of those are in my district, so thank you very much for my District 1 members collaborating on this.

In the senior living community, El Castillo, La Sequoia community raised the most for senior living communities. In the communities group, the Bookies Book Club raised the most, and I know that the pickleballers were a good runner-up. And in the

downtown business here, a very small boutique, just a couple blocks from here, TOKO Santa Fe raised the most for business.

In the individual donations, Chair Hughes' home neighborhood came in first for that, and in the neighbor to neighbor community champion award, citing them again because they were the new up and comer, new contributor to this, was the Santa Fe Pickleball Court.

I respectfully request that the Board make a motion that we recognize the winners of the 2024 Neighbor to Neighbor Fund Drive and present the attached certificates for their appreciation. We also have two members of the Food Depot's team over here, Amanda Bregel and Sergio Mata, who are here that might want to say something in recognition as well and if the Chair would recognize them when it's time, and Commissioner Hansen, might have something too as well.

CHAIR HUGHES: Go ahead, Commissioner Hansen.

COMMISSIONER HANSEN: So I'll second his motion – I assume that was a motion.

COMMISSIONER GREENE: Sure.

COMMISSIONER HANSEN: So I wanted to give you a little history because when Commissioner Hamilton and I joined the Board it was the first year, in 2017 that we recognized the Food Depot and the County joined. So I'm just giving you a little history so that you would know that it was Commissioner Moreno, Commissioner Hamilton, myself, Commissioner Roybal and Commissioner Anaya. And it was passed unanimously. From then until now we've been recognizing the Neighbor to Neighbor Fund Drive and I think it's a really important community event. And I'm happy to see that it will be carried on going forward.

COMMISSIONER GREENE: I am happy to carry it on in my tenure.

CHAIR HUGHES: Okay. We have a motion and a second, but do we have any comments from the representatives of the Food Depot?

AMANDA BREGEL: Thank you, Commissioners. We're always so grateful for your support of the Food Depot and for your involvement in our work and are always invited to our warehouse to see all the new things we're up to. And then I also wanted to make sure that you met one of our newest employees at the Depot. Sergio will introduce himself because he hopefully will be working a lot with you all.

SERGIO MATA: Mr. Chair, members of the Commission, thank you, Amanda. I'm happy to just join the Food Depot as the government relations manager. It's a new position that the Food Depot has created in order to come before bodies like this one and continue to keep advocating for those communities that are experiencing hunger in our county and throughout northern New Mexico. So I'm excited to be working with you all and I hope we can accomplish a lot of great things in the years to come.

MS. BREGEL: Can we give you all our newest annual report?

COMMISSIONER HAMILTON: Lovely.

COMMISSIONER GREENE: So while they're handing that out, the Food Depot does pretty amazing work as you all know and they have a pretty solid team and an open door policy so as they mentioned, any time you have a question about how they can help a community in your district, feel free to reach out to Sergio or to Amanda or to Jill Dixon, who is their new executive director who took over for one of our community

favorites, Sherry Hooper, who retired earlier this year.

CHAIR HUGHES: Okay. Well, I think we have a motion from Commissioner Greene, seconded by Commissioner Hansen to recognize the winners of the fund drive and present the attached certificates.

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

4. Consent Agenda

- 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. 2024-134, 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. 2024-135, 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. 2024-136, 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. 2024-137, 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)**

CHAIR HUGHES: Would anyone like to remove any items on the Consent Agenda for discussion?

COMMISSIONER HANSEN: Mr. Chair, I move to approve the Consent Agenda as presented.

COMMISSIONER BUSTAMANTE: Second.

CHAIR HUGHES: Motion by Commissioner Hansen, seconded by Commissioner Bustamante.

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

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

5. Appointments/Reappointments

A. Request Reappointment of Member to the Transportation Advisory Committee (TAC)

CHAIR HUGHES: Go ahead, Mr. Clavio.

BRETT CLAVIO (Planning Manager): Thank you, Mr. Chair, ladies and gentlemen of the Board, ladies and gentlemen. This item is to request reappointment of the District 1 member to the Transportation Advisory Committee. So the Growth Management Department staff requests consideration of the reappointment of Ms. Christina Chavarria to the Transportation Advisory Committee serving District 1. Ms. Chavarria was initially appointed in 2019; her second term expired in September of 2024. Ms. Chavarria has expressed an interest in continuing to serve as a member of the TAC. The reappointment of Ms. Chavarria would allow her to continue serving on the TAC, including at the committee's next regularly scheduled meeting on November 20, 2024.

The purpose of the TAC is to review and make recommendations to this Board on all elements of transportation, including roadways, trails, bikeways, transit, and pedestrian facilities. The TAC also makes recommendations on safety studies, road operations, and maintenance policies, including the road acceptance and abandonment process. Ms. Chavarria has represented District 1 on the TAC since 2019. This reappointment would be for her third, three-year term. She also serves on the Transportation Safety Subcommittee and ad hoc Working Groups. Ms. Chavarria is actually serving as the vice chair of the TAC right now and has a very good attendance rate and actively participates on this committee. Staff recommends reappointing Ms. Chavarria to the TAC representing District 1. And I stand for any questions.

CHAIR HUGHES: Okay. Any questions? Commissioner Greene.

COMMISSIONER GREENE: I will just – this is a District 1 position and I appreciate the opportunity to endorse or choose these folks. Ms. Chavarria has been a professional on this and has reached out to me to discuss things off line from the committee and when I've sat with the committee during one of their meetings she was active and knowledgeable about everything. So I think she's a great contributor to this committee. With that I'll make a motion to accept staff's recommendation to reappoint Ms. Chavarria to the TAC representing District 1.

COMMISSIONER HANSEN: Second.

CHAIR HUGHES: Okay, we have a motion by Commissioner Greene, seconded by Commissioner Hansen. Any comments? I just will also comment that I have found her to be a quality person when I attended the meetings.

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

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. Chavez Senior and 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)

CHAIR HUGHES: I can stop talking because Bill is at the podium.

BILL TAYLOR (Purchasing Director): Thank you, Mr. Chair, Commissioners. We're here before the Board to request approval for the design-build project delivery method. Using a statewide price agreement we have a contractor who is formed, incorporated as a design-build firm, which is facility build. The Bennie J. Chavez Senior Center, as you know, requires building expansion and growth. The project involves planning, design, construction, expanding on the dining, expanding the kitchen, creating a warehouse, other upgrades such as ADA compliance upgrades, HVAC and such and with that I'll stand for any questions. And we have Ira here for the presentation if you have any questions about the project's specific details.

CHAIR HUGHES: Okay. Any questions? I don't see any questions.

COMMISSIONER GREENE: I just have one. Just to be clear for the record, when is this going to start most likely, and how long is this going to take to get completed? And will the facility – I know the answer to this one but I just want it for the record – will the facility be available during construction?

IRA ROYBAL (Project Division): Hello, Chair, Commissioners. The project will start design phase once we get through contract with the contractor. As far as the duration of the project, we're looking at one year. It could be less, depending on design. We don't know until we get in there and get some estimations but kind of overshooting for security, but we're looking at starting immediately once the contract is done with the design phase and then right into construction. It will not be available through construction.

COMMISSIONER GREENE: Okay. Is there a way to minimize the impacts on this, like either phasing it or closing off other parts of the facility so that the community could use it, or does the whole facility have to be off limits during construction?

MR. ROYBAL: Because we're going to do a design-build we can work with the designers to try to structure something like that but until we have feedback from the design team we won't know if that is possible at the moment.

COMMISSIONER GREENE: And are we making – this might be for Senior Services. Are we making accommodations with other facilities? Like for instance, we've got the Abedon Lopez, which is under construction or at least starting construction now. Is there a way to time this so that when we take Bennie Chavez off line maybe that syncs up with when Abedon Lopez is opening?

MR. ROYBAL: I'll defer to Mattie to answer that one.

MATTIE BYERS (Senior Services): Good afternoon, Mr. Chair, Commissioners. Commissioner Greene, due to the expiration dates of one of the grants, we would have to begin utilizing that grant so that we can start to spend down those dollars. We would then look at transferring services either to other senior centers or we could ask for consideration for use of the Nambe Community Center so that we can continue with congregant and activity services for seniors in Chimayo. With that we would also offer transportation to those seniors in Chimayo so that we can get them from Chimayo to Nambe if we're allowed to use that facility. Otherwise we do have the El Rancho Senior Center that we could also consider providing transportation to seniors.

COMMISSIONER GREENE: And do you have an update – maybe this is somewhat related – do you have an update as to how long, what the timeline is for Abedon Lopez to be reopening? Are we on schedule? Are things –

MS. BYERS: Yes. Apparently we are on schedule for the Abedon. So we are expecting for completion in the summer of 2025.

COMMISSIONER GREENE: And so my understanding is that this money needs to be encumbered, so as long as you get the contract out that encumbers it. So is it possible that design takes us six or seven months and then it syncs up to that, and that satisfies the funding?

MR. ROYBAL: So pertaining to the funding there's roughly \$185,000 of that total funding needs to be expended by June. So it does need to be spent, not only encumbered.

COMMISSIONER GREENE: Okay. Okay. So we would have to start it in the spring. Okay. Well, thank you for clarifying that. Let's try to get Abedon Lopez open for the community there sooner than later. Thank you.

MR. TAYLOR: Mr. Chair, Commissioner Greene, that initial money that has a critical timeline to be spent, we can utilize that for the design phase and get that expended first.

COMMISSIONER GREENE: As for design.

MR. TAYLOR: I believe so. The language is design and build. The language is design, build, construct.

COMMISSIONER GREENE: Good coordination and use of the funds. Thank you.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. So I know that the seniors at Bennie Chavez don't want to go to the Rio Arriba center but it's only a mile and a half or so away. So is there any possibility to contract or do anything with them? Or are the seniors just completely opposed to that?

MS. BYERS: Mr. Chair, Commissioner Hansen, we can have that conversation with Rio Arriba. When we had the discussion with seniors with the post office they were very reluctant to go to Rio Arriba. They're very territorial and they only wanted to participate within Santa Fe County because they prefer our food and our activities and our staff.

COMMISSIONER HANSEN: Okay. Thank you very much. That answers that question.

CHAIR HUGHES: Any other questions?

COMMISSIONER GREENE: I'll make the motion then. I will make a motion to approve and utilize the design-build project delivery method with Facility Build incorporated for design and construction services at the Bennie J. Chavez Senior and Community Center in the amount of \$962,695, exclusive of New Mexico GRT and contingency, and two, delegate the authority to the County Manager to negotiate and execute contracts and sign purchase orders.

COMMISSIONER HANSEN: Second.

CHAIR HUGHES: Okay, motion by Commissioner Greene, seconded by Commissioner Hansen. Any other comments?

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

6. B. **Resolution No. 2024-138, 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**

CHAIR HUGHES: And who is going to cover that? Okay, Travis Soderquist.

TRAVIS SODERQUIST (Public Works): Good afternoon, Chair, Commissioners. I am here with a resolution amending Resolution No. 2024-023, which is updating the amount of money, the grant money from NMED from \$459,000 to \$1,500,000 for our study into the PFAS contaminants.

CHAIR HUGHES: Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: Travis, are you overseeing this grant?

MR. SODERQUIST: I will be participating in the project pretty heavily.

COMMISSIONER HANSEN: Okay. So what do you plan to do with the additional money?

MR. SODERQUIST: So we don't have anything specific for the additional money right now. It could be used for supplemental phases of the project or additional data collection and analysis, but right now it's just changing the amount of money that's available to us at this time.

COMMISSIONER HANSEN: So the New Mexico Environment Department offered a subsidy grant for this?

MR. SODERQUIST: Yes.

COMMISSIONER HANSEN: Okay.

CHAIR HUGHES: Other questions? Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you. So Travis, how will the additional – I understand that we don't know yet how the additional funds will be used, but how would we identify those projects? Would that be completely internally in-house or would there be – if there's speculated contamination or additional PFAS release within

the county, how would those uses be determined? Would that be brought to the public or would the public be bringing it to the County?

MR. SODERQUIST: I think that there would be open communication between the public and the County as well as with Interra to determine which would be the best direction to spend the funds, whether they find maybe some data gaps then we can focus on those areas or if they think that we need to look into even just a different area we can dedicate money towards that.

COMMISSIONER BUSTAMANTE: Thank you. Do you know if they are amenable to any epidemiological studies that could be funded through these additional dollars?

MR. SODERQUIST: If Interra – not at this time. I don't know if they're –

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR HUGHES: Commissioner Hamilton.

COMMISSIONER HAMILTON: If further study design is not yet defined I would suggest considering working with Interra to think about the possibility for source tracing using fingerprinting. They will know what that is. So that idea of being able to compare potential sources with contaminants you find in different land-based locations would allow – would inform all kinds of remedial action that would be appropriate. So that's just one consideration.

MR. SODERQUIST: Thank you for that comment. I know that Interra is going to focus pretty heavily on trying to find where the introduction of PFAS into the system is currently happening or occurred previously.

COMMISSIONER HAMILTON: Thank you.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, and thank you for going after the expanded scope in this and it's sad that we need it, right? This is actually – we do have some issues in specific areas, but I also hope that we can use this extra money to sort of create a baseline in maybe some other communities in the area that have potential contamination or we can at least allay our fears of some other areas. And so as we look, if there's some extra money as it may be for the initial area, from the initial scope, look at areas all around the county where some groundwater might be able to be studied to understand where things are at the time that we do that sampling and then be able to track from there. What we don't know we can't use as a baseline and so whether it's in the north in the Espanola Valley or in the Pojoaque Valley or in the Galisteo Basin or in the Lamy area or Glorieta or wherever we have these aquifers I think it would be a good idea to sort of create a sort of baseline for us to look for to be able to measure against in the future.

MR. SODERQUIST: Thank you for those comments and I agree this additional funding will help us get a better grasp on the situation once we find kind of what our initiate issues are and what the levels of PFAS and how they're moving through the system – actually I guess get a grasp on the whole situation.

COMMISSIONER GREENE: Thank you.

COMMISSIONER HANSEN: So Travis, what's your background and how long have you been with the County?

MR. SODERQUIST: So I've been with the County for roughly five

months now. My background is water resources engineering, so I came from Idaho Fall, Idaho where I was administrating water right delivery for irrigation purposes, mainly. It was typically surface water and storage water through reservoirs with some groundwater mixed in. And I came to the County and started as the water resources manager and then was in that position for a few months and then I applied for the deputy director position and was selected for that roughly a month ago, month and a half ago. And so I've been transitioning into that role and getting up to speed with the projects that the County's participating in.

COMMISSIONER HANSEN: So welcome and thank you. I didn't mean to put you on the spot but I like to know who you are and I didn't recognize you so welcome to the County and we're happy to have your expertise here.

MR. SODERQUIST: Thank you. And I should have started off with a little bit of history about myself.

CHAIR HUGHES: Yes, well, welcome to the County and just as a point of interest I also started out my career as a water resource specialist, but I moved on from there. Any other comments?

COMMISSIONER BUSTAMANTE: Mr. Chair, if I may. Thank you for joining Santa Fe County. I think we are very fortunate to have your expertise. So thank you sincerely.

MR. SODERQUIST: Thank you.

CHAIR HUGHES: All right. Do we have a motion from somebody?

COMMISSIONER BUSTAMANTE: Motion to approve a resolution to amend Resolution No. 2024-023 authorizing Santa Fe County to amend the agreement with the New Mexico Environmental Department.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay, we have a motion by Commissioner Bustamante, seconded by Commissioner Hamilton.

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

6. C. **Resolution No. 2024-139, 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**

CHAIR HUGHES: Brett Clavio.

MR. CLAVIO: Good afternoon, again, Mr. Chair, members of the Board, ladies and gentlemen. This resolution, as mentioned, is to amend Resolution 2015-155 but updating Map 10-1 of the Sustainable Growth Management Plan, called the Existing Transportation System, with the new 2024 functional classification of roadways system map. So the purpose of the Santa Fe County functional classification of roadways system plan update is to bring current the contemporary and projected future roadway system user data, such as average daily trips or ADT, to inform transportation and land use planning in the region and to address any health, safety, or welfare concerns.

Additionally, the New Mexico Department of Transportation, NMDOT, is

currently requesting local government updates to the Statewide Functional Classification System Map, which is a Federal Highway Administration, FHWA, requirement every ten years. So upon BCC approval, this map and accompanying data will be sent to NMDOT for their review, approval, and update.

The Santa Fe County Transportation Advisory Committee at its Sept 11, 2023 meeting recommended that the BCC approve the updated 2023 Functional Classification Map. The 2024 map is the same as the 2023 map, although it's taken some time to reformat that map and upgrade it into a new software platform called ArcPro.

A little background about it is the Functional Classification of Roadway Systems Plan for Santa Fe County was last updated in 2015, in conjunction with the Sustainable Growth Management Plan update. The current Functional Classification of Roadway Systems Plan for the Santa Fe MPO area was updated and approved by the New Mexico Department of Transportation and the United States Department of Transportation, Federal Highway Administration back in 2016. Reports and maps referenced to evaluate the County's existing functional classification of roadways update included the NMDOT Functional Classification Guidance Manual, the USDOT – Federal Highway Administration Highway Functional Classification Concepts, Criteria and Procedures publication, the Santa Fe County SGMP – Transportation Chapter including Sustainable Community Settlements. Also the Santa Fe County SLDC – Road Design, 7.11; Road Classification and Design Standards, particularly Table 7-12 and 7-13; and the Santa Fe MPO Functional Classification Map 2016, which was referenced, along with some of our incorporated areas within the county, such as the Town of Edgewood, and their Long Range Road Network, and the City of Espanola's, Comprehensive Plan for Espanola.

We also analyzed the contemporary Annual Average Daily Trip or AADT from sources including the New Mexico Department of Transportation, the Santa Fe Metropolitan Planning Organization and the traffic counters employed by the Santa Fe County Public Works Department.

The methodology for determining the existing roadway functional classifications on public and private roads in the county involved using a data-driven approach, derived from determining each community roadway's average daily trip data. This data was then measured against existing classifications, future build-out scenarios, how a given roadway actually functions within the larger network, and how the SLDC defines these roadway classifications. The roadway classifications were then measured using Santa Fe County's Summary of Existing Roads data and also Google Maps imagery for determining roadway characteristics like paving, road profile, striping, and posted speed limit on that road.

Table 7-12 and 7-13 of the SLDC helped define road classifications for Santa Fe County. You'll see in the table that a principal arterial contains 5,000 trips or more per day, whereas a minor arterial has somewhere between 2,000 and 4,999 trips a day. A major collector has between 601 and 1,999 trips a day. A minor collector between 401 and 600 trips a day, and a local road is defined as something with 400 or less trips per day. And a cul-de-sac also has somewhere between 300 and less trips per day.

In doing the analysis staff determined there are some discrepancies between the SLDC standards and the New Mexico Department of Transportation and United States Department of Transportation standards in those average daily trip determinants, but we

found that the resulting distinctions were not too significant. We found that the main resulting differences between the local SLDC standards and the state and federal standards is that more roads ended up being classified as a major collector rather than as a minor collector, and this is because the SLDC range for a minor collector is only a value of 299, between 401 and 600, while the SLDC range for a major collector is a value of 1,398, between 601 and 1999.

Federal and state classification ranges tend to be larger in value than the SLDC. There was also some overlap among the ranges to allow for flexibility. The numerical ranges help provide for a quantitative analysis of the classifications while a qualitative analysis helps support that analysis when data is missing or when some flexibility is needed. The various federal, state and local functional classification standards can be found in Exhibit D. The table in Exhibit D documents the variations between classification standards and presents ADT range averages which help inform the level of magnitude differences between roadway functional classification types.

A classification analysis was also complex, as the United States Department of Transportation is moving away from the convention of urban and rural distinctions for roadway classifications. For the purposes of this classification analysis, staff has also moved away from the rural and urban distinctions. Since the deviation between the standard definitions was not too significant between local and federal standards, staff recommended adhering to the SLDC functional classification standards for the update as that is the actual governing document for Santa Fe County.

It was also noted in the analysis that a roadway may also experience a change in its functionality along a given route. For example, a segment of roadway in a rural area may function as a major collector, while another segment of that same roadway in an urban area functions as a minor arterial. Segmented roadway functional classifications reflect how traffic volumes and patterns are actually operating within the transportation network and in relation to adjacent land uses.

Maps of the Santa Fe County 2024 Functional Classification of Roadways are presented in Exhibit B. Exhibit B contains one map of the entire county and one map for each of the growth management areas, at a greater scale. A story map of the project can also be found at the link noted in the memo. Tables of the 2024 roadway classifications within the various communities of Santa Fe County are included as Exhibit C. The tables indicate where and why a classification change is proposed from the 2015 Map and those changes are highlighted in yellow.

So the recommended action is to approve the subject resolution to amend Resolution No. 2015-155 by updating Map 10-1 of the Sustainable Growth Management Plan, Existing Transportation System with this new 2024 Functional Classification Of Roadways Systems Map. And with that, I stand for any questions.

CHAIR HUGHES: Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: Thank you. So when I listen to what you're saying about the number of trips on the roadways I understand that, but I find it odd that in Las Campanas, on Las Campanas Drive, which circles the whole area, that half of it is yellow and then the Old Buckman Road is also yellow. Old Buckman Road is a dirt road and I think we scrape it occasionally, so I think I minor collector is fine for that but the Las Campanas part of the road from Calle del Rio over to Old Buckman Road is

becoming highly developed. They're at their last phase of development for that body of Las Campanas. They've been developing that area for the last 30 years and myself and my liaison just happened to drive around on Las Campanas Drive because I felt like it was important for her to know what the district looks like, and there are multiple houses and divisions. Pulte's built a huge section out there.

So I'm just wondering if part of it's a major collector and I didn't see any difference in the roadway when I was out there from the major collector to the minor collector. So I don't know if it makes any difference but I'm just bringing that up because you're having a minor collector that is paved with a large amount of houses and then Old Buckman Road which is dirt and a rather rough road also a minor collector. So please explain to me.

MR. CLAVIO: Sure. Thank you for the question, Mr. Chair, Commissioner Hansen. So the analysis that's before you today is looking at the existing conditions as they stand for 2024. What's going to happen after this meeting is that we're going to come back to you in the near future and present a 2040 functional classification map which will show you how traffic is going to be occurring in the next twenty years, so there will be some differences, particularly in Las Campanas. But what's happening is that this analysis is just painting a picture as to how traffic is actually functioning.

Buckman Road, although it is a dirt road does have a fairly significant amount of traffic on it. It also serves some important County functions down there such as the water facility, so we are going to recommend in our 2040 plan that we make some recommendation to pave that road in the future and perhaps provide a bridge over the arroyo there for emergency purposes, emergency vehicles.

But the story that I'm presenting to you today is just showing you the existing conditions and it was surprising to see that, for example, Las Campanas has a segmented functionality. Part of – most of the traffic is coming on the southern side of Las Campanas and the northern side has a little bit lighter traffic. So it just really paints a picture of how the traffic is circulating throughout our network.

COMMISSIONER HANSEN: Okay. So the next item is the classification of San Ysidro Crossing. So I believe that's red, so it's a principal. Is that correct? It's a principal arterial?

MR. CLAVIO: Let's take a look. I believe San Ysidro Crossing –

COMMISSIONER GREENE: I'm seeing it as purple, which looks to me a major collector as a definition.

COMMISSIONER HANSEN: You mean pink?

COMMISSIONER GREENE: Number five, whatever – fuchsia, lavender.

MR. CLAVIO: Yes, Mr. Chair, Commissioner Hansen, San Ysidro Crossing currently is not classified as a functional roadway but we're proposing to reclassify that as a major collector for the 2024 period.

COMMISSIONER HANSEN: Okay. Because it is in desperate need of a bridge, so I think that if it has a higher classification it's more likely that it would be considered for a bridge. Am I wrong in assuming that?

MR. CLAVIO: No, Mr. Chair, Commissioner Hansen. You're correct. In fact if these roads are depicted as a functional road, as like a collector or an arterial, they are more apt to be funded by the MPO and by the US Department of Transportation.

COMMISSIONER HANSEN: So at the moment it's designated as a major collector.

MR. CLAVIO: At the moment it's not officially classified as a functional roadway.

COMMISSIONER HANSEN: It's not even classified? Well, it needs to be classified.

MR. CLAVIO: Correct.

CHAIR HUGHES: That's why we're passing the resolution to classify it.

COMMISSIONER HANSEN: So once we pass this resolution it will become classified? Okay. Thank you.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Brett, I notice here that this was reviewed by the TAC back in September of 2023? So are these numbers a year-plus out of date and we're just getting this now by the process?

MR. CLAVIO: Thank you for the question, Mr. Chair, Commissioner Greene. Actually, this process has been ongoing for a number of years, and what happened is we had this COVID pandemic which really screwed things up for us. As you recall, we all went to work from home, so nobody was on the road so the traffic counts were all skewed and then after the stay at home order was lifted, everybody started coming to New Mexico so we had all kinds of traffic. So we couldn't trust any of those numbers. The most reliable set of numbers we relied on was 2018 data and in speaking with NMDOT and others, they're of the like mind that 2018 data is valid for use.

It'd be nice to start fresh and have 2024 data but as you can see, it's quite an extensive exercise. So we're hoping to just use 2018 data and then we'll update this again probably in another ten years.

COMMISSIONER GREENE: So you're saying we're going to use 2018 data for 15 years? 2018 is already six years out and you're saying we'll update this in ten more years?

MR. CLAVIO: That's correct.

COMMISSIONER GREENE: What do we need to do to get better data now? Because whether it's San Ysidro or another 150 roads here we need accurate traffic counts.

MR. CLAVIO: Yes. Mr. Chair, Commissioner Greene, the data is accurate. We do have a growth rate of approximately 1.013 per year so we're not having a significant increase in traffic in Santa Fe County. And this is what other agencies are doing as well. So it is reliable and it is good data and yes, the traffic growth isn't that intense.

COMMISSIONER GREENE: How do we check whether we're accurate? Like, are we doing, say, sampling a few roads every year to see, oh, hey, look. We're allowing for 1.3 percent growth but it turns out that it's five percent growth or .5 percent growth and our assumptions are off.

MR. CLAVIO: So Commissioner Greene, Chair Hughes, again, this is a functional classification network so that if it changes from a minor collector to a major collector it's really not a huge deal. Our road design standards pretty much say that collectors need to be paved. Same with arterials, although our code does require bike

lanes on minor and major arterials, so there are some nuances to it but essentially it's a slow moving train, so to speak. We don't need to update it every year. It's typically every ten years. And that's a United States standard.

COMMISSIONER GREENE: I'll accept that but I would recommend that we look at doing traffic counts in 2028, not ten years from now. If we're using six-year-old data now, let's do it again in 2028, not in 2034, would be trying to keep the rhythm. And then you mentioned about some intermodal things like that. It would be great – so my first question is is which roads are required to have intermodal, whether it's sidewalks or trails or bike lanes or things like that?

