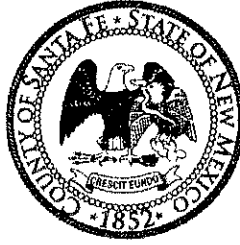


Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *October 30, 2012*

TO: *Board of County Commissioners*

FROM: *Adam Leigland, Public Works Department Director* *ml 10/5/12*

VIA: *Katherine Miller, County Manager*

ITEM AND ISSUE: *BCC Meeting October 30, 2012*

REQUEST APPROVAL OF ATTACHED RESOLUTION 2012 - FOR SANTA FE COUNTY TO PROVIDE \$25,000 IN MATCHING FUNDS FOR WATER TRUST BOARD PROJECT #295, CANONCITO REGIONAL WATER QUALITY AND SYSTEMS IMPROVEMENTS PHASE II.

BACKGROUND AND SUMMARY:

At the April 10, 2012 Board of County Commission meeting the board unanimously approved a resolution incorporating the Canoncito of Apache Canyon Mutual Domestic Water Association's service area into the Santa Fe County Water and Wastewater Utility Service area. In addition, the Canoncito Mutual Domestic was also awarded a \$225,000 grant which requires a 10% match (\$25,000). Before the grant is made available to the Mutual Domestic for use they require verification of the matching (\$25,000) funds.

ACTION REQUESTED:

Now that the Canoncito of Apache Canyon Mutual Domestic is being incorporated into Santa Fe County's service area staff is requesting approval of the Resolution which will verify to the Water Trust Board that the matching funds for this grant are available for the project.

SANTA FE COUNTY

RESOLUTION NO. 2012 -

**A RESOLUTION COMMITTING TO PROVIDE \$25,000 IN MATCHING FUNDS
AND IN KIND SERVICES FOR WATER TRUST BOARD PROJECT #295**

WHEREAS, the service area of the Cañoncito at Apache Canyon Mutual Domestic Water Association (the Association) has been incorporated into the boundaries of the Santa Fe County Utilities' Water Service Area by Resolution 2012-55 of the County Board of Commissioners;

WHEREAS, the Association was awarded Project #295 by the New Mexico Water Trust Board, to pay for the design of water distribution system improvements;

WHEREAS, Santa Fe County (the County) and the Association are currently negotiating the transfer of the Association's water system and assets to the County;

WHEREAS, the Association will cease to exist, once this transfer of infrastructure and customers is finalized; and

WHEREAS, the County will continue to supply safe and reliable drinking water to all residents who were customers of the Association, under the same terms and conditions as any other customer of the County;

WHEREAS, in order to release funding to the Association the Water Trust Board requires confirmation that matching funds in the amount of \$25,000 are available as well as all necessary in-kind contributions;

WHEREAS, the County is prepared to contribute the \$25,000 matching funds and in-kind services required for the Water Trust Board in exchange for the Association's commitment to become a retail or wholesale water customer of the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe, as follows:

1. The County shall provide \$25,000 in matching funds for New Mexico Water Trust Board Grant-Project #295 and provide the required local in-kind contribution in exchange for the Association's commitment to become a retail or whole sale water customer of the County.

PASSED, APPROVED, and ADOPTED THIS _____ DAY OF _____, 2012.

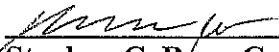
BOARD OF COUNTY COMMISSIONERS

Liz Stefanics, Chair

Attest:

Valerie Espinoza, County Clerk

Approved as to form:



Stephen C. Ross, County Attorney



Memorandum

To: Santa Fe Board of County Commissioners

From: Donna Morris, Fire Department

Thru: David Sperling, Fire Chief *DS*
Pablo Sedillo, Public Safety Director *PS*
Katherine Miller, County Manager *KM*

Date: October 30, 2012

Re: *Requesting BCC Approval for a Budget Increase to the Emergency Preparedness Grant Fund (244) in the amount of (\$26,396).*

CAPTION:

The Santa Fe County Fire Department is requesting BCC approval for a budget increase to the Emergency Preparedness Grant Fund (244) to budget the prior year's available cash balance that has been approved for training in the amount of \$26,396 to be expended in FY-2013. (Public Safety/Fire)

BACKGROUND:

The Santa Fe County Fire Department is requesting to carry forward the available cash balance from FY-2012 to FY-2013 in the amount of \$26,396. This grant funding was initially allocated to be utilized in FY-2012 for a Radiological/Nuclear Operations level course to cover the overtime and backfill costs of the field staff attending the training. The training was successful but actual overtime and backfill expenditures did not utilize the entire grant funding that was allocated for this training, originally \$57,600 was allocated and only \$31,203.52 was expended. The New Mexico Department of Homeland Security and Emergency Management has now amended the original scope of work for grant number 2010-SS-TO-0011-Santa Fe County to utilize the unspent funding for the SFCFD Technical Rescue Team to attend a 50 hour course in Collapse Rescue Operations. The \$26,396 which we are requesting to be carried forward into the FY-2013 budget will be utilized on the registration fees for this course.

SUMMARY:

Please approve this request for a budget increase to the Fire Department Emergency Management Fund (244) in the amount of \$26,396.

SANTA FE COUNTY

RESOLUTION 2012 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on October 30, 2012, did request the following budget adjustment:

Department / Division: Fire Department/Emergency Preparedness Grants Fund Name: Emergency Preparedness Grant Fund (244)

Budget Adjustment Type: Budget Increase Fiscal Year: 2013 (July 1, 2012 - June 30, 2013)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	AGENCY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0808	372	00-00	Grant/Homeland Security	26,396	
TOTAL (if SUBTOTAL, check here)					26,396	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	AGENCY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY/LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0808	422	70-33	Other Operating Supplies/Seminars & Workshops	26,396	
TOTAL (if SUBTOTAL, check here)					26,396	

Requesting Department Approval: [Signature] Title: Chief Date: 8-3-12

Finance Department Approval: [Signature] Date: 10/18/12 Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____ Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Donna Morris Dept/Div: Fire Department/Administration Phone No.: 992-3082

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (if applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

Requesting BCC approval for a budget increase to the Emergency Preparedness Grant Fund (244) to budget the prior year's available cash balance that was originally to be used for a Radiological/Nuclear Operations level course. The training did not utilize the entire amount of funds allocated in the budget and we have now received authorization from Homeland Security to utilize the excess funding for Collapse Rescue Operations training for a total increase of \$26,396 to be expended in FY-2013 on registration fees for potentially twenty people to attend the training.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense X

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Donna Morris Dept/Div: Fire Department Administration Phone No.: 992-3082

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES NO
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES NO
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
 - c) Is this request a result of Commission action? YES NO
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - d) Please identify other funding sources used to match this request. N/A

Department of Homeland Security Grant-2010-SS-T0-0011--Santa Fe County

SANTA FE COUNTY

RESOLUTION 2012 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 30th Day of October, 2012.

Santa Fe Board of County Commissioners

Liz Stefanics, Madam Chair

ATTEST:

Valerie Espinoza, County Clerk



Memorandum

To: Santa Fe Board of County Commissioners

From: Donna Morris, Fire Department

Thru: David Sperling, Fire Chief *DS*
Pablo Sedillo, Public Safety Director *PS*
Katherine Miller, County Manager *KM*

Date: October 30, 2012

Re: *Requesting BCC Approval for a Budget Increase to the Fire Department Forestry Fund and Various Fire Districts Revenue Funds (\$26,651).*

CAPTION:

The Santa Fe County Fire Department is requesting BCC approval for a budget increase in the amount of \$26,651 to the Fire Department Forestry Fund (244) and various Fire District Revenue Funds (244) to budget the revenue collected for fire department personnel and apparatus that was utilized for the following fires: Utility, South Mountain, Borrego 2, and Bales Fire. (Public Safety/Fire)

BACKGROUND:

The Santa Fe County Fire Department has a Joint Powers Agreement in place with the Energy, Minerals and Natural Resources Department, Forestry Division for Wildland fire protection and suppression (contract number 10-521-2300-00320). The Santa Fe County Fire Department has received reimbursement in the amount of \$26,651 which is the designated rate for our personnel and apparatus utilized at the Utility, South Mountain, Borrego 2, and Bales Fires. When reimbursement money is collected for deployment to a Wildland fire utilizing the NM Resource Mobilization Plan (JPA) the money is budgeted into the fire department forestry cost center under salaries and benefits to help fund the fire department crew of Wildland Urban Interface Specialists and reimburse the fire districts for personnel and equipment.

SUMMARY:

Please approve the request to increase the Fire Department Forestry Fund (244) and various Fire District Revenue Funds (244) budgets by \$26,651.

SANTA FE COUNTY

RESOLUTION 2012 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on October 30, 2012, did request the following budget adjustment:

Department / Division: Fire Department/Various Fire Districts Fund Name: Fire District Revenue/Forestry Fund (244)

Budget Adjustment Type: Budget Increase Fiscal Year: 2013 (July 1, 2012 - June 30, 2013)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0801	360	09-02	Revenue/State Forestry	355	
244	0809	360	09-02	Revenue/State Forestry	25,515	
244	0833	360	09-02	Revenue/State Forestry	319	
244	0839	360	09-02	Revenue/State Forestry	47	
TOTAL (if SUBTOTAL, check here X)					26,236	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY /LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0801	421	35-03	Vehicle Expenses/Vehicle Maintenance	355	
244	0809	422	10-26	Salaries & Wages/Term Employees	12,543	
244	0809	422	20-01	Employee Benefits/FICA Regular	1,582	
244	0809	422	20-02	Employee Benefits/FICA Medicare	370	
244	0809	422	20-03	Employee Benefits/PERA	7,489	
TOTAL (if SUBTOTAL, check here X)					22,339	

Requesting Department Approval: [Signature] Title: Chief Date: 10-3-12

Finance Department Approval: [Signature] Date: 10/04/12 Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____ Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2012 - _____

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0843	360	09-02	Revenue/State Forestry	48	
244	0872	360	09-02	Revenue/State Forestry	367	
TOTAL (if SUBTOTAL, check here)					26,651	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0809	422	20-05	Employee Benefits/Group Insurance	3,000	
244	0809	422	20-06	Employee Benefits/Ret. HC	531	
244	0833	422	60-08	Supplies/Field Supplies	319	
244	0839	422	60-08	Supplies/Field Supplies	47	
244	0843	422	60-08	Supplies/Field Supplies	48	
244	0872	421	10-55	Salary & Wages Volunteer Reimbursements	367	
TOTAL (if SUBTOTAL, check here)					26,651	

**SANTA FE COUNTY
RESOLUTION 2012 - _____**

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Donna Morris Dept/Div: Fire Department/Administration Phone No.: 992-3082

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

Requesting BCC approval for a budget increase to the Forest Restoration and Various Fire Districts (244) Forestry Revenue Fund for a combined total of \$26,651 to reimburse the Wildland hand crew and various fire districts for fire personnel and/or fire apparatus utilized on the following fires: Utility, South Mountain, Borrego 2, and Bales. The various fire districts will utilize the reimbursements to purchase or replace necessary field supplies and reimburse personnel utilized on the fires, and Wildland will utilize the reimbursements to help fund the fire department staff of Wildland Urban Interface Specialists as well as supplies and vehicle maintenance expenses.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense X

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Donna Morris Dept/Div: Fire Department Administration Phone No.: 992-3082

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES NO NO X
If YES, cite statute and attach a copy.

