

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
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: June 11, 2013
TO: Board of County Commissioners
FROM: Juan Rios, Constituent Services Liaison 
VIA: Daniel Mayfield, County Commissioner, District 1
Robert A. Anaya, County Commissioner, District 3

SUBJECT: A Resolution directing staff to investigate and determine if the City of Santa Fe's application to re-permit its Northwest Well as a primary production well is a breach of agreements with the County and others concerning sustainable management of groundwater supplies in the Santa Fe Basin and the N-P-T Basin; Directing staff to report its findings to the Board of County Commissioners; Providing for options and remedies in the event of a breach.

ISSUE:

The Resolution was presented for initial introduction by Commissioner Mayfield and Commissioner Anaya on May 28, 2013. The resolution has been fine-tuned and is "A Resolution directing staff to investigate and determine if the City of Santa Fe's application to re-permit its Northwest Well as a primary production well is a breach of agreements with the County and others concerning sustainable management of groundwater supplies in the Santa Fe Basin and the N-P-T Basin; Directing staff to report its findings to the Board of County Commissioners; Providing for options and remedies in the event of a breach."

Pumping of the Northwest well as a supplemental well under a previously-granted permit affected groundwater supplies to those in the Tano Road and Tesuque Pueblo areas and has had broader impacts on the Santa Fe Basin, the N-P-T water system and La Cienega, which leads to concerns that even greater effects on County residents and the general groundwater system will be experienced if the new application is granted.

REQUESTED ACTION:

Commissioner Mayfield and Anaya respectfully request the Commission's support and approval of this resolution.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

RESOLUTION NO. 2013-_____

A RESOLUTION DIRECTING STAFF TO INVESTIGATE AND DETERMINE IF THE CITY OF SANTA FE'S APPLICATION TO RE-PERMIT ITS NORTHWEST WELL AS A PRIMARY PRODUCTION WELL IS A BREACH OF AGREEMENTS WITH THE COUNTY AND OTHERS CONCERNING SUSTAINABLE MANAGEMENT OF GROUNDWATER SUPPLIES IN THE SANTA FE BASIN AND THE N-P-T BASIN; DIRECTING STAFF TO REPORT ITS FINDINGS TO THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR OPTIONS AND REMEDIES IN THE EVENT OF A BREACH.

(INTRODUCED BY COMMISSIONER MAYFIELD AND COMMISSIONER ANAYA)

WHEREAS, the City of Santa Fe has filed an application with the Office of the State Engineer to convert its Northwest well from temporary use to a permanent source of supply for the City of Santa Fe water system, rather than as a back-up or supplement to other sources of supply;

WHEREAS, pumping of the Northwest well as a supplemental well under a previously-granted permit affected groundwater supplies to those in the Tano Road and Tesuque Pueblo areas and has had broader impacts on the Santa Fe Basin, the N-P-T water system and La Cienega, which leads to concerns that even greater effects on County residents and the general groundwater system will be experienced if the new application is granted;

WHEREAS, a consolidated group of persons and organizations have protested the City's application, consisting of seventeen different organizations, 1,000 to 2,000 households, and 6,000 or more individuals;

WHEREAS, the consolidated group reports that wells in the Tano Road and Tesuque Pueblo areas have experienced aquifer decline as a result of historical pumping from the Northwest well, and that the decline rates in wells less than one mile from the Northwest Well have doubled resulting in a reduction in the useful life of wells some of which will go dry within forty (40) years at present rates of decline;

WHEREAS, the same consolidated group of persons reports that negotiations were held with the City concerning its application and possible ways to reduce the impact of the City's continued pumping of the well in the Summer of 2012, but that the City ceased negotiations before water level data was gathered to assess the impacts of the application;

WHEREAS, the development of a new groundwater resource also leads to concerns about two agreements in place between the City, County and other parties concerning use of groundwater;

WHEREAS, the City and County agreed in paragraph 8 of the Water Resources Agreement Between the City and County of Santa Fe (2005) "... to implement conjunctive use management by relying on surface water when it is available and using groundwater only as necessary ...";

WHEREAS, in the Cost Sharing and System Implementation Agreement in the case of *New Mexico ex rel. State Engineer v. Aamodt*, the City agreed to "... reduce and mitigate the effects of groundwater pumping by the City of Santa Fe ..." and to "... utilize[] surface water supplies to the maximum extent feasible in a manner which minimizes effects on the ground and surface water supplies ... and ... otherwise utilize[] both surface and groundwater in a manner which minimizes effects on the ground and surface water supplies ...";

WHEREAS, these seemingly unambiguous contract terms should apply to the City's use of the Northwest well, and the permitting decisions of the Office of the State Engineer should mirror these concepts;

WHEREAS, to the extent that the City plans to rely on the Northwest well for primary water supply rather than backup supply, the contract language is inconsistent with the goals of the application, and these contradictions should be addressed; and

WHEREAS, the Board desires to direct staff to work with the City of Santa Fe and others to determine whether the application is consistent with the contract language referred to above, and report back to the Board when the information is developed.