MR. CLAVIO: Yes. Thank you for the question, Chair Hughes, Commissioner Greene. So we have a few different types of road design standards in Santa Fe County. One of them applies to the SDA-1 area, in which case we do require sidewalks and bike lanes on arterials, but in the other regions, SDA-2, we only require bike lanes on arterials. So one of the tasks that the Transportation Advisory Committee is going to be looking at in the coming years is to re-gear our road design standards to make multi-modal equity more spread out throughout the county and that's something that we're really trying hard to address. In other words, our road system is actually very good. Our bike and ped system is something that needs a little bit of work on.

COMMISSIONER GREENE: I agree. If there's anything I can do to help with that to upgrade that, if that's an SLDC design standard, or if that's a road standard that works through your department, please reach out and tell me how we can expedite that because I do see that is lacking, an issue both for pedestrians and for bikes. We're an outdoor recreation focused location and if you don't have trails and you don't have bike lanes, you're not putting your money where your mouth is. Thank you very much.

CHAIR HUGHES: Commissioner Bustamante.

COMMISSIONER HANSEN: Thank you, Commissioner Hughes and Brett Clavio. I do have questions on how – I appreciate this and I'm learning a lot and I was interested in knowing how hazards, when we have these straight-aways and we start to identify areas as being main connectors, main connectors- rural, or any of those, where we have these straight-aways that have clearly speeding risks associated with them and the narrow rural roads that have been I existence but people use them – I'm thinking of off of Highway 14 as an example. To do that loop is very nice but there really is no place for a bicycle to go. It has been paved. I think we do have nice roads but good roads make for high speeds.

My favorite bumper sticker I saw once was bad roads make good neighbors, because you kind of have to bumble around. But I don't see anything here, or I'm curious as to how in this evaluation and identifying these different categories when we have a minor collector, minor arterial, etc. that we're identifying what that means as we're increasing that capacity on that road, doing the paving, making sure for those areas that we need to get the bike roads in, that we're identifying these straight-aways that aren't proving to be safe. I will just say those are the places where we have drag racing I get those calls with some frequency. How is that being evaluated here? Or is this planning as we go?

MR. CLAVIO: Thank you for the question, Commissioner Hughes, Commissioner Bustamante. So this analysis didn't really take safety into consideration.

The goal of this analysis was just to really understand our transportation network, and that includes the level of service. So the analysis identified that all of our roads in 2024 are operating at a level of service of D or better, which is what our code requires. So we're in good shape. However, this exercise was one of the entry points to a transportation plan for the next 20 years. So this project helps inform us as to some of the pros and cons of our network.

And we did find quite a few shortcomings in our network as a result of this analysis, so for example, if a road was a major collector in the past and now we're upgrading it to a minor arterial, oops, we need to put in a bike lane on that road. So that's the case with quite a few roads in our network. We're going to need to program multi-modal improvements to the network.

But when it comes to safety we will look at that through another lens. So for example, in the La Cienega and La Cieneguilla communities, we're going to be doing a road safety study in the near future, probably kicking off in January, in which case we'll spend a good six months really getting into all of the challenges that we see on our roadways. I understand a lot of people like to race, a lot of young folks, and it's something that we just can't really seem to do much about. We could put roundabouts there to try to slow them down but they'll find another place to race. It's just an ongoing challenge that we have.

But we do want to design our roadways going forward to allow folks to have pedestrian facilities, bicycle facilities, even bus stops with amenities like shelters and benches and lighting. So there's a lot of work ahead in the next 20 years to bring our road system up to our standards.

COMMISSIONER BUSTAMANTE: Thank you. District 3 is fraught with opportunities to speed. And you're right; people will find the other location, but as we're doing this and we look at even what it means from Highway 14, which will have a community meeting tomorrow, all the way to Edgewood, where someone if they really wanted to show what a nice car can do, could really haul some serious tail around there. I'm saying that as a person who appreciates a good car. But it's not safe, right?

So as we do this in whichever timeline that we're looking at, it seems that ten years or sooner as stated by Commissioner Greene, that we are looking at those increases and employing safety measures at that time. That these are not disparate activities. I think the new pavement is nice. I look also on a particular road and having met with individuals off of the acequia, and the road has been so improved it's lovely, and it's literally four feet. It used to be that the acequia was level to the road, and now it's four feet difference, which means that the road has really been built up. It's lovely but it has created these issues where we're having Public Works go out to meet with the Acequia to work on how the road has now established those water runoffs. It seems that more comprehensive attention to what the impacts are in both safety and water going into the neighbors' houses, literally, which has not been – literally when we had these rains, more than one circumstance where I was contacted because of runoff, because of the way the road's been improved.

So I'm really looking at both the traffic speed and what the improvement of the road means to proximate structures in evaluating what a nice road really does to a community. And it's more of a – can we do that? It's a please – wouldn't that be nice? So

sincerely, if it's not something that safety is built in or the variables that could make it not necessarily a nice road because of its impacts are considered at this time especially when we're looking at the amount of traffic that's going to increase there and there's no egress, for example.

So those types of issues. Thoughts? Or is it not as bad as it looks to me at this point?

MR. CLAVIO: Yes. Thank you for the comments, Commissioner Bustamante. Chair Hughes, Commissioner Bustamante, again, this exercise is to look at the existing conditions of our roadways. In the next month or so I'll be coming back with you with the 2040 functional classification map which will include improvements to the road network. At that time that's when we'll start drawing in places where we want to see improvements. So I'll be sharing that map with you in the coming weeks and I would appreciate any feedback you guys may have, pinpointing places where you know improvements are needed, whether it's road widening, what have you.

So this is just looking at existing conditions. Next one will be looking at the future, and that's when we can start programming improvements for safety and what have you.

COMMISSIONER BUSTAMANTE: Thank you, Mr. Chair, Mr. Clavio. So I'm understanding road improvements to be addressing potential safety and obstruction, problematic types of scenarios. So I'm understanding improvement to not just mean smoothing out a road and putting another layer but making it a safer road. Thank you. I appreciate that.

CHAIR HUGHES: Okay. Commissioner Greene.

COMMISSIONER GREENE: Thank you. And I think just to follow up on what Commissioner Bustamante is speaking to, I get that this is like one step in the process here. But when we start looking at the function of the road I think that there's a lot of different aspects to this. There is the safety issue of course. There's the inter-modal access issue that is another – maybe not classification, per se, but does it offer those things? And those definitely are safety issues. If you're sharing the lane as a bike rider, that's not a safer road. If you're sharing the lane as a walker, that's definitely not a safer road.

And then there are other things like does it cross an acequia? Does it have these other non-, maybe you don't call it inter-modal but does it carry other things? Are there bridges? Are there waterways? Are there acequias? Other things that interact with these roads and having some sort of internal classification system so that we start to understand these other – maybe the federal government doesn't care about this. Maybe even New Mexico DOT doesn't care about it but obviously we do. And so whether it's an acequia or a bike lane or a trail, or a sidewalk or a bus lane, or a variety of other things, is it a transit corridor? There's a lot of different things that we can look and layer on to this that start to inform us as opposed to everything being in a silo.

So as we go forward with this next layer and study of this I would love to see all of those things that start to inform how we design and improve our roads.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Mr. Chair. Thank you, Brett. So I have already mentioned to you in the past about the fact that La Tierra definitely

needs bike lanes, along with Las Campanas. Many of those people have requested that so I hope that will be something that you will multi-modal issues with that particular roadway. I have – it makes me nervous, but also understandable, paving Buckman is really a two-edged sword because of the amount of shooting that is happening out there from the wildcat shooting because it is BLM land and until we get a shooting range and we have control over that kind of activity out there on the Caja del Rio, it makes me nervous to think of paving Buckman because it would just mean more destruction and more garbage and more trash, and as Commissioner Greene and I were both at the kick-off of breaking bad habits with the Governor of New Mexico and the litter situation, the Buckman and the Caja del Rio is already heavily impacted. So I don't know how to exactly address that with a roadway, but there are more roads that are out there on the Caja del Rio the more damage that is done to the environment. So I just want to put that on the record as something that my constituents and our constituents of Santa Fe County care about. Thank you, Mr. Chair.

CHAIR HUGHES: Okay.

COMMISSIONER HANSEN: And I'll make a motion.

CHAIR HUGHES: Well, I want to make a comment.

COMMISSIONER HANSEN: Oh, I'm sorry.

CHAIR HUGHES: The one thing I want to know is Old Buckman Road a County road?

COMMISSIONER HANSEN: Yes.

MR. CLAVIO: Commissioner Hughes, yes, it is.

CHAIR HUGHES: I was just curious about that. I appreciate the fact that you've upgraded Spur Ranch Road and Avenida los Compadres as minor collectors. And now I'll take a motion.

COMMISSIONER HANSEN: I move 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.

COMMISSIONER BUSTAMANTE: Second.

COMMISSIONER HANSEN: And under discussion, I hope you will bring back the improved one before the end of the year.

CHAIR HUGHES: Okay, we have a motion by Commissioner Hansen, seconded by Commissioner Bustamante.

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

CHAIR HUGHES: I think maybe we should take a quick break right now and come back.

[The Commission recessed from 3:30 to 3:40.]

8. Matters of Public Concern

CHAIR HUGHES: I'll call this meeting back to order, and we're first

going to have public comment. So anyone who wants to make a comment to the Board, please raise your hand and come forward. Okay. I see Mike's hand raised. You can come up to the microphone and you have three minutes to make your comments. We also have a couple on line who want to make comments. Go ahead.

MICHAEL SCHLUMBERGER: Good day. Thank you for this opportunity to speak to the Commission. My name is Michael Schlumberger. I'm the president of Spur Ranch Road Association and I'm very pleased to see that you had this motion before you and have approved for the sub-connector that is Spur Ranch Road. Initially, when we started Spur Ranch Road over a decade, the road association over a decade ago, we were able to keep up with that, but certainly, as we've increased to almost 150 houses as the number of shopping patterns have changed, etc., so we have not only service vehicles out there. We have school buses out there and the rest of it, trying to keep that road in a condition that becomes passable in all weather is very important.

And I would urge the Board to move forward with a paving program for that because that road does see quite a bit of traffic and trying to keep it open. I know I've spoken with the Fire Department on numerous occasions and there are occasions where the weather turns inclement that they have difficulties getting back and forth on that road. And certainly the last thing we'd want to do is see any of the residents out there when conditions get worse. So I would ask with your consideration that we move forward with a paving program for that road. Thank you for your time.

CHAIR HUGHES: Thank you for your comments. Is there anyone else in the chambers? Come forward. Whichever one's first.

TOM REYNOLDS: Good afternoon. My name is Tom Reynolds. I live in Las Campanas and we are directly opposite, we live directly opposite a development called Tierra Antigua that was just completed I guess about two months ago, and we noticed that a large aluminum streetlight has gone up at the entrance of that development and we were concerned because we are in a covenant dark sky community and that light is very bright. We can see it directly from our living room window.

And I talked to the developer about that light and he said I needed to come before you guys because – and I just found out that he's supposed to ask for a variance. He didn't tell me that so I don't understand why he didn't ask for that, because nobody wants it, including him. He told me himself. So I'm just here to enumerate other neighbors' concerns about that light going up, and there's really no precedent for that light going up. There's only 23 lots in that particular community where there are plenty of other communities off of Camino La Tierra that have far more houses, and so there are no lights there and the developer said that he would like to just put in a nice sign there with a light shining on the sign, rather than this big glaring mercury vapor light, which all the neighbors around can see.

So that's my position and I hope you consider removing that light, and I'll ask the developer again to ask for a variance, if that's what it takes. Is that correct? Did I understand that?

CHAIR HUGHES: You can follow up with our staff and the developer, yes, and take care of that.

MR. REYNOLDS: Okay. Follow up with whom?

MANAGER SHAFFER: Sir, if you go outside, Jordan, our Land Use

Administrator, who oversees the department responsible for that would be happy to talk to you about the process that needs to be followed.

MR. REYNOLDS: He's in an office? What's his name again?

MANAGER SHAFFER: He's standing up right behind you, sir, and he's going to meet you right outside of these doors.

MR. REYNOLDS: All right. Thank you for your time.

CHAIR HUGHES: Thank you.

GENE MRAZ: Good afternoon. My name is Gene Mraz and like the previous speaker I am also here to register my objections to the streetlight at the entrance to Tierra Antigua. I am an amateur astronomer and I live about a half a mile away from that subdivision. And I participate in a collaboration with professional astronomers and amateurs astronomers and we are actually monitoring meteors in the skies above Santa Fe, and that light is directly underneath my field of view of my camera. So I have a very personal animus towards that light standard.

And as the previous speaker said, Las Campanas has very stringent nighttime light protection measures for the residents. The residents value that dark sky environment out there and this light is a – if you'll pardon the pun – glaring violation of that ethic. And so I also ask that the County find some way, whatever the mechanism might be, to bring that before you body again so that you can vote upon a variance, whatever mechanism it takes to have that light removed.

I know Mr. Yutzy has received several emails from other residents in the vicinity also expressing their displeasure, so I hope you will take all those into consideration and please revisit this issue as soon as possible. And thank you again for your attention. Thank you, Commissioner Hansen, for your representation of our district and to all of you for representation of your own districts. Thank you very much.

CHAIR HUGHES: Thank you, and you can also check with the staff outside the door. Is there anyone else in the chambers who wishes to address the Commission?

TERRY REYNOLDS: Thank you for hearing us. I'm Terry Reynolds, also at Las Campanas overlooking the light. I just want to add one other aspect. It's confusing because we are a dark sky community and we attract a lot of wildlife and birds at night because of that, and having the introduction of this street light has to be very disconcerting to the wildlife. And I think it's important to preserve the wonderful community of birds that we have and I see this as a tremendous detriment to the wildlife surrounding our dark sky community. Thank you.

CHAIR HUGHES: Thank you. Okay, anyone else in the chambers who wishes to address us? If not we'll go to the online people and I guess the first is Cathy Thomas.

CATHY THOMAS (via Webex): I want to thank Commissioner Hansen for mentioning the bike lanes which we are indeed in need of. I also want to speak out against the light on Camino La Tierra. It is the only street light west of 599 except at the hospital and at the City facilities considerably south of us. We'd asked about the confusion at the original meeting. We understood that both a roundabout and a light were removed. They were later put back in by County staff, so now we are back before you. We will pursue it with County staff but we just wanted the Commissioners to know that

the neighborhood is very upset about it. There's about 25 houses that see it directly, but it affects the night sky for all of us, for birds, for astronomers, and again, it's the only one west of 599.

The other thing I wanted to bring up to the Commissioners, I listened to the transportation discussion and the 2040 plan. Las Campanas Drive is maintained by the Las Campanas HOA. We asphalt it. We mow it. We do the snow removal on it. We had discussions with the County about taking it over. The County declined, so it would seem to me that the County and Las Campanas need to talk if there's going to be discussion of widening roadways that we're going to end up taking care of in the future. So I will talk about all of these with Commissioner Hansen, but I would hope you would all consider that in the future. We appreciate your service. We know how difficult it is in these times. That's it. Thank you.

CHAIR HUGHES: Thank you. And Chris Mechels will be our next one.

CHRIS MECHELS (via Webex): Good day. Mr. Chair and members of the Commission, once again, I'm back at you with this \$6 million error that you seem intent on making, which is \$6 million to buy a new building in southern Santa Fe to replace the current housing for the district attorney. As far as I can tell, this is a totally bad idea. You have been planning for two years and have budgeted for two years to refurbish the current offices. You hired – the County hired a new realtor, a current active realtor who apparently loves to do real estate in August and by the end of August she had gotten the whole thing turned around from refurbishing the DA office to buying a white elephant down in south Santa Fe.

If you actually look at that property, which you probably haven't, what she's got you talked into is buying a four-acre pretty much empty parking lot, which surrounds an empty building, which is somewhat smaller than the current offices for the district attorney. The question is what kind of madness is this? And further the question is, why didn't her bosses pick up on this? She's new. She came at you with this deal and she was referencing a policy which was just totally wrong, so her response to that, when she was questioned by the Chair was to say, oh, that's the wrong policy. She has no policy. Her policy is to go buy a white elephant and get six million bucks for her realtor friends or whoever.

This is the dumbest idea I've ever seen. If you don't actually walk down there and look at that you don't realize what an elephant this is. What you should do, and I've been trying to get you to do is pull this stuff off you agendas, as I've tried to get you to do, and actually look at it. Is that so hard to do? Stop. There's no rush to do this. This project has been underway for two years. There is no rush. There's no reason to waste six million bucks. But you won't look at it. Please, for god's sake, get some public input. You seem to think that public input is a terrible idea. The only one you want to listen to is this realtor and her superiors all of whom seem incapable of actually looking at it and analyzing it. Every number in her proposal is wrong. The square footage is wrong. The cost is wrong. All of these numbers could be easily checked and there you sit and you continue to shove this white elephant down the road. Do some oversight. You are there to protect the citizens. You're there to do oversight. Please do some. [inaudible] Do some oversight. Thank you. Bye bye.

CHAIR HUGHES: Thank you. Is there anyone else on line who wishes to

speak?

DANIEL FRESQUEZ (Media Specialist): Mr. Chair, there are no users indicating they would like to speak. However, we do have three call-in users. If it's okay with you, Mr. Chair, I'd like to extend an invite to them to raise their digital hands by dialing star three.

CHAIR HUGHES: Okay. Dial star three if you calling in and you want to speak. Okay, once more, anyone in the room? Okay, we'll close item 8, Matters of Public Concern.

6. **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)**

JUAN TORRES (Economic Development): Good evening, Mr. Chair, members of the Commission. The item before you is request authorization to publish title and general summary of Ordinance No. 2024-___, an ordinance approving the 2024 economic development plan, repealing Ordinance 2014-07, and providing for detailed rules to be applied to assistance of qualifying economic projects.

The purpose of the presentation is to provide an overview of the 2024 economic development plan which we presented in May of 2024 and request authorization to publish title and general summary of the proposed ordinance.

In 1993 the Local Economic Development Act was enacted, and in 1996 Santa Fe County Board of County Commissioners passed Ordinance 1996-07 pursuant to LEDA. That ordinance was repealed and replaced by Ordinance No. 2014-07. The proposed ordinance would repeal Ordinance No. 2014-07, adopt a new 2024 economic development plan, and provide updates to incorporate statutory requirements and language. The proposed ordinance would also add overarching economic development objectives and priorities of the County, procedures for application, application review, requirements for project participation agreement, as well as public safeguards.

I've got a short presentation to go through this. The presentation is Exhibit A. I can go on with a bit of the memo just to give you a little bit more background. The proposed ordinance and the accompanying Economic Development Plan are economic development tools for the County. Through participation in LEDA, pursuant to this ordinance, the County invests public funds, as authorized by the LEDA, to offset costs associated with land, buildings, and infrastructure for the purpose of economic development and job creation in Santa Fe County.

LEDA requires that for a project to be approved, there is sufficient economic impact, or return on investment, to offset the public investment. Security is required equal to the amount of the grant award for the purpose of securing claw-backs, if necessary. The proposed ordinance sets forth a simple and straightforward process, starting with an application made to the Economic Development Division. The application is then evaluated for eligibility under the requirements of the ordinance and state law. The application is then reviewed and sent with a cost-benefit analysis, and then presented at the final stage for the County Commission's final decision on that funding.

CHAIR HUGHES: Perhaps we could look at the –

MR. TORRES: I can just start going through the slides without having the slides up if you'd like.

CHAIR HUGHES: We can look at them online.

MR. TORRES: Okay. So the objective is to provide the Economic Development Plan for Santa Fe County, and to establish the requirements for economic development projects pursuant to LEDA, the emphasis being that every local and regional government seeking to pursue economic development projects shall adopt an economic development plan or a comprehensive plan that includes an economic development component, and an economic development

plan or comprehensive plan may include an analysis of the role of arts and cultural activities in economic development. The plan may be specific to a specific economic development goal or strategy or may include several goals or strategies, including any goals or strategies relating to economic development through arts and cultural activities.

The plan that was presented in May does put forth those objectives.

The purpose of the Local Economic Development Act is to implement the provisions of the 1994 amendment to Article 9, Section 14 of the New Mexico Constitution to allow public support of economic development to foster, promote and enhance local economic development efforts while continuing to protect against the unauthorized use of public money and other public resources. This is colloquially known as the Anti-Donation Clause.

Further, the purpose of the act is to allow municipalities and counties to enter into joint powers agreements to plan and support regional economic development projects, including investments in arts and cultural districts pursuant to the Arts and Cultural District Act.

The act requires local governments seeking to pursue economic development projects to adopt economic development plans by ordinance. So the objectives, Santa Fe County's population goal #2, promote a sustainable and equitable community, economic development objectives, maximize the use of economic development tools, implement and enhance County targeted economic development industry clusters; incentivize green economic development and sustainable job growth; develop a council and programming to support the arts; support workforce training and education programs; and develop a comprehensive broadband plan. So these are all contained under population goal #2 for economic development.

This slide shows you in a more basic way the connection between the strategic plan goals and the different sub-sections directed to economic development and emphasizes the plan is at the core of that rubric and goes through that to identify infrastructure needs and identifies and accesses the specific targeted industries and the infrastructure needs associated with broadband, affordable housing, workforce development, water and wastewater and financial incentives.

So the targeted industries, you're very familiar with: agriculture, arts and culture, creative industries, outdoor recreation, film and media, green industries and alternative energy, health and wellness. Those are the areas that we focus our activities on.

So the proposed ordinance reflects legislative updates to LEDA since the adoption of 2014; adopts a new plan for the County; adds overarching economic development

objectives and priorities; adds requirements for applications and the application review; and adds requirements for project participation agreements; and adds safeguards by statute and ordinance.

So very quickly, the changes to LEDA, starting in 2016, amendment which changed the definition of qualifying entity to include a restaurant or a lodging establishment and allows for retail under specific conditions.

In 2017, the amendment in 2017, added the definition for broadband telecommunications network facilities and amended the definition of economic development project to include assistance to acquire or convey rights-of-way infrastructure.

2019, the amendment revised the definition of economic development project as used in the act, and excluded the acquisition of water rights from permissible uses of Local Economic Development Act funds.

And finally, in 2021, the amendment clarified that the Economic Development Department may participate with local or regional governments in economic development projects that provide for rehabilitation or remodeling as well as construction of a building for use by a qualifying entity. However, this provision is limited to municipalities with a population of less than sixty thousand.

The objectives of the ordinance, the economic development objective of the County is to establish a community and economic development climate attractive to private businesses and to thereby achieve self-sufficiency through: economic diversification; expansion of the tax base; increased job and income opportunities; retention and expansion of existing businesses and industries; recruitment of businesses that utilize the county's science and technology assets; strong entrepreneurship and business start-up activities; strengthening the business sector and redevelopment of nonresidential areas; to further the Santa Fe County Economic Plan approved and adopted with this ordinance; and other public benefit industries compliant with the Local Economic Development Act.

The priorities as contained in the ordinance, those qualifying entities which fall within any one or more of the following categories shall receive priority: private businesses seeking to build, expand or relocate facilities, with additional consideration given to businesses that are in the targeted and cluster industries identified in the economic development plan; private businesses that provide facilities or services which enhance the ability of county businesses to operate and expand; research and development and high technology firms that enhance the technology base of the county; private businesses which enhance their exporting capacity or reduce the net level of imports in the local economy; and organizations which assist business start-ups or bring small businesses together to increase their competitive abilities by undertaking tangible projects that shall promote an industry, increase the value of jobs or positively impact County tax revenues. Examples include, but are not limited to: business incubators; research and development facilities; public markets for farmers, gardeners or crafts persons; and organizations which foster economic development by promoting workforce development efforts such as apprenticeships or other job training programs.

I stand for questions.

CHAIR HUGHES: Go ahead, Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: I just want to say thank you. The plan was nice and I appreciate when I say that is the level of detail and being able to quantify the importance or the use or the participation in the particular industry in identifying how it would be prioritized, and even through the agriculture didn't rank as high as the others, it's also very clearly of regional value. So I found that to be very, very helpful in understanding how this was all done. So I want to say thank you for that and I will sincerely support publishing this. Thank you.

MR. TORRES: Thank you.

CHAIR HUGHES: Any other comments? Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Thank you, Juan. Are there projects that are feeling pressed to apply for this that this update is feeling urgent?

MR. TORRES: Commissioner Greene, Commission, no, there are no projects currently that make this a priority. We're kind of lagging on the changes to LEDA so anything that did come forth, if this was not enacted would have to wait to do some of those activities. We are talking to two companies that are looking to relocate, one from out of state, the other one from a different part of the state, and they might be requesting consideration in the future and these talks have just begun.

COMMISSIONER GREENE: And correct me if I'm wrong, but I tend to remember that the funds actually do not come from Santa Fe County but they flow through the County and they're state funds. Is that correct?

MR. TORRES: So Commissioner Greene, Commission, so Santa Fe County does have an economic development reserve fund. The LEDA act at the state level refers to the state's funding and oftentimes the state likes to partner with a community in terms of providing some resource and the community providing some resource. So in this case the LEDA Ordinance that's before you speaks to both any economic development reserves or funds that are available at the County as well as the use of any state economic development funds.

COMMISSIONER GREENE: How much do we have in reserve now?

MANAGER SHAFFER: Mr. Chair, Commissioner Greene, it's approximately \$5 million.

COMMISSIONER GREENE: Fabulous. Great. Let's put it to work. Okay. And then the state has a capacity and that goes before the legislature every year, right?

MR. TORRES: Yes. So the last few years the legislature has been allocating anywhere from \$10 million to \$20 or \$30 million of the state. My understanding is that they have a standing fund of under \$100 million at this point. There's still a significant amount of funds that have not been attached or encumbered to a project.

COMMISSIONER GREENE: Okay. And does this cover projects that might be within the City of Santa Fe or within Edgewood or Espanola, or others that are obviously within Santa Fe County?

MR. TORRES: So it could, conceivably if the County wanted to partner with the City on a project as well as the state, but primarily our focus is outside of the City of Santa Fe because they have home rule. They have their own ordinance and they can do their own LEDA projects.

COMMISSIONER GREENE: I just wonder, some of these communities either may have arcane, like, it may fit under our ordinance but not their ordinance, or they may not have the capacity to stand up a LEDA program but Santa Fe County definitely has a skill set and capacity that might be bigger than Edgewood or Espanola, for instance.

MR. TORRES: Commissioner Greene, Commission, yes, that is correct. The County can engage in projects in incorporated areas such as Edgewood as well as unincorporated areas through cooperation.

COMMISSIONER GREENE: And then how about tribal areas?

MR. TORRES: So, technically, yes. We could enter into LEDA projects in tribal areas. The overarching issue has always been the sovereignty issue and that has not been breached so far. However, through the use of corporate entities, we could conceivably enter into a LEDA agreement if the Commission so chose.