- b) Does this include state or federal funds? YES X NO NO
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.

NM State Forestry Reimbursements.

- c) Is this request a result of Commission action? YES NO NO X
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).

- d) Please identify other funding sources used to match this request.

Not Applicable.

SANTA FE COUNTY

RESOLUTION 2012 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 30th Day of October, 2012.

Santa Fe Board of County Commissioners

Liz Stefanics, Madam Chair

ATTEST:

Valerie Espinoza, County Clerk



Memorandum

To: Santa Fe Board of County Commissioners

From: Donna Morris, Fire Department

Thru: David Sperling, Fire Chief *DS*
Pablo Sedillo, Public Safety Director *[Signature]*
Katherine Miller, County Manager

Date: October 30, 2012

Re: *Requesting BCC Approval to Budget Movie Standby Revenue (\$46,960).*

CAPTION:

The Santa Fe County Fire Department is requesting BCC approval to increase the budget in the amount of \$46,960 for the Stanley, Glorieta and Galisteo Fire District revenue fund (244). (Public Safety/Fire)

BACKGROUND:

The Santa Fe County Fire Department did a fire protection movie set standby for the movie production set of the "Lone Ranger" from July 18, 2012 through August 10, 2012. The fire protection utilized two brush trucks, a fire engine and a tanker/water tender along with volunteers from the Stanley, Glorieta and Galisteo fire districts. The revenue received for the utilization of the fire equipment is budgeted into the individual fire district's revenue cost centers to be utilized for replacement of damaged equipment or maintenance of the fire equipment utilized on the standby. The revenue for the personnel is budgeted into the volunteer Reimbursement cost center to pay the volunteers for their time spent on the standby.

SUMMARY:

Please approve the request to increase the budget to the fire district revenue fund (244) in the amount of \$46,960.

SANTA FE COUNTY

RESOLUTION 2012 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on October 30, 2012, did request the following budget adjustment:

Department / Division: Fire Department/Various Fire Districts Fund Name: Fire District Revenue Fund (244)

Budget Adjustment Type: Budget Increase Fiscal Year: 2013 (July 1, 2012 - June 30, 2013)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0837	360	13-00	Revenue/Movie Lot	16,042	
244	0842	360	13-00	Revenue/Movie Lot	5,285	
244	0844	360	13-00	Revenue/Movie Lot	25,633	
TOTAL (if SUBTOTAL, check here X)					46,960	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXX	CATEGORY/LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
244	0837	422	60-08	Supplies/Field Supplies	6,277	
244	0844	422	60-08	Supplies/Field Supplies	10,740	
244	0871	421	10-55	Volunteer Reimbursements/Movie Lot	29,943	
TOTAL (if SUBTOTAL, check here X)					46,960	

Requesting Department Approval: *[Signature]* Title: Chief Date: 10-3-12

Finance Department Approval: *[Signature]* Date: 10/3/12 Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____ Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Donna Morris Dept/Div: Fire Department/Administration Phone No.: 992-3082

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

Requesting BCC approval for a budget increase to the fire districts revenue fund (244) for Stanley, Glorieta and Galisteo for a combined total of \$46,960 to compensate these three districts for the time and equipment utilized on the movie set of the Lone Ranger.

a) Employee Actions

Line Item	Action (Add/Delete Position, Recl. Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense X

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Donna Morris Dept/Div: Fire Department Administration Phone No.: 992-3082

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES _____ NO X
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES _____ NO X
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
 - c) Is this request a result of Commission action? YES _____ NO X
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - d) Please identify other funding sources used to match this request.
Not Applicable.

SANTA FE COUNTY
RESOLUTION 2012 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

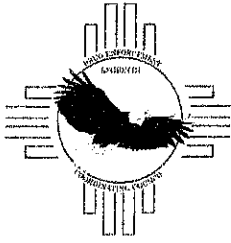
Approved, Adopted, and Passed This 30th Day of October, 2012.

Santa Fe Board of County Commissioners

Liz Stefanics, Madam Chair

ATTEST:

Valerie Espinoza, County Clerk



REGION III DRUG ENFORCEMENT TASK FORCE

Law Enforcement Working Together to Serve Santa Fe, Los Alamos, Rio Arriba and Taos Counties in New Mexico

P. O. Box 23118
Santa Fe, NM 87502
(505) 471-1715 or (800) 662-6660

BOARD OF DIRECTORS

Captain Juan Martinez
Chairman
NM State Police Division

Deputy Chief William
Johnson
Vice-Chairman
City of Santa Fe Police
Department

Sheriff Robert Garcia
Secretary-Treasurer
Santa Fe County
Sheriff's Department

DATE: September 26, 2012

TO: The Board of County Commissioners
Santa Fe County, Santa Fe, New Mexico

FROM: Ralph W. Lopez, Region III *RW Lopez*
Program Manager

VIA: Robert Garcia, Sheriff *R Garcia*
Santa Fe County Sheriff's Department

RE: State Restitution Cost Center 246-1205 Baseline Increase
\$22,600.00.

As Program Manager for the Region III Drug Task Force, I am requesting approval through the Board of County Commissioners; to budget the amount of \$22,600.00 into the above Cost – Center for the current fiscal year. These monies were awarded through the First Judicial District Court County of Santa Fe, State of New Mexico.

Your consideration given this request will be greatly appreciated.

SANTA FE COUNTY

RESOLUTION 2012 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on October 30, 2012 did request the following budget adjustment:

Department / Division: Sheriff's Department / Region III

Fund Name: Law Enforcement Operations Fund (246)

Budget Adjustment Type: Baseline Increase

Fiscal Year: 2013 (July 1, 2012-June 30, 2013)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1205	350	0400	Fines & Forfeitures	22,600.00	
TOTAL (if SUBTOTAL, check here)					22,600.00	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1205	425	10-26	Term employee	14,750.00	
246	1205	425	20-01	FICA - Regular	3,450.00	
246	1205	425	80-99	Inventory Exempt	400.00	
246	1205	425	80-09	Vehicle / Equipment	4,000.00	
TOTAL (if SUBTOTAL, check here)					22,600.00	

Requesting Department Approval: _____ Title: Sheriff Date: 10-17-12

Finance Department Approval: [Signature] Date: 10/18/12

Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____

Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Ralph Lopez, Program Manager Dept/Div: Sheriff's Dept. / Region III Phone No.: 505-473-7021

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose. The request to budget these monies is for the following purposes; to continue the mentioned Term Employee's positions fulltime, through the end of the current fiscal year. To supplement funds from two other Cost Centers for the purchase of a vehicle and to budget funds to purchase a vacuum cleaner for the Region III Office.

a) Employee Actions:

Line Item	Action (Add/Delete Position, Re-class, Overtime)	Position Type (permanent, term)	Position Title
10-26	Budget funds to continue two positions on a full time basis	Term Employees	Program Mgr., Adm. Secretary

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
80-09	The purchase of a vehicle for the agents to use during operations	4,000.00
80-99	Purchase of Vacuum Cleaner for Region III Office	400.00

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense XX

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Ralph Lopez, Program Manager Dept/Div: Sheriff / Region III Phone No.: 505-473-7021

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES _____ NO XX
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES XX NO _____
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget. AMENDED ORDER OF FORFEITURE THROUGH THE FIRST JUDICIAL DISTRICT COURT COUNTY OF SANTA FE STATE OF NEW MEXICO. FOR \$72,600.00.
 - c) Is this request is a result of Commission action? YES _____ NO XX
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - d) Please identify other funding sources used to match this request.

SANTA FE COUNTY

RESOLUTION 2012 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 30th Day of October, 2012.

Santa Fe Board of County Commissioners

Liz Stefanics, Chairperson

ATTEST:

Valerie Espinoza, County Clerk



REGION III DRUG ENFORCEMENT TASK FORCE

Law Enforcement Working Together to Serve Santa Fe, Los Alamos, Rio Arriba and Taos Counties in New Mexico

P. O. Box 23118
Santa Fe, NM 87502
(505) 471-1715 or (800) 662-6660

BOARD OF DIRECTORS

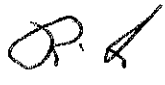
Captain Juan Martinez
Chairman
NM State Police Division


Deputy Chief William
Johnson
Vice-Chairman
City of Santa Fe Police
Department

Sheriff Robert Garcia
Secretary-Treasurer
Santa Fe County
Sheriff's Department

DATE: September 26, 2012

TO: The Board of County Commissioners
Santa Fe County, Santa Fe, New Mexico

FROM: Ralph W. Lopez, Region III 
Program Manager

VIA: Robert Garcia, Sheriff 
Santa Fe County Sheriff's Department

RE: HIDTA Cost Center 246-1208 Baseline Increase \$25,000.00

As Program Manager for the Region III Drug Task Force, I am requesting approval through the Board of County Commissioners; to budget the amount of \$25,000.00 into the above Cost – Center for the current fiscal year. These monies were awarded through HIDTA as reverted funds. Grant Award number G11SN0011A.

Your consideration given this request will be greatly appreciated.

SANTA FE COUNTY

RESOLUTION 2012 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on October 30, 2012 did request the following budget adjustment:

Department / Division: Sheriff's Department / Region III

Fund Name: Law Enforcement Operations Fund (246)

Budget Adjustment Type: Baseline Increase Fiscal Year: 2013 (July 1, 2012-June 30, 2013)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1208	372	0600	Federal Grants / Drug Enforcement	25,000.00	
TOTAL (if SUBTOTAL, check here)					25,000.00	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1208	425	80-09	Vehicle	25,000.00	
TOTAL (if SUBTOTAL, check here)					25,000.00	

Requesting Department Approval: _____ Title: Sheriff Date: 10-17-12
 Finance Department Approval: [Signature] Date: 10/16/12 Entered by: _____ Date: _____
 County Manager Approval: _____ Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Ralph Lopez, Program Manager Dept/Div: Sheriff's Dept. / Region III Phone No.: 505-473-7021

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose. The Awarded amount through HIDTA , which are reverted funds will utilized to purchase a vehicle for the agents during operations.

a) Employee Actions: NONE

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount
80-09	Purchase of Vehicle to be utilized by the agents for operations	25,000.00

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense XX _____

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Ralph Lopez, Program Manager Dept/Div: Sheriff / Region III Phone No.: 505-473-7021

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES NO NO XX
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES XX NO NO
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget. FY 2012 HIDTA Reverted Funds, Grant Award number G11SN0011A, Award amount \$25,000.0
 - c) Is this request is a result of Commission action? YES NO NO XX
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - d) Please identify other funding sources used to match this request.

SANTA FE COUNTY

RESOLUTION 2012 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 30th Day of October, 2012.

Santa Fe Board of County Commissioners

Liz Stefanics, Chairperson

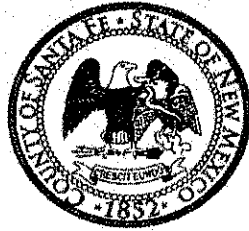
ATTEST:

Valerie Espinoza, County Clerk

Daniel Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: October 30, 2012

TO: Board of County Commissioners

Cc: Katherine Miller, County Manager

FROM: Teresa Martinez, Finance Director *TJM*

SUBJECT: Request Approval of a Resolution for a Budget Increase for the Law Enforcement Operations Fund (246)

BACKGROUND:

Santa Fe County is in receipt of revenue from auction proceeds from the sale of County property and evidence property from the Sheriff's Office as well as insurance recovery revenue from two totaled Sheriff vehicles. The Sheriff's Office is transitioning their vehicles to black-and-white colors to be in line with a Department of Homeland Security recommendation that cruisers be standardized so that they can be easily identified. The Sheriff's Office is requesting to utilize these revenues to transition additional vehicles.