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

1. County staff and the legal department shall work with the City of Santa Fe and others to determine whether the application for re-permitting of the Northwest well is consistent with public welfare and conservation. County staff and the legal department shall also research and determine whether the City's application seeks to re-permit the Northwest well as a direct source of supply or as a back-up source of supply. County staff and the legal department shall also determine whether the City's application seeks to re-permit the Northwest well as a direct source of supply or as a back-up source of supply. If the City intends to re-permit the well as a direct source of supply, the legal department shall report to the Board whether such an objective is a violation of the Water Resources Agreement and the Cost Sharing and System Integration Agreement and, if so, the available options, consequences and remedies for such a breach. These factual findings shall be reported no later than the Board's September, 2013 administrative meeting.

2. If a breach is determined to exist, the Board of County Commissioners shall direct staff to take any and all action deemed necessary to bring the County's concerns to

the attention of the Office of the State Engineer, to directly address the breach through appropriate legal action, and to take other actions deemed necessary and proper concerning the pending application.

3. County staff shall also undertake further hydrologic studies of the Northwest well to determine the potential effects of the well on the local and regional aquifer as well as the affects the proposed use of the well will have on County constituents. This report shall be made no later than the Board's September, 2013 administrative meeting.

APPROVED AND ADOPTED this ___ day of June, 2013.

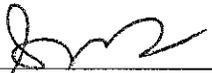
**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____
Kathleen Holian, Chair

ATTEST:

Geraldine Salazar, County Clerk

APPROVED AS TO FORM:



Stephen C. Ross, County Attorney

NO PACKET MATERIAL FOR THIS ITEM

XI. B 1-2

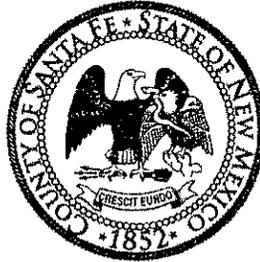
NO PACKET MATERIAL FOR THIS ITEM

XI. C.

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel Chavez
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathleen Holian
Commissioner, District 4

Elizabeth Stefanics
Commissioner District 5

Katherine Miller
County Manager

Memorandum

To: Santa Fe County Board of County Commissioners

Through: Rachel O'Connor
Santa Fe County Health and Human Services Department

From: Lupe Sanchez
Santa Fe County DWI Program

Date: May 28, 2013

Subject: Appointment of Leah Tafoya to the DWI Planning Council

Issue:

This is concerning the appointment of Leah Tafoya to the DWI Planning Council. Ms. Leah Tafoya will be representing law enforcement.

The New Mexico Legislature enacted NMSA 1978, Sections 11-6A-1 through 11-6A-6 to address the serious problems caused by Driving While Intoxicated (DWI) in the State. Funds are generated from excise tax on the sale of alcohol, collected by the New Mexico Department of Taxation and Revenue, and administered by the Department of Finance and Administration (DFA). One of the requirements is that the county receiving funds must have a County DWI Planning Council to serve in an advisory capacity to the Board of County Commissioners.

The DWI program through an advertisement on the County website sought Citizens to serve on the Santa Fe County DWI Planning Council. The advertisement was posted on February 15, 2013, with a deadline date to submit applications of March 8, 2013. The DWI Program received the following five applications:

David Saldivar – Student Capital High School
Leah Tafoya – New Mexico Department of Corrections, Probation/Parole Officer
Daniel Solis - Santa Fe County Adult Detention Center, Classification Officer
Vincent Herera – Volunteer Fire Fighter, Santa Fe County
Cathy Charney – Trader Joe's/ DWI Offender

March 8, 2013

To Whom It Concerns:

I work for Teen Court of the Santa Fe County, and I would like to be a part of the DWI Planning Council.

First of all Allen Steele was the person who first introduced me to this program. I believe I can learn a lot from this program and I would also enjoy the experience I would gain through this Committee.

I was very interested in this program because I feel that this Council will help me better understand the community around us better help the community. I understand that this program is based on DWI Awareness and Prevention, in which I believe I could maybe somehow help out in the Committee in any matter it would be needed.