COMMISSIONER GREENE: I bring that up because I know that Santa Fe County in the past supported with a LEDA grant a film studio and there is a film studio on Tesuque Pueblo's land and they had once upon a time looked at potentially using the LEDA grant, but again, back to the capacity. I think we would have the know-how how to put one together beyond what they currently have. So thank you.

And then as we've discussed up here and we're in a partnership with the City of Santa Fe regarding a potential amphitheater for our region, would that be potentially an eligible project?

MR. TORRES: It could certainly be a potential project if there were economic based activities that were associated with that and by that following the greater than 50 percent import or some other component that might qualify. So I'm not a lawyer. I think that in and of itself, I'm not sure if an amphitheater would qualify but associated base activities with that project could potentially qualify.

COMMISSIONER GREENE: So when you talk about base activities, I saw one of the listed things there then as well was a business incubator. How would that replicate?

MR. TORRES: Conceivably, one could support a business incubator contained within an amphitheater under LEDA.

COMMISSIONER GREENE: Oh, no. Forget that. Two separate things. Forget the amphitheater. Start like a business incubator is building businesses locally. How do you define whether they would otherwise be in other locations and create base activity?

MR. TORRES: It would be either through a manufacturing component or a non-service importing component, so they changed the LEDA act 2017 to include non-service – non face-to-face service, so that allowed solar installation installers to qualify for the JTIP Program, and also the LEDA program. So conceivably, looking at a specific project from a legal standpoint we could see if it would qualify. It's kind of hard to conjecture about what the possibilities are.

COMMISSIONER GREENE: And then one of the things I've seen with a bunch of LEDA projects that I've seen around the state is that these really end up being made for big business, and the capacity of a small, local business just doesn't reach the threshold or have the wherewith all to go for something like this. Like these JTIP projects

become relatively big. Or not JTIP but LEDA projects. And I'm wondering if there's a way to make sure that we make it easy for small businesses that are achieving those goals behind the LEDA to also have like an expedited, easier way to do this and that the thresholds, as long as they're qualified, dotting the i's and crossing the t's, the smaller businesses that are five, ten, fifteen people, are able to get something off the ground into one of these programs.

MR. TORRES: Commissioner Greene, Commissioners, so I absolutely agree with you. The main difficulty that I've seen with LEDA projects, having overseen the program at the state level, is the fact that big companies have the capacity to manage their cash flow and address the claw-back issue, which is the really big issue, especially for the period of time that is required for the project to succeed. Some of the things that we did at the state level at that time were to provide opportunities for early exits when the metrics are achieved earlier. And we've discussed that with Legal to see any kind of consideration that we can give for projects in the future that are tailored to help the project succeed by identifying other not as tangible public benefits that the County Commission wants to promote.

So putting those other public benefits on paper and identifying those could help adjust the need for full monetary consideration or at least for the full period. And again, that's really the biggest drawback of LEDA. I wouldn't recommend it for companies right off the bat. I think it's a very tailored tool, very specific. If you have a high capital overhead it might be the appropriate tool. If you have a five- to ten-year window for job creation and other things it might be the appropriate tool. But it would be our goal to work very closely with any potential business to look at that very carefully before we would plunge into a LEDA project.

COMMISSIONER GREENE: And is that sort of – are those alternative goals or things of value that we would value up here, are those explicit in this ordinance? Or should they be? Is that something that should be definitely tailored in this ordinance to address the small business, address the startup, address those things that are like how do we develop a small business bent to this? Because as much as we would love to invent Uber here, we don't invent Uber here. But we do invent lots of small businesses that cater to our community, and that's the mom and pop charm of Santa Fe.

MR. TORRES: Commissioner Greene, Mr. Chair, so those are identified in the plan. And so thinking about the relationship between the plan and the ordinance, if you look at the statute, it really looks to the plan to identify what those public benefits are, and we've listed those in terms of sustainability, green energy, green economy, those sorts of things. So I feel that by putting those, having those in the plan it addresses the – when we get to the point of approving a project we can make a very solid case that that is there. Obviously, at the state level the statute is not as explicit. It talks about public benefits and so it really leaves it to the local community to identify what is that public benefit and what is the benefit of that public benefit to that local community.

COMMISSIONER GREENE: Last question. I remember back in May with the presentation, a bunch of us had some concerns up here and I think we left it as we're going to adopt it but maybe there was going to be a revision. Is that thought about and is that something that would screw up the timing of this? Like, shouldn't we be getting some revisions and some thoughts about that, the comments that we had had up

here back in May?

MR. TORRES: Commissioner Greene and the Commission, so we did meet individually with all the Commissioners and we took everyone's input. At the time that we discussed it, what we proposed was an economic development action plan as a follow-up to the economic development plan and that is to say, not changing the plan per se but to come up with very specific and actionable, innovative concepts that we can put forth, put timelines on, and put dollar amounts to. That's what we discussed and we're prepared to do that, hopefully by the end of this year if not, early next year. It's been kind of a very interesting period this last year, but we're still prepared to move forward with a set of recommendations under an economic development action plan for your consideration and direction on those sort of innovative concepts and ideas that we talked to each one of you about individually.

COMMISSIONER GREENE: And does that have a place in this ordinance? Or is that just a subsection of a subsection?

MR. TORRES: So the ordinance again, is to enact – to allow us to operate with the state on the LEDA act for all the activities that were approved since 2014 until now. It requires a plan, which identified all of the things that we want to work on and focus on. So in my opinion, we have all the tools necessary to then create an action plan based on everything else that we've presented that is actionable and can be presented back to this body for consideration on funding or approval or direction forward.

COMMISSIONER GREENE: Okay. Thank you.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: So at the County we've had this ongoing project called Agri-Gate, and it's never taken off. Does that fall anywhere into this?

MR. TORRES: Commissioner Hansen, Mr. Chair, absolutely. So coincidentally, I have been having a lot of conversations with the Farm to Table people. There was a presentation at an aquaponics organization or company, and that was a follow-up to the Community Development Finance Association's meeting at the Farmers Market Institute earlier this year as part of an ongoing program that they're doing to look at New Mexico and Minnesota and come up with a set of recommendations.

So it's a very long-winded way of saying I think that's a very important tool. I've discussed that tool with these other entities as a potential platform that could house all of the resources for farmers and the area of value-added agriculture that we're working on. So I think absolutely that we are focused on trying to make that resource even more – have a better presence within this eco-system and be a real driver for the farming community as well as the food safety.

COMMISSIONER HANSEN: Great. So eight years at least Agri-Gate has been going on and nothing has really worked or we have resources towards it. And it seems to me that if we're pushing agriculture we need to make sure that this Agri-Gate product that we have created works. I don't know where that kind of fits in to this LEDA process because it's not – it is for farmers. I want to make sure that the way you have written it now, would we be able to – would Reunity Resources be able to apply for a LEDA grant?

MR. TORRES: So Commissioner Hansen, Commission, the short answer is yes. They could for any non-direct agricultural activities. So again, value added. So

when I met the great people at Reunity Resources a few years back when I was with the state and we had this same conversation. Well, where it ended up as was that we said why don't you bag up your compost and then you have a product and you can sell it and that makes you a qualified entity. And that's what they did. And they qualified for JTIP and they could qualify for LEDA. Again, the overarching aspects of LEDA in terms of requirements of job creation, permanent job creation at certain levels can be a pretty high hurdle for an agricultural organization.

That's not to say that they wouldn't be qualified. It would just say that it might be difficult for them to hit those targets. So again, I would advocate in a kind of hypothetical way for those sorts of projects to have additional consideration based on other public benefits that are identified going forward that may not be as tangible as permanent job creation.

COMMISSIONER HANSEN: So Commissioner Bustamante and I both care deeply about agriculture and what I'm hearing is here we have Reunity Resources that is a relatively successful business, but in order for them to get a LEDA grant they only can have a product and that's the only way. Like it's not going to support a farmers market.

MR. TORRES: Farmers markets, yes, because there the place where farmers are bringing their products for sale. This goes back to the originating statute. So agricultural activities – farming, per se, are not allowable activities under LEDA, but the value add, taking that led us to a farmers market, the support of farmers markets or farmers market-like entities are contained within LEDA.

So again, we've been meeting with the Farmers Market Institute to have conversations about how we can work together to see what the need is. One area that's come up is the food distribution system and having the idea of perhaps a cold storage facility. Would that be something that could be considered? And I think it could be considered under the rubric of the Farmers Market Institute potentially as an entity that would hold that property and that could be used in a cooperative way by farmers to hold in cold storage produce before sale.

So these conversations are ongoing and we're very open to having more conversations about how we might enhance this particular center, which is value-added agriculture, farmers markets, and the food systems in general.

COMMISSIONER HANSEN: So my one other question is about broadband. So in 2017 we added broadband. Does that mean that we haven't been able to use that aspect until we get this ordinance written?

MR. TORRES: So, Commissioner Hansen, Commission, so that was a very, very narrow addition in that period because what they identified was the need for broadband by a qualified entity to get the funding through LEDA to get that connection, and as a perfect example, Wildflower, International, a women-owned business, a very good business here locally in Santa Fe regionally, they got state funding through LEDA to connect them, their building, to a broadband network and all of the hardware associated with that. That's the limitation. It's not for broadband per se. It's for a specific, qualified entity to get a specific service connection to broadband.

COMMISSIONER HANSEN: So how will this ordinance help us increase our broadband?

MR. TORRES: This ordinance, in and of itself, Commissioner, Commissioners, will not change broadband in terms of LEDA necessarily. We still look at this point through the federal funding that's being deployed through BEAD at the state level, as well as additional federal resources, as well as identifying projects that are of high value to this Commission that could also have an ancillary connection to expanding broadband in general terms. If that makes sense.

COMMISSIONER HANSEN: Well, I'm frustrated because for years we've said broadband was an economic development driver, and we're still struggling with it. Commissioner Greene went to a conference this morning. He was the only person there from Santa Fe County. Is that correct? Yes. So why weren't we there?

MR. TORRES: Commissioner Hansen, Commission, I am here. I couldn't be there. I even signed up for that broadband conference. I was signed up for another broadband conference out of state, so I appreciate the frustration. Right now we do have a contractor that has been approved to spark the broadband plan and as part of that contract they've agreed to begin by pivoting towards any potential projects that might be available right now with the open BEAD funding. And so that's going to be their very first task and we have individuals from Public Works, from IT, that will be interfacing to make sure that we have maximized that window of funding which is about 30 days.

So again, we have that contractor just finishing up and getting in place. They're going to start focusing on potential projects in Santa Fe County that could be applied for through BEAD, but again, that program is essentially limited to internet service providers. So they will be reaching out to an ISP, an internet service provider, on our behalf to request those funds.

COMMISSIONER HANSEN: Yes. I feel like I'm a little off topic, because I want to bring that back to LEDA. So how is this ordinance going to help us besides just with the internet providers?

MR. TORRES: Well, as a speculative matter, Commissioner Hansen and Commissioners, if we had a major company that had a huge demand for broadband and they requested LEDA funding for that, and they were situated in a position where that broadband could also be expended to other entities, then that gets us to a place where it's always been the case we want to bring from a middle-mile source, which is where the main trunk lines are to more dispersed areas, so that's an scenario that I could envision that could potentially get expanded by use of LEDA specifically for expanding broadband.

COMMISSIONER HANSEN: So does this ordinance cover that?

MR. TORRES: It would, based on the inherent nature of LEDA. Broadband as a targeted infrastructure that we want to improve, and the other things contained within the plan.

COMMISSIONER HANSEN: And so did you incorporate all the things that we were slightly critical of in May into this new plan?

MR. TORRES: Commissioner Hansen, Commissioners, no. At the time we discussed it I was saying that we couldn't change the plan per se without coming back and again and revisiting the entire plan so it was at that time that I met individually and we did discuss again, providing an action plan to address those specific criticisms and we're still committed to doing that.

COMMISSIONER HANSEN: I'm still not satisfied, okay? And I think it needs more work. That's just my gut feeling. And I find it frustrating that what we suggested has not been done. Thank you.

CHAIR HUGHES: What's the pleasure of the Board? Do we want to pass this? Do we want to table it?

COMMISSIONER BUSTAMANTE: Mr. Chair, this is to publish title and general summary, and I think that the opportunity to better identify the uses of – because it's really more than deployment, if I'm understanding correctly, of the broadband within any industry sector that defines its value to economic development. Am I saying that correctly? Broadband unto itself isn't necessarily – except for those working within that industry, the economic development component. The use of it, the economic development comes from those entities that are going to be serviced from that particular asset. Correct? Yes or no?

MR. TORRES: I believe I understand your question.

COMMISSIONER BUSTAMANTE: So it's sort of saying we have – we want people to put these buildings down in this area but there are no roads. Well, you can't put buildings down there because there are no roads. So if we are going to have things like better refining how broadband would be used for economic development and how it would be deployed within various industries, that's what strengthens the economic development and I don't think that that should hinder publishing the title and general summary, but I do leave it to anyone who may have a concern or a question. This is just for the publish of title and general summary of the ordinance. So does that – so with that, if my colleagues on the dais would agree, I would move to authorize the publish and general summary of this ordinance in the interests of better refining and defining how broadband would be used for economic development, but this ordinance doesn't – the publishing of it, can move forward. Unless you feel like, no, we need to go back to square one. Otherwise the publish and summary should move us forward in that interest.

MR. TORRES: Commissioner Bustamante and Commission, so not keep reiterating, but the ordinance that is enacting refers to the plan. So if the idea is that there is a desire to change the plan and we're going to have to come back, my understanding, to change the ordinance. So if it's the will of this body to – and again, with the conversations that I had individually, I thought it was fairly clear that at the time we made the presentation it was the will of this body to say start over to another plan. I mentioned very clearly what went into that six-year period before I got here where that plan was being developed, but I'm very happy to just start over from scratch and do a plan that this Commission wants and we can pick this up when we get a contractor and redo it, if that's the pleasure of this body.

COMMISSIONER BUSTAMANTE: Chairman Hughes, do we need to redo the whole plan if it's really what I would see just about identifying how broadband – does that require going right back, ditching the whole plan that's already been proposed? Or – and I'm not saying we approve it. I'm saying if that happens but it does require – I mean the way it's been stated is that we would start from scratch. But I'm hearing that there's just concern about not having adequate information regarding the use of broadband. And if that were the case I don't know that it requires scrapping the whole economic development plan. I think we could not approve it today, and it could go back

but I wouldn't say not approving it today means that the whole thing that's in the system is scrapped. I don't understand why it requires going from square one.

MR. TORRES: So Commissioner Bustamante and the Commission, so in the plan, contained in the plan there's a second on broadband. It identified broadband as an infrastructure that's needed. It identifies a few areas of specific focus that were reviewed at the time the plan was developed, and it emphasizes that broadband development is an important component of economic development for Santa Fe County. So I'm not very sure how changing – how that might change – I don't know how that could be more specific or allow for more activity. Again, I would just emphasize that those sections were there identifying the infrastructure of broadband in this case that's needed, and making recommendations going forward on how to expand that. Ultimately it's a cost benefit analysis as we're finding out based on the funding that's available through the BEAD funding at the federal government and ultimately \$600 million at the state level is apparently not going to be even enough to deploy broadband to every residential community in the county.

COMMISSIONER BUSTAMANTE: Commissioner Hughes, my motion stands. If it doesn't get supported, it can die, but I'm comfortable with it. But if it's not going to receive the –

CHAIR HUGHES: Let's see if there's a second then we can have more discussion.

COMMISSIONER HAMILTON: Would it be possible to temporarily withdraw the motion till we have further discussion. Once we have the motion – no, no. I don't necessarily want to kill it. I might want to – if we kill it then it doesn't come back; we've voted on it. I don't know if it's in Robert's Rules of Order if we can even suspend it or if you can withdraw it and make it again. It seems to me we need a little more discussion. There were two hands up. If you force a second we'll vote it up or down and then that's it. So I'm just wondering if you can temporarily withdraw it and then remake it again after the further discussion.

CHAIR HUGHES: Well, there's no second so we can just keep discussing, I guess.

COMMISSIONER HAMILTON: No, actually, I don't think you can. Once you have a motion you have to either have a second or withdraw it temporarily.

CHAIR HUGHES: So just withdraw it temporarily.

COMMISSIONER BUSTAMANTE: I withdraw my motion.

COMMISSIONER HAMILTON: Temporarily.

CHAIR HUGHES: Paul, do you have something you can enlighten us with?

PAUL OLAFSON (Community Development Director): Yes, Mr. Chair, Commissioners, thank you. I just wanted to kind of reiterate. I think there's a slight misunderstanding how broadband and LEDA are connected or could be connected. And I think we can come back to you by the next end of the month to provide that clarify and that understanding of how they fit. The item before you today is to ask for publishing title and general summary so that we can take the ordinance to a vote from you all, saying, yes, we want this tool in our economic development toolbox, and if we need clarifying or additional information regarding broadband and how they may interact, or other sectors,

we can certainly do that.

But I want to just be clear that the ordinance is based on the state statutes and it allows us to have a new tool or an enhanced tool to work on economic development. The plan is a subset under the ordinance and all the ideas that we've been hearing, I think, are contained in the plan, and they can be further fleshed out through an action plan. But voting on title and general summary, to my mind, it's not impacting and that we can bring back more clear descriptions for broadband and other items as needed.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you. So two points in this. The first one is to further clarify the broadband issue. Broadband wasn't like we're going to start up a broadband project. It was a qualifying expenditure for a LEDA project, so that's a way to say, I'm a company; I'm coming here; I'm setting up a thing – a post-production facility that wants to do all sorts of high speed internet transactions and needs high speed internet to be able to do that. That was now written into the state law to allow for that expenditure, whereas in the old days you could put in a road, you could put in a utility line, and broadband was sort of added into that because that became a new type of utility that was necessary for that. So to clarify that.

But broadband projects don't fit under LEDA per se, except as they pertain to an expenditure of another project.

Now, given that you're working on the action plan or whatever the subset of the plan was, I'm wondering if, since we don't necessarily have hardcore projects that are banging on the door, like CSPACE and things like that, if it wouldn't be better to come to us with the revised action plan that has taken our comments from a couple months ago, say here, this is an addendum or whatever we call it, to the economic development plan, bring it before us, especially because we have two retiring Commissioners before they leave, and then we can address this ordinance right behind it.

But instead of doing the ordinance, and then plugging in this action plan after it, my personal feeling would be let's get that action plan out here. We get to review all those details that you heard us ask for and then interviewed us, bring that in and then we can come back with this thing soon thereafter.

I think the action plan really addresses what the five of us as a current Board, individually and as a Board, have brought forward. And if that comes in, as soon as the new Board comes in, two of them are going to be new and say, well, where was my input? So I would focus on that within the next three meetings that we have before the end of the Annas – Commissioner Hamilton and Commissioner Hansen's terms, and then we could easily publish this before that and start that process. That would be my recommendation in this to know what your thoughts are and what you gleaned from us, and then this is sort of, to me, a boilerplate that addresses that more specifically. Or as a mechanism.

MR. TORRES: Commissioner Greene, Commissioners, it's a very complicated, again, going back to the plan that was developed over six years, and I had very little input into it. If it's my preference, if you're asking me for my preference and from the amount of feedback I'm getting here, I would say scrap the plan and start from scratch, because that's the only way I could personally attest to how every aspect of that plan should address the issues that you're bringing forth.

Now, having said that, there's nothing from our conversations individually with all the Commissioners that indicates that we can't enact – everything from that action plan that I heard from everyone here. All those activities emanate from that existing plan. The plan is a very standard kind of economic development plan – identifying demographics and targeted areas, etc.

So certainly we can look at developing this economic development action plan and then trying to tie that into the existing plan. But again, with the knowledge that this was a plan that was created over several different department heads through a number of years and if we're going to start from scratch I'd say just start from scratch, scrap this. Let's begin back and let's check in in a year. And we can present an updated LEDA at that time if there doesn't seem to be any rush towards approving the newest LEDA then maybe that would be the best course of action.

But again, I'm open to whatever the Commission wants us to do, but do understand that it's not just three meetings. This is two holiday periods and other activities that are associated that we do. So it's not like this is the only thing we're going to be able to work on over the next two months. There's a lot of other – there's a lot of constraints on resources and time, and so it's not going to be very easy to bring something back, even at the end of the month or by the end of the year if there's this much question about those concepts.

CHAIR HUGHES: Let's go to Commissioner Hamilton.

COMMISSIONER HAMILTON: I think learned enough program management to say pretty confidently that it's entirely unrealistic to think starting from scratch is anything but another one- to two-year undertaking. I think part of the concern was whether publishing title and general summary for this ordinance would fix that plan without any options for further enhancement or modification. But from you earlier and from what Paul said, it sounds like that plan can be fleshed out further, even with the ordinance in place. Is that the case?

MR. TORRES: Commissioner Hamilton, Commissioners, yes. Everything in that plan allows you to do any of the things that I spoke individually about with you all. There's nothing that constricts that. It just broadly identifies areas of focus and broadly identifies things that the Commission wants to do. It does not lock you into something, and I would encourage you to read the plan in a little bit more detail. Eighty-five pages is a lot of stuff there. But you're not locking into anything other than we're being able to move forward LEDA projects. That's kind of a separate issue. We're able to move forward with any of the projects that you all want to see from that plan.

COMMISSIONER HAMILTON: Okay. That answers my question. The reason I wanted to delay having a motion on the table was because I thought there was confusion about that. I actually kind of agree that some of the answers, the issues on broadband, some of the specific questions the Commission has and was asking seemed unsatisfying. But I don't think it's a fundamental problem with the structure of the plan. To my mind, that 85-page plan is the framework within which we work. The liability of postponing that, this now, is a very, very major tool that doesn't get added to the toolbox to implement that plan. And that's not what I was – I wasn't asking to postpone that. I think it's a mistake to start from the beginning and a mistake not to do this ordinance now, frankly. Anyway, thank you, Mr. Chair.

COMMISSIONER BUSTAMANTE: That's what I was trying to say earlier, that it doesn't it doesn't throw the brakes on this. These issues allow us to move forward, and if you're willing to re-accept my motion, I would like to make my motion again to approve the ordinance for the economic development plan.

COMMISSIONER HAMILTON: Second.

COMMISSIONER GREENE: The motion should be authorizing publishing the title.

COMMISSIONER BUSTAMANTE: That's what it was.

COMMISSIONER GREENE: Yes. I just want to be clear.

CHAIR HUGHES: Okay, so we have a motion by Commissioner Bustamante, seconded by Commissioner Hamilton. Is there any further discussion?

COMMISSIONER GREENE: If I may, just one last question. You mentioned that the action plan. Six months later you interviewed us all and you said that it was almost ready to go and you said you would like to it be able – it would be ready to go before the end of the year. Given that before the end of the year is probably on the same timeline as this ordinance, is that feasible to present to each of us, hey, I heard everything you said. Here's how we're going to address it in the action plan, and it sort of dovetails into this and so they sort of have a simultaneity instead of one after the other.

MR. TORRES: Commissioner Greene, Commissioners, we could certainly give it the old college try. When we had the interviews at that time I had a staffer that had been here for six months and then he subsequently left. So I am always game to give it a shot. I'm willing to give it a try to get you an action plan before the end of this year that will address the issues going forward and again, I can't speak to the specific timing of the ordinance, based on the 30-day wait period and the adoption period, but again, one thing, one thing does not affect the other. Everything that could be in an action plan that allows to be done is in the plan itself right now. So I'm willing to go and try to get that to you before the end of this year.

CHAIR HUGHES: Okay. So I think we should vote on this ordinance.

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

CHAIR HUGHES: Thank you very much, Juan.

COMMISSIONER HANSEN: Okay, but I also want to see the action plan before the end of the year.

CHAIR HUGHES: I gathered that, yes.

6. E. Request Approval of Developer Assistance Program Loan Funding Awards for the 2024 Funding Cycle

MR. OLAFSON: Thank you, Mr. Chair, Commissioners. Today before you we have a list of developer assistance proposed loan amounts, and we want to ask you all to have reviewed the projects and give staff direction to move forward with the funding process. The funding process will include a letter of commitment from the County Manager and then negotiations on entering into a loan agreement with the individual entities that were approved for funding.

A little bit of background: In July 2023 the BCC approved the affordable housing plan. One of the projects that was listed in the affordable housing plan was a developer assistance program. And then in October of 2023 the BCC approved the regulations for the developer assistance program. And then in August of the last fiscal year, 24, the Board approved \$4 million for the developer assistance program and now in August of this year we released a NOFO for funding and this would be the inaugural round of funding for this developer assistance program.

The program aims to support projects that provide affordable rental housing and that serve near or below 80 percent of area median income, or AMI. The Notice of Funding went out. We received five applications and the applications were allowed to provide the funding for acquisition of land or a site, construction costs for rental housing, rehabilitation for affordable rental housing, conversion of an existing structure into affordable rental housing, infrastructure necessary to support an affordable rental project, and low interest capital financing.

On September 13, 2024 we received five applications. The applying entities were Santa Fe Civic Housing Authority, Dominionium/Turquoise Trail, Lincoln Avenue Communities/Cresta Ranch, Together We Grow, TWG/Nueva Acequia four percent, and Together We Grow, TWG/Nueva Acequia, nine percent.

There was a review team formed with staff from Public Works, Finance, Growth Management and Affordable Housing. We did an evaluation of the five proposals. The evaluation elements included summary and cost/benefits, team experience, environmental design and sustainability, project feasibility. And extra points were also awarded for commitment to working with local trades, special needs set-asides, right of first refusal and location near essential services.

It's important to note that projects were not strictly speaking competing against each other. Awards were not limited to the highest ranking applicants. Instead, the evaluation criteria were used as a means to ensure that projects objectively merited support. Staff concluded this was true for four of the five projects. The one that is still uncertain is the TWG nine percent, and that is because the nine percent funding process is a different animal and we have not completed those applications. So we're anticipating that we will get that all wound up but there could potentially be a gap on that project.

In addition, the review team recommends that \$500,000 of American Rescue Plan Act or ARPA funds that had previously been allocated to Nueva Acequia be allocated to the Santa Fe Housing Authority's request. This will ensure that these funds can be obligated and spent within the ARPA funding timeframe requirements.

So staff is recommending the following projects and funding levels: The first one, Santa Fe Housing Authority, their Ocate project, application requested \$600,000. This would produce 60 units of affordable housing or rental housing, and the committee recommended \$100,000 from the \$4 million allocated, and then the \$500,000 ARPA money. That would make that request complete.

The next proposal is Dominionium/Turquoise Trail. They requested \$2 million. Their project will produce 312 units of affordable housing, and the team recommended \$1 million in funding for that project.

The next one is Lincoln/Cresta Ranch. The request was \$2 million to support 240 units of affordable housing. The team recommended \$1,320,000 for that.