RECOMMENDATION:

The Finance Division requests approval of a budget resolution for a budget increase to the Law Enforcement Operations Fund (246) in the amount of \$53,661 for vehicle maintenance expenditures for the County Sheriff's Office.

SANTA FE COUNTY

RESOLUTION 2012 - _____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on October 30, 2012, did request the following budget adjustment:

Department / Division: CMO/Finance for County Sheriff Fund Name: Law Enforcement Operations Fund (246)

Budget Adjustment Type: Budget Increase Fiscal Year: 2013 (July 1, 2012 - June 30, 2013)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1201	360	0200	Insurance Recoveries	\$10,117	
246	0000	360	0500	Sale of Tangible Property	\$31,494	
246	1201	385	0000	Budgeted Cash	\$12,050	
TOTAL (if SUBTOTAL, check here)					\$53,661	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1201	424	3503	Vehicle Expenses / Vehicle Maintenance	\$53,661	
TOTAL (if SUBTOTAL, check here)					\$53,661	

Requesting Department Approval: [Signature] Title: Finance Director Date: _____

Finance Department Approval: [Signature] Date: 10/30/12 Entered by: _____ Date: _____

County Manager Approval: _____ Date: _____ Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Teresa Martinez Dept/Div: CMO/Finance Phone No.: 986-6375

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (if applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

Request is for a budget increase to the Law Enforcement Operations Fund (246) from auction proceeds received from the sale of County property as well as auctioned evidence property. This request is also to budget insurance recovery revenue received from two totaled County Sheriff vehicles. These revenues will be utilized to paint additional Sheriff vehicles to the transitioned black and white colors.

a) Employee Actions

Line Item	Action (Add/Delete Position, Re-class, Overtime)	Position Type (permanent, term)	Position Title

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense X

SANTA FE COUNTY

RESOLUTION 2012 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

DEPARTMENT CONTACT: Name: Teresa Martinez Dept/Div: CMO/Finance Phone No.: 986-6375

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES X NO _____
If YES, cite statute and attach a copy.
General Fund
 - b) Does this include state or federal funds? YES _____ NO X
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget.
 - c) Is this request is a result of Commission action? YES _____ NO X
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - d) Please identify other funding sources used to match this request.

SANTA FE COUNTY

RESOLUTION 2012 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 30th Day of October, 2012.

Santa Fe Board of County Commissioners

Liz Stefanics, Chairperson

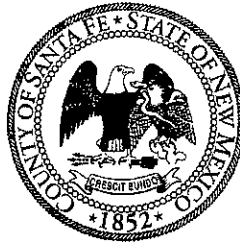
ATTEST:

Valerie Espinoza, County Clerk

Danny Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

**CASE NO. CDRC MP/PDP 12-5070 MCT WASTE MASTER PLAN AND
PRELIMINARY DEVELOPMENT PLAN
SUNSET SOLUTIONS, LLC, APPLICANT**

ORDER

THIS MATTER came before the Board of County Commissioners (hereinafter referred to as “the BCC”) for hearing on July 10, 2012, on the Application of Sunset Solutions, LLC (hereinafter referred to as “the Applicant”) for Master Plan and Preliminary Development Plan approval for expansion of a non-conforming commercial property. The request also includes Final Development Plan to be approved administratively. The BCC, having reviewed the Application and supplemental materials, staff reports and having conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requests Master Plan Zoning and Preliminary Development Plan approval to allow the expansion of a non-conforming commercial property on a 2.14 acre site. The expansion will consist of increasing the existing 4,862 square foot building by 3,020 square feet for a total square footage of 7,882. The proposed height of the addition is 24 feet and the height of a portion of the existing structure will be increased from 16 feet to 24 feet. The expansion will increase the use to 60 percent of the site for the business. MCT provides waste collection services to construction sites and companies

that generate substantial waste volumes. The expansion of the existing structure will accommodate the parking of the trucks within the building during the winter months. Client contact and billing is conducted from the Albuquerque office and the site is generally vacant during the day. The Applicant's request also includes that the Final Development Plan be reviewed and approved administratively.

2. The property is located at 5 Erica Road in the Traditional Historic Community of La Cienega, within Section 26, Township 16 North, Range 8 East, (Commission District 3).
3. On May 17, 2012, the County Development Review Committee (CDRC) met and acted on this case. The decision of the CDRC was to recommend approval of Master Plan Zoning and Preliminary Development Plan to allow the expansion of a non-conforming commercial property on a 2.14 acre site.
4. The proposed Master Plan is comprehensive in establishing the scope of the project.
5. The Preliminary Development Plans substantially conforms to the proposed Master Plan.
6. The Application is in compliance with the New Mexico State Department of Transportation, State Engineer, State Environmental Department requirements and Ordinance No. 2002-9, Article III, Section 4.4, Development and Design Standards, Article V, Section 5, Master Plan Procedures and Article 5, Section 7 Development Plan Requirements of the Land Development Code.
7. The Agent for the Applicant testified in support of the Application.

8. No member of the public spoke in regards to the Application.
9. Staff recommended the following conditions for approval of the Application:
 - a. The Applicant shall comply with all review agency comments and conditions, Article V, Section 7.1.3.c;
 - b. Master Plan and Preliminary Development Plan, with appropriate signatures, shall be recorded with the County Clerk, as per Article V, Section 5.2.5.
10. The BCC recommended the following additional conditions for approval of the
Application:
 - a. The Applicant shall pave Erica Road from the West Frontage Road to the end of the Applicants property which borders Erica Road.
 - b. The Applicant shall connect to County Water when the utility becomes available.
11. The Application for Master Plan and Preliminary Development Plan and the request for Final Development Plan to be approved administratively, should be approved conditioned on the Applicant complying with the conditions set forth in paragraphs 9 and 10 above.
12. The Applicant agreed to the conditions set forth in paragraphs 9 and 10 above.

IT IS THEREFORE ORDERED that the Application is approved, and the Applicant is allowed Master Plan Zoning and Preliminary Development Plan approval to allow the expansion of a non-conforming commercial property, subject to the conditions set forth herein. It is further ordered that the Final Development Plan approval shall be processed administratively.

I certify that the Application was approved by the Board of County Commissioners on this _____ day of _____, 2012.

The Board of County Commissioners of Santa Fe County

By: _____
BCC Chairperson

ATTEST:

Valerie Espinoza, County Clerk

Approved as to form:



Stephen C. Ross, County Attorney

COMMISSIONER MAYFIELD: So Madam Chair, Chief, I guess you're saying it, but you're comfortable that Santa Fe County is wet enough throughout the whole county that we can not ask to enact this again?

CHIEF SPERLING: Madam Chair, Commissioner, I am comfortable. I captioned this item about three weeks ago before weather conditions changed, and from all the indices I've looked at it appears that we're good right now and the future of the next couple of months looks positive. So I would still encourage people to be very cautious with fire since not all areas of the county have gotten the same amount of rainfall and we do still require that people who are interested in doing a burn get a permit from the Fire Department. It's free. You have to. Yes, it's required. It allows us to notify our dispatch center and those volunteer or career volunteers who might have to respond and keeps everybody safe in my opinion.

COMMISSIONER MAYFIELD: Thank you, Chief.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, on this point, I appreciate that the Commissioner asked the Chief to come forward. I think that the community at large was very responsive to the ordinance. We were in front based on recommendations from staff, we were in front of many, many other jurisdictions in adopting the ordinance and I appreciate those efforts and your efforts and recommendations and so I just want to applaud you and staff on those efforts and leading the way I think statewide. There may be one or two others at the same time but Santa Fe County was amongst the first to do it. But I appreciate the public and their understanding and cautiousness through the very dangerous times.

CHIEF SPERLING: Thank you, Commissioner. I'll pass that word along to staff.

CHAIR STEFANICS: Thank you very much.

XVI. Public Hearings

B. Growth Management Department

1. **CDRC CASE # MP/PDP 12-5070 MCT Waste Master Plan/ Preliminary Development Plan. Sunset Solutions, LLC, Applicant, James Siebert, Agent, Request Master Plan Zoning and Preliminary Development Plan Approval for Expansion of a Non-Conforming Commercial Property. The Request Also Includes the Final Development Plan to Be Reviewed and Approved Administratively. The Property is Located at 5 Erica Road in the Traditional Historic Community of La Cienega, within Section 26, Township 16 North, Range 8 East (Commission District 3)**

JOSE LARRAÑAGA (Building & Development Services): Sunset Solutions, LLC, applicant, James Siebert, agent, request master plan zoning and preliminary development plan approval for expansion of a non-conforming commercial property. The request also includes the final development plan to be reviewed and approved administratively. the property is located at 5 Erica Road in the Traditional Historic

Community of La Cienega, within Section 26, Township 16 North, Range 8 East, Commission District 3.

On May 17, 2012 the County Development Review Committee met and acted on this case. The decision of the CDRC was to recommend approval of master plan zoning and preliminary development plan to allow the expansion of a non-conforming commercial property on a 2.14-acre site.

The applicant requests master plan zoning and preliminary development plan approval to allow the expansion of a non-conforming commercial property on a 2.14-acre site. The expansion will consist of increasing the existing 4,862 square foot building by 3,020 square feet for a total square footage of 7,882. The proposed height of the addition is 24 feet and the height of a portion of the existing structure will be increased from 16 feet to 24 feet. The expansion will increase the use to 60 percent of the site for the business. The applicant's request also includes that the final development plan be reviewed and approved administratively.

The applicant states that MCT provides waste collection services to construction sites and companies that generate substantial waste volumes. The expansion of the existing structure will accommodate the parking of the trucks within the building during the winter months. Client contact and billing is conducted from the Albuquerque office and the site is generally vacant during the day.

Historically Schwan's Food Company occupied this site. On July 15, 2011, the Land Use Administrator determined that MCT's proposed re-use of this non-conforming commercial site would be allowed provided the redevelopment or improvements to the site serve to bring the use into conformance with the purposes of the code. The Land Use Administrator also determined that any further expansion or extension increasing the intensity of the site shall be subject to a master plan and development plan submittal and meet all requirements set forth in Article III, Section 4 of the code.

This site is within an area which was recognized as a Major Commercial District prior to the adoption of Ordinance 2002-9, La Cienega Traditional Community Zoning District.

Article III, Section 4.4.1.a states: to zone or re-zone any parcel for a commercial or industrial non-residential district a master plan shall be submitted. Submittals and procedures for master plans are set forth in Article V, Section 5.2.

Article V, Section 5.2.1.b states: a master plan is comprehensive in establishing the scope of a project, yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the subdivider to obtain concept approval for proposed development without the necessity of expending large sums of money for the submittals required for a preliminary and final plat approval.

Article V, Section 7.1.3.a states: 'a preliminary development plan may be only a phase or portion of the area covered by an approved master plan, so long as the preliminary development plan substantially conforms to the approved master plan.'

Building and Development Services staff has reviewed this project for compliance with pertinent code requirements and has found that the facts presented support this request: the application is comprehensive in establishing the scope of the project; the preliminary development plan substantially conforms to the proposed master plan; the application

satisfies the submittal requirements set forth in the Land Development Code.