Sincerely

David Saldivar

David Saldivar

DavidSaldivar7@yahoo.com | 505-603-6239 | 14 Delaware Lane Santa Fe, NM

Profile/Objective:

To be Employed in the correspondent field that applies to my work skills and to the fully apply my capabilities to better serve the Employer

Experience:

Teen Court of Santa Fe County (2009-2013)
Babaluu Cocina Cabana (2009-2010)

Education:

Currently attending High School: Class of 2015
Santa Fe High School: 2011-2012
Capital High School: 2012-2013

Skills:

Fluent in both Spanish & English
Good Computer skills and Knowledge
Great with working in any environment applicable

Leah Tafoya
3375 La Avenida de San Marcos
Santa Fe, New Mexico, 87507
(505) 310-2168
Leah.Tafoya@gmail.com

March 6, 2013

Santa Fe County
DWI Planning Council
2052 Galisteo Street
Santa Fe, New Mexico 87505

I am submitting my interest and would appreciate the opportunity to serve on the DWI Planning Council for Santa Fe County and plan to be at the DWIPC meetings scheduled for March 14, 2013 and April 11, 2013.

I have been employed by the New Mexico Corrections Department as an Adult Probation & Parole Officer for 5 ½ years and received my Bachelor's Degree in Government/Political Science from New Mexico State University in 2007.

I am currently a Community Corrections Officer and I work mostly with high risk/high need individuals and have been trained extensively to work with offenders with a law enforcement officer's perspective as well as a social workers.

My resume contains further information regarding my experience and skills that would be valuable to the DWIPC. I would be pleased to discuss this further to advance the prospect to serve. I can be reached by telephone at (505) 310-2168 or by email at Leah.Tafoya@gmail.com.

Thank you for your consideration.

Sincerely,

Leah Tafoya

LEAH A. TAFOYA

3375 Ave de San Marcos

Santa Fe, NM 87507

(505) 310-2168 / Leah.Tafoya@gmail.com

EDUCATION: Santa Fe High School, Santa Fe, New Mexico
August 1998 through May 2002
High School Diploma

New Mexico State University, Las Cruces, New Mexico
August 2002 through May 2007
Bachelor of Arts in Government/Political Science

QUALIFICATIONS: Ability to work on multiple tasks. Excellent interpersonal and customer service skills. Strong communication and time management skills. Innovative organizational skills. Ability to gain knowledge on given tasks.

WORK

EXPERIENCE:

Community Corrections Probation/Parole Officer

New Mexico Corrections Department

Santa Fe, New Mexico

July 2007- Present

Manage caseload of approximately 35 high-risk and high-needs offenders sentenced to probation and parole supervision. Supervise, monitor and assist offenders to succeed on supervision for the purpose of ensuring community safety and helping offenders maintain compliance with supervision conditions. Conduct daily meetings with offenders and weekly field contact visits at offender homes and workplaces. Place, monitor, and record offender progress in treatment, employment, and compliance with all mandatory and special conditions of supervision. Complete investigations for the judiciary prior to sentencing, make recommendations to the court for violating offenders, complete investigations for offenders preparing to release from prison, and maintain computer entry and physical file update of all investigations and daily offender contacts. Establish and maintain relationships with law enforcement officers, judicial staff, parole board members, adult prisons staff, counselors, and program providers as well as make contact with prospective offender employers. Conduct progress reports on offenders for requesting agencies including, prospective employers, the Parole Board, and treatment centers.

Completed Probation and Parole Basic training, Use of Force training/Legal training for Firearms, Defensive Tactics: Basic and Firearms, Motivational Interviewing, certified in CPR and First Aid. Certified in Defensive Driving. Certified LEADS/NCIC operator. Protec Liaison. Member of the PEC (Pharmacotherapy Exchange Council) Committee. Firearms Certified.

Property Manager

RoyCon Investments

Santa Fe, New Mexico

July 2009- August 2011

Administer and maintain properties on behalf of clients. Duties included rent collection, bill payment, establishing leases, entering computer data as well as keeping hard files for each client. Address tenant complaints, show apartments to potential tenants, supervise maintenance functions, supervised maintenance crew, and explain contracts to prospective tenants and completed background checks regularly.

Youth Program Aid/Assistant Supervisor

City of Santa Fe, Parks and Recreation

Santa Fe, New Mexico

(May 2000-August 2000/ May 2001-August 2001/May 2002-August 2002/
May 2003-August 2003/ May 2004-August 2004/ May 2005-August 2005)

Provided care for children between the ages of 5-12 years old for the Summer Youth program. Recreation program duties included: planning field trips, caring for 100+ children on a daily basis, and participate in arts & crafts. Provided support in a fun, safe, and enjoyable learning environment.