Under TWG/Nueva Acequia/Four project, the request was \$1,050,000 for 105 units, and staff recommended \$1,050,000 in funding for that project.

The last project is Nueva Acequia/Nine. The request was \$530,000 for 53 units and staff recommends the full funding of \$530,000.

So that gets a total funding recommendation of \$4 million from the County's allocated developer assistance fund and \$500,000 from the ARPA fund. At the end of the day if all these projects are funded and successful it is anticipated that 770 new units of affordable housing will come out in the community.

All the funding awards are proposed to be made as low interest loans following MFA's affordability period requirements, and interest rates and the term of the loan will be based on the project needs and County agreement. It's anticipated that after the loan is made and repaid, those funds will then be able to be recycled back into future programming.

As I mentioned earlier, after the awards are recommended by the BCC the County Manager will issue and execute a letter of commitment letting the awardees know that the money has been designated for them but the final loan agreements and packages will be brought back to the BCC for review. With that I would stand for any questions.

CHAIR HUGHES: Okay. Any questions? Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Thank you, Paul. 770 is nice number to have our name on, so good job for us and good job for you to get those things in the pipeline. The question I have is if we're going to recycle this money, are we talking 20 years to get it back recycled? Is it ten years? Is it seven? Is it 30? Is it 40 or 100?

MR. OLAFSON: Commissioner, many of the proposals had varying terms on the loans. Staff's intention to work with the developers and target maybe shorter terms with lower interest rates because of the cost of money. So we don't have those negotiations in place yet. I can't answer a direct timeframe but when we bring the packages back the terms will be spelled out in those packages.

COMMISSIONER GREENE: Okay. Thank you. And do we have a way to work with MFA to leverage this even further? Is there a way to either, a) get by the interest rate down? Are we getting that preferential interest rate that the state that maybe we can pass through? And then is there a program at the state? So that's one question. Then the second one is is there a program at the state, especially with the significant millions of dollars that the state has put aside for affordable housing? Is there a way to get this to say, instead of being a direct loan, but we match it with some of the state monies to get them twice the bang for the buck, and maybe we get to fund – we do have a little shortfall here. We're putting in \$4.5 million and we had a \$6.1 million request. Is there a way to sort of leverage that further? Have we explored all those things with the state?

MR. OLAFSON: Mr. Chair, Commissioner, let me see if I followed along. Yes, we would look at similar rates to MFA. For this time period I don't think that we have an ability to go to them. I think they're still developing, along with DFA, some of their funding packages for affordable housing. We definitely have been in contact with the state on options. MFA has their structured program, their LITEC program that we're going to talk about in a few minutes. And so that – those are options.

We also have a study out right now for kind of a strategic investment strategy for the funds the Board has already allocated to us. And your point is exactly spot on for the thought process of how can we take the funds we have and leverage them. And so yes.

CHAIR HUGHES: I would like to mention that I sit on the Housing Trust Fund Advisory Board for the state, and one of these projects has already applied for and already gotten money. And so everybody, when you have a housing project you apply for everything until you get the money you need. And so this is what the County can supply, and it's probably very important, but it's not – it's only a small part of the whole project. Any other questions? You've answered most of my questions, which is I want to see the terms and the term of the loan for each one. It's a big difference whether they're paying it off gradually as we go along or are they going to pay it all at the end when they sell it. I suppose it's different for every project.

COMMISSIONER GREENE: And if I may, Mr. Chair.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Is there a way to, if somebody sells these projects, is there a way to say, hey, that we're in the first position to get these loans back?

CHAIR HUGHES: Yes. And there's no way to sell it. It's totally impossible.

COMMISSIONER GREENE: Okay.

MR. OLAFSON: Mr. Chair, Commissioner, we have a presentation coming up in a couple items on specifically how these tax credit projects are working, and what we're planning for Nueva Acequia. So I think that question will be answered there but to my knowledge, and Commissioner Hughes has far more knowledge of this that, no, you can't.

CHAIR HUGHES: Basically, you have to pay everybody back instantly if you sell it.

COMMISSIONER GREENE: Okay. Great. Well, I will make – unless there's any other questions up here. Seeing none, I will make a motion to approve the developer assistance program loan funding awards for the 2024 funding cycle.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Motion by Commissioner Greene, seconded by Commissioner Hamilton.

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

7. Presentations

A. Presentation Concerning Proposed Records Retention Schedule Tailored to the Records of Santa Fe County

CHAIR HUGHES: Sorry we're running a little long today so the extent to which these can be kept short will be very much appreciated. Go ahead.

NAOMI SOLOMON (Records Program Manager): Good afternoon, Mr. Chair and Commissioners. For today's presentation I will provide general information about County records, retention obligations, our current records retention schedule and recommended revisions, and additional goals for County records management. And so to

introduce all of those topics I've got a few simple definitions. I wasn't going to read from the slides completely so you can reference those later if you want some expanded definitions and information.

Record retention schedules are built around legal regulations. A records retention schedule is a complete list of records in an organization. It describes each type of record and how long they each need to be kept before they can be disposed of or otherwise dispositioned. A public record is a record of any format created or received while doing public business. Public records show how our government works, our policies, decisions and activities. And these records can also hold historical value. A non-record is basically a document that isn't created for or necessary to public business. And so this list shows some potential examples of non-records, so if it's not on the list please do consider it a public record, and I'm going to help us manage those.

Public records are generally managed by file closure dates. These dates help staff see which records are still in use, which ones are no longer active or have been closed, and which records can be transferred to storage or formally disposed of. Currently the County is using a retention schedule adopted by the Board on June 11, 2013. It was Resolution 2013-60. This resolution adopted provisions of the New Mexico Administrative Cod as well as general and local records retention and disposition schedules from the State Records Center and Archives, SRCA. That's just a picture of it.

I'm here to let you know that I believe updates are needed to Resolution 2013-60. That one references over 200 pages and 400 record types. This many record types to choose from can make indexing records feel overwhelming. It can slow us down and cause us to look for indexing shortcuts that diminishes the quality of our data. The included record types from 2013-60 were written for state agencies and not necessarily County offices. The regulations in that resolution and Regulations 1.15 and 1.19 have since been repealed and replaced by 1.21.2, and the business of the County has also changed in the last decade.

So this slide and the next one are screen shots of our current records retention schedule here in paragraph 4, and this example I'm bringing to you because it's a record that we don't utilize here at the County. I checked with the Treasurer's Office and they do not have oil and gas ad valorem tax files. So we are wanting to go ahead and remove this one. And a second example I have here from our retention schedule is the routine control records. And this one sounds inclusive enough that many offices have used it for indexing, but a greater level of specificity would enhance our efforts. Also, SRCA, the State Records Center, has now determined this type to be non-record.

So some of the work that we've done to draft and update to the record retention schedule would be collaborating with County offices and departments. So I've had lots of meetings with many folks here, as well as the attorneys. I've also referenced national policies and regulations, and tailored the guidance from SRCA to better fit our County.

A very noticeable change would be the formatting. I've changed the record retention schedule from paragraphs to tables, so that will help us sort and filter in easy ways, which should speed up the process for folks that are doing indexing. And so there's easily understandable fields.

This here is a screen shot of my current draft. You'll see record numbers on the left-hand side. The record numbers are made by shortening the office name into three

letters and adding three-digit numbers at regular intervals to label each record type in alphabetical order within that office code. Additionally, the V-code at the end of every record number stand for the version number of that record type.

So you can see here on this picture of TRS-550-V01. So TRS would be short for Treasurer. It's record number 550 out of 1,000 possible records, and Version 1. You can see there the record types each have names. They've got examples. I've listed out if it's confidential or otherwise sensitive. File closure, which would be when we determine the file to be inactive, and then how long we retain the record at that time.

One example that is in addition would be that the Treasurer's Office didn't have monthly payment plans in their current retention schedule so we're going ahead and adding it to the new draft.

This screenshot here shows BOE records, Bureau of Elections, and they have very specific retention schedules based on legal regulations, and also potential judicial inquiries play a part in the file closure and retention.

I would like to say that for the County offices that don't have legal regulations for certain record types we've determined those very carefully, again, by referencing other national policies or local government policies, and just trying to go with what's reasonable for the offices and what matches their procedures and needs.

But looking ahead, after, hopefully, a retention schedule update, there would be much more on my plate which would be conducting regular training for all departments, teaching strong file naming and file structuring protocols, building organizational systems for physical and digital file storage, and everything else that you see here.

I stand for any questions.

CHAIR HUGHES: Any questions? Yes, Commissioner Hansen.

COMMISSIONER HANSEN: Thank you, Naomi. Welcome to the County.

MS. SOLOMON: Thank you.

COMMISSIONER HANSEN: I take from your suggestions, I think we probably need a new resolution, considering the last resolution is 11 years old. So I thank you for a very clear and basic concept of what we need to do, so thank you very much.

MS. SOLOMON: Thank you, Commissioner Hansen.

CHAIR HUGHES: Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you, Ms. Solomon. I appreciate it very much as well. What is the audit schedule? Is there an audit schedule for making sure that the County is maintaining documents based on the procedure that we've established?

MS. SOLOMON: Yes. Thank you very much for asking that question. Mr. Chair and Commissioner Bustamante, I have included the audit periods in the file closure and retention periods, and not every office indicated that they have audits, so we went with those that did. So Finance, obviously, has a lot of audits and that would be in the draft that I'll be able to show you at a future date, and for those that did have audits – Housing was one of them. They might have the Federal Housing Agency coming to check on their records every three or four or five years. So they helped push back the retention period to keep those records longer, and just a few other examples like that from around the County.

COMMISSIONER BUSTAMANTE: I appreciate that, Mr. Chair and Ms. Solomon. Is there an audit of the structure in itself, or just the independent audits for each department? Is there an audit on this procedure at all? Is there a state-required procedure that says we should have a formalized system that all departments align to or no?

RACHEL BROWN (Deputy County Attorney): Mr. Chair, Commissioner Bustamante, if I can respond to that question. There is not a formal audit process, but part of what will go into our County Records Management program is regular updates to the retention schedule once it's updated so that we don't fall so far behind and we keep track of how our procedures are changing, our needs are changing and the law is changing.

COMMISSIONER BUSTAMANTE: Thank you.

CHAIR HUGHES: Any other comments or questions. Thank you very much, Ms. Solomon. We appreciated the presentation and we'll look forward to the resolution.

MS. SOLOMON: Thank you.

7. B. Presentation Concerning Special Purpose Entities to be Created to Implement Nueva Acequia Four Percent and Nine Percent Low-Income Housing Tax Credit (LIHTC) Projects

MR. OLAFSON: Good afternoon, Commissioners. Very briefly, this presentation will include an update by the County's Housing consultant Project Moxie concerning the Nueva Acequia multi-family housing project, and this includes the four percent and nine percent low income housing tax credit projects, or LIHTC, and I'm going to ask our consultant and Jen Lopez to kind of go over how these projects are formed and some of the special entities that are needed to make these projects pencil out. And then I'll provide a little more information and we'll have time for questions as well. And I just want to confirm, Jen, are you online? Go ahead and start talking.

JEN LOPEZ (via Webex): Hey there. Hello, Commissioners, Board Chair. Nice to see you again. Good to be with you again. I have a short presentation just as a reminder again of the journey we're on as the County with its tax credit project and some of the decisions we've already made and why we need to make the decisions around these new entities.

So again, why do we do housing tax credit projects? Why do they work? Again, this is a unique program that was created in the eighties and it was created to get away from publicly subsidized housing. What's unique about these tax credit projects is that it provides an opportunity to do a public-private partnership. The developer and the owner agree to long-term affordability. The private sector assumes the risk for the project and its success. These are very competitive sources of funds and so with competition you get really strong projects. The tax credits, when they're allocated to the project and bought by an investor creates a significant portion of the costs. It's the source of funds and the equity to build the housing, which means that the property takes lower debt and therefore has lower rents.

The state agency, which is now Housing New Mexico, customizes its program through the qualified allocation plan, which they just approved and it's sitting in the Governor's Office for signature I think a week ago.

Why is the County Housing Authority pursuing tax credit development? It's common for local governments and housing authorities to sponsor and/or co-develop tax credit projects because it creates high quality affordable housing, it allows the housing authority to have the opportunity to earn a modest developer fee, and most importantly there's a mission element where it allows the housing authority an opportunity to own these properties long term and start to build their asset base.

Development has risk and so there's many things that the team has put in place to mitigate risk to the County to this point. Again, the counties local governments are always mitigating risks with their local governments. First and foremost, your staff put together a development team last year. Project Moxie was hired to lead the effort. We're the lead development consultant. We've helped hire a lawyer whose expertise is with the tax credit development, which allows that lawyer to speak to your lawyer, because it's a very complex program. We helped identify market study analysts, environmental review consultants, etc. and then most importantly, we ran an RFP process with your staff to select an experience tax credit developer.

The developer then, this summer we came to you probably in July and presented a memorandum of understanding representing the relationship between the County Housing Authority and the developer, and we did that because the developer needed to expend funds to get ready for applications and it's just a best practice to align the outcomes of the project as soon as you can. And then, in order to do these tax credit projects you have to create separate legal entities, because the IRS requires it, and it also protects you all by having an entity that's in the deal structure versus the County directly.

This is just a reminder. You selected TWG. You had five respondents. TWG was selected. They've got a ton of experience. As you can see from the slide they work in multiple states. They've done over 110 developments, lots of experience with the different financing sources used for these deals. This is their first project in New Mexico and so one of the reasons why our team is staying involved is to sort of help translate some of the New Mexico nuance.

And again, the development approach is Santa Fe County ran the process, did the selection. Again, we've got a strong team. And this is how we're managing the project which I just have to say is a significant amount of work and a huge burden to your staff and so I just have to give them kudos. Paul and the team have been working really hard to pull this together. It's a lot of extra work for them. So kudos to your staff. Anyway, there's a number of us. We meet weekly, managing the process to get to application. The team is applying under both the four percent tax credit program and the nine percent tax credit program. This is called a four-nine combo. This has never been done in New Mexico.

So you're going to be the first to attempt to do this. It's a little bit more complex but what it allows you all to do is move a little faster in your process.

So the four percent project is going in in November. It's 105 units, and the nine percent will go in in January and it will be 53 senior units. It's on one site. You've created an intergenerational community complex. There'll be services on site.

So usually when they say something is really complex, why would you do it? You all were so clear and your staff were so clear that you need a win and you need it now. And so by trying for both the four percent and the nine percent, you're more likely to get

funded at least in one of those programs next year. We met with Housing New Mexico in September as a development team and they were really excited to see how this four-nine combo could work. And we had been anticipating applying for the nine percent in January and then the four percent in March, just because we needed some lead time. And they said, no, no. Apply for the four percent in November because we really want to see how this works and we want to have a longer lead time to work with you on how to structure this.

When the funder tells you to apply sooner, you do it, but it also has created a lot of additional stress on the team. So we're running as fast as we can to get this done and again, we appreciate all the support from the County Manager, Legal team, Paul, etc.

The other kind of scheduling challenge we've had over the last couple of months is that the qualified allocation plan, which dictates sort of how the competition is going to be run wasn't finalized until October. So there's just been a lot of things up in the air. But the project's coming together and we're excited to have you all approve some very critical documents at your next meeting.

We met last week when I was in Santa Fe with my team and then we had a call on Monday. The tax credit applications are incredibly complex. Again, this is an IRS program; it's not a HUD program, and so you're dealing with a lot of tax law. You're dealing with private investors. You're dealing with just a number of different regulations that you wouldn't see in a traditional housing authority or HUD-funded project. And so as a reminder, what we're doing to make your projects the most competitive is first, we have to have these legal entities set up. There'll be a Nueva Acequia four percent LLP, and a Nueva Acequia nine percent LLP. We need those entities set up immediately because those entity structures are the nomenclature for those applications and we have to file them with the state and get them set up and formally approved by the state.

Then we'll be showing MFA, or Housing New Mexico that the County, TWG, and these entities – everybody's in good standing. The project has to meet basic requirements around design. We have to get costs from a third party, so we're working on those costs coming in next week. We have to have site control, so you'll be seeing a document in the near future where we are asking you to approve site control, because they don't want to look at an application unless you have site control. We had to prove that there's sufficient demand for the types of units you're creating. We did that with a market study. Again, the reason we pull in experienced developers to work with, entities that have done tax credits before is that they are able to create the financial feasibility models for us, walk us through how to do it very quickly.

So we've had a financial model for several months. It's getting tweaked with the new numbers coming in, but we've got models, so that's really exciting. Zoning's in place. We might have some minor things we need to go through with the City of Santa Fe but multi-family zoning is allowed on your site. We will be providing some services working with Jennifer Romero on that and then 20 percent of the units, if they're covered by vouchers, you're more competitive at the state, so your Housing Authority is going to run a competitive process separate from this and we'll see if it all comes together.

So legal entity creation. So again, we need to the County to approve two new legal entities for this application, and it's a requirement from the IRS and it's good for you. It provides protection. And we just need those approvals as soon as possible.

Again, because the County hasn't gone through this tax credit before, again, we met on Monday. Your LIHTC attorney is your number one sort of resource to help with that with your legal team. What documents to look at, what to look for, and how to get comfortable signing off on these applications. It's probably, when we submit both applications together it's somewhere between \$45 and \$48 million. These are huge. And I want to answer Commissioner Greene's question about leveraging Housing New Mexico. We're leveraging everything. So we're leveraging all of the programs, tax credits. We got federal home loan money last week, so truly the County's funds are kind of the final gap or one of the final gaps, so grateful for you all to step in. It just costs a lot more to do these deals since COVID.

And then on November 12th we'll have some Housing Authority documents related to the project-based vouched process. And then again you'll have – you won't have land lease options; you'll have land purchase options. My mistake. I thought we were doing land lease options. They are purchasing options and we will provide the agenda documentation why that is and we will try to have Dan Pick, your LIHTC attorney available if you have questions at the November 12th Board meeting.

I think that's it. That was a lot of information. I know you've been meeting for several hours and I apologize if I talk quickly, but hopefully that was a good overview of the process and where you're at, and you're so close to application it's really exciting.

CHAIR HUGHES: Thank you, Jen. It's nice to hear from you always and work with you. Any questions?

COMMISSIONER HANSEN: Let's keep going.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: Thank you. So three questions. First one: how do these units differ from the two other projects in the 770 units that we have? Obviously, this is 150 of the 770. Are these different or basically the same and it's a location difference? How would you classify them? Are they different sizes? Are these like the senior housing? Do the other projects not have senior housing?

MR. OLAFSON: Mr. Chair, I can't speak exactly for every other project, but our specific project is targeting both seniors and families, and that gives us, as Jen mentioned, the multi-generation kind of complex. And also it gives us extra points in the process. So those are target communities. Go ahead, Jen.

MS. LOPEZ: It's such a great question because those other units that are being created are exciting and there's probably a mix of all kinds, Commissioner Greene, but the main difference in my mind between Nueva Acequia and those projects is that the County has long-term ownership. You don't have long-term ownerships, you don't have a right of first refusal on private developer projects. It's something we can work on. As part of your program moving forward we can do that but yes, you're properties are going to be your long term, so there's a much stronger mission element to your projects.

COMMISSIONER GREENE: So that then brings me an added question because I had asked that in the previous project. Like if somebody sells this, and Commissioner Hughes says it's impossible to sell, but if we have long-term control, it's in our hands but it's in an entity's hands and it's unable to be sold, then we do have long-term control even if it's in a third party. But you're saying that there is the chance that these could be sold.

MS. LOPEZ: Let me explain. I can handle it. If it's a private development group and you're lending money to that group, at year 15, on tax credit projects the investor exits, right? It's called a year 15 exit strategy. Likely, they will pay back your loans then, because they have to restructure the debt on the property. When it's a private developer they pay you back. Thank you for the money and they're on their way. In our case, when we get to year 15 and the investor leaves, we get the option to stay and own. Big difference. Big, big difference.

And a lot of the work that we do with local governments is try to get them to be in that position as often as they can. So does that help? Does that explain?

COMMISSIONER GREENE: It does. It just brings me back to that last developer assistance loan that we put forward 20 minutes ago. I'm wondering, one, if there's the 15 year, so we should be looking at getting paid back in 15 years, and that's at least the maximum time frame for that, or have a different sort of, hey, you've got to stick in for longer as affordable if you want this loan to be any longer.

MS. LOPEZ: Yes. And let me add another nuance. So the refinance happens at 15 years, but your underwriting of your loan could be 15, 20 or 30 years, so it's confusing. So this is where we're going to have Dan explain things to you. If, again, if there's a restructuring at year 15 usually they pay off the debt. They could come back for you and ask for a longer loan time. Again, I think you've got to wait for Paul to bring back each deal, maybe asking for a slightly different thing, which is completely normal. So that's one piece.

And then I think as you grow out your developer assistance programs moving forward you can look at asking for additional things in return for providing funds, right? So this is a new program. To be quite honest, I don't think there was enough time for that right of first refusal and it wasn't a good move to make. You had to leverage 700-some units. That was the goal. How quickly can you get these units built so that you can have people housed? But as you move forward, again, you can add nuance to your program so that you could ask for right of first refusal. You can do other things. I'm pretty sure, Paul, that right of first refusal was a scoring criterion for these funds and so that's probably why Nueva Acequia would have scored higher because you're going to own that property. Is that helpful?

COMMISSIONER GREENE: Yes. And then do we need to bring the LLCs to our next meeting? Is that something we should be looking for? Is that –

MS. LOPEZ: I'm going to ask Paul what the process is, sir.

MR. OLAFSON: Yes. I was going to do this little question and answer and then I was going to say exactly that. So the intent is that at the November 12th meeting we will bring back almost this same packet with the LLC agreements, with the LLP agreements, and everything needed to put this all together. There's more documents. And we just wanted to bring this to you know to have it be clear about where we're headed and why we're headed there, and then make it may be easier on the 12th to make that call and pass the resolution that authorizes the Chair and its designees and everyone to execute this.

Jen mentioned this but I don't think she emphasized it quite enough. The application is due, I believe, on November 26th and that's like rocket speed. Good luck. We'll make it. I'm confident we'll make it, but it's going to be a lift, a pretty fast hard

lift.

COMMISSIONER GREENE: And then last question. And Jen, can you help us with this. As we look at the housing mix that we're working on, one of the things that I don't think that we're building into our community is that sort of transitional SRO model, single room occupancy model. And either the City or the County needs to incorporate that into our portfolio, and I know you probably have examples of that. And ordinances and ways that we can adopt that into our SLDC and maybe the City can do into their Chapter 14, so that we can make SROs a legal, viable product mix here that some people that's good enough, right. But they're just not allowed in the city or the country right now. And I think that that's a missing portion of our housing and shelter mix.

MS. LOPEZ: Commissioner Greene, it's probably a land use issue and a funding issue, and it's a capacity issue. So happy to come back and give some more information about how we've done those programs in other communities and know that funders are talking about those, trying to figure out how you can bring them to Santa Fe. You can't do some of this specialized housing with tax credits. It's got very – it's very regulated rules around rents. So you have to fund it a little more creatively, but yes, there's definitely models that we can share.

COMMISSIONER GREENE: Wonderful. Thank you. Great job.

MS. LOPEZ: Thank you.

MANAGER SHAFFER: Mr. Chair and Commissioners, I would just remind the Board that in the packet material for this item was an addition to Jen's very useful presentation, a memo that explained the primary documents that we would be seeking Board approval of at the November 12th meeting as well as copies of those primary documents as well. So between now and the next meeting, if you have questions or comments relative to those specific documents you can reach out to me, Paul, or Jeff Young. Thank you.

CHAIR HUGHES: Okay. Is there any other discussion on this issue? If not, I'm going to suggest that we – so that we can get to the public hearings, that we skip 9 and 10 until the end of the meeting. We move to Matters from the County Attorney fairly soon, however, Commissioner Hansen noted that we could take 13. A first and get that out of the way. So if there's no objection we will go to 13. A, Public Hearing.

13. Public Hearings on Administrative Adjudicatory Matters

- 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)**

CHAIR HUGHES: Are there people here to present that? Thank you. And then just a note, after that we'll take our break, so if other people are here for other public hearings they can go for a cup of coffee.

MAGGIE VALDEZ (Case Manager): Good evening, Mr. Chair and Commission. Today I bring before you Case #24-5180. Issue: Management, Madrid Management, LLC, dba Refinery 14. Applicant requests approval for a Beer and Wine Liquor License. The property is located at 2849 New Mexico 14 and is zoned Traditional Community within the Madrid Community District Overlay and Rural Commercial Overlay, MDC O-RC, within Section 25, Township 14 North, Range 7 East, Commission District 5.

Summary: Refinery 14, the applicant, is requesting approval of a beer and wine liquor license to serve beer and wine with meals at an existing restaurant formerly known as the Hollar. The restaurant is currently open Thursday through Monday, 7:30 a.m. to 4:30 p.m. serving breakfast and lunch. The applicant intends to also open for dinner from 4:30 p.m. to 11:00 p.m. Thursday through Monday by the end of the year. The property is zoned Traditional Community located in the Madrid Community District Overlay and Rural Commercial Overlay, off NM 14.

The zoning for the property is regulated by Ordinance No. 2016-9, the Sustainable Land Development Code, SLCD, Chapter 9, Section 9.6.4, Sub-section 9.6.4.1.2.b.vi, Madrid Rural Commercial Overlay, MCD O-RC. The site is zoned Traditional Community, TC, within the Madrid Community District Overlay and Rural Commercial Overlay. Chapter 9, Section 9.6.4, Sub-section 9.6.4.1.2.b.vi of the SLDC identifies this use as a supplemental conditional use within the above-mentioned zoning district, subject to all other applicable standards of the SLDC.

The Traditional Community zoning within the Madrid Community District Overlay and Rural Commercial Overlay, TC MCD O-RC, allows for taverns as a supplemental conditional use as per Chapter 9, Section 9.6.4, Sub-section 9.6.4.1.2.b.vi of the SLDC. The subject property was previously approved in 2009 under the Hollar, LLC. The case #09-5010, for restaurant use with consumption of alcohol prior to the adoption of Ordinance 2016-9. Therefore determining this site having legal non-conforming status for a Restaurant Liquor License with pre-existing uses on this site is covered in Chapter 1, Section 1.11.3 of the SLDC which states: "Development permits and final approvals granted by the Board, County Development Review Committee or the Administrator prior to enactment of the SLDC for which rights have vested shall remain valid, and development and use of the property shall be allowed so long as the development and use is in accordance with the development permit and final approval."

The State Alcoholic Beverage Control Division granted preliminary approval of this request in accordance with Section 60-6B-4 NMSA of the Liquor Control Act. The Liquor Control Act requires to grant a Restaurant Beer and Wine Liquor License at this location. In accordance with the Liquor Control Act, the BCC may disapprove the issuance of the license if the location is within three hundred feet of any church or school; the issuance would be in violation of zoning or an ordinance; or the issuance would be detrimental to public health, safety or morals of the residents of the local option district.