The review comments from State Agencies and County staff has established findings that this Application is in compliance with state requirements and Ordinance No. 2002-9, Article III, Section 4.4, Development and Design Standards, Article V, Section 5, Master Plan Procedures and Article 5, Section 7 Development Plan Requirements of the Land Development Code.

Staff recommendation: Conditional approval of master plan zoning to allow the expansion of a non-conforming structure and site, conditional approval of preliminary development plan and approval of final development plan to be reviewed and approved administratively. If the decision of the BCC is to recommend approval of the applicant's request, staff recommends imposition of the following conditions. Madam Chair, may I enter those conditions into the record?

CHAIR STEFANICS: Yes.

[The conditions are as follows:]

1. The Applicant shall comply with all review agency comments and conditions, Article V, Section 7.1.3.c.
2. Master Plan and Preliminary Development Plan, with appropriate signatures, shall be recorded with the County Clerk, as per Article V, Section 5.2.5.

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

CHAIR STEFANICS: Thank you. Any questions before we go to the applicant? Yes, Commissioner.

COMMISSIONER MAYFIELD: Madam Chair, I have two quick questions. One, as far as access and traffic, this property takes access from Erica Road, a County road and also via I-25. [inaudible] paved road? Dirt road?

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, that is a dirt road. Improvements will be made by the applicant on that road to the end of their property.

COMMISSIONER MAYFIELD: [inaudible] I know we've been dealing with issues at Caja del Rio just because of the weight of the trucks. Is there going to be substantial weight down this road? Isn't it also a residential road?

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, yes, it is a residential road. The trucks, basically, are going to be traveling in that road empty, with containers, but empty containers. What the typically daily process would be, the drivers would drive up in their personal vehicles, jump in a truck with a container, take it to a job site, dump off a new container, pick up the full one, take it to the landfill and at the end of the day they would hopefully come in with an empty container. So the weight is going to be the truck and the container and that's heavier than the typical car or regular vehicle, so that's why the improvements on the road and hopefully we can come up with something in the development plan where the improvements would be – maintenance of the road would be also included.

COMMISSIONER MAYFIELD: By the applicant?

MR. LARRAÑAGA: Yes.

COMMISSIONER MAYFIELD: So in summer drive months they're going to have the water buffalo tender on that?

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, that hasn't been discussed but I'm sure we could – prior to this application the applicants had come to me to try to even pave that road and that could be a possibility also. Pave it up to the end of their property, for their use.

COMMISSIONER MAYFIELD: Madam Chair, Mr. Larrañaga, you may have already answered my second question but I'm going to ask it. So this site will not be a staging area for debris that will eventually move on to Albuquerque. These are going to be empty trucks on this lot and they don't have to do anything with fencing to mitigate any debris blowing all over?

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, at times, as I mentioned in the report, in the winter months there might be a truck that comes in that's too late to go to the landfill. So that's why they need the building to put the truck in there also so it doesn't freeze so they can dump it in the morning. But for the most part they're going to have empty dumpsters, let's say, at the site.

COMMISSIONER MAYFIELD: And again, the landfill's in Bernalillo, right?

MR. LARRAÑAGA: I believe they will be dumping here in Santa Fe and pay for the cost. Mostly they're going to be doing their business in close proximity to Santa Fe and northern Santa Fe County.

COMMISSIONER MAYFIELD: Thank you, Madam Chair. Thank you, Mr. Larrañaga.

CHAIR STEFANICS: Commissioner Vigil.

COMMISSIONER VIGIL: Mr. Larrañaga, I'm trying to place this property in context. What is its current use right now?

MR. LARRAÑAGA: Madam Chair, Commissioner Vigil, currently it is being used by MCT. The Land Use Administrator when they first came in concurred a non-conforming use can be equal or less intense than the prior use and it was decided that this use was as intense as what was there before, which was the Schwan's Frozen Food, and they had big trucks going in and out of there, probably even a little bit more traffic during the day. So right now they are currently using it and the expansion is going to be expansion on the existing building and expansion on the use of the property a little bit.

COMMISSIONER VIGIL: And who is the owner? It just says Sunset.

MR. LARRAÑAGA: Madam Chair, Commissioner Vigil, Sunset Solutions they went and outright bought the property.

COMMISSIONER VIGIL: Right. Who owns Sunset Solutions?

MR. LARRAÑAGA: I have that in my file.

COMMISSIONER VIGIL: And probably more important than that question, Mr. Larrañaga, there's the property that we approved in that vicinity, and I can't remember the name of the gentleman. It was a non-conforming use. We approved it and the gentleman in that property did not comply with the approval that was awarded him and I think is still in non-compliance. And the description we had was some kind of an energy efficiency place of

business. Does that sound familiar to you? Is Penny here? Or Vicki, do you remember the gentleman, right there on the corner on the frontage road of La Cienega? I'm just wondering if this is one and the same is my question. The Chalet? Is that the name?

VICKI LUCERO (Building & Development Services): Could be Alfonse Vizsolay.

COMMISSIONER VIGIL: Yes. Is that a different use and the property was in the vicinity? Or is this the same property?

MS. LUCERO: I believe it's a different property but it is in the vicinity.

COMMISSIONER VIGIL: Okay. And under those circumstances there was a lot of protests from the community. Have we received any protests on this, or because of its current use and expansion for the same purposes the protest just hasn't appeared?

MR. LARRAÑAGA: Madam Chair, Commissioner Vigil, no there has not been any objections to this, and actually Alphonse Vizsolay's property is closer to Mutt Nelson. It's on the other side of 599 compared to this. This is within La Cienega's traditional. Alphonse Vizsolay's property is right off of Mutt Nelson Road on the east side of the frontage road. This is the west side of the frontage road. Or 599 I should say.

CHAIR STEFANICS: We'll be going to public comment as well and see if anybody came.

COMMISSIONER VIGIL: Okay.

CHAIR STEFANICS: So let's go to the applicants and then we'll go to public comment and then we'll come back to the Commission so we can give fair hearing to everybody.

[Duly sworn, Jim Siebert testified as follows:]

JIM SIEBERT: My name is Jim Siebert. My address is 915 Mercer. I represent MCT in this request. Let me begin my showing you first of all where the site is. Commissioner Vigil, can you see this okay?

COMMISSIONER VIGIL: Yes.

MR. SIEBERT: This is the interchange of 599 and I-25. This is the frontage road. This is Los Pinos Road and this is the Wild West Realty. It used to be the tack and feed store, so it begins to orient where you're at. This particular building is where Schwan's operated actually since 1988. They were in business 22 years or something like that at that particular location. It's an interesting mix of both residential and commercial. Babcock Construction is right adjacent to it. This is a residential development. This is kind of a storage for truck facilities. This is a self-storage. This used to be a mobile home sales; it's currently vacant. And this area here is more of the kind of RV park oriented to the Santa Fe Downs, so it's been quite a mix of both commercial and residential for the last 20-some years.

What we're proposing, the yellow is the existing structure. What they'd like to be able to do is add on to the structure. They're asking also to increase the height, and the reason for that is they want power doors to be able to get the trucks inside the building. There was a question about how the waste is stored. Typically what they do is they leave in the morning, they take dumpsters out to construction sites, probably Santa Fe County construction sites. And then when they're filled they pick them up and they either take them directly to the Santa

Fe landfill or the Albuquerque landfill. In some instances, if it's late they will bring them back. And in the winter, what they like to do is they like to bring the trucks inside the building so the trash doesn't freeze over night and they can't get it out. So they heat the building when the trucks are inside.

We would add landscaping to the site. We have to have stormwater detention which is not currently on the site. There would also be a cistern to capture the water from the roof of the building. The current height of the building is about 16 feet and it would go kind of like here. And what they're proposing to do is raise it to 24 feet, and once again that's in order to get the bigger trucks in. This is the current height of the roll-up doors. We have to keep this just because of the spacing of the truss systems.

There was a concern regarding the paving or the condition of the road. I discussed this with the clients and they're willing to pave that road up to the end of their property. They would agree to that as a condition. I'll answer any questions you may have.

CHAIR STEFANICS: Okay. Have a seat. We might get back to you. Okay. We're now in the public hearing stage. Is there anyone in the audience who would like to speak in support of or against this project? Seeing no one, the public hearing is closed. Commissioners, questions, comments, motions? Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, this question is for staff. Madam Chair, Mr. Larrañaga, under Exhibit 3, and I believe the current code that we have. I'm on 6.10.2, prohibited commercial development. One of the prohibitions is a gasoline storage facility or transfer station. So this isn't considered a transfer station?

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, no. We wouldn't consider this a transfer station. A transfer station is where people would go and actually dump trash and then we haul it off. This is just a truck – they have the dumpsters sitting there empty. There's really not any trash. They're not transferring any type of trash on that site.

COMMISSIONER MAYFIELD: They are. I just heard that.

CHAIR STEFANICS: But not onto the ground.

MR. LARRAÑAGA: They're driving up with it but they're not transferring it from dumpster to dumpster.

COMMISSIONER MAYFIELD: Okay. And then as far as the gas station or gasoline storage facility, is there going to be a site to refill their vehicles, or does it matter if this is a station site to refill their vehicles?

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, that's not in the plans. I'm sure they're going to fill up at wherever they fill up. There's not any [inaudible] for having any kind of storage for any type of fuel.

COMMISSIONER MAYFIELD: Okay. Thank you, Madam Chair. Thank you.

CHAIR STEFANICS: Thank you, Commissioner. Other questions, comments?

COMMISSIONER ANAYA: Madam Chair, I had a few.

CHAIR STEFANICS: Yes, Commissioner Anaya.

COMMISSIONER ANAYA: I've got to find my notes I just made. I have a few questions. Hang on one sec.

CHAIR STEFANICS: Sure. Are there any other comments or questions? No, I think you're it.

COMMISSIONER ANAYA: Here it is. Madam Chair, and Jim, if you want to answer this. I'm looking at the notes. I'm looking at your letter, and then I was also looking at a letter from the La Cienega Valley Association. I think the paving issue that the La Cienega Valley Association brought up is covered in a condition. Is that correct, Jose? That you wrote earlier? The paving to the site? They raised a specific concern about pavement to the entrance.

MR. LARRAÑAGA: Madam Chair, Commissioner Anaya, yes. The La Cienega Valley Association, that's exactly what they asked for as a condition. We as staff couldn't ask that. What they're proposing right now meets Public Works requirement. Like Mr. Siebert said, the applicant is willing to pave it if that's the pleasure of the Board.

COMMISSIONER ANAYA: The condition doesn't pave it now.

MR. LARRAÑAGA: Public Works' requirement – in Exhibit 11, I believe, page NB-D 58 is Public Works' comments, and they're requiring basecourse improvement and that would meet Santa Fe County requirements per Public Works.

COMMISSIONER ANAYA: Madam Chair, did that comment get conveyed back to the La Cienega Association and can we chip seal that piece? Would the applicant be willing to chip seal that piece? Their specific concern was dust control which doesn't get dealt with associated with basecourse. So did you want to comment, Jim?

MR. SIEBERT: Madam Chair, Commissioner Anaya, my client is willing to pave it with asphalt. Chip seal tends to not last that long. We discussed this at the meeting in La Cienega and they're willing to pave the road.