Sales Associate

GAP

Santa Fe, New Mexico

November 2000 - August 2002

Managed cash-register functions to include processing purchases and returns. Provided register training to new associates, provided friendly and efficient customer service, participated in promotional activities and participated in stocking, inventory and general store maintenance. Cash Register Specialist, Denim Specialist, GapCard Specialist.

REFERENCES AVAILABLE

The DWI Planning Council recommends Ms. Tafoya based on her work experience and for demonstrating a strong desire to serve on the Planning Council. Ms. Tafoya is the only applicant to provide all the necessary paperwork and to attend the two mandatory DWI Planning Council meetings required of each member.

Resolution 1997-87 established the original DWI Planning Council consisting of at least nine standing committee members. After reviewing the applications for membership the current Planning Council Members and staff are recommending the following individual:

Leah Tafoya Probation/ Parole Officer, New Mexico Corrections Department

Staff Recommendation:

With the support of the Santa Fe County DWI Planning Council staff recommends the appointment of Leah Tafoya for the DWI Planning Council.

March 6, 2013

Ms. Marie A. Garcia
SF County Health & Human Services Division
2052 Galisteo St, Suite A
Santa Fe, NM 87505

RE: Letter of Interest on DWI Planning Council

Dear Ms. Garcia:

I am interested in being appointed to the DWI Planning Council. I believe I have the energy, the experience and the will to provide very positive ideas for consideration , which if approved, would prove generational in effect.

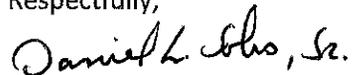
The carnage brought on by DWI caused accidents has got to be stopped. First there are the victims to be considered. We must also consider the perpetrators.

A remedy for the issue of DWI has to be addressed on a global scale. We must act as a united community and with hard work effect the change which will change and stop DWI.

I respectfully ask for an interview in which I may expound by ideas.

Thank you for your consideration.

Respectfully,



Daniel L. Solis, Sr.
131 Peak Place
Santa Fe, NM 87506

RESUME OF DANIEL L. SOLIS, SR.

NAME: Daniel L. Solis, Sr.

DOB: 2-12-1944

POB: Sonora, Arizona

Marital Status: Divorced

Children: Four adult Children, 16 Grandchildren & 1 Great Grandchild

Education: 8th Grade Graduate, Washington Elementary School, Sonora, Arizona

High School Graduate, Ray District High School, Kearny, Arizona

College of Santa Fe Graduate, BA, Cum Laude.

Work Experience:

a. Santa Fe County Adult Detention Facility, 02-05-2007 to Present. (505-428-3235, Melisa Oberg)

Title: Classification Officer. We evaluate each tyro inmate pursuant to their medical, psychological, and security needs. We separate them so that they are not hurt nor place them in a situation in which they will hurt other inmates or staff. We help them access legal help. We guide them to those self-help programs which would suit their situation and recommend they inquire to mental health. We volunteer in providing programs such as music therapy which makes them feel better as well as educate them in great music. In this I have worked with County Inmates, State inmates when they were housed at the Jail and now with Federal Inmates.

b. Cities of Gold Hotel, 2001-2007. Left to work for the SFCADF (505-455-0515 Paul Aragon)

I started working the Night Audit. I progressed to Front Desk Manager. This is the hospitality business. We provided the best service possible to our guests in regards to their hotel room, restaurant and entertainment. This involved check in & check out of guests to the hotel. We made reservations at our hotel as well as at other hotel. We provided information to the things to see and places to go to.

c. Budget Inn Hotel, 1989 to 2000. Left to work at Cities of Gold. (505-982-1943 Tina Flores).

Again I started at the Night Audit and progressed to Night Manager. In this I not only did the night audit work but managed evening staff and of course, provided hospitality business work.

d. The Penitentiary of New Mexico, 1977 to 1989. I left due to theoretical differences with the Warden. He was brought in to dismantle Prison Programs and I refused to help him. In this work, I started out as a Classification Officer. I briefly left to be a Probation/Parole Office and returned to Prison work since I did not like Probation/Parole. I was then the Maximum Security Coordinator, Disciplinary Officer, and Finally the Inmate self help Group Coordination, what is now known as the Prison's Program Manager.

During this service, I was the Inside AA Sponsor. This group was known as the Sundial Group. I founded AA in the Protective Custody Unit with the name of Time Warp Group. A name I believe still in use. I also sponsored the Indian Club. I secured a grant from GIAP, an Indian Group from Gallup, NM for a Pilot Navajo Medicine