Legal notice of this request was published before this hearing twice in the *Santa Fe New Mexican* on September 27, 2024, and October 14, 2024. A complete application was submitted on September 13, 2024.

Growth Management staff has reviewed this request for compliance with the pertinent code requirements and finds the following facts to support this submittal. CCD

Use Table 8.44 allows the requested use; the applicant has met the state of New Mexico requirements for noticing; the site is 2,102 feet from the nearest church and 2,640 feet from the nearest school. Approval of a Restaurant Beer and Wine Liquor License to be located at 2849 State Highway 14, Madrid, New Mexico, 87510. Mr. Chair and Commission, I stand for questions.

CHAIR HUGHES: Are there any questions? Commissioner Hansen.

COMMISSIONER HANSEN: I was going to make a motion.

CHAIR HUGHES: We have to have a public hearing. Commissioner Greene.

COMMISSIONER GREENE: Thank you, Mr. Chair. Thank you. Congratulations on the new restaurant. I haven't gotten to eat there yet. I always sort of catch you closed or end up over at the Mine Shaft. You know how that happens. But great. Thank you for keeping that going. The Holler was wonderful and it's a great location and Madrid is beautiful. Two quick questions. Your site plan does show, identify ADA parking. Do you have ADA parking?

ALISON WEATHERSTON TIPTON: We don't have our own personal parking except for two spaces.

[Duly sworn, Alison Weatherston Tipton testified as follows:]

MS. WEATHERSTON TIPTON: My name is Alison Weatherston Tipton. My address is 2 Little Road, Madrid, New Mexico, 87010. And I understand that I am under oath. ADA, parking, we have a large parking lot in front of the building but it is owned by the Madrid Land Owners Association.

COMMISSIONER GREENE: And there is an ADA parking spot designated with easy access into your building.

MS. WEATHERSTON TIPTON: Yes.

COMMISSIONER GREENE: Okay. Great. I'm surprised that the state didn't require you to put that in or the County didn't require that but that's fine. And then this is getting into the weeds but it is sort of internal to us, and then it's a question for you. I was a part of a presentation at the TAC, the Transportation Advisory Committee where they were showing a plan for the Madrid community which would have sidewalks and stuff because as folks that know Madrid, it's a pretty tight street and there's lots of stumbling people coming out of the Mine Shaft and out of your establishment and shopping up and down the street there, which is wonderful. However, sidewalks would be a big safety issue, or upgrade, let's say. Are there sidewalks, or could you plan sidewalks, or do you own the property in a way to advocate for sidewalks to be put in front of your building or on the side, and so on?

MS. WEATHERSTON TIPTON: I do know that there is a plan in some kind of motion to hopefully get sidewalks and more safety included in town. To my knowledge that hasn't moved forward yet. There are no sidewalks being built at the moment. We are renters and thus don't have the ability to push for it, but we would love to.

COMMISSIONER GREENE: I will take your word that you will advocate with your landlord for sidewalks. So thank you very much and good luck with the restaurant.

MS. WEATHERSTON TIPTON: Thank you, Commissioner.

CHAIR HUGHES: Okay. Other questions? If not, is anybody here to make public comment.

COMMISSIONER BUSTAMANTE: I don't have a question, but it's my district.

COMMISSIONER HANSEN: So go ahead.

COMMISSIONER BUSTAMANTE: I would like to make the motion. Oh, we have to do the public hearing.

CHAIR HUGHES: Okay. Is anyone from the public here to comment on this application? Anybody on line? Okay, now we close the public hearing. You can make a motion.

COMMISSIONER BUSTAMANTE: Thank you. My apologies for that. I'd like to make a motion to approve the beer and wine liquor license for Refinery 14.

COMMISSIONER HANSEN: Second.

CHAIR HUGHES: Okay. Motion by Commissioner Bustamante, seconded by Commissioner Hansen.

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

11. Matters from the County Attorney

A. Statement for Inclusion in Meeting Minutes Concerning October 8, 2024 Executive Session

CHAIR HUGHES: Now, just to be clear, we're going to take a break with Matters of the County Attorney. Is there anything the County Attorney has for us today?

JEFF YOUNG (County Attorney): Mr. Chair, we will not have an executive session tonight. However, I do have a statement for inclusion in the meeting minutes, and that's for the October 8, 2024 executive session. At its October 8, 2024 meeting the Board of County Commissioners went into executive session at the end of the meeting and did not reconvene in open meeting. Consequently, the Board was unable to include in the minutes of the October 8th meeting the statement required by the Open Meetings Act which is matters discussed during the closed meeting were limited only to those specified in the motion for closure. Therefore we would be seeking a motion to have the minutes of this meeting reflect that the matters discussed during the October 8, 2024 meeting executive session were limited to only those specified in the motion for closure.

COMMISSIONER HANSEN: So moved.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay. Motion by Commissioner Hansen, seconded by Commissioner Hamilton.

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

[The Commission recessed from 5:45 to 6:18.]

B. Executive Session – No issues.

12. **Public Hearings**

- A. **Ordinance No. 2024-09, 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**

CHAIR HUGHES: We will hear from Paul Olafson.

MR. OLAFSON: Good evening, Mr. Chair, Commissioners. So this item before you today is to authorize the issuance of bonds to help fund the Cresta Ranch Apartment complex. Cresta Ranch Apartments, LLP, is asking for up to \$60 million in family housing revenue bonds to acquire construct and equip a 240-unit multi-family affordable housing apartment complex.

So in June of 2024 the Board met and adopted Resolution No. 2024-077, called also an inducement resolution, declaring the Board’s intent to issue the bonds and consider for adoption a subject bond ordinance. Adoption of the bond ordinance would authorize the issuance of the bonds and implementation of the transactions contemplated in the inducement resolution.

So the memo also outlines that in June at the Board meeting that the project team recommended that – this was the County staff review team, recommended the project be conditionally approved with the conditions as follows: submittal of a satisfactory economic impact study of the project to the County; the developer and owner of the parcel abutting the project have entered into an agreement to provide a point of ingress and egress for residents of the project that satisfies the County’s Sustainable Land Development Code, which access shall be in addition to the access currently approved by the State DOT, which is required to be locked except in cases of emergency

With regards to projects over all, positive contribution to the Santa Fe County economy a fiscal impact analysis and economic impact report was produced independently by Impact DataSource, for and on behalf of the County and measured that the County would receive a net direct benefit in the form of taxes and fees of approximately \$1.8 million on a present value basis, and overall economic impact of the project over ten years would be approximately \$13 million.

With regard to mutually agreeable project documents, the County Attorney and County Bond Counsel have worked with counsel for the applicants to develop the project documents. These documents are approved as substantially final in the ordinance but may be subject to minor adjustments and addition of the final terms of the bonds after pricing. Any material changes to the documents would require Board approval.

There are eight primary documents for the project. That would be: the proposed bond ordinance, preliminary official statement, trust indenture, loan agreement, bond purchase agreement, forward bond purchase agreement lease agreement, tax regulatory agreement forms of County joinder, and notice of public hearing. These documents are also outlined in more detail.

And finally, the documents authorize the BCC Chair, County Clerk, and County Manager, as applicable, to execute and deliver the above-described documents I just described and to take additional action necessary or advisable toward the issuance of the bonds.

Also attached with the memo are several draft documents, A through L, as well as draft ordinance. Staff recommends approval of the bond ordinance, which authorizes the issuer of the bonds and the execution and delivery of the above-described documents.

So I went through that kind of quick. With us today we do have representatives of Cresta Ranch. We also have our County bond counsel, Peter Franklin, who can also help address any questions, and I did want Peter to discuss two small issues that were changes to the documents that have been made recently. So with that I'd like to ask him to come forward.

CHAIR HUGHES: Okay. Go ahead.

PETER FRANKLIN: Thank you, Mr. Chair. Good evening, members of the County Commission. Peter Franklin with Modrell Sperling. We are the County's bond counsel, and there have been two refinements that we wanted to make the Commission aware of on two of the documents in your packet. One is to the tax regulatory agreement. The other is to the lease agreement. They both concern the affordability restrictions for the project. The project will be 100 percent affordable or subject to affordability restrictions.

The refinements are that the tax regulatory agreement has a federal affordability restriction that's known as the 40-60 restriction whereby 40 percent of the units will be restricted to tenants with income at or below 60 percent of the area median income. The lease agreement provides that – well, let me back up for just a second. So that restriction doesn't really address what happens with the other sixty percent of the units. So in order to assure that all the units will be affordable, the lease agreement now provides that 100 percent of the units will be at 80 percent or less of area median income. So the result of that is that at least 40 percent of the units will be at or below 60 percent, and the remaining units will be at or below 80 percent.

So if you can follow all those percentages, that's what we've got. And I'm happy to address any other questions. Those restrictions were not clearly spelled out in the versions of those two documents in your packet.

CHAIR HUGHES: Okay. Any questions? Commissioner Greene.

COMMISSIONER GREENE: Getting into the weeds of the affordability thing. Did we check, or somebody checks, their income like monthly, right? There's something-

MR. OLAFSON: Mr. Chair, Commissioner, are you talking about the residents or the renters?

COMMISSIONER GREENE: Yes.

MR. OLAFSON: Yes. I believe – I don't know that there's a monthly check but I believe that there's an annual report and there has to be documentation. This is how we do it at the Housing Authority. You have to recertify your eligibility and your AMI.

COMMISSIONER GREENE: I'm wondering if there could be like an upward mobility factor here where if somebody breaks the 80 percent but is not quite at that point, and it's like they have a window of opportunity to either pay slightly more, right? Hey, you're making enough money. Or that they have a window to sort of transition. These folks might not be making enough to actually get "on their feet" into something, but 80 percent – 100 percent is still a tough rent load to carry.

And I give an example that someone I know who was qualified for an apartment in an affordable housing project and 24 hours before they were going to move into it it was revoked because they had sold – they were a screenwriter. They were making 40 percent, 60 percent, something pretty low income on a standard thing, but they sold one script that triggered one month of being out of line and they were basically made homeless because of this trigger that pulled the rug out from under them. And I'm wondering if there's a way to sort of give people the mobility to say if you make a little bit more suddenly, or you're making more. You get a raise, you get a better job, whatever it is, that you're not triggered into homelessness because it's sometimes tough to find an apartment and you're lucky to be in one of these things if you've gotten into it. You seem to want to answer this so I look forward to your answer.

[Duly sworn, Campbell Ebersoldt testified as follows:]

CAMPBELL EBERSOLDT: Campbell Ebersoldt, 828 Fourth Street, Santa Monica, California, 90403, and I agree to the statement. So these set-asides would be bond regulatory agreement typically set at a 40/60 set aside, which Peter and Paul have both mentioned. So 40 percent of the residents would need to qualify annually under the 60 percent AMI set-aside. So there is a 60 percent leeway there where residents don't necessarily need to qualify annually.

The LIHTC program which the developer assistance program will also follow closely with in terms of regulatory agreements allows you to move in and initially qualify at the time of move-in, and then after that you can be grandfathered in if your AMI does go above your unit's specific set-aside. So they aren't removed from the property the moment that they go above that number. There is a threshold, 140 percent, so once they're above 140 percent of that AMI they would then need to be – typically we'd buy them out. We offer them a certain number based on their rent, however many months.

Typically it's somewhere around three or four months of their rent to buy them out and then they can find another apartment to live in.

COMMISSIONER GREENE: Fabulous. Thank you for answering that. Because you don't want to trap people into these homes.

CHAIR HUGHES: I have a question for you since you're there. So what is the total mix of apartments. Because I think I understood at the last hearing about this that you were doing all 60 percent units.

MR. EBERSOLDT: So since that time we have elected to, with MFA do an average income set-aside. So we will have mostly 60 percent apartments here but we will also have eight 30 percent AMI units. We will have, I believe it's four 70 percent units, and eight 80 percent units as well. And that will average out to a 60 percent area median income for the entire project. So there will be multiple set-asides that residents qualify for. Yes.

CHAIR HUGHES: So indicate again the levels. You're going to average out to 60.

MR. EBERSOLDT: Yes. Exactly.

CHAIR HUGHES: What are they?

MR. EBERSOLDT: I believe it averages out to 59.8 percent.

CHAIR HUGHES: I know. Are you going 30, 40, 50?

MR. EBERSOLDT: I believe it's eight 30s. There should be four 70's and eight 80s and then the remainder will be 60s.

CHAIR HUGHES: Okay. Thank you. Any other comments or questions? Okay. We have a public hearing on this issue, I think. Do we have anybody in the public who wishes to speak? Seeing no comments in the public hearing from the public. Does anybody want to make a motion? Is anybody online? No.

COMMISSIONER GREENE: Hearing none, I will make a motion to approve the ordinance authorizing the issuance and sale of Santa Fe County, New Mexico Multifamily Housing Revenue Obligations for 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 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 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.

COMMISSIONER HAMILTON: Second.

CHAIR HUGHES: Okay. We have a motion from Commissioner Greene, seconded by Commissioner Hamilton. I think we need a roll call for the ordinance vote.

The motion to approve Ordinance No. 2024-09 passed by unanimous roll call vote as follows:

Commissioner Bustamante	Aye
Commissioner Greene	Aye
Commissioner Hamilton	Aye
Commissioner Hughes	Aye
Commissioner Hansen	Aye

13. 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) [Exhibit 1: Traffic Study from Rancho Viejo presented by Kurt Sommer]**

CHAIR HUGHES: We would have Ken Quintana, if he's available to present this to us.

KENNETH QUINTANA (Case Manager): Good afternoon. Before you today we have 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 Board of County Commissioners approved the conceptual plan at its September 13, 2022 meeting and its order was recorded on January 11, 2023 as Instrument No. 2004641. The property is located at the end of Camino Vista Grande and at the end of Vista del Monte.

The applicant requests an amendment to Condition #21 of the order. This condition required that vertical construction not commence until Avenida del Sur was constructed by the developer to County standards. However, on April 15, 2024, the BCC approved an agreement regarding road improvements by which the County assumed the responsibility for constructing the road in exchange for a financial contribution from the applicant. By taking on that responsibility, the County essentially took compliance with Condition #21 out of the applicant's hands. For that reason, the applicant is requesting to amend Condition #21 to state "No vertical construction shall begin until operational water and sewer utility lines are installed and stubbed out at the property lines within the subdivision."

The applicant also requests the removal of Condition #22 of the BCC Final Order. That condition states: "No construction of any kind will occur until a gravel road is constructed from the end of pavement on Vista del Monte to the project site." Because the County has assumed responsibility for the construction of the road, and because the

County's timeline for the road construction will result in the road being under construction simultaneously with certain infrastructure work within the development, it is no longer practical to require the applicant to have a gravel road in place before any infrastructure work commences.

On September 13, 2022, the BCC approved the conceptual plan for a 710-lot residential subdivision to be completed in five phases on a total of 277 acres. On July 8, 2024, a conceptual plan amendment was recorded with the County Clerk's Office as Instrument No. 2037145 to allow subphases. On August 13, 2024, the BCC approved subphase 1B consisting of 102 single-family residences and 15 affordable dwellings; subphase 1C consisting of 78 single-family lots and 12 affordable dwellings; and subphase 1D consisting of 84 single-family residences and 13 affordable dwellings.

Following approval of the Esencia Conceptual Plan, a general obligation bond was approved that included funding for construction of the Avenida del Sur Extension Project as depicted on the CCD transportation plan. This would extend Avenida del Sur from its current terminus at A Van Nu Po west through the subject property, connecting to Vista del Monte and extending out to NM 14. Accordingly, the County is taking responsibility for the construction of the extension. The applicant is contributing \$2 million to the project per the previously mentioned agreement regarding road improvements. Engineering design for the extension is underway. Esencia infrastructure improvements and the County's construction of the extension project will occur substantially in parallel, and described in the schedule below.

Staff's recommendation: Staff recommends amendment of the conceptual plan conditions so that condition #21 states: "No vertical construction shall begin until operational water and sewer utility lines are installed and stubbed out at the property lines within the subdivision," and removal of condition #22 of the BCC approval of the conceptual plan which stated "No construction of any kind will occur until a gravel road is constructed from the end of pavement on Vista del Monte to the project site."

Because there will likely be a period of time when infrastructure construction traffic will utilize Camino Vista Grande to access the development, Staff further recommends the addition of a new condition that reads: "Applicant will maintain Camino Vista Grande on an as-needed basis during the infrastructure development phase, and will bring Camino Vista Grande back to its pre-construction condition upon completion of the infrastructure development."

Thank you, Mr. Chair. I stand for any questions.

CHAIR HUGHES: Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: How many miles is it that we're going to be building of Avenida – I just would kind of like to refresh my memory.

MR. QUINTANA: Mr. Chair, Commissioner, roughly over a mile and a half.

COMMISSIONER HANSEN: Okay. Of Avenida del Sur?

MR. QUINTANA: Mr. Chair, Commissioner, correct.

CHAIR HUGHES: Camino Vista Grande will become Avenida del Sur, basically.

MR. QUINTANA: Mr. Chair, Commissioner, that's not correct.

CHAIR HUGHES: All right. Maybe I got that wrong.

MR. QUINTANA: Mr. Chair, I believe if we allow the applicant to present their presentation it may answer additional questions.

COMMISSIONER HANSEN: Okay. Sounds good.

MR. QUINTANA: Thank you.

CHAIR HUGHES: It's a different Vista Grande than in Eldorado.

JENNIFER JENKINS: Good evening, Chair Hughes, Commissioners. I'm Jennifer Jenkins with JenkinsGavin here this evening on behalf of Esencia Holdings and I'm ready to be sworn in.

[Duly sworn, Jennifer Jenkins testified as follows:]

MS. JENKINS: Again, Jennifer Jenkins. My address is 130 Grant Avenue in Santa Fe, 87501, and I can confirm that I am under oath.

So as I mentioned, I'm here this evening on behalf of Esencia Holdings. I'm just introducing some of the other members of our team, our design team. Our engineering services are provided by Bohannon Huston and landscape architecture locally by Surrounding Studio.

So just a little bit of background. I think a lot of this background information is already in your staff report but I think it bears repeating. As Mr. Quintana stated, this body approved the conceptual plan for the Esencia community in September of 2022 and the final order was recorded in January of 2023. Now, following our approval in September 2022, like literally, like 60 days later, a general obligation bond was approved by the voters that provided the funding for Santa Fe County to assume responsibility for the construction of the Avenida del Sur extension project.

Now, the Avenida del Sur extension is a really critical piece of infrastructure serving the Community College District, the County Sustainable Development Area-1, primary growth area. This extension has been contemplated on the Community College District transportation map since 1999. So it's been a long time coming and so we're really excited to be participating with Santa Fe County in what we believe is a very effective model of kind of a public-private partnership to ensure this important piece of infrastructure is constructed.

So we had a condition of approval also associated with the conceptual, number 5, that stated that the applicant and the County may need to enter into an agreement to address the future construction of Avenida del Sur, which we did. And the agreement regarding this particular roadway project was entered into with the County and Esencia Holdings and this body approved that agreement back in April of this year. So subsequent to our conceptual plan approval and all those associated conditions we now have new circumstances. So the only reason we are here this evening, it's very straightforward. We don't want to have a conceptual plan approval over here that does not align with a subsequent roadway agreement entered into by the County and the developer. That is it.

And so now, in accordance with that roadway agreement, Santa Fe County has taken responsibility for the construction of Avenida del Sur. The Esencia Holdings is contributing \$2 million as their fair share contribution to this effort. Part of that contribution includes the engineering design for the project. And so Esencia has engaged with the design engineer, with surveyors, soils testing, and we are working very closely with the County Public Works Department to help coordinate this design effort. We are now over 60 percent designed on the road, which is very exciting, and the project is going

out for preliminary bid before the end of the year.

So we've had incredible progress really starting since April. And so it's – we're moving at a great pace and Brian Snyder, head of Public Works for Santa Fe County and would be happy to speak more about the process, and we're going to touch on the schedule for that project here momentarily.

So just as a reminder, this is the Esencia project. It is 277 acres. It is located south and west of the Rancho Viejo master plan community and where you see labeled Vista del Monte here, that will become the Avenida del Sur extension. So currently ass terminates at the intersection with A Van Nu Po. So you can see up in the right-hand corner there, and so there will be a new roundabout right at that intersection, and then Avenida del Sur will extend through the Esencia property all the way out to Highway 14.

So this is the Esencia conceptual plan as approved, and we're showing it this way because one of the key pieces of infrastructure that Esencia is providing is over four miles of sewer line, of gravity sewer. So from our southwest corner we are constructing gravity sewer through state land that will connect directly out to the County's Quill wastewater treatment plant. It's a really significant wastewater improvement for the County's primary growth area and so that is a key component of the conceptual plan. So this really shows the entire scope of the project.

And you can see highlighted in blue, up above that is the Avenida del Sur extension project, and Commissioner Hansen, I was able to confirm, it's about 1.9 miles total from the A Van Nu Po roundabout out to Highway 14.

And then just zooming in on the plan, what you see, everything you see here on the north side is our first phase. You might recall we were just here in August and the subdivision plats for these three – we have three subphases in our first phase. These subdivision plats were approved in August and the final order for those subdivision plat approvals has been adopted and recorded, and then we have Phase 3, which is our multi-family phase, Phase 4, and Phase 5 here.

So again, just kind of zooming in, you can see the extent of the Avenida del Sur extension project shown here. So Vista del Monte comes through here and serves the Turquoise Trail community here, and then it continues down and serves, you can see the connecting roadways here. And then it terminates just shy of our west boundary.

So final order condition #21 relates to Esencia's obligation to build the road. Esencia Holdings is no longer obligated to build the road pursuant to the roadway agreement that was adopted. So we discussed this condition with County staff. They said we totally understand that. However, we do want to make sure there's language in the final order that obligates and ensures that their water and sewer is available at every lot prior to any vertical house permits being issued. We said absolutely. So as the contingency to vertical permitting, the proposed revised condition as suggested by Growth Management staff reads as, "No vertical construction shall begin until operational water and sewer utility lines are installed and stubbed out at the property lines within the subdivision."

So one of the kind of elegant natures of what we're achieving here is that the County's schedule for constructing Avenida del Sur aligns beautifully with our schedule for constructing our onsite infrastructure – utilities, roadways, drainage improvements. So as I mentioned, next month they are planning to put the plans out on the street and out

to bid. We are planning to commence our backbone infrastructure in December. And then looking at the onsite infrastructure kind of within those subdivision tracts, would follow pretty promptly after the first of the year, and then in this spring in March, the County expects to have the construction contract approved for the construction of Avenida del Sur and start the project later in the spring. And we expect our subdivision infrastructure to be complete next December in a little over a year from now, and then the following spring, County completes the Avenida del Sur extension project and around that same timing we start building homes.

So this kind of graphically shows the alignment that I was speaking to. So what we see in orange is kind of the County's schedule for Avenida del Sur, and which kind of leads to kind of a March 2026, spring 2026 completion date for the roadway. And then down here in purple is the Esencia schedule. You can see this as our subdivision infrastructure. We start the backbone, then the subdivision infrastructure starts and then again, looking at spring of 2026 is when we start constructing homes.

So the key thing about this schedule is nobody will be living there until that Avenida del Sur roadway is complete. So that is the beauty of this. No cars on the road because we're not looking at having homes completed, looking for certificates of occupancy for those homes until the end of the summer of 2026. So again, the schedules align quite well.

So condition of approval #22, this was, when we were going through the conceptual plan phase, it was contemplated that Vista del Monte, the future Avenida del Sur, would be utilized for construction access, because obviously, if you're going to build a project you have to get to the project, right? But then when the County took over the roadway and we looked at how our schedules were aligning, it is not practical that while Avenida del Sur is under construction we're also utilizing that roadway for our construction vehicles. It doesn't make any sense. And so we do have a really great alternative. There is another County road just to the south, which is Camino Vista Grande, that would be – which is available for us to utilize that in a temporary fashion, so we our construction vehicles are not impacting the County's construction project on Avenida del Sur. So we are requesting that condition #22 be removed to account for the change in conditions.

So as you can see here, we have here in pink at the top, Avenida del Sur construction project and then what is shown in orange is County Road 48. We believe it's County Road 48, but I can confirm with you that it's a County road, that leads right into the project here, and so that works out quite beautifully. And we have a condition of approval that states that we shall maintain Camino Vista Grande as needed during the phase of time we are utilizing the roadway and then when we're complete with that that we will bring the road up to standard to comport with its current conditions today. So we will be taking on those maintenance obligations during that construction period. And we're perfectly in agreement with that condition.

So what are some of the other future access points? Well, we have a couple of them. So in addition to Avenida del Sur here, which goes off to the east and then goes off to the west, in the future we also have a proposed access point that comes directly off our east boundary that connects – this is A Van Nu Po right there, that comes up to Avenida del Sur about right there. And so we will have another point of connectivity in the future.

And then we're also dedicating right-of-way here to the south. So this is the state land that is below us here to the south, and I think we all know there has been a lot of planning efforts over the years to potentially develop the state land. So we are dedicating right-of-way that will provide at such time that the state land is potentially developed, we will have that connectivity into the Community College District roadway network. So this kind of completes the access picture for Esencia.

And so with respect to access, with every phase of development in accordance with condition of approval #6 in our final order for the conceptual plan approval, we have to update our traffic study with every phase of development, because traffic evolves. Traffic patterns change. We now have a southeast connector that is open and operational. How has that impacted traffic patterns, right? We have new projects that get approved that are in the process that we need to account for. And so because this is a longer-term project over several phases, with each, when we come in, like we did with Phase 1. We came in, we updated the traffic study and that was reviewed as part of the subdivision review. When we come in with our next phase, exact same thing is going to happen. We're going to update that study. There'll be fresh traffic counts, and we also look at our surroundings. What are some other projects that are moving forward?

For example, La Entrada, Phase 2 is in its review and approval process right now in Rancho Viejo. So that background traffic will be incorporated because they're in their review and entitlement process. And then we'll be looking at our surroundings of other projects that are warranted to include in that assessment.

So I just share this with you so you can see how these access and improvements and if there are, for example, if there are other off-site improvements that might be warranted over the years as Esencia develops out, then Esencia will be obligated to participate in ensuring those improvements are constructed. And so like I said, this is not a static thing. So it's something that is organic and that is continually reassessed as the project evolves.

So that concludes my presentation and with that I'd be happy to stand for any questions. Thank you very much.

CHAIR HUGHES: Any questions? Commissioner Hansen.

COMMISSIONER HANSEN: Have you notified the people along Camino Vista Grande?

MS. JENKINS: So I'm going to ask, if I may, Commissioner Hansen. So Santa Fe County notified them of the roadway project. Is that your question about the extension project?