COMMISSIONER ANAYA: Madam Chair, Mr. Siebert, you recommended that and said you'd do it and Public Works staff said no?

MR. SIEBERT: The Public Works staff just simply said that to comply with the County code, to bring it up to standard it had to have six inches of basecourse. My client is willing to go beyond that because of dust issues, and pave the roadway.

COMMISSIONER ANAYA: Well, I think that makes sense to me and I'd like to see that. What about – we had some discussion earlier, you weren't here, but we did have some discussion about the watershed conditions in La Cienega and connection to the County water service, which we're going to have more discussions on as time goes forward to better clarify and tighten up those requirements, but could you speak more to the willingness to connect to the system when it's – I guess adequate would be the right word. Right now it's a 200 psi line and that would have to be dealt with to be able to hook up. Is the applicant willing to hook up to the County system when and if the provisions are made to accommodate that?

MR. SIEBERT: Commissioner Anaya, yes. When it's available, they're willing to hook on to the County system. Right now it's the BDD line and as you pointed out it's a 200 psi line. It's not really practical to attempt to tie into that line. My understanding,

that the long-range goal for the Utilities Division is to bring a standard 8" line and that would probably have to come off 599.

COMMISSIONER ANAYA: So, Madam Chair, Mr. Siebert, you would accept that as a condition? It's not a condition right now.

MR. SIEBERT: Yes, my client would.

COMMISSIONER ANAYA: Okay. And then the minutes reflect comments from Member Gonzales on the CDRC who is from La Cienega. He specifically asks relative to the trucks being washed and the water, where it drains in and how to figure out how to accommodate that waste appropriately. That's something that you guys are going to be looking into and evaluating, dealing with your environmental permit.

MR. SIEBERT: As we -- we still have to come back for final development plan. The idea is that we would address that at final development plan, and there was a discussion by staff that it would be drained into the septic system and we don't think that's the appropriate solution. We think it will be a catch basin where there will be sedimentation control and probably then we'll determine whether that water gets recycled or it then goes into the septic system.

COMMISSIONER ANAYA: Okay, so I appreciate that. Madam Chair, Mr. Siebert, in the CDRC minutes you also are reflected as saying that there could be some separation of metal and wood waste, but recycling at the site would be at some point in the future. The waste consists typically -- the waste consists of sheetrock, studs and other construction debris. And then you go on to say they do not handle household waste. This is still the same now as it was stated by you at the CDRC meeting and would consist in going forward.

MR. SIEBERT: That's correct.

COMMISSIONER ANAYA: Madam Chair, I would move for approval, adding a condition to be in agreement with the recommendations of the owner and acceptance to pave and deal with the issues of concern that were brought forth by the La Cienega Valley Association for paving the road, and I would also add a connection to assure connection when the line is viable to the County system. And could you help, for the public's purpose, especially some of those people that weren't able to attend the meeting, provide some assurance as to the continued maintenance aspect? It seems there were several comments for debris and waste, that they've got to maintain and have that continued maintenance, before I finish my motion.

MR. SIEBERT: I don't know if you've been by it. It's a very clean operation. All the trash goes in the containers. The containers have a tarp that goes over the top of them. They're just an incredibly clean operation, both in Santa Fe and in Albuquerque.

COMMISSIONER ANAYA: Okay. Thank you, Madam Chair. Thank you, Mr. Siebert. So that's my motion, with two additional conditions, for connection into the system when the line is viable as well as pavement in place of basecourse.

CHAIR STEFANICS: There's a motion. Is there a second?

COMMISSIONER MAYFIELD: Madam Chair, I'll second but I still have a couple questions.

CHAIR STEFANICS: Okay. There's a motion and a second. Commissioner Mayfield.

COMMISSIONER MAYFIELD: Madam Chair, this is a question for staff. Just because I have two documents in front of me, one saying that Erica Road is a County road another document saying that Erica Road is a private road. So is it a County road or is it a private road? And I can refer you to an April 16, 2012 document to Jose from Andrew Jandacek, and it says Erica Road is a private road maintained by the landowners whose property accesses the roadway. But in the summary it said it was a County road.

The reason I'm asking this question is I appreciate the applicant's willingness to pave this road but if it's a County road the County is going to take responsibility for future maintenance, whereas again, a private road, maybe the applicant needs to have a provision for continued maintenance for that road also.

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, I'm trying to find a memo from Public Works. Erica Road is a County road. That's the traffic planner.

COMMISSIONER MAYFIELD: Okay. So that's wrong.

MR. LARRAÑAGA: Yes, that's wrong.

COMMISSIONER MAYFIELD: So then is the County then going to potentially incur the responsibility if this road gets pitted because of the weight traffic we're going to go back there – I recognize this is in your district, but it's going to be on the regular road maintenance to fix this?

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, it is a County road, so yes, we would have to maintain it.

COMMISSIONER ANAYA: Madam Chair, on this point, we provide the maintenance now, and pavement – and I would agree with Mr. Siebert and comments staff has made that pavement would be a more long-standing solution, which we would have to maintain even more so.

MR. LARRAÑAGA: Madam Chair, Commissioner Anaya and Commissioner Mayfield, also in paving this road they will have to meet County standards, so they would have to comply with anything Public Works – as far as the standards that they'd need for thickness of basecourse compaction and the asphalt. So in that, Public Works would put in a maintenance agreement. I don't know what that agreement would be with Public Works.

COMMISSIONER MAYFIELD: Madam Chair, [inaudible] are we going to only pave up to the driveway, or Commissioner Anaya, you asked that it be paved a little further? Or it's La Cienega asking it be maintained a little further than their driveway?

MR. LARRAÑAGA: Madam Chair, Commissioner Mayfield, I believe that the applicant is willing to go up to the end of their property, past their driveway. The length of their property which is past their entrance off of Erica Road.

COMMISSIONER ANAYA: And Madam Chair, for clarification, I think the – I have the La Cienega Valley recommendation right here and I think it's dealing with the road to the property. I'll look at it again so there's clarity.

MR. LARRAÑAGA: It's Exhibit 13 I believe.

COMMISSIONER ANAYA: If you could help me find the page.

MR. LARRAÑAGA: It's NB-D68.

COMMISSIONER ANAYA: 68? Okay. It says – did they say how far past or, Mr. Siebert, would you comment?

MR. SIEBERT: Madam Chair, Commissioner Anaya, it was my understanding was up to the end of their property. The entry is, I don't know, probably 100, 150 feet short of the property boundary.

COMMISSIONER ANAYA: So, Madam Chair, Mr. Siebert, are you okay with up to the property line?

MR. SIEBERT: Yes, we are.

COMMISSIONER ANAYA: So I would clarify my motion by saying to the property line.

COMMISSIONER MAYFIELD: The second stands, Madam Chair. Thank you for answering my questions.

CHAIR STEFANICS: Okay. So you're finished, Commissioner Mayfield? Okay we have a motion with amendments, or a motion that adds additional conditions. There's a second. Is there any further questions or comments?

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

XVI. B. 2. ~~**CDRC CASE # MP/PDP/FDP 12-5210 Ravens Ridge Bed & Breakfast. Phyllis Johnson, Applicant, Requests Master Plan Zoning, Preliminary and Final Development Plan Approval for a Bed & Breakfast within an Existing Residence on 2.78 Acres. The Property is Located at 22 B Ravens Ridge Road, within Sections 17 & 18, Township 16 North Range 10 East, (Commission District 4)**~~

~~MR. LARRAÑAGA: Phyllis Johnson, applicant, requests master plan zoning, preliminary and final development plan approval for a bed & breakfast within an existing residence on 2.78 acres. The property is located at 22 b ravens ridge road, within Sections 17 & 18, Township 16 North Range 10 East, Commission District 4.~~

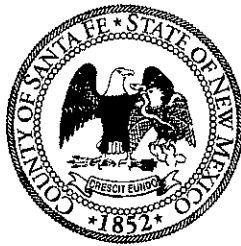
~~On June 21, 2012, the County Development Review Committee met and acted on this case. The decision of the CDRC was to recommend approval of master plan zoning, preliminary and final development plan approval to allow an existing residence to operate as a bed and breakfast.~~

~~The applicant requests master plan zoning, preliminary and final development plan approval to allow an existing residence to operate as a bed and breakfast. There will not be any structural changes to the 6,000 square foot residence. The request is to utilize three of the four bedrooms for the bed and breakfast. The applicant is not proposing any expansion for the use on the 2.78-acre site. The applicant states: this request is to offer overnight lodging and breakfast for visitors coming into the Santa Fe area. Three bedrooms would be used for this purpose.~~

Danny Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

**CASE NO. CDRC MP/PDP/DP 12-5210 RAVENS RIDGE BED AND
BREAKFAST
MASTER PLAN, PRELIMINARY AND FINAL DEVELOPMENT PLAN
PHYLLIS JOHNSON, APPLICANT**

ORDER

THIS MATTER came before the Board of County Commissioners (hereinafter referred to as “the BCC”) for hearing on July 10, 2012, on the Application of Phyllis Johnson, Ravens Ridge Bed and Breakfast (hereinafter referred to as “the Applicant”) for Master Plan, Preliminary and Final Development Plan approval on 2.78 acres to utilize the existing residence as a Bed and Breakfast. The BCC, having reviewed the Application and supplemental materials, staff reports and having conducted a public hearing on the request, finds that the Application is well-taken and should be granted, and makes the following findings of fact and conclusions of law:

1. The Applicant requests Master Plan Zoning, Preliminary and Final Development Plan approval to allow an existing residence to operate as a Bed and Breakfast. There will not be any structural changes to the 6,500 square foot residence. The request is to utilize 3 of the 4 bedrooms for the Bed and Breakfast. The Applicant is not proposing any expansion for the use on the 2.78 acre site
2. The property is located at 22 B Ravens Ridge Road, within Sections 17 & 18, Township 16 North, Range 10 East, (Commission District 4).

3. On June 21, 2012, the County Development Review Committee (CDRC) recommended approval, with staff conditions, of the Master Plan, Preliminary and Final Development Plan to allow an existing residence to operate as a Bed and Breakfast.
4. The proposed Master Plan is comprehensive in establishing the scope of the project.
5. The Preliminary Development Plan substantially conforms to the proposed Master Plan.
6. The Application is in compliance with state requirements, Article III, § 4.4, Development and Design Standards, Article V, § 5, Master Plan Procedures and Article 5, § 7 Development Plan Requirements of the Land Development Code.
7. The Applicant testified in support of the Application.
8. Ms. Francesca Lobato spoke in opposition to the Application due to concerns about the current road conditions and concerns about guests of the Bed and Breakfast and their dogs.
9. Staff recommended the following conditions for approval of the Application:
 - a. The Applicant shall comply with all review agency comments and conditions, Article V, § 7.1.3.c.;
 - b. Master Plan, Preliminary and Final Development Plan, with appropriate signatures, shall be recorded with the County Clerk, as per Article V, § 5.2.5.
10. After conducting a public hearing on the request and having heard from the

Applicant, the Board of County Commissioners hereby finds that the Application for Master Plan, Preliminary and Final Development Plan, should be approved conditioned on the Applicant complying with the conditions set forth in paragraph nine above.

IT IS THEREFORE ORDERED that the Application is approved, and the Applicant is allowed Master Plan Zoning, Preliminary and Final Development Plan approval to allow an existing residence to operate as a Bed and Breakfast, subject to the conditions set forth in paragraph nine above.

I certify that the Application was approved by the Board of County Commissioners on this _____ day of _____, 2012.

The Board of County Commissioners of Santa Fe County

By: _____
BCC Chairperson

ATTEST:

Valerie Espinoza, County Clerk

Approved as to form:



Stephen C. Ross, County Attorney

MR. LARRAÑAGA: It's NB-D68.

COMMISSIONER ANAYA: 68? Okay. It says – did they say how far past or, Mr. Siebert, would you comment?

MR. SIEBERT: Madam Chair, Commissioner Anaya, it was my understanding was up to the end of their property. The entry is, I don't know, probably 100, 150 feet short of the property boundary.

COMMISSIONER ANAYA: So, Madam Chair, Mr. Siebert, are you okay with up to the property line?

MR. SIEBERT: Yes, we are.

COMMISSIONER ANAYA: So I would clarify my motion by saying to the property line.

COMMISSIONER MAYFIELD: The second stands, Madam Chair. Thank you for answering my questions.

CHAIR STEFANICS: Okay. So you're finished, Commissioner Mayfield? Okay we have a motion with amendments, or a motion that adds additional conditions. There's a second. Is there any further questions or comments?

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

- XVI. B. 2. **CDRC CASE # MP/PDP/EDP 12-5210 Ravens Ridge Bed & Breakfast. Phyllis Johnson, Applicant, Requests Master Plan Zoning, Preliminary and Final Development Plan Approval for a Bed & Breakfast within an Existing Residence on 2.78 Acres. The Property is Located at 22 B Ravens Ridge Road, within Sections 17 & 18, Township 16 North Range 10 East, (Commission District 4)**

MR. LARRAÑAGA: Phyllis Johnson, applicant, requests master plan zoning, preliminary and final development plan approval for a bed & breakfast within an existing residence on 2.78 acres. The property is located at 22 b ravens ridge road, within Sections 17 & 18, Township 16 North Range 10 East, Commission District 4.

On June 21, 2012, the County Development Review Committee met and acted on this case. The decision of the CDRC was to recommend approval of master plan zoning, preliminary and final development plan approval to allow an existing residence to operate as a bed and breakfast.

The applicant requests master plan zoning, preliminary and final development plan approval to allow an existing residence to operate as a bed and breakfast. There will not be any structural changes to the 6,500 square foot residence. The request is to utilize three of the four bedrooms for the bed and breakfast. The applicant is not proposing any expansion for the use on the 2.78-acre site. The applicant states: this request is to offer overnight lodging and breakfast for visitors coming into the Santa Fe area. Three bedrooms would be used for this purpose.

Article III, Section 8, Other Development, states, all uses not otherwise regulated by the code are permitted anywhere in the county.

Article III, Section 4.4.1.a states, to zone or rezone any parcel for a commercial or industrial non-residential district a master plan shall be submitted. Submittals and procedures are set forth in Article V, Section 5.2.

Article V, Section 5.2.1.b states, a master plan is comprehensive in establishing the scope of a project yet is less detailed than a development plan. It provides a means for the County Development Review Committee and the Board to review projects and the subdivider to obtain concept approval for proposed development without the necessity of spending large sums of money for submittal required for preliminary and final plat approval.

Article V, Section 7.1.3.a states, a preliminary development plan may be only a phase or a portion of the area covered by an approved master plan so long as the preliminary development plan substantially conforms to the approved master plan.

Article V, Section 7.2.2 states, the final development plan shall be submitted to the County Development Review Committee accompanied by a staff report. The County Development Review Committee shall review the plat and make a determination as to the compliance with the County general plan and code. The County Development Review Committee may recommend changes or additions to the plan as conditions of its approval.

The final development plan as approved by the County Development Review Committee shall be filed with the County Clerk. The approved final development plan becomes the basis of development permits and acceptance of public dedications. Any changes in the plans must be approved by the County Development Review Committee.

Building and Development Services staff has reviewed this project for compliance with pertinent code requirements and has found that the facts presented support this request; the application is comprehensive in establishing the scope of the project; the preliminary development plan substantially conforms to the proposed master plan; the application satisfies the submittal requirements set forth in the Land Development Code.

The review comments from State Agencies and County staff has established findings that this application is in compliance with state requirements, Article III, § 4.4, Development and Design Standards, Article V, § 5, Master Plan Procedures and Article 5, § 7 Development Plan Requirements of the Land Development Code.

Staff recommendation is conditional approval of master plan zoning, preliminary and final development plan to allow a bed and breakfast within an existing residence on 2.78 acres. If the decision of the BCC is to approve the applicant's requests staff recommends approval with the following conditions. Madam Chair, may I enter the conditions into the record?

CHAIR STEFANICS: Yes, you may.

[The conditions are as follows:]

1. The Applicant shall comply with all review agency comments and conditions, Article V, § 7.1.3.c.
2. Master Plan, Preliminary and Final Development Plan, with appropriate signatures, shall be recorded with the County Clerk, as per Article V, § 5.2.5.

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

CHAIR STEFANICS: Thank you. Could we have the applicants come up and be sworn in and present? Do one of you want to speak or both?

[Duly sworn, Phyllis Johnson testified as follows:]

PHYLLIS JOHNSON: My name is Phyllis Johnson, at 22B Ravens Ridge Road, Santa Fe, New Mexico, 87505.

CHAIR STEFANICS: Great. So welcome.

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

CHAIR STEFANICS: Do you have anything to add to the presentation?

MS. JOHNSON: Well, yes. I started this process as a rental for another bed and breakfast in town. They asked if I would rent my rooms to them for their use as an addition to their property, and then they wanted to add another room. And then they wanted to add a third room. So we went along very happily. They were taking a very large percentage of income in giving us this rent. Until we got too popular, and then what happened was they were sitting with rooms empty and people were calling asking for us. So they sort of gave us the boot.

And so we decided we had better get on our own and get our license. I went to Land Use and asked how we might do this the right way because we wanted to do everything right. I was told about the zoning requirements but at the same time information came in about home-based business and we approached that option. And I went to several of the SLDP meetings, and I went to all of them, actually, and then I was invited to be on a focus group for the SLDP, which I did serve on the focus group. Land Use told me at that point that I could be approved as a home-based business and to go ahead. So I made my application and I paid my money to go through that process.

Then in March of 2011, when this all started, I have been trying to get my license since then and going through all the processes. What I was told as I made my application was that I needed a Fire Department inspection and I waited for a while for the Fire Department to come out and then there was the news that they had lost my application. They were very busy and they had a lot of filers. So that took until March of this year, until March [inaudible] when I got my fire inspection. We passed the fire inspection and we've been fine and I took my approval letter to land use. And they told me that the man who had said I could be approved for a home-based business had retired and that he had made a mistake and that he really wasn't authorized to say that. So that I had to then reapply.

And so I had to start it all over again. And fortunately, everyone has been very helpful and very supportive in this process, which made it possible for me to keep putting one foot in front of the other. In the meantime we were operating. We could still operate, and normally you wouldn't know we were there. Our guests come in, they go to sleep, they get up, they have breakfast, they go shopping. In the evening they come back in and go to sleep again. It's just a very low impact business.

As far as it being a rural area, that is the case. However, right down the street where Dr. Stelzner's house is there was the animal tracks for many years and it still shows on some GPS systems, at the bottom of Ravens Ridge, adjacent to Old Santa Fe Trail was the animal tracks and up the street, what would be a couple of blocks – I don't know what the distance is – there's a cranio-sacral office. There's another office further up and I can't remember right now what it is. If you could give me a moment because my memory is failing me. Oh, the

other thing is I was told not to pursue this. I was told at the very beginning to fly under the radar, that this was going to be a horrendous process and it has proven to be a real challenge and a growth period for me to do things that I thought I never could do, but I'm not sorry that I did it. Because I've gotten this far and I'll see what happens now.

Our adjacent neighbors, four out of five, have written support letters. Their property abuts my property. The one, Dr. Redman that I have heard from until I found this letter, I hadn't talked with him. He lives in Espanola. He hasn't been aware of the process or what's been happening on the property.

As far as Ravens Ridge, it's not a narrow road. It was paved a few years ago. The Fire Department has come up and given their approval of it being wide enough and cars don't have trouble passing each other as far as my experience on that road. And we have our food permit; we passed that process. We have been paying all our gross receipts taxes. We've been doing everything the best way we possibly could and if any of our neighbors have any problems with us we're very happy to address them and we want to live together peacefully and happily in our neighborhood and I don't want to cause any discomfort. But we love our business. We really are service people. We love what we do. We have had experience. I managed the Pecos Trail Inn [inaudible] and it's just a wonderful thing to have a wonderful business if you're service people.

And so I'm really hoping you'll approve our license. Thank you.

CHAIR STEFANICS: Okay. Why don't you just stay right up here in the front in case somebody has a question for you?

MS. JOHNSON: Okay.

CHAIR STEFANICS: Okay. We're now at the public hearing process. Is there anybody in the audience – you can have a seat – is there anybody in the audience that is here to speak in favor of or against this project? Would you please come forward and be sworn in.

[Duly sworn, Francesca Lobato testified as follows:]

FRANCESCA LOBATO: Francesca Lobato, 42 Ravens Ridge Road, Santa Fe, New Mexico. 87505.

CHAIR STEFANICS: Great.

MS. LOBATO: Thank you. I would first like to address a couple of issues brought up by Mrs. Johnson and that is that the adjoining neighbor to her, Dr. Stelzner and his wife are not in agreement with [inaudible] and of course Dr. Redman, another adjoining property owner is not in agreement and there is a letter from Dr. Redman in the materials stating his opposition and that due to increased traffic on the road adjacent to his property this will affect residential development on his adjacent land. The area is a quiet and residential area and I believe it should remain so. So he has written in opposition to the rezoning.

I have a written presentation. May I give it to the recorder? [Exhibit 2]

CHAIR STEFANICS: Give it to staff and they will pass it out. You can keep going. Thanks.

MS. LOBATO: I don't want to do it from memory. It's my understanding from the materials and from speaking to staff that part of the conditions if the bed and breakfast is approved that the septic permits be updated and that the Johnsons will have to put a water meter on the well and provide a water use agreement with the adjacent landowner who has development on his property and her property. That they be required to report to the

State Engineer their use of water.

My presentation focuses on – I state that we are the neighbors living close to the property of the Johnsons. Ravens Ridge intersects with Old Santa Fe Trail right behind El Gancho. There's a lot of traffic on Old Santa Fe Trail going south and going north. At that intersection there is a blind corner as cars come north, there's a curve and there's a blind corner right there which is very dangerous to traffic turning off Ravens Ridge Road. And the people coming on the road are coming at 35 to 50 miles per hour.

On Ravens Ridge Road itself, immediately preceding the road to the Johnson's home, because it sits back from Raven's Ridge Road, going to back to where Ravens Ridge intersects with Old Santa Fe Trail, Ravens Ridge Road goes up over a hill and at that hill, at the top of that hill there is another blind corner, so that people coming down Ravens Ridge Road towards Old Santa Fe Trail cannot see traffic coming up the hill.

And again, traffic on Ravens Ridge Road is pretty fast and contrary to Mrs. Johnson's testimony, the road is so narrow that no cars can pass one another. There is only barely room sufficient for two vehicles to pass and in fact for the two vehicles to pass one of them has to stop completely to nearly a dead stop or a dead stop – I come to a dead stop – because two vehicles cannot pass on that road. In fact, when the road was being built and being paved by Advantage Asphalt it wasn't done to code and I forget the name of the gentlemen, I think it was Mr. Suttle, came to inspect the road, and he said the road was not paved according to code and it was too narrow.