COMMISSIONER HANSEN: No. I want to know if you notified them about the fact that you're going to be bringing construction traffic along –

MS. JENKINS: Along Camino Vista Grande. We have not yet because we needed to move through this process initially.

BRIAN SNYDER (Public Works Director): Mr. Chair and Commissioners, it's not typically – with typical projects we do not dictate where the development, where the construction occurs and the construction activity occurs. As part of the conditions of approval the Board of County Commissioners basically stated – and I've access the construction site through Rancho Viejo Boulevard, so there's only two County roads that remain for access for construction. One more we're going to be

impacting because of building and then there's another one that's in that vicinity.

So we're very limited in this area on roads that can be utilized. As part of the design we're in the process right now, like Jennifer said, we're at 60 percent design and construction. We're doing pot-holing this week to determine existing utility locations. And once we have that we can start developing some timelines and verifying some alignments and putting that on paper so that we can have community meetings in that area.

So a long way of saying that we're being strategic on what we share with the community because we want to make sure that it's accurate as we move forward. So we will be having community conversations in concert with the developer and the County staff.

COMMISSIONER HANSEN: And is Camino Vista Grande a County road?

MR. SNYDER: Yes.

COMMISSIONER HANSEN: Okay. That makes me feel better, although I think some of those neighbors should know.

COMMISSIONER GREENE: And should be here. We'll have made a decision on their behalf without them being informed ahead of time. Well, unless we don't make a decision in the affirmative today.

CHAIR HUGHES: Commissioner Greene.

COMMISSIONER GREENE: So once upon a time the developer was going to build the extension, correct? Of Avenida del Sur?

MR. SNYDER: Mr. Chair, Commissioner Greene, no. That's sort of the –

COMMISSIONER GREENE: So the Avenida del Sur extension was going to be originally built by the developer, correct? At one point?

MR. SNYDER: Mr. Chair, Commissioner, no. So originally, the original plan that was brought forward as part of the, I think, preliminary and then the preliminary development plan was to construct from the intersection of A Van Nu Po and Avenida del Sur across the frontage of the property moving southwest, I guess that is, to the edge of their property. And then they were, as part of a condition of approval, they were required to have secondary access to have a gravel road basically along the alignment of where the County stepped in and has the Avenida del Sur western extension.

COMMISSIONER GREENE: We can't phase that road to have that eastern part built, accessible for construction so that – personally, I can't make a decision that impacts these neighbors. I remember very specifically asking about why doesn't this road connect the cul de sac over by Phase 3? Why doesn't that connect over to the people on Avenida Vista Grande, and Ms. Jenkins said, we're not doing that. We're only doing a fire access road so we don't impact those people. Trust me. They're going to come after whoever's district this is and say how did you make a decision without notifying us before that. I think that we should have them here or at least a letter from you saying we're thinking about this. We're going before the Board of County Commissioners for changing a condition of approval and sorry, but here's what we're doing. What would you like in return? And just repaving it at the end of this, I can't imagine that any neighbor there would be thrilled with this. This is like really moving the goal posts and making something that I would hope that you would at least inform the neighbors there. I

think that that would have been the first common courtesy whether you ask the County to do it or whether you do it as a developer, I have a tough one there.

How many homes reside there? To me it just seems like we're putting a major impact of heavy duty trucks turning in and out of Highway 14 on their intersection. There's no acceleration lane to go north on Highway 14. I don't know where the trucks are, whether they're going to be crossing 14. That's pretty much a residential road and you chose not to extend it into your development to "protect the community there." But then you're going to put all the construction traffic in there.

So I want to see this with a letter from the notification of all the community so that they can have a chance to come for this or negotiate with you to get what they want out of this. But repaving the road at the end of this is not nearly enough.

CHAIR HUGHES: Let's see what public comment we get tonight.

COMMISSIONER GREENE: Yes, but they're not informed. But let's see. Maybe they're all in for it. All in favor? Let's see.

CHAIR HUGHES: Any other questions before we go to public comment. Go ahead.

COMMISSIONER HAMILTON: Is there – are some of the utilities going in on what will be Avenida del Sur? Some of the utilities for the development? Are they along that line? Is there coordination on digging for utilities and the County construction?

MR. SNYDER: Mr. Chair, Commissioner Hamilton, that corridor has a waterline, has a gas line, has electric lines existing in that corridor. This week the developer and the engineer have a pot-holing company out there to verify the horizontal and vertical locations to coordinate that with the road design. So a large – the County's water infrastructure, that's where we come from BDD into this corridor under 25, 14, and feed this whole region.

COMMISSIONER HANSEN: Maybe if we had the picture back up of the water and sewer line connecting to Quill. Would that help, Commissioner Hamilton?

COMMISSIONER HAMILTON: I'm just trying to confirm that the timing of the construction project and this change in responsibility – to be honest, could somebody reiterate what the ultimate purpose of having the condition of roadway construction was in the first place? Was it to be able to manage the construction traffic?

MS. JENKINS: So the original proposed conditions, when we came forward with the conceptual plan, as Mr. Snyder pointed out was that we – I'm just going to go to another image here that's a little better. So Esencia would be responsible for constructing the frontage of the road up to this roundabout, and then from our west boundary out to where kind of the pavement begins, because a portion of Vista del Monte coming off Highway 14 is paved. Up to that point we would have to provide a 22-foot basecourse road.

In anticipation, knowing that Santa Fe County had GO bond that was coming up and that this was a critical piece of backbone infrastructure for the Community College District that Santa Fe County needed to take responsibility.

COMMISSIONER HAMILTON: That wasn't my question.

MS. JENKINS: I apologize. Maybe I misunderstood. That was the original intent was that we would be responsible for this portion here, and then everything west we would be responsible for ensuring a basecourse roadway.

COMMISSIONER HAMILTON: So the condition read that that would be done before construction started. Right?

MS. JENKINS: Correct.

COMMISSIONER HAMILTON: Was that because – was there some reason that that was anticipated as the main road to be utilized by construction?

MS. JENKINS: Yes. There was a condition that talks about – because the road currently ends, Vista del Monte ends just shy of our boundary. So it doesn't go all the way to our boundary. The easement goes all the way to our boundary but the road does not. So there was a lot of discussion at the hearing when the conceptual plan was approved about ensuring that we would build this little piece of gravel road to kind of build out Vista del Monte so it could be used for construction traffic.

COMMISSIONER HAMILTON: Was there discussion about the comparative impacts to the existing communities, between using Avenida del Sur and using Vista Grande?

MS. JENKINS: The potential for utilizing Camino Vista Grande did not come up at that original hearing in 2022 with the conceptual plan. It was really not an issue. The only issue that came up during that hearing was concern expressed by Rancho Viejo representatives about construction traffic actually moving through the County roads in Rancho Viejo. And so that's when the condition about us building this little piece of gravel to ensure we had a complete surface going out to Highway 14 for construction access.

COMMISSIONER HAMILTON: Okay. I'm trying to get information on whether using Avenida del Sur because that eastern edge from – is less developed than Camino Vista Grande goes through.

MS. JENKINS: That is true. That is true.

COMMISSIONER HAMILTON: I'm trying to get whether that was the strategy and obviously Rancho Viejo had some concerns about it.

MS. JENKINS: Yes. And like I said, it's atypical that construction access would be discussed at length during a conceptual plan hearing, right? So honestly, it was not something – that was like ages off in terms of construction staging and how all this was going to work and we knew we had access to County roads, and so it really – it wasn't a primary issue. But of course it came up during the hearing and so that is when it was basically mandated by the BCC that Vista del Monte/Avenida del Sur needed to be utilized for construction access.

COMMISSIONER HAMILTON: So Brian, is there just that eastern piece of Avenida del Sur, from where it stops –

MR. SNYDER: A Van Nu Po?

COMMISSIONER HAMILTON: Yes.

MS. JENKINS: You're talking about the eastern end where it [inaudible]

COMMISSIONER HAMILTON: Yes. Just where it meets the Esencia property. How much conflict is there if that piece gets done to gravel, to be able to take some construction traffic while the whole western part gets built by the County? I'm trying to figure out if there are options that minimize construction traffic to the community itself and don't mess up road construction activities for the County. Some combination of things like that, because there are obviously some people who are

potentially worked up about impacts to individuals. But County roads are available to be used for activities like this. So the question is, is there the issue of taking this requirement out all together? It's presented as though it will move the construction traffic entirely. Do you guys require that? Is there some way to use that eastern piece for some of the construction traffic, even though the County's going to be –

MR. SNYDER: Mr. Chair, Commissioner Hamilton, if I'm understanding what you're saying, the eastern piece, being in the upper end of the screen, Avenida del Sur and A Van Nu Po, eastern going from that intersection east towards Rancho Viejo Boulevard, is that the piece you're talking?

COMMISSIONER HAMILTON: No. I'm just talking about – there's no access right now from – well, northeast.

COMMISSIONER HANSEN: Avenida del Sur. You're talking about the connection from Avenida del Sur to Esencia

COMMISSIONER GREENE: To the roundabout.

COMMISSIONER HAMILTON: Yes.

COMMISSIONER HANSEN: The roundabout.

COMMISSIONER HAMILTON: Because that will become another – without it being completely paved yet, just as a gravel road. Could there be some construction traffic that utilizes that access to the construction site without messing up the County's construction of the entire western extension of Avenida del Sur.

MR. SNYDER: Mr. Chair, Commissioner Hamilton, I think from the construction, it depends on the way the contractor, the way we put out the bid documents for the contractor, we could construct it from the intersection – the construction project from the intersection of Avenida del Sur and A Van Nu Po on the upper right-hand corner of your screen and work your way west. So you're accessing it, the construction traffic is moving down Vista del Monte, the existing portion to the easement, and work your way to the area in front of Esencia, where Esencia will be. Is that what you're saying? From a construction standpoint we could be working from – on the screen right to left. Is that –

COMMISSIONER HAMILTON: Well, no. You're thinking about getting that work completed. I was wondering about having it as the temporary road surface to take construction – I'm trying to get a better picture of the timing of the road construction and how much Vista Grande has to be used for construction traffic because this whole thing is predicated on the timing of how things progress along and how much time there is during construction that's impacting the most heavily developed communities. And so I'm not sure why there can't be some basecourse from Po to where they can access their property.

COMMISSIONER HANSEN: Mr. Chair, so before, Warren Thompson, I believe has some of that land and they have not made a road agreement with Rancho Viejo. I don't know what affects this area or not, why they were coming in from the west as opposed to coming in from the east. I do remember there was a road agreement that needed to be made with Mr. Thompson. I don't know if that happened. I don't know if this is affecting that, and I don't know if Avenida del Sur is where you want to go through Rancho Viejo.

I remember our discussion about that. Did you ever make a road agreement with Mr. Thompson?

MS. JENKINS: Thank you, Chair Hughes, Commissioner Hansen. So I'm not exactly sure which road agreement you're referring to. You might be referring to our connection out to the east.

COMMISSIONER HANSEN: Okay.

MS. JENKINS: Yes. So we have put in – we have requested from Rancho Viejo, from Mr. Thompson, for a small right-of-way dedication there and he's been collaborative and expressed willingness. It's not urgent and I think he's looking at getting – his primary goal is the completion of Avenida del Sur because that gives our cars another way out to Highway 14, so it creates really – it's a very positive thing. It creates great traffic distribution.

COMMISSIONER HANSEN: Okay. So what Commissioner Hamilton is asking is can you, from the roundabout at Avenida del Sur at the top, make that an access road, but then you're going into Rancho Viejo.

MS. JENKINS: Correct.

COMMISSIONER HANSEN: Which is something that Mr. Thompson did not want to have happen. I'm just –

MS. JENKINS: Yes. That is correct.

COMMISSIONER HANSEN: I read everything as you well know.

MS. JENKINS: Yes.

COMMISSIONER HANSEN: And I remember a fair amount of it.

MS. JENKINS: Yes.

COMMISSIONER HANSEN: So the alternate, so that was part of the reason why they're going this other way, because if they go up on Avenida del Sur then they're going into Rancho Viejo and they didn't want all the construction traffic.

COMMISSIONER HAMILTON: So nobody – potentially nobody wants construction traffic but everybody has to share in it a little bit because you have to have the access to the site. And they're both County roads. I'm just trying to figure out if there are –

CHAIR HUGHES: Just to interject real quick. Rancho Viejo is very densely developed and so the impact would be greater on that. The extension of Avenida del Sur would be ideal. There's very few homes and they're far from the road. I don't know about Camino Vista Grande, if that's a good alternative. I think we should have the public hearing so we hear from –

COMMISSIONER HAMILTON: Good idea.

CHAIR HUGHES: One question and then public hearing.

COMMISSIONER GREENE: So looking at the map as a point to review on, so with your pointer, the upper western corner, right there, imagine if you just put a little temporary road, right there, and just ducked into your property.

MS. JENKINS: Yes. That's what the current condition of approval says.

COMMISSIONER GREENE: And you don't – you get out of the way of them building the road, and you come off of the right-of-way of Avenida Vista Grande and you just come right into one of your access roads right there – perfect – and you're out of the way, and all you have to do is sort of build that little stub-out road quickly and you're keeping it out of the way of the County construction but you're also not impacting all those neighbors on that road, and there's just a little bit of time when you have to sort

of connect those two roads where maybe you have to get out of the way for another – for a few weeks.

MS. JENKINS: So I think being able to build like a temporary offshoot; that's easy to do, honestly. It's not hard to do. The bigger concern is this roadway, all the way out to Highway 14 is going to be under construction at the same time we're under construction. They're happening in parallel.

COMMISSIONER GREENE: So just to be clear. So the other part that is already built is going to be improved significantly so then I'm going to say, go through Rancho Viejo. Right? It's an improved road, or bring all the neighbors here and inform them, because it is unfair for us to make a decision without them having really been notified of this. I am sure every single one of them would be here at a public hearing but let's here from the public hearing.

MS. JENKINS: Sure. Absolutely.

COMMISSIONER GREENE: Maybe they're aware of this.

MS. JENKINS: Absolutely. And so we, utilizing Vista del Monte, Avenida del Sur extension roadway, I think we've demonstrated is problematic. So we said, okay. So what are our options? And you're correct. The two options before us, the two County roads before us are Camino Vista Grande and the roadways through Rancho Viejo. So obviously, we will comply with the wishes of the Board and so I will leave it there and have a seat so we can move on with the public hearing.

CHAIR HUGHES: Let's go ahead and hear from the public even if there's only a few numbers.

KURT SOMMER: Good evening. My name is Kurt Sommer. I'm an attorney. I'm here on behalf of Uni-Vest Rancho Viejo.

[Duly sworn, Kurt Sommer testified as follows:]

MR. SOMMER: My address is 2000 Old Pecos Trail, and I'm under oath for purposes of the testimony here today.

COMMISSIONER HANSEN: Mr. Sommer, before you start, do you want a different picture up there?

MR. SOMMER: The picture's fine. I would like to approach you all and give you a portion of a traffic study if I may which was partly shown on the – may I approach?

CHAIR HUGHES: Yes.

MR. SOMMER: It is a partial road setting [inaudible] from the company that's consulting for the applicant. So let me begin by saying good evening. Thank you for allowing me to talk to you today and I want to say that Uni-Vest Rancho Viejo is not opposed to the project. That's not why I'm here. Why I'm here is that this Commission created a conditional approval on September 22, 2021 and now they want to make changes to this plan. And we think it's going to have an impact on Rancho Viejo. The Chair Hughes noted that Rancho Viejo is very dense already. It has a lot of density and the houses in there are already very compact and there's lots of traffic. What's not being considered and what was partially discussed by Ms. Jenkins is there's a road impact on to Rancho Viejo that needs to be taken into account on the front end, not on a segment basis as they go and do their development.

Right now, with La Entrada coming on line, and with other future developments

already planned within Rancho Viejo, the roads are going to be near capacity. When you add Esencia to it, it fails. And so we need to plan for that today, not as the segments come on line, and that's why I'm here. I'm here to say use your foresight and impose the condition on the developer that the condition that they're going to address, the road study that we presented to you here in a moment, from the front end, not by a segment, but plan and bond and do the construction, now, not when there's a failure.

We don't want to have a failure. Now, we're going to have a failure because we know that Rancho Viejo is going to continue development as well. And the roads that are there were planned for the development of Rancho Viejo, not for Esencia. So let's go and look at, if we could, what we're looking at. If you want to take an opportunity to look at the last page of what I handed out to you. This is a conditional plat for Avenida del Sur.

COMMISSIONER HANSEN: Did you give a copy to the Manager? Do you have a copy, Manager Shaffer?

MR. SOMMER: So this is a conditional plat, and you'll note that the last segment that's shown up here on this road is not yet dedicated. And the conditions that are here on the conditions that are here on the right-hand side – you can't really read them because they're so small, they're on the second to the last page of what I've shown you. And I want to read them to you because they're important. The dedication in the affidavit that was required when this plat was filed stated that any and all owners of properties which will utilize the construction and Avenida del Sur be required to do such improvements as are necessary to retain the capacity of Avenida del Sur and Richards Avenue up to College Drive in such manner that both roadways will have capacity to serve the anticipated development of Rancho Viejo master plan area, which we believe will include a thousand residential units, and associated commercial development after the new community districts are established. That was number one.

Number two: That Rancho Viejo Boulevard be maintained at a capacity described above that any additional users of Rancho Viejo Boulevard be required to do such improvements as are necessary to maintain the above described capacity. That was condition two.

And three, The connection shall be constructed to the same standards as Avenida del Sur and paid for by the parties whose developments will be served by the connection.

So why I'm here is there's been a change in circumstances. I understand that. The County's now going to do part of this road, and there's going to be a participation by the developer. But what the developer and the County need to take into account is we either need bonding assurance now for the connections and the problems that are going to be imposed on Avenida del Sur when Esencia comes in in the future. And that they be paid for and constructed before there's a failure. And that's what we want you to impose upon as a condition of any change to this particular plan.

We don't want a failure; you don't want a failure. So this traffic study shows, as you go through it, that currently, the traffic shows that the development for Rancho Viejo is okay for its development but when you add Esencia you end up with failures. And if you go to page 31 of this document you'll see that there are failures in the road passages and the construction and traffic that will be created by this.

So what we're asking you to do tonight, if you approve this modification, is to impose upon the developer a bonding for two things. At the corner of Rancho Viejo

Boulevard and Avenida del Sur for a turnaround, which is what this is recommending, and I'll read this to you in a second, and also to recognize that this be paid for today or bonded for and planned for development before the Esencia homes are put in place.

So if we look at the last page, 36, it says Removing the background traffic associated with Esencia development will have minimal impacts to the most intersections in 2028 and 2040 build. The intersection of Avenida del Sur and Rancho Viejo does not warrant a traffic signal and operates well with no geometry changes. This intersection begins to fail under stop control conditions in the 2028 build scenario and warrants a signal at the intersection with additional background traffic associated with Esencia development and the connection of Vista del Monte. This intersection was also analyzed for a roundabout if the developer and the County determine to install a roundabout instead of a signal at this location. All other unsignalized intersections will continue to operate no worse than LOS C in the a.m. peak hours and LOS D in the p.m. peak hours.

Recommendations: Design and construct a traffic signal or a single-lane roundabout at the intersection of Avenida del Sur and Rancho Viejo Boulevard by the year 2028 to mitigate traffic construction. Construct the future site access on to Rancho Viejo as a roundabout intersection by 2028 build year.

So that needs to be paid for and accounted for today, not down the road. It needs to be imposed on the developer to pay for to the standards of the County in order to get the extension of Avenida del Sur. And that's why I'm here. I'm asking that you impose these conditions on the development today, that they bond and pay for those roundabouts so that we don't have a failure by the time those houses come on line. And I'll stand for any questions.

CHAIR HUGHES: Any questions.

MR. SOMMER: Thank you for your time.

COMMISSIONER HANSEN: I think we still have –

CHAIR HUGHES: More people talking? Anybody else in the public hearing? Okay. I'll close public hearing. Questions? Commissioner Hamilton.

COMMISSIONER HAMILTON: Just for clarity, Brian, would this [inaudible] your section of Avenida del Sur and Rancho Viejo Boulevard? Is that part of the road project the County's doing?

COMMISSIONER HANSEN: No.

MR. SNYDER: Mr. Chair, Commissioner Hamilton, no. The intersection of Avenida del Sur and Rancho Viejo Boulevard is east northeast of this site. So if you continue –

COMMISSIONER HAMILTON: Oh. I'm sorry. I was thinking –

MR. SNYDER: So it's off the map, up towards the ceiling.

COMMISSIONER HAMILTON: Yes. Got it. That's right. Thank you.

MR. SNYDER: That's another – that's the next access. Going in that direction, that's the next access to Highway 14.

COMMISSIONER HAMILTON: Okay.

CHAIR HUGHES: Other questions? Commissioner Greene.

COMMISSIONER GREENE: I feel that this is unfair to the neighbors there to not inform them, even if it's speculative, and therefore I'm going to move to table this with a –

COMMISSIONER HANSEN: Wait. Before you move to table it I want to have a little more discussion.

COMMISSIONER GREENE: Please go ahead.

COMMISSIONER HANSEN: So as you well know, Ms. Jenkins, I love roundabouts. And that's nothing surprising to you to hear so I understand what Mr. Thompson and Karl [sic] are suggesting and the need for a better traffic flow pattern. And I love roads and I love what we've done with the northeast-southeast connector, believe. For 20 years I've worked on it. I think it turned out really well, and I want to see the rest of the road network in the Community College District be as successful as the northeast-southeast connector is becoming. I think that that's a really important statement.

I also think that it would be good to inform these neighbors, like it's a temporary situation.

JMS. JENKINS: And may I – I would love to speak to that. There was a question about timing that Commissioner Hamilton, so if I –

COMMISSIONER HANSEN: Right. It's a temporary situation.

MS. JENKINS: Yes.

COMMISSIONER HANSEN: And notifying them that this is a temporary situation and that you're going to maintain and improve their road along the way, I think is really important to them. I think that doing something like that shows that you're a good developer.

MS. JENKINS: Absolutely.

COMMISSIONER HANSEN: Taking them into consideration as people who are going to be impacted for a year. I mean, they're going to be impacted also with this development but they're not going to be impacted with construction traffic. I know from working on Oshara how important it is to get infrastructure in the ground and done. I lived through the 2008 recession with Oshara so I am aware of how important it is to get things moving and so I'm not opposed to this development either. I just want to see things work harmoniously. And you have a tendency to always come back and ask for a variance or an exception or removing of a condition.

And so like we're working. We're building the road. You're contributing, which I'm grateful for and I hope that you will consider contributing and be for these roundabouts that Mr. Sommer is suggesting. And that I don't know if I want to table this, but I do want the residents to be informed and noticed and have an opportunity to say how they feel and what they need. So I don't know how that exactly is going to work but I want to let you respond and I want you to respond to Commissioner Hamilton's.

MS. JENKINS: Of course. So it is best practice, and common practice with my client that prior to commencing any construction project within or sort of adjacent to an existing community, that notices are sent out with this is what we're doing. This is kind of the schedule. This is the contact information. If you have any questions, if you have concerns. And this is who we are, this is what we're doing, this is our schedule. And so that type of outreach always happens before we turn any dirt on a project.

And so we are absolutely – and that's imminent, because we're getting to a point where we're actually going to pull a development permit and start that work. So that is absolutely part of the process. So we would be sending notifications focusing on all of our neighbors to the west, and as Mr. Snyder pointed out, the County Public Works is

going to be managing a community engagement process relative to the Avenida del Sur extension project, which we are going to participate with him in. So many prepositions. So we are going to participate in that process in collaboration with Public Works on that community engagement, and absolutely informing the neighbors this is what it is and it's really important they know who they can call if something happens and they have a concern.

And so that is what we intend to do and we can elevate that. I could have those letters in the mail tomorrow. Absolutely. We would ask – the timing of this is critical to the success of this project. We would very much ask for a decision this evening, and know that we will do that. We will copy staff on those communications so they know that they have gone out, whether Growth staff as well as Public Works, and we will distribute that so everybody can know that that has occurred. And we are going to be back here, probably, I'm thinking probably next summer with our next phase of subdivision. So it's going to be a great opportunity for a check-in in terms of how's the infrastructure going? How are things progressing?

So we are in design in terms of refining the engineering and we're just about to kick that process off for our next phase and we're really excited about delivering homes in Santa Fe County. So we would ask that we could have a decision this evening because it is a big part of our critical path to moving forward with the project.

CHAIR HUGHES: So my question is, since you want a decision tonight, how about if we just went ahead with the original conditions? Wait till the road is all built – it will put you off a year probably. Or do you want us to table it and go back to negotiating and all that stuff.

COMMISSIONER HAMILTON: Those aren't the only two choices.

CHAIR HUGHES: There's other choices too, yes.

MS. JENKINS: So if we were delayed on that condition this project is not going to happen any time soon. We will not be delivering homes. We will not be delivering affordable homes. We have home buildings that are standing by. They are ready to deliver quality homes to this community, and they're ready to do it right now. If we are sitting here carrying interest on this property and we can't turn dirt for a year, that could be a project-killing situation. And I don't think that's what you want to do. I don't think we want to figure out a way to delay and slow down the delivery of quality homes to this community. I really don't think that's it.

I think what we're proposing here is utterly reasonable. It's like the – we have something really amazing happening right now. We have a really dynamic collaboration between a developer and Santa Fe County to make infrastructure happen. It just came down to an odd sense of timing that the conceptual plan was approved with certain conditions and then two months later we had a general obligation bond approved. And the County's like, we're going to build this road right now.

CHAIR HUGHES: Well, that was intended right from the beginning that we would help you build the road.

MS. JENKINS: Well, we were always going to contribute to the road.
Correct.

CHAIR HUGHES: Intended.

MS. JENKINS: Yes. We were always going to contribute to the project for

sure.

CHAIR HUGHES: How do you want to address the issue that was brought up about traffic and certain intersections failing. I think it's obviously going to happen when you're all – I mean maybe when you're all complete.

MS. JENKINS: So we are of course very aware of the potential future issues that may arise at the intersection of Rancho Viejo Boulevard and Avenida del Sur. The results of the traffic study that Mr. Sommer was sharing with you assumes 710 households are complete, occupied with their cars on the road. We're years away from that.

CHAIR HUGHES: Yes. People will be upset years from now.

MS. JENKINS: So let's just say for example, we update our traffic study with our next phase, and in that traffic study, we, based upon all the existing cars on the road, the new cars coming in with new Rancho Viejo developments, our development, and let's say we run into an issue at that intersection with our next phase. At that point we say, okay, what's the solution.

COMMISSIONER HANSEN: You're going to run into issues.

MS. JENKINS: Very possibly, but again, they're talking about it has never really happened where we build these things especially having developer having financial contribution to them before the cars on the road that warrant the improvement. That's why we do traffic studies. That's the point of them is to determine timing and when these improvements are warranted. That is how it's been done forever.