So on the road from Old Santa Fe Trail to the Johnson's driveway, and in fact [inaudible] to the road that we're talking about right now, to Old Santa Fe Trail, on Ravens Ridge Road to where the Johnsons live, that is very narrow, there are two blind corners and a lot of traffic. So the neighbors are very concerned about the safety and the additional traffic that the bed and breakfast will cause and the safety issues that will cause. Then we have lots of big trucks, UPS, Fedex, come up those roads and they're very wide, come up Ravens Ridge Road and they very wide as are propane trucks. They are very wide, and there is really insufficient space for let's say a truck and a Fedex or UPS or propane truck to get by without everybody coming to a dead stop.

During the winter months when there is ice and snow the [inaudible] becomes even a more serious issue because not only is the road narrow, there's a hill on it and with ice and snow, two cars, as I said before can barely pass and on both sides of the road there are deep ravines. So if a car slips off this paved road the car will immediately go into a – I don't know – a two or three-foot ditch and will immediately turn on its side, the vehicle falling off the paved road will immediately fall on its side doing damage on the passenger's side or if it falls on the driver's side the driver could be damaged by the car falling and the person falling into the ditch and on to the side.

Dr. Stelzner, who lives in the first house at the corner of Old Santa Fe Trail and Ravens Ridge Road did not get notice because he lives in the first house. The posting from the Land Use Department was up the road so he never had a chance to see it. So he just learned of this application on Sunday and he has requested that this meeting be postponed so he and his wife can appear, because they oppose the bed and breakfast. And they were never given notice by mail and they never had an opportunity to see the sign because the sign is at the corner of the road that goes to the Johnsons and there are six neighbors prior to that sign

who never had an opportunity to see the sign because the sign is not where they drive to get to their homes.

CHAIR STEFANICS: Could you, like, a couple other minutes?

MS. LOBATO: Yes. On May 21 in 2010 I filed a lawsuit in the First Judicial District Court against Mr. and Mrs. Johnson because they were allowing a friend of theirs, Gregg and Tracy Robinson, to walk on their property and their property has an arroyo that goes through it. That arroyo continues – starts with Dr. Stelzner's property, goes through the Johnson's property through Dr. Redman's property, through my property, through Dr. Steffy's property and it continues on but we are the closest neighbors. The Robinsons were accessing the arroyo through the property of the Johnsons with their permission. I had to file a lawsuit because the Robinsons were getting verbally abusive with me and their dogs were aggressive with me and menacing and the Robinsons were threatening to me. I told them they could not be walking through this property, not walking through my property because all the properties were privately owned. The arroyo is not a public trail. It's not a public easement, and they had no rights to be there.

They told me they had permission of landowners to be there and they would not leave. So I had to file a lawsuit naming all the property owners around the arroyo and I met with Mr. and Mrs. Johnson and attached is an affidavit that they had given to me which does state that they gave the Robinsons permission, but when I advised them of the problems from the Robinsons that I was experiencing they spoke to the Robinsons and withdrew their consent. I also spoke to Dr. Redman at the time and he said he had never given permission to the Robinsons to access his property, although the Robinsons also misrepresented lies and stated to me that they had permission to walk through his property.

So this is an issue that is very troubling to all of us owners. Dr. Stelzner on the west side of the Johnsons, Dr. Redman on the east side and myself on the east side, Dr. Steffy on the east side – none of us want this arroyo to become a public trail or a public easement. And we are requesting that as a condition of permit that the Johnsons be limited as a condition to six people if it's granted, and the people that rent from them not be permitted to bring their dogs because dogs have to go to the bathroom. They will be inclined and enticed to go further into the Johnson's property down to the arroyo. They'll start walking down the arroyo and that would start to cause a public trail, a public easement which we directly do not want.

Vicki Lucero of the Land Use Department has stated to me that this is not public at this point. That a private easement is a private trail. We do not want the use changed by the Johnson's commercial use. So we're asking that they be limited to that, that they not allow their guests, as a condition, not allow their guests to go into the arroyo, and that they not be permitted to bring their dogs.

CHAIR STEFANICS: I think that you put that in your statement. Now, is there anything that's not in the statement that you want to stay before we go on to the next person.

MS. LOBATO: Let me take just a moment, just a second here to look through the – so it's, as I said, I have had to file a lawsuit against them. I'd certainly be happy to file more lawsuits and call the Sheriff if I have to, if their guests are walking through the arroyo and their dogs – they permit their guests to bring dogs. I will simply call the Sheriff. I will simply file more lawsuits unless this is a condition of the zoning approval.

CHAIR STEFANICS: Thank you for coming this evening.

MS. LOBATO: Thank you. And the other thing is I don't believe that it would be allowed, looking at this, this mural behind you. It says protection of property, religion and language. I believe that the Commission has a duty to protect neighbors, property owners from the impact of the Johnsons' request for zoning change and certainly what I have requested, what we have requested, limitations of six as a condition, no dogs and no walking in the arroyo by their guests are reasonable and protects the property of the neighbors. Thank you.

CHAIR STEFANICS: Thank you for your suggestions and thank you for the information that you've provided. Is there anybody else in the audience – this is a public hearing. Okay, so the public hearing is now closed. Commissioners, we're at point of discussion, comments and questions to the staff or the applicant or anybody else who testified.

COMMISSIONER HOLIAN: I have a question.

CHAIR STEFANICS: Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. This is a question for Mr. and Mrs. Johnson. It has to do with your wastewater system. I'm wondering what the status is of that right now.

MS. JOHNSON: We have received a permit to extend our leach field. That was the condition, that the leachfield needed to be extended by 450 square feet, I believe, and we had a septic man come and plot where that would be and we have received that permit. So we're ready to go with that.

COMMISSIONER HOLIAN: That's great. Just out of curiosity, have you considered putting in a water treatment system? One of those systems that treats all the water from your house and you can actually reuse it and so on and so forth.

MS. JOHNSON: No, but we have a 5,000-gallon water catchment tank that we use for watering our property and in case of emergency. And then we have a 275-gallon catchment tank that comes into that 5,000-gallon tank, so it's constantly being replenished.

COMMISSIONER HOLIAN: And that's pretty much all you need for your landscaping?

MS. JOHNSON: Oh, more than what we need. Way more than what we need.

COMMISSIONER HOLIAN: Okay. Thank you.

MS. JOHNSON: Each time we get a little bit of rain the 275-gallon tank fills up and then we just pump it into that.

COMMISSIONER HOLIAN: And I just wanted to thank both of you; all the information that you included in the packet was very helpful.

MS. JOHNSON: I also wanted to state, if I may, Madam Chair and Commissioners, that we don't allow pets.

COMMISSIONER HOLIAN: Okay. Thank you.

CHAIR STEFANICS: Thank you very much. Anything else, Commissioner Holian?

COMMISSIONER HOLIAN: No.

CHAIR STEFANICS: I have a question for Mr. Larrañaga. If this approval goes through is there a number to the number of rentals for individuals in the dwelling?

MR. LARRAÑAGA: Madam Chair, the applicant is stating three bedrooms. We haven't limited the number of individuals staying there, but it would be just for a three-bedroom B&B.

CHAIR STEFANICS: Okay, so let me ask the applicant, what was your intention with the three bedrooms and the number of people?

MS. JOHNSON: Basically, the three bedrooms are never fully occupied. That would be an impossibility. But there's a bed in each bedroom and then one of the rooms has a pull-out couch. So a family could stay in there so we could have 2, 4, 6, 7, 8 people, maybe 9 if they wanted a cot, if there was an extra child. But it's a family usually that stays in the casita.

CHAIR STEFANICS: Okay. Thank you very much. Other questions, comments, from the Commission? Commissioner Anaya.

COMMISSIONER ANAYA: Madam Chair, I have a question for our Fire Department.

CHAIR STEFANICS: Ms. Lobato, you already spoke so if somebody asks you a question you can answer but unless you're recognized but we have a question now for the Fire Chief. I'm sorry, if somebody has a question for you they'll ask you but right now we have the fire chief up, one of the fire chiefs.

CAPTAIN PATTY: Madam Chair, Commissioner Anaya, what was the question?

COMMISSIONER ANAYA: Madam Chair, Mr. Patty, I had a question relative to the requirements set forth – I think it was the February 28th response, page 60, I think it is, that talks about your review, that will comply with Article IX and access to water supply. What – keeping in mind the conversation we had just last month about a single family, I think it was up in District 1 that had some requirements for sprinklers that they were doing, and I had some concerns about that but ultimately it was approved with those conditions because of access and number of people. Are there any, in that Article IX from the Fire Department, are there any such conditions associated with this application and if so can you tell me what they are?

CAPTAIN PATTY: Madam Chair, Commissioner Anaya, yes there is. In seeking conditions for a commercial operation like this it would normally require a residential sprinkler system. The exception on that it would be is if you have an exit door on every room to the outside, which they do. When you can evacuate people out of the room immediately without them having to go in the rest of the house, that does eliminate the use for a residential sprinkler system.

COMMISSIONER ANAYA: So I actually met with the Johnsons, I think it was in Galisteo when you guys were at the community Sustainable Land Use Plan discussion and I think actually Commissioner Mayfield was there at the same discussion, and I'm supportive of trying to figure out ways to support small low-impact type uses that this is. But I'm a little puzzled by the fire exception for a bed and breakfast that could potentially have up to nine people in it – eight people I guess at one time – that is okay, but yet a family in a single-wide or a double-wide trailer that we have, double-wide mobile home to be appropriate was required to go through the investment of a sprinkler system. I guess that puzzles me.

So I guess going to your comment that if there's exit doors, I would venture to say that if you approached those individuals they might have put doors, potentially if they could, in a residential unit as an alternative, to assist them. So I guess – let's make sure that I understand correctly. Last month there was not the will of the Commission of a majority to approve a mobile home on a new permit with the appropriate fire access or fire conditions, and we passed it with conditions that they have to go ahead and put the fire suppression system in on a double-wide mobile home. Today we're here and you're saying that in a small-scale but commercial operation they wouldn't have to? Or did I misunderstand you?

CAPTAIN PATTY: No, you're absolutely right, Commissioner Anaya. The code requires certain accesses or sprinkler systems. If you do have a mobile home or another home, if they chose to put a door to the outside of every bedroom, that would eliminate sprinkler systems. We do make that offer to people; people don't want to put a door in every bedroom on a mobile home or are not able to. Sometimes there are interior bedrooms in the house. In this case they do have an extra door from every bedroom to the exterior. The code says when you can do that on a ground level that eliminates the requirement for the sprinkler system. Homes that don't have those doors do require it, when there's not adequate water supply. Not in every one. If there's not an adequate water supply, which in this case, Ravens Ridge, there isn't. There is adequate access though.

COMMISSIONER ANAYA: Is that through a fire hydrant, Madam Chair, Mr. Patty? Is there a fire hydrant real close by their house?

CAPTAIN PATTY: No, there is not. That's why I say there is not adequate supply there.

COMMISSIONER ANAYA: I'm sorry.

CHAIR STEFANICS: On that point, what is adequate fire supply, like number of gallons?

CAPTAIN PATTY: It's 500 gallons per minute for a pressured hydrant, or we can meet the minimum for rural firefighting, which this is, at 250 gallons a minute for two hours, which we can do with the Fire Department with a tanker shuttle, with the adequate access.

CHAIR STEFANICS: Thank you. Sorry. You still have the floor.

COMMISSIONER ANAYA: So, Madam Chair, Mr. Patty, within the fire code is there any accommodation for proximity to an exit? If there was two bedrooms directly adjacent to one another with the access point and an exit to the outside that was within five feet, is there any accommodation for that provision in the code at all?

CAPTAIN PATTY: Madam Chair, Commissioner Anaya, the code specifically says it has to be an exit door to the outside from that room. You can't go into a hallway and then to the outside, or share a common room. You can't exit people from one room into another room and then to the outside.

COMMISSIONER ANAYA: Or into a hallway?

CAPTAIN PATTY: No, not into a hallway. It has to go to the outside.

COMMISSIONER ANAYA: So, Madam Chair, Mr. Patty, what about provisions in the construction code and building standards that deal with egress points out of a window that are of the appropriate size. Because there's very specific code for egress out windows for exactly the purpose for getting somebody out of a fire or in a situation of a fire.

Does the window size or the window type play into the code in any way associated with the fire code?

CAPTAIN PATTY: Madam Chair, Commissioner Anaya, for residential homes and residential occupancy you do have windows to the outside. They do have to meet a minimum size and they do have to have a minimum height to where the window sill is to the ground level on the outside. For residential. Now, for commercial, it does require the door, not just a window.

COMMISSIONER ANAYA: So, Madam Chair, and I don't remember their name, but in every even mobile home, the way they're manufactured now there's a code that accommodates for egress out the window, but based on that sizing, and I think it's three feet size, rough in size, which would accommodate a door entry, it wouldn't take a whole lot more to remove the window and put a door in place of a window in any structure of an existing structure. So we do communicate to residential individuals who are coming in for permitting that if they were willing to do that – do we express that? Because what I'm trying to do is – I appreciate what you're doing here relative to this project and I appreciate the interest of the applicants in trying to start up a small business. I support that. But at the same time we're going through this process I'm learning things I didn't know and I just want to make sure that in other approvals that are residential that we're making sure we're affording those applicants the latitude and flexibility to do alternative things.

So we do something that expressly says if you do this, then you wouldn't have to do a sprinkler system in a residential structure, if you put doors?

CAPTAIN PATTY: Madam Chair, Commissioner Anaya, there are various different ways that we can do this in different applications. We do talk to people and work with them in several ways. Doors and windows is one option. Residential sprinklers is another option. It's going to depend on the access to these different places, whether there's low-water crossings to it. If there's grade problems going to it, and the 902 part of the code gives the Chief of the department some options. They can make some calls on what they're going to do.

Sometimes it's better that the residential sprinkler system is the option to take, mainly because of the insurability of a home. They don't look at the doors and the windows as a plus on the insurability, depending on how far from the fire station they are, what the water source is, what the water supply and how far – and whether it's a paid or a volunteer station.

COMMISSIONER ANAYA: So in this case, this home is residential, going to be converted to semi-residential/commercial with this change, and it does have water concerns but those are addressed because of appropriate ingress and egress through doorways?

CAPTAIN PATTY: That, along with it's within five miles of a fire station and there is a hydrant that is down below. It is not within 1,000 feet of the hydrant, but we can do an adequate tanker shuttle to that piece of property, and then there is adequate access there.

COMMISSIONER ANAYA: Thank you very much. I learned some new things, which happens all the time. So I appreciate it.

CHAIR STEFANICS: Thank you, Commissioner. Commissioner Mayfield, did you have something?

COMMISSIONER MAYFIELD: Just a couple of questions, Madam Chair.

Thank you. Madam Chair, these questions are more for staff. One, and because the applicant kind of brought this up, and I also want to disclose that I did meet the applicants at a community meeting, I think talking about the code out in Galisteo, many months back. And that kind of dovetails into my question. I know I've asked this. I tried to put a resolution forth. It's coordination within our department, so if an applicant is going to be denied, if an applicant is going to be approved, if it's going to make it's way, arguably to us or to the CDRC, but these guys applied back in 2011 for this? And we just got review from the Fire Department now in 2012? Can you help me out with that, Penny, please?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, they applied for this permit on May 11, 2012, for the master plan/development plan. Previously, the applicant stated she had been advised to submit for a home occupation and that was discussed through the code CDP process, something that in the future may be submitted or may be included in the code. There is no ordinance that allows anyone for a bed and breakfast to submit for a home occupation.

COMMISSIONER MAYFIELD: So let me ask that question. One, I did think we did have some discussion on this bench as far as bed and breakfasts being able to be applicable under the home occupation. I guess we haven't got there. I thought we were going to try to enact that provision of home occupation from this bench. Did we not?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, we did take down direction from the Board but there has been no actual vote and no actual ordinance that allows us to process an application that way. So in my years that I've been here every bed and breakfast has gone through master plan, development plan, just as the Johnsons are now doing.

COMMISSIONER MAYFIELD: That's fine. Just help me here though. Did we give you all direction or are we going to look for the new code that's coming out to afford bed and breakfast under a home occupation license or no?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, yes, that will --

COMMISSIONER MAYFIELD: Okay. Good answer. Thank you. The second point, when they initially applied, back in 2011, granted they had to go through the whole permitting plan and everything else, at one point were they denied, and that's why they just were denied so it never made it to this Commission? They never appealed their denial? They just kind of gave up on that process?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, they had submitted for a home occupation. They came for an approval for that home occupation and I stated that that is not the way that we can approve these applications. So I met with the applicant, discussed with the applicant the fact that they would need to submit a master plan/development plan. So really that home occupation permit was never approved.

COMMISSIONER MAYFIELD: And that was back in 2011.

MS. ELLIS-GREEN: That was in March of this year.

COMMISSIONER MAYFIELD: No. But I'm trying to ask when they initially submitted back in 2011. At least that's what I thought I heard from the applicant.

MS. ELLIS-GREEN: They may have a little bit more information than I do since I wasn't in Land Use at that point but I understand that they made a submittal in 2011, but they didn't come forward for an approval from the Land Use Administrator until 2012.

And I believe due to the length of time under Fire Department review. Again, there wasn't follow-up to state there's a 15- or 30-day period has ended. What is the approval or denial?

COMMISSIONER MAYFIELD: Right. And briefly, talking with the applicant, if I recall my conversation in Galisteo, is because, arguably they said, look, we have to go through the same full-blown process as a Walmart trying get approved in Santa Fe County. But we are addressing that, arguably not tonight, but in the future, in the new code. Right?

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, we will be looking at allowing businesses to go through a home occupation like this. For example, Walmart would have had to have submitted a terrain management plan, a traffic impact plan, the hydro, connect to a water supply – a whole bunch of things like that, whereas this application didn't need to do that due to the scale. So the larger the application is the more submittal you would actually have to make.

COMMISSIONER MAYFIELD: So, regarding Ms. Lobato's questions, they don't have to do a traffic analysis if they're going to have three or four more cars at this bed and breakfast.

MS. ELLIS-GREEN: Madam Chair, Commissioner Mayfield, no. I spoke to the Public Works Department. They ran a traffic count, I guess, which looks at the number of vehicles in peak hours, and it came up as one additional. So with that, it really doesn't kick them into needing a traffic impact analysis. Public Works has recommended approval of this, so no, they wouldn't be required to do that.

COMMISSIONER MAYFIELD: Okay. Thank you. And then just touching with what Captain Patty and what Commissioner Anaya just stated, this is a commercial development. Correct?

CAPTAIN PATTY: Madam Chair, Commissioner Mayfield, yes, it is. In the fire code it would be looked at as 13-R. It's a combination residential-commercial.

COMMISSIONER MAYFIELD: And again, I don't want to go off too far and I'm going to be very brief. But again with the sprinkler systems and everything else, commercial developments – if a commercial development is grandfathered in based on pre-code, and they do some remodeling, then would they need to comply with fire suppression and sprinkler systems?

CAPTAIN PATTY: Madam Chair, Commissioner Mayfield, it depends on several conditions. If they're doing 49 percent of the square footage remodeling or more then they would have to bring it up to current code.

COMMISSIONER MAYFIELD: That's fine. So at our old county courthouse, I guess our existing county courthouse, does that have fire suppression inside of it? The current First Judicial Courthouse?

CAPTAIN PATTY: I'm not real sure.

COMMISSIONER MAYFIELD: If we remodel more than 49 percent we're going to have to put out fire sprinkler systems? And in this building I know there's been a lot of remodels in this building but we haven't done sprinkler systems in this building.

CAPTAIN PATTY: There's another angle here, Madam Chair, Commissioner Mayfield, is if you can produce the minimum fire flow by hydrants that are outside the building, depending on the square footage of the building – I'm going to have to guess here,

but say, take this building right here, x-many square feet, if you have enough hydrants to meet the minimum fire flow you may not have to sprinker the building, if you have that fire flow, depending on occupancy and use.

COMMISSIONER MAYFIELD: Madam Chair, I won't go down that – but Captain, I'm going to talk with you [inaudible] Madam Chair, that's all I have for questions and thank you, and all the applicants, thank you for being here and again, I know it's been a long, drawn-out process but I do appreciate your patience with this and also the comments from different folks. There are some letters in here – I know they've been stated but there is one asking for us to kind of hold off; they don't support this. I heard Ms. Lobato and there's many letters in this application in support. But this process has helped educate me a lot too so thank you all.

CHAIR STEFANICS: Thank you. Commissioner Holian.

COMMISSIONER HOLIAN: Thank you, Madam Chair. First of all, Mr. and Mrs. Johnson, I really want to thank you for your patience, going through this process, and your persistence. With that I would like to move for approval of CDRC Case #MP/PDP/FDP 12-5210.

CHAIR STEFANICS: Ms. Lobato. The public hearing is completed. It is the Commissioners' time now. So Commissioner Holian, please continue.

COMMISSIONER HOLIAN: Ravens Ridge Bed and Breakfast with staff conditions.

CHAIR STEFANICS: Okay. Is there a second?

COMMISSIONER VIGIL: Second.

CHAIR STEFANICS: Thank you. Is there any further questions or comments from Commissioners?

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

~~XVI. B. 3. **BCC CASE # MIS 08-5211 Sandstone Pines Time Extension. Anasazi MVJV LLC, Applicants, Request a 36-Month Time Extension of the Previously Approved Preliminary and Final Plat and Development Plan for a 12-Lot Residential Subdivision (Sandstone Pines) on 42.99 Acres. The Property is Located in Glorieta, North of I-25, South of State Road 50, within Sections 1 & 2, Township 15 North, Range 11 East, Commission District 4**~~

~~MS. LUCERO: Thank you, Madam Chair. MVJV LLC, applicants, request a 36-month time extension of the previously approved preliminary and final plat and development plan for a 12-lot residential subdivision on 42.99 acres.~~

~~CHAIR STEFANICS: Excuse me one second. Is this part of the meeting televised, Penny? Then we need Ms. Lucero to come to the next please.~~

~~MS. LUCERO: MVJV LLC, applicants, request a 36-month time extension of the previously approved preliminary and final plat and development plan for a 12-lot residential subdivision on 42.99 acres. The property is located in Glorieta, North of I-25,~~