COMMISSIONER GREENE: Developers build roads all the time.

MS. JENKINS: Oh, absolutely. So we have never contested or argued the fact that Esencia is going to be responsible for contributing to roadway improvements off site as may be warranted as the traffic studies are updated as we progress. We've always known that to be the case. We've never said it wasn't the case. We've never said we won't do it. Absolutely not. But when you obligate Phase 1 of a project to offsite financial contributions and offsite improvements before they're necessary it makes the economics of the project very difficult.

Phase 1 of a project is always loaded with infrastructure, right, because you've got to make your roadway connections. You've got to bring your utilities in. So it's like, oh, and you're going to do this? You don't need it right now but you're going to do it right now. It's not necessary right now. There's not enough cars on the road to warrant it but we want you to do it in advance. There goes your – your project doesn't pencil anymore.

So that's why it's very important that we're very careful. Yes, the roadway improvements need to be built. A hundred percent. And you have a Public Works Department who reviews these traffic studies and makes sure that these things are done when they need to be done. And we are here and agreeing that that is the case and it applies to us as well.

CHAIR HUGHES: Okay. Commissioner Greene.

COMMISSIONER GREENE: So there's two different issues here, and putting them together. They need to be separate.

CHAIR HUGHES: Commissioner Bustamante. Sorry. I didn't realize you were next.

COMMISSIONER BUSTAMANTE: I appreciate it. Good to see you, Jennifer. Thank you, Chairman Hughes. When we look at this, and the Chair has recommended that we just go with the original conditions but that concerns you and it threw it off a timeline. And hearing the – am equally concerned with notifying the community. And I'm not comfortable, given that it is a County partnership that would take that step to let people know. I understand that we could let them all know tomorrow, and I would say, then let's do that, and then let's table until everybody's been notified. Because to move it without having that notification makes me incredibly uncomfortable.

The trust – and I hear it between community members and the County on what we're going to do on behalf of those community members is something that I'm really trying to make sure that if we haven't preserved it, if it's already too late, then we can redevelop it. But I want to create trust with the community whatever our development and approvals are, and this is a partnership.

So that being said, I support what Chairman Hughes has said, then let's do none, and I know that's concerning, but then I also consider that we have to do something to inform the community. So I say that and I wanted to make sure that I got that out. Thank you.

CHAIR HUGHES: All right. Who was next? Commissioner Hamilton or Commissioner Greene?

COMMISSIONER HAMILTON: Thank you. I was going to ask you to put the slightly zoomed out version so that you can see – because my question had to do with – so the block of development that's west of Esencia goes between Vista del Monte –

MS. JENKINS: Yes. This is the Valle Lindo Subdivision that runs between Vista del Monte down to kind of the southern border of state land.

COMMISSIONER HAMILTON: It goes down to Camino Vista Grande it looks like.

MS. JENKINS: Yes. And then just on the other side of it, there's lots right here as well. And that's Camino Vista Grande right there.

COMMISSIONER HAMILTON: Oh, I moved it down to between the development and the – well, never mind. I was going to suggest that if everybody – if people thought Avenida del Sur was acceptable for construction traffic then Vista Grande was acceptable because it was just at the southern end, but I was wrong.

MS. JENKINS: Yes, so I think it's a valid point, Commissioner Hamilton. So there did not seem to be any concerns during the hearing about requiring Vista del Monte to be our construction access. No concerns were expressed. We are now in a situation where that's not really a feasible solution because of the parallel construction efforts. So that's why the proposal in terms of this being the next available County road. But yes. So the land use pattern is quite similar along both of the roadways. But yes, when we were at the hearing there was not real concern about that expressed.

COMMISSIONER HAMILTON: I understand, but the point I was making was that the alternate road was on the outer edge of the [inaudible] which it's not, so I can't make that argument.

CHAIR HUGHES: Right. All right. Commissioner Greene.

COMMISSIONER GREENE: Okay. Thank you. Are there sidewalks on

Avenida Vista Grande?

MS. JENKINS: You mean Camino Vista Grande?

COMMISSIONER GREENE: Yes. I'm sorry.

MS. JENKINS: No, sir.

COMMISSIONER GREENE: So these big trucks, big, heavy loaded trucks with ground material are going to go over this road, rip up the road, and there's nowhere for people to walk their dog along the street. It basically invades their neighborhood without having a safe pedestrian zone for even that; right? People driving up and down there will probably be upset. People living there will be upset. But people that want to play or walk to their neighbor's house are going to walk conflicting with big trucks and god knows, we can't make trucks slow down; right? Those guys are going to – you can try but good luck.

Again, I don't think this is acceptable for those neighbors. And so finding a work-around, either through Avenida Vista del Monte, or through the Rancho Viejo side with a little stub out road through over there. I don't think the roads are going to fail with construction traffic over through Rancho Viejo, but they will maybe when you get 710 homes. So certainly you can't build 710 homes without having Vista del Monte completed.

MS. JENKINS: Sure.

COMMISSIONER GREENE: But whatever your construction traffic is will overwhelm the people on Camino Vista Grande. Maybe it will upset the people in Rancho Viejo. I think the Vista del Monte with a little stub out road connecting in as we went over there, I think that's the most viable.

MS. JENKINS: May I ask a question about that, because I just want to make sure I understand your suggestion. Just so I'm clear, is – coming in with a stubbed road from here, we still have the issue of getting out to Highway 14. So that is I think the primary issue. It's less about how do we navigate this area, because we can do that. But it's really about how do we get from here out to here. I just want to make sure I'm clear on that.

COMMISSIONER GREENE: So I understand that that road needs to be improved over time, right? And it would be great to do it all in our fell swoop. But we're trying to cram two things together, and if you're not willing to wait then that time cost and money might be something that you figure out with the County to make it work. That road might work for construction and then in a phased approach, you get the eastern part connected to Rancho Viejo, and then they only have traffic on direction or whatever it is in the future when we get these things. But for the construction point of this it has the least impacts on the neighbors. It is a viable road. You can put a little stub-out of a little gravel road at the very end of that and do it as a two- or three-phase road project. Maybe it's a little more expensive but it certainly doesn't have angry phone calls to the Commissioner that represent this area.

CHAIR HUGHES: I get phone calls from Rancho Viejo.

COMMISSIONER GREENE: But you'll get them too. So that's why I'm saying, maybe the Vista del Monte with a little stub-out at the very end is actually the best solution there. So that is a viable road. It's not to the full capacity that it needs to be when there's 710 homes there, but if it's for construction traffic, that's probably the best

solution.

CHAIR HUGHES: Commissioner Hansen.

COMMISSIONER HANSEN: I'm trying to come up with a solution. But one question. Are the homebuilders local? Who is the homebuilder?

MS. JENKINS: I'm not sure. We're in the midst of transactions. I'm not honestly sure if I'm allowed to disclose that.

COMMISSIONER HANSEN: So then let's say – there's nothing in the code that makes us required to notify these people, correct?

MS. JENKINS: Correct.

COMMISSIONER HANSEN: Okay. So if there's nothing in the code that requires us to notify these people, if we delay until our next meeting and you sent everyone a letter, just notifying them, we're going to be using this road for construction. Because I think that is my original – what I brought up originally. If we notify them and allow them the opportunity to be heard, it makes a huge difference for Commissioner Hughes, for Commissioner Bustamante, who is across the road. It gives us – I think this is a good solution. The fact that County staff, we're working on the road. We're building the road and at the same time you're doing infrastructure. I think that is a good project.

Also, I want some assurances to Mr. Thompson that you will participate in the roundabouts in the future, some kind of –

MS. JENKINS: And honestly, if I may, he doesn't – Santa Fe County is going to ensure that happens, because Santa Fe County is the authority when it comes to these offsite improvements.

COMMISSIONER HANSEN: He's not going to be here -- I'm sure you're happy about that. So I think that if we had until November 12th and we got everyone notified. You send out the letters tomorrow. It's not a requirement. It's not in the code. We're not required to do that but we are doing the right thing, and we come back and we can make a decision and we can talk about some of these other items that have been brought up, and see what kind of real solution we can come up with.

I support going forward with this. I'm not trying to make your life difficult. I am trying to find a way forward. I hear from the Commission that we care about these neighbors along Camino Vista Grande. And they might get the letter and they're invited to come to a public hearing on November 12th and they might not even show up and they might be just fine. But on the other hand, at least we have made the effort to notify them. And so that is a solution I see that Warren Thompson is standing up. I don't know if that means he wants to talk or if he's just standing.

CHAIR HUGHES: Well we did close public hearings so –

COMMISSIONER HANSEN: Okay. I'm not making a motion but I'm trying to see if that would be acceptable to the rest of the Commission.

CHAIR HUGHES: It seems like Camino Vista Grande might be the best solution. The little stub from Vista del Norte, that only helps them if the County isn't building the road, but the County –

COMMISSIONER GREENE: There are ways to build this road in a different phasing of the road, but it hasn't been explored, right? It was all at once, and they have an opportunity to talk to our Public Works Department and look at that as another alternative.

CHAIR HUGHES: Yes. That's right. We should look at that too.

COMMISSIONER HANSEN: So we have two weeks. That's not going to kill us. It's not going to kill you.

MS. JENKINS: It's not going to kill us.

COMMISSIONER HANSEN: And we can talk about all these issues and then we can move forward. Because I want to find a way to move forward.

MS. JENKINS: I appreciate that Commissioner. Thank you.

COMMISSIONER HANSEN: I want to ask Manager Shaffer, can we do a recess, or do we table, or do we just – how would you like us to do this?

MANAGER SHAFFER: I would really defer to the County Attorney, as I'm just a recovering attorney at this point. So he's probably best suitable to guide you on this.

COMMISSIONER HANSEN: It's hard when Jeff's not sitting there next to you. I'm sorry.

MR. YOUNG: Mr. Chair, Commissioner Hansen, so I guess there would be two potential options. One would be to table it or I guess we have closed the public hearing on this so that is probably not an option at his point so I'd probably recommend tabling it if the Commission desires.

COMMISSIONER HANSEN: And then can we have another public hearing at our next meeting?

MR. YOUNG: Yes. I think you could do that, Commissioner Hansen, and we'll just include it as a public hearing. And provided the notices go out to the people as directed by the Commissioners, as requested by the Commission.

COMMISSIONER HANSEN: Okay, so I'm going to make a motion to table until November 12th and that JenkinsGavin will send a letter to all the residents on Camino Vista Grande. They will explore and work with Public Works on maybe some other alternatives on how to manage this. They will work with Mr. Thompson and Mr. Sommer and reassure them and talk to them.

CHAIR HUGHES: I think the motion is just to table.

COMMISSIONER HANSEN: Okay, but I was very clear.

COMMISSIONER HAMILTON: [inaudible]

COMMISSIONER HANSEN: Yes. At the next meeting.

CHAIR HUGHES: Do I have a second?

COMMISSIONER GREENE: And I'll second.

CHAIR HUGHES: All in favor of a tabling motion say aye.

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

CHAIR HUGHES: So we'll keep working on this.

9. Matters from the County Manager
A. Miscellaneous Updates

MANAGER SHAFFER: Thank you, Mr. Chair and Commissioners. Just a few brief updates. First, I did want to alert the Board to the fact that our request to the

Federal Home Loan Bank for \$2 million, and I believe it was grant subsidy for the two Nueva Acequia projects, the four percent and nine percent project, were granted, is my understanding. And again, that just allows us to continue to put together the capital stack on those two projects to see them move forward timely.

Secondly, I did want to alert the Board to the fact that we did pursue and receive approval from the Administrative Office of the Courts matching funds or a 50 percent cost share on the installation of bullet resistant film at the Judge Steven Herrera Judicial Complex. So the Administrative Office of the Courts agreed to pick up 50 percent of that project cost or \$192,000 worth of that project. All told, we've partnered with the Administrative Office of the Courts to the tune of \$835,000, approximately, for security upgrades for the Judge Steven Herrera Judicial Complex. Again, that's a 50 percent cost share, so we greatly support the legislature's continued funding of that cost share program which benefits not only Santa Fe County but counties throughout the state as we strive to meet the increasing cost relative to providing adequate and safe quarters for our district courts.

I wanted to also just remind the Board and the public that there is a special meeting of the County Canvassing Board scheduled for Friday, November 15th at 2:00 pm, at which we will canvass the results of the November 5 general election. In addition, there will be a County Board of Finance Meeting at the November 26th regular meeting of the BCC at which County Treasurer Manzanares will present the 2024 second half report and request approval of her six-month investment strategy.

We are actively planning for the 2025 legislative session, including our legislative reception. So Sara Smith will be reaching out to you relative to potential dates for that reception in December, and we'll be bringing forward some session-related resolutions during the month of November.

Finally, we are leveraging the work that our communications team is doing with our various podcasts and those podcasts will begin to be broadcast on KSWV and KDC beginning I believe this week beginning with KSWV – actually I think the first broadcast was this morning around 8:00 am. So again, our podcasts are now being used to provide content to those radio stations and we're leveraging the work that goes into them to reach a broader audience. Thank you, Mr. Chair.

COMMISSIONER BUSTAMANTE: Thank you, Greg.

10. Matters from County Commissioners and Other Elected Officials
A. Commissioner Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations

COMMISSIONER BUSTAMANTE: Commissioner Greene.

COMMISSIONER GREENE: Thank you, Madam Vice Chair. I went today to the broadband and infrastructure summit down at Isleta Pueblo. I hope that we have other folks from Santa Fe County – the broadband event was only today but I think the infrastructure plan is the rest of the week and I hope we have other people going down there. I think I saw Bill Taylor down there walking the halls. So I think we were there at least for the infrastructure part.

There's some interesting things brewing around the broadband space and hopefully I'll be able to report some of those sooner than later when they firm up, and it's exciting that we have a contractor on board to get our plan because we definitely need someone leading the charge other than myself.

I'll just leave it there. It's been a long night and I look forward to seeing you in two weeks and so I don't think I have anything else to report. So thank you.

COMMISSIONER HANSEN: I will also be brief. I just want to let you know that I have invited the Department of Energy – Environmental Management Director, Jessica Kunkle, to come to our November 12th meeting. She has agreed to give us an update on cleanup. I want to also mention that on November 2nd the Northern Rio Grande National Heritage Area is hosting at Los Luceros on November 2nd and 3rd a balloon fiesta, and the Zozobra balloon will be at Los Luceros, do depending on the winds, they'll be able to go up and down.

I also would like to share with you that I have been appointed for the next four years to the Northern Rio Grande National Heritage Area as a community member, which I am excited about because have invested a lot of my time in that organization.

My last Coffee and Tea under the Trees was incredibly exciting. Thank you, Commissioner Greene, for coming. Councilor Castro came and Representative Tara Lujan, so we had a great discussion about multiple issues concerning the city, county and state, and it was a lot of fun and there was like maybe 20 people there at least and it was great. And I certainly will miss it when I'm gone.

And then Commissioner Greene and I were both at the Governor's press conference for her litter campaign for Breaking Bad Habits and cleaning up the litter and I'm sure, at least I hope you've all see the ads on TV. We're getting a new litter campaign. It's a move on from Toss No Más and I had the honor of speaking at the march opposing the electrical power line with Tesuque Pueblo and Jemez Pueblo leadership on Friday. We had a fun march from basically the Presbyterian Church to the Guadalupe statue near the NNSA building, and there was about 100 people all together. It was quite impressive.

I'm sure there's other things that I could discuss but that's good enough.

CHAIR HUGHES: Okay. Commissioner Bustamante.

COMMISSIONER BUSTAMANTE: Thank you. I don't have a lot, but I do want to commend the work on the heritage area. Congratulations. I will say that having been there for the heavy lift in getting that organization established and rocky years at the very beginning has made for good foundation for the good work that's continuing to be done. I will say, however, that air balloons do freak out the horses and stuff, so I hope people are sensitive to that on that beautiful day as everybody in their corrals goes crazy. Otherwise, that's all I have.

CHAIR HUGHES: Okay. Commissioner Hamilton.

COMMISSIONER HAMILTON: We are going to have a final Coffee with the Commish in the next few weeks but we haven't actually nailed down the dates so I will let everybody know as soon as that is established.

CHAIR HUGHES: I did want to mention we're having a meeting on road safety on Route 14 and the intersection of Shenandoah and Bonanza Creek tomorrow night. And also there's scheduled – you all know about this – the summit on the housing

that Anchorum is producing. And since Anchorum has a lot of money to contribute to housing I'm very excited about going to that. And that's it.

COMMISSIONER GREENE: Mr. Chair, can I bring something of community import?

CHAIR HUGHES: All right.

COMMISSIONER GREENE: Sorry. I forgot to mention. We will be having a community meeting up in Chimayo at the Head Start on Wednesday, November 13th at 5:30 to discuss the repurposing of the Head Start and other community projects that are of interest to the Chimayo area, including potential post office collaborations and other things like the renovation of the Plaza del Cerro up there. So please, for the folks up in Chimayo and lovers of Chimayo come on up for that meeting, 5:30 on November 13th.

10. B. **Elected Officials' Issues and Comments, Including but not Limited to Constituent Concerns, Recognitions and Requests for Updates or Future Presentations** - None were offered.

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)**

There were no questions or comments on the Monthly Reports

15. **Concluding Business**

- A. **Announcements**
- B. **Adjournment**

Upon motion by Commissioner Greene and second by Commissioner Hamilton, and with no further business to come before this body, Chair Hughes declared this meeting adjourned at 8:07 p.m.

Approved by:



Hank Hughes, Chair
Board of County Commissioners

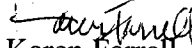
ATTEST TO:



KATHARINE E. CLARK
SANTA FE COUNTY CLERK



Respectfully submitted:

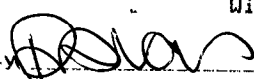

Karen Farrell, Wordswork
453 Cerrillos Road
Santa Fe, NM 87501

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC MINUTES
PAGES: 97

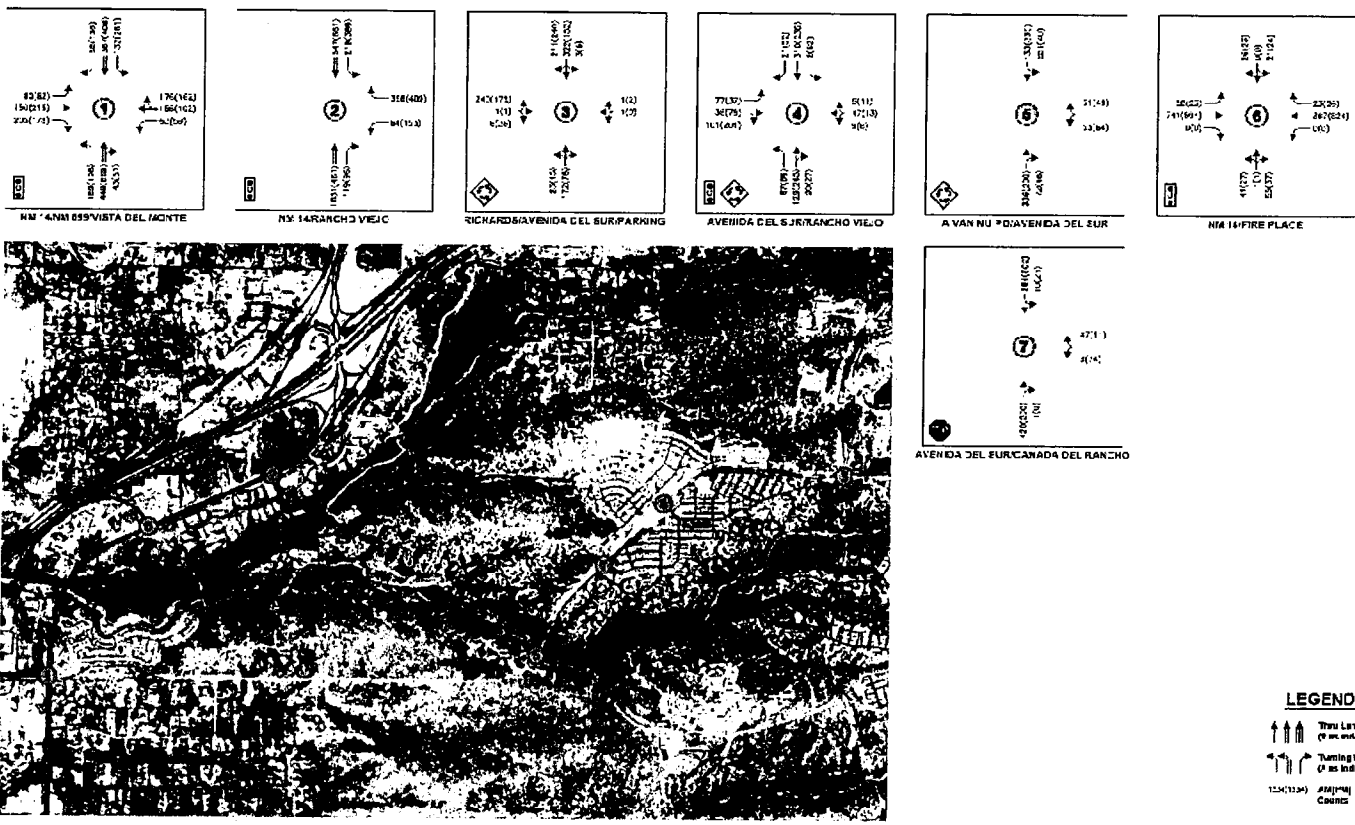
I Hereby Certify That This Instrument Was Filed for
Record On The 27TH Day Of November, 2024 at 02:46:03 PM
And Was Duly Recorded as Instrument # 2047750
Of The Records Of Santa Fe County



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

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D. EXISTING INTERSECTION CAPACITY ANALYSIS

The existing intersection traffic volumes were analyzed using Highway Capacity Software version 7 (HCS7), which uses the intersection methodology from the Sixth Edition of the Highway Capacity Manual (HCM). Individual intersection output for the existing conditions analysis is included in Appendix B. The results are summarized in Table 2 and Table 3.

Intersection	2022 AM Peak			2022 PM Peak		
	Delay	V/C	LOS	Delay	V/C	LOS
NM 14 & NM 599	19.6	0.780	B	18.3	0.648	B
NM 14 & Rancho Viejo	15.3	0.815	B	11.9	0.558	B
NM 14 & Fire Place	9.6	0.854	A	6.4	0.852	A

Intersection/Movement	2022 AM Peak			2022 PM Peak		
	Delay	Queue*	LOS	Delay	Queue*	LOS
Ave del Sur & Richards	12.8	-	B	8.7	-	A
Eastbound Approach	10.1	25	B	8.6	25	A
Westbound Approach	8.5	0	A	7.2	0	A
Northbound Left	8.8	25	A	8.4	25	A
Northbound Thru/Right	9.7	25	A	8.2	25	A
Southbound Approach	14.7	125	B	8.9	50	A
Ave del Sur & Rancho Viejo	10.7	-	B	12.0	-	B
Eastbound Left	10.4	25	B	10.3	25	B
Eastbound Thru/Right	9.6	25	A	12.9	75	B
Westbound Approach	9.8	25	A	10.2	25	B
Northbound Left	10.2	25	B	10.6	25	B
Northbound Thru/Right	8.8	25	A	13.6	75	B
Southbound Left	8.9	0	A	11.6	25	B
Southbound Thru	12.3	75	B	9.6	25	A
Southbound Right	8.0	25	A	9.8	25	A
Ave del Sur & A Van Nu Po	9.7	-	A	7.1	-	A
Westbound Right	7.9	25	A	6.9	25	A
Southbound Left	10.4	75	B	7.7	25	A
Ave del Sur & Canada del Rancho	11.1	-	B	11.2	-	B
Westbound Approach	11.1	25	B	11.2	25	B
Southbound Thru/Left	8.0	0	A	7.4	0	A

* - HCM 95th percentile queue rounded to next 25-foot increment

The existing intersections operate at acceptable levels of service. For the signalized and unsignalized intersections, no intersection operates worse than LOS B overall with all individual movements operating at or better than LOS B. The Existing traffic volumes are included in Figure 3.

Intersection	2028 AM Peak			2028 PM Peak		
	Delay	V/C	LOS	Delay	V/C	LOS
NM 14 & NM 599	22.9	0.762	C	21.9	0.699	C
NM 14 & Rancho Viejo	22.2	0.898	C	14.7	0.811	B
NM 14 & Fire Place	14.5	0.913	B	40.3	1.087	D
Ave del Sur & Rancho Viejo (Signalized)	19.6	0.815	B	27.1	0.923	C

Intersection/Movement	2028 AM Peak			2028 PM Peak		
	Delay	Queue*	LOS	Delay	Queue*	LOS
Ave del Sur & Richards	22.1	-	C	11.7	-	B
Eastbound Approach	14.3	75	B	10.9	50	B
Westbound Approach	9.4	0	A	8.0	0	A
Northbound Left	9.6	25	A	9.0	25	A
Northbound Thru/Right	11.7	50	B	9.1	25	A
Southbound Approach	29.7	300	D	12.7	100	B
Ave del Sur & Richards RAB (County)	6.5	-	A	5.2	-	A
Eastbound Right	6.7	50	A	4.9	25	A
Westbound Right	4.3	0	A	3.5	0	A
Northbound Right	5.3	25	A	4.0	25	A
Southbound Right	6.9	75	A	5.6	50	A
Ave del Sur & Rancho Viejo	16.3	-	C	29.7	-	D
Eastbound Left	12.2	25	B	12.5	25	B
Eastbound Thru/Right	12.3	50	B	36.4	250	E
Westbound Approach	11.8	25	B	13.3	25	B
Northbound Left	12.2	25	B	13.6	25	B
Northbound Thru/Right	13.0	50	B	40.5	275	E
Southbound Left	9.8	0	A	14.2	50	B
Southbound Thru	23.3	175	C	28.4	175	D
Southbound Right	8.8	25	A	11.2	25	B
Ave del Sur & Rancho Viejo RAB	6.1	-	A	8.4	-	A
Eastbound Right	7.0	50	A	10.3	75	B
Westbound Right	4.4	25	A	4.7	25	A
Northbound Right	5.2	25	A	8.4	75	A
Southbound Right	6.5	50	A	7.2	75	A
Ave del Sur & A Van Nu Po RAB	9.3	-	A	6.2	-	A
Westbound Right	6.2	25	A	5.1	25	A
Northbound Right	12.0	125	B	5.4	50	A
Southbound Right	7.2	75	A	7.2	75	A
Ave del Sur & Canada del Rancho	14.1	-	B	19.6	-	C
Westbound Approach	14.1	25	B	19.6	50	C
Southbound Thru/Left	8.7	0	A	7.7	25	A

* - HCM 95th percentile queue rounded to next 25-foot increment

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2. 2028 BUILD SCENARIO

The trips generated by the La Entrada development were assigned to the intersections using the trip percentages and associated volumes shown in Figure 4 through Figure 5. These trips were added to the No Build traffic projections for each scenario. The 2028 Build LOS results are shown in Table 7 and Table 8. The individual intersection output is included in Appendix E.

Full Buildout is expected to be completed by 2028 and assumes residents will access the site from the two entrances to the development; the access onto Rancho Viejo, and one access entrance extended from the existing intersection of Avenida del Sur and Canada del Rancho.

The analysis found that all signalized intersections operate at acceptable levels of service in the AM and PM peak hours, with no LOS worse than D. Unsignalized intersections experience serviceability breakdown, with Avenida del Sur & Rancho Viejo experiencing individual failing movements on the Eastbound, Northbound and Southbound approaches, at LOS F. Avenida del Sur & Canada del Rancho experience movement failure out of the development Eastbound with LOS E. The access on Rancho Viejo will experience a LOS E on the northbound movement under a two way stop-controlled intersection.

Signalizing the intersection of Avenida del Sur & Rancho Viejo based on the warrant established in the 2028 no build scenario will resolve the issue, resulting in no LOS worse than C. Alternatively, developing the intersection into a roundabout will also result in the overall intersection operating no worse than LOS A. Developing the access on Rancho Viejo as a roundabout will result in no movement operating worse than LOS A.

Table 7 and Table 8 shows the 2028 Build results. The HCS output is included in Appendix E. The results are shown graphically in Figure 7.

Table 7 Build Signalized Intersection Capacity Analysis Results (2028)						
Intersection	2028 AM Peak			2028 PM Peak		
	Delay	V/C	LOS	Delay	V/C	LOS
NM 14 & NM 599	23.1	0.762	C	24.4	0.785	C
NM 14 & Rancho Viejo	35.9	0.895	D	15.2	0.847	B
NM 14 & Fire Place	14.6	0.914	B	11.3	0.925	B
Ave del Sur & Rancho Viejo (Signalized)	19.3	0.812	B	27.0	0.923	C

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**Table 8 | Build Unsignalized Intersection Capacity Analysis Results
Phase 1 (2028)**

Intersection/Movement	2028 AM Peak			2028 PM Peak		
	Delay	Queue*	LOS	Delay	Queue*	LOS
Ave del Sur & Richards	34.7	-	D	14.8	-	B
Eastbound Approach	18.8	125	C	12.6	75	B
Westbound Approach	9.9	0	A	8.4	0	A
Northbound Left	10.1	25	B	9.3	25	A
Northbound Thru/Right	12.7	50	B	9.6	25	A
Southbound Approach	51.4	475	F	17.0	150	C
Ave del Sur & Richards RAB (County)	7.1	-	A	5.7	-	A
Eastbound Right	7.7	50	A	5.3	50	A
Westbound Right	4.6	0	A	3.7	0	A
Northbound Right	5.8	25	A	4.2	25	A
Southbound Right	7.2	75	A	6.3	50	A
Ave del Sur & Rancho Viejo	19.8	-	C	60.1	-	F
Eastbound Left	13.6	50	B	14.0	25	B
Eastbound Thru/Right	13.2	50	B	52.3	325	F
Westbound Approach	12.5	25	B	14.5	25	B
Northbound Left	12.7	25	B	14.6	25	B
Northbound Thru/Right	16.2	75	C	103.7	550	F
Southbound Left	10.2	0	B	15.0	50	C
Southbound Thru	30.7	225	D	71.0	425	F
Southbound Right	9.3	25	A	12.5	25	B
Ave del Sur & Rancho Viejo RAB	6.6	-	A	9.7	-	A
Eastbound Right	7.6	50	A	12.3	100	B
Westbound Right	4.9	25	A	5.0	25	A
Northbound Right	5.9	50	A	9.4	75	A
Southbound Right	6.8	50	A	8.5	75	A
Ave del Sur & A Van Nu Po RAB	9.5	-	A	6.4	-	A
Westbound Right	6.3	25	A	5.2	25	A
Northbound Right	12.2	125	B	5.5	50	A
Southbound Right	7.4	75	A	7.4	75	A
Ave del Sur & Canada del Rancho	38.7	-	E	27.5	-	D
Eastbound Approach	38.7	75	E	21.4	25	C
Westbound Approach	14.5	25	B	27.5	50	D
Northbound Approach	8.2	0	A	8.9	25	A
Southbound Approach	8.7	0	A	7.7	25	A
Future Access & Rancho Viejo	23.7	-	C	42.7	-	E
Westbound Left	8.3	0	A	9.2	25	A
Northbound Left	26.5	50	D	49.3	75	E
Northbound Right	11.0	25	B	12.9	25	B
Future Access & Rancho Viejo RAB	6.7	-	A	8.9	-	A
Eastbound Right	5.7	50	A	8.6	100	A
Westbound Right	7.7	75	A	9.5	100	A
Northbound Right	5.5	25	A	6.1	25	A

* - HCM 95th percentile queue rounded to next 25-foot increment

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3. 2028 BUILD SCENARIO – NO ESENCIA BACKGROUND TRAFFIC

To determine the sole impacts of the La Entrada development, analysis was completed without the background traffic of the major Esencia housing development to the south. The 2028 build scenario was completed without the external background development traffic.

All access points for La Entrada will remain for this Full Buildout without the Esencia development, as shown in the site plan.

With just the La Entrada development generating traffic, the analysis found that all signalized and unsignalized intersections operate at acceptable levels of service in the AM and PM peak hours, with no LOS worse than D with the improvement of Avenida del Sur and Richards being constructed as a roundabout. The access on Rancho Viejo will operate at acceptable conditions, with individual movements operating at LOS D or better. Avenida del Sur & Canada del Rancho experiences acceptable movement conditions with all movements operating at LOS C or better. The access on Rancho Viejo will remain an acceptable northbound movement with LOS D.

The intersection of Avenida del Sur and Rancho Viejo was evaluated for a warranted traffic signal based on peak hour volumes and delays. In this scenario without background traffic from Esencia, the signal is not warranted in either AM or PM peak hours based on warrants 3A and 3B in the MUTCD. Installation of a roundabout is not necessary as well due to the unsignalized intersection operating acceptably. Developing the access on Rancho Viejo as a roundabout will result in no movement operating worse than LOS A.

Table 9 and Table 10 show the 2028 Build without the Esencia background traffic. The HCS output is included in Appendix D. The results are shown graphically in Figure 8.

Table 9 Build Signalized Intersection Capacity Analysis Results La Entrada Only Development (2028) No Esencia						
Intersection	2029 AM Peak			2029 PM Peak		
	Delay	V/C	LOS	Delay	V/C	LOS
NM 14 & NM 599	22.2	0.773	C	22.0	0.768	C
NM 14 & Rancho Viejo	22.2	0.800	C	12.1	0.709	B
NM 14 & Fire Place	12.3	0.887	B	10.7	0.904	B
* Individual Movement LOS E or worse						

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**Table 10 | Build Unsignalized Intersection Capacity Analysis Results
La Entrada Only Development (2028) No Esencia**

Intersection/Movement	2028 AM Peak			2028 PM Peak		
	Delay	Queue*	LOS	Delay	Queue*	LOS
Ave del Sur & Richards	44.1	-	E	16.9	-	C
Eastbound Approach	21.6	150	C	13.5	75	B
Westbound Approach	10.1	0	B	8.5	0	A
Northbound Left	10.3	25	B	9.5	25	A
Northbound Thru/Right	13.1	50	B	9.8	25	A
Southbound Approach	68.5	600	F	20.1	200	C
Ave del Sur & Richards RAB	6.2	-	A	4.6	-	A
Eastbound Right	6.0	25	A	4.5	25	A
Westbound Right	4.0	0	A	3.3	0	A
Northbound Right	4.8	25	A	3.7	25	A
Southbound Right	6.7	75	A	4.9	50	A
Ave del Sur & Rancho Viejo	13.0	-	B	14.4	-	B
Eastbound Left	11.5	25	B	11.5	25	B
Eastbound Thru/Right	10.2	25	B	14.6	75	B
Westbound Approach	10.5	25	B	11.2	25	B
Northbound Left	9.9	0	A	10.4	25	B
Northbound Thru/Right	10.5	25	B	18.3	100	C
Southbound Left	9.2	0	A	12.1	25	B
Southbound Thru	16.3	100	C	13.6	50	B
Southbound Right	8.2	25	A	10.0	25	A
Ave del Sur & A Van Nu Po RAB	6.2	-	A	4.0	-	A
Westbound Right	4.5	25	A	3.9	25	A
Northbound Right	6.8	50	A	3.9	25	A
Southbound Right	6.4	50	A	4.1	25	A
Ave del Sur & Canada del Rancho	18.8	-	C	14.0	-	B
Eastbound Approach	18.8	50	C	12.9	25	B
Westbound Approach	11.0	25	B	14.0	25	B
Northbound Approach	7.9	0	A	8.0	0	A
Southbound Approach	7.9	0	A	7.4	0	A
Future Access & Rancho Viejo	19.3	-	C	29.7	-	D
Westbound Left	8.2	0	A	8.8	25	A
Northbound Left	21.3	50	C	33.8	50	D
Northbound Right	10.7	25	B	11.8	25	B
Future Access & Rancho Viejo RAB	5.9	-	A	7.7	-	A
Eastbound Right	5.4	50	A	7.2	75	A
Westbound Right	6.6	50	A	8.5	100	A
Northbound Right	5.3	25	A	5.4	25	A

* - HCM 95th percentile queue rounded to next 25-foot increment

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2. 2040 HORIZON YEAR BUILD SCENARIO

Implementation of the full buildout to the horizon year scenario forecasts several intersection breakdowns in terms of serviceability.

Table 13 and Table 14 shows the 2040 Build results. The HCS output is included in Appendix G. The results are shown graphically in Figure 10.

The analysis found that signalized intersections continue to operate at an overall satisfactory LOS. The intersection of NM 14 & Rancho Viejo will operate at LOS D in the AM peak hour although individual movements operate at LOS E or worse in the AM peak hour.

Unsignalized intersections experience serviceability breakdown, with Avenida del Sur & Rancho Viejo experiencing individual LOS F movements on the Eastbound thru/right, Northbound thru/right in the PM peak hour and the Southbound thru in both the AM and PM peak hours. Avenida del Sur & Canada del Rancho experiences movement at LOS E for the eastbound approach in the AM peak hour. The access onto Rancho Viejo will experience LOS E in the PM peak hour on the northbound movement.

Signalizing the intersection of Avenida del Sur & Rancho Viejo will resolve the issue, resulting in no LOS worse than C. Alternatively, developing the intersection into a roundabout will also result in the overall intersection operating no worse than LOS B. Developing the access on Rancho Viejo as a roundabout will result in no movement operating worse than LOS B.

Signal Optimization at the failing signalized intersection of NM 14 & Rancho Viejo will alleviate the movements operating at unacceptable conditions. Optimization will bring NM 14 & Rancho Viejo to LOS D or better.

Intersection	2040 AM Peak			2040 PM Peak		
	Delay	V/C	LOS	Delay	V/C	LOS
NM 14 & NM 599	25.5	0.699	C	26.6	0.804	C
NM 14 & Rancho Viejo	54.0	0.972	D*	17.2	0.904	B
NM 14 & Rancho Viejo (Optimized Timing)	36.8	0.911	D	18.1	0.938	B
NM 14 & Fire Place	17.7	0.935	B	14.8	0.942	B
Ave del Sur & Rancho Viejo (Signalized)	20.6	0.825	C	27.7	0.925	C

* LOS D or worse for individual movements

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Table 14 | **Build Unsignalized Intersection Capacity Analysis Results**
Horizon Year (2040)

Intersection/Movement	2040 AM Peak			2040 PM Peak		
	Delay	Queue*	LOS	Delay	Queue*	LOS
Ave del Sur & Richards	84.6	-	F	16.6	-	C
Eastbound Approach	21.3	150	C	13.2	75	B
Westbound Approach	10.2	0	B	8.5	0	A
Northbound Left	10.3	25	B	9.4	25	A
Northbound Thru/Right	13.6	50	B	9.8	25	A
Southbound Approach	143.7	950	F	19.8	200	C
Ave del Sur & Richards RAB (County)	7.7	-	A	6.0	-	A
Eastbound Right	8.4	50	A	5.6	50	A
Westbound Right	4.8	0	A	3.8	0	A
Northbound Right	6.2	50	A	4.3	25	A
Southbound Right	7.9	75	A	6.6	75	A
Ave del Sur & Rancho Viejo	28.3	-	D	84.9	-	F
Eastbound Left	14.6	50	B	14.4	25	B
Eastbound Thru/Right	14.3	50	B	63.7	375	F
Westbound Approach	13.3	25	B	15.0	25	B
Northbound Left	13.0	25	B	14.5	25	B
Northbound Thru/Right	17.8	100	C	134.8	625	F
Southbound Left	10.4	0	B	15.3	50	C
Southbound Thru	51.7	375	F	123.6	600	F
Southbound Right	9.6	25	A	12.5	25	B
Ave del Sur & Rancho Viejo RAB	7.1	-	A	10.2	-	B
Eastbound Right	8.5	50	A	13.5	125	B
Westbound Right	5.0	25	A	5.1	25	A
Northbound Right	6.0	60	A	9.4	75	A
Southbound Right	7.2	75	A	8.7	100	A
Ave del Sur & A Van Nu Po RAB	11.8	-	B	6.9	-	A
Westbound Right	6.9	25	A	5.5	25	A
Northbound Right	16.2	175	C	5.9	50	A
Southbound Right	8.5	100	A	8.1	75	A
Ave del Sur & Canada del Rancho	49.1	-	E	33.4	-	D
Eastbound Approach	49.1	75	E	23.5	25	C
Westbound Approach	15.6	25	C	33.4	75	D
Northbound Approach	8.3	0	A	9.0	25	A
Southbound Approach	8.8	25	A	7.7	25	A
Future Access & Rancho Viejo	27.6	-	D	55.3	-	F
Westbound Left	8.4	0	A	9.4	25	A
Northbound Left	31.3	50	D	64.7	75	F
Northbound Right	11.3	25	B	13.5	25	B
Future Access & Rancho Viejo RAB	7.1	-	A	9.8	-	A
Eastbound Right	6.0	50	A	9.3	100	A
Westbound Right	8.3	75	A	10.5	125	B
Northbound Right	5.8	25	A	6.5	25	A

* - HCM 95th percentile queue rounded to next 25-foot increment

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3. 2040 HORIZON YEAR BUILD SCENARIO – NO ESENCIA BACKGROUND TRAFFIC

To determine the sole impacts of the La Entrada development, analysis was completed without the background traffic of the major Esencia housing development to the south. The 2040 build scenario was completed without the external background development traffic.

All access points for the La Entrada development will remain for this Full Buildout without the Esencia development as shown in the site plan.

With just the La Entrada development generating traffic, the analysis found that all signalized and unsignalized intersections operate at acceptable levels of service in the AM and PM peak hours, with no LOS worse than D. The access onto Rancho Viejo is forecasted to operate with LOS E on the northbound left. Avenida del Sur & Canada del Rancho experience acceptable movement conditions with all movements operating at LOS C or better.

The intersection of Avenida del Sur and Rancho Viejo was evaluated for a warranted traffic signal based on peak hour volumes and delays. In this scenario without background traffic from Esencia, the signal is not warranted in either AM or PM peak hours based on warrants 3A and 3B in the MUTCD. Additionally, installation of a roundabout is not necessarily due to the unsignalized intersection operating acceptably. Developing the access onto Rancho Viejo as a roundabout will result in no movement operating worse than LOS A.

Table 15 and Table 16 show the 2040 Horizon Year Build without the Esencia background traffic. The HCS output is included in Appendix D. The results are shown graphically in Figure 11.

Table 15 Build Signalized Intersection Capacity Analysis Results La Entrada Only Development (2028) No Esencia						
Intersection	2029 AM Peak			2029 PM Peak		
	Delay	V/C	LOS	Delay	V/C	LOS
NM 14 & NM 599	24.3	0.814	C	23.7	0.791	C
NM 14 & Rancho Viejo	30.7	0.884	C	12.6	0.741	B
NM 14 & Fire Place	14.5	0.907	B	11.4	0.923	B
* Individual Movement LOS E or worse						

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**Table 16 | Build Unsignalized Intersection Capacity Analysis Results
La Entrada Only Development (2028) No Esencia**

Intersection/Movement	2028 AM Peak			2028 PM Peak		
	Delay	Queue*	LOS	Delay	Queue*	LOS
Ave del Sur & Richards	44.1	-	E	16.9	-	C
Eastbound Approach	21.6	150	C	13.5	75	B
Westbound Approach	10.1	0	B	8.5	0	A
Northbound Left	10.3	25	B	9.5	25	A
Northbound Thru/Right	13.1	50	B	9.8	25	A
Southbound Approach	68.5	600	F	20.1	200	C
Ave del Sur & Richards RAB	6.7	-	A	4.8	-	A
Eastbound Right	6.5	50	A	4.6	25	A
Westbound Right	4.1	0	A	3.4	0	A
Northbound Right	5.1	25	A	3.8	25	A
Southbound Right	7.3	75	A	5.1	50	A
Ave del Sur & Rancho Viejo	15.0	-	C	15.1	-	C
Eastbound Left	12.1	50	B	11.7	25	B
Eastbound Thru/Right	10.8	50	B	15.2	75	C
Westbound Approach	11.1	25	B	11.4	25	B
Northbound Left	10.1	0	-	10.3	0	B
Northbound Thru/Right	11.0	25	B	19.4	125	C
Southbound Left	9.3	0	A	12.2	25	B
Southbound Thru	20.1	150	C	14.8	75	B
Southbound Right	8.3	25	A	10.0	25	A
Ave del Sur & A Van Nu Po RAB	7.2	-	A	4.3	-	A
Westbound Right	4.9	25	A	4.1	25	A
Northbound Right	8.2	50	A	4.2	25	A
Southbound Right	7.2	75	A	4.5	25	A
Ave del Sur & Canada del Rancho	21.4	-	C	15.3	-	C
Eastbound Approach	21.4	50	C	13.7	25	B
Westbound Approach	11.5	25	B	15.3	25	C
Northbound Approach	8.0	0	A	8.2	0	A
Southbound Approach	8.0	0	A	7.4	25	A
Future Access & Rancho Viejo	22.0	-	C	36.6	-	E
Westbound Left	8.3	0	A	8.9	25	A
Northbound Left	24.5	50	C	42.1	50	E
Northbound Right	11.0	25	B	12.2	25	B
Future Access & Rancho Viejo RAB	6.3	-	A	8.4	-	A
Eastbound Right	5.7	50	A	7.8	75	A
Westbound Right	7.1	75	A	9.4	100	A
Northbound Right	5.6	25	A	5.7	25	A

* - HCM 95th percentile queue rounded to next 25-foot increment

SFC CLERK RECORDED 11/27/2024

VII. CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS

The traffic analysis found that all intersections operate at acceptable levels of service in the existing conditions.

Signalized intersections begin to experience individual movement failure at the 2040 horizon year scenarios, both in build and no build. NM 14 & Rancho Viejo, as well as NM 14 & Fire Place experience movement failures LOS E or worse.

The unsignalized intersections will continue to operate acceptably until the 2028 No Build scenario, where Avenida del Sur & Rancho Viejo will begin to experience movement failure in the Eastbound and Northbound directions with LOS E. The future access onto Rancho Viejo will begin to experience failures of LOS E in the 2028 Build scenario.

Removing the background traffic associated with the Esencia development will have minimal impacts to most intersections in 2028 and 2040 Build. The intersection of Avenida del Sur and Rancho Viejo does not warrant a traffic signal and operates well with no geometry changes. This intersection begins to fail under stop control conditions in the 2028 build scenario and warrants a signal at the intersection with the additional background traffic associated with the Esencia development and the connection of Vista del Monte. This intersection was also analyzed for a roundabout if the developer and the county determine to install a roundabout instead of a signal at this location. All other unsignalized intersections will continue to operate no worse than LOS C in the AM peak hour and LOS D in the PM peak hour.

B. RECOMMENDATIONS

- **Design and construct a traffic signal or single lane roundabout at the intersection of Avenida del Sur and Rancho Viejo Boulevard by the year 2028 to mitigate traffic congestion**
- **Construct the future site access onto Rancho Viejo as a roundabout intersection by the 2028 Build year**
- All designs shall satisfy the Manual on Uniform Traffic Control Devices (MUTCD), NMDOT, and County of Santa Fe requirements.

SFC CLERK RECORDED 11/27/2024

DEDICATION AND AFFIDAVIT

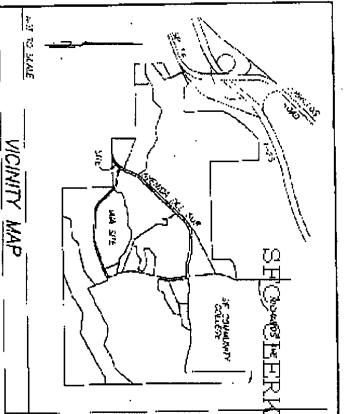
KNOW ALL MEN THESE PRESENTS THAT THE UNDERSIGNED OWNER OF LOT 1, AS SHOWN ON THE LOT LINE ADJUSTMENT PLAT PREPARED FOR RANCHO VIEJO DE SANTA FE, INC. RECORDED IN BOOK 389, PAGES 010-011, HAS CAUSED THAT PORTION SHOWN AS "AVENIDA DEL SUR" HEREON TO BE CONDITIONALLY DEDICATED BY THIS PLAT TO THE COUNTY OF SANTA FE AS A PUBLIC ROAD, ~~IN ACCORDANCE WITH THE EXTRA TERRITORIAL ROAD PLAN AND SPECIFIC CONDITIONS IMPOSED BY THE BOARD OF COUNTY COMMISSIONERS FOR APPROVAL OF THE VILLAGE AT RANCHO VIEJO, UNITS 1&2, SUBJECT TO THE FOLLOWING THREE REQUIREMENTS:~~

1. THAT ANY AND ALL OWNERS OF PROPERTIES WHICH WILL UTILIZE THE CONNECTION AND AVENIDA DEL SUR BE REQUIRED TO DO SUCH IMPROVEMENTS AS ARE NECESSARY TO RETAIN THE CAPACITY OF AVENIDA DEL SUR AND RICHARDS AVENUE UP TO COLLEGE DRIVE IN SUCH A MANNER THAT BOTH ROADWAYS WILL HAVE THE CAPACITY TO SERVE THE ANTICIPATED DEVELOPMENT OF THE RANCHO VIEJO MASTER PLAN AREA, WHICH WE BELIEVE WILL INCLUDE 1000 RESIDENTIAL UNITS AND THE ASSOCIATED COMMERCIAL DEVELOPMENT, AFTER THE NEW COMMUNITY DISTRICTS ARE ESTABLISHED;
2. THAT RANCHO VIEJO BLVD. BE MAINTAINED AT THE CAPACITY DESCRIBED ABOVE AND THAT ANY ADDITIONAL USERS OF RANCHO VIEJO BLVD. BE REQUIRED TO DO SUCH IMPROVEMENTS AS ARE NECESSARY TO MAINTAIN THE ABOVE DESCRIBED CAPACITY; AND
3. THE CONNECTION SHALL BE CONSTRUCTED TO THE SAME STANDARDS AS AVENIDA DEL SUR AND PAID FOR BY THE PARTIES WHOSE DEVELOPMENTS WILL BE SERVED BY THE CONNECTION.

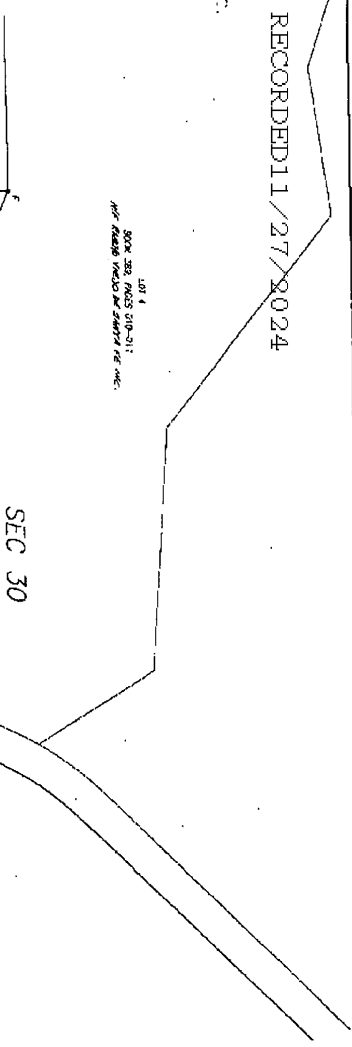
0415026

CONSTRUCTION OF THIS SECTION OF ROADWAY IS NOT REQUIRED FOR THE DEVELOPMENT OF RANCHO VIEJO DE SANTA FE, INC. WHEN THIS ROADWAY IS CONSTRUCTED, THE ENTITIES CONSTRUCTING THE ROAD WILL BE RESPONSIBLE FOR MAINTENANCE OF THE ROAD, UNTIL ACCEPTANCE OF THIS CONDITIONAL DEDICATION BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY.

THIS PLAT LIES WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE CITY AND COUNTY OF SANTA FE, NEW MEXICO.
OWNER(S)
RANCHO VIEJO de SANTA FE, INC.



SECTION 30
RECORDED 11/27/2024



SEC 30

REFERENCE DOCUMENTS
LOT 10, SECTION 30, T10N, R10E, S100-111
NOT RECORDED IN THE PUBLIC RECORDS OF SAHARA, N.M.

DATE OF CONVEYANCE
3-24-99

DATE OF CONVEYANCE
3-23-99

DATE OF CONVEYANCE
3-23-99

FLOOD ZONE
FLOOD ZONE INFORMATION: SECTION 10, T10N, R10E, S100-111
FLOOD ZONE INFORMATION: SECTION 10, T10N, R10E, S100-111
FLOOD ZONE INFORMATION: SECTION 10, T10N, R10E, S100-111

SAHARA COUNTY, N.M.
COUNTY CLERK
KIM CHAI
2024

LOT	ACRES	AREA	PERCENTAGE
LOT 1	1.00	1.00	100.00%
LOT 2	1.00	1.00	100.00%
LOT 3	1.00	1.00	100.00%
LOT 4	1.00	1.00	100.00%
LOT 5	1.00	1.00	100.00%
LOT 6	1.00	1.00	100.00%
LOT 7	1.00	1.00	100.00%
LOT 8	1.00	1.00	100.00%

SAHARA COUNTY, N.M.
COUNTY CLERK
KIM CHAI
2024

CONDITIONAL ROAD DEDICATION
FOR
RANCHO VIEJO DE SANVA
SHERWOOD
COMMERCIAL DEDICATION THROUGH
RECORDED IN BOOK 389, PAGE 100
SECTION 30, T10N, R10E, S100-111
SAHARA COUNTY, N.M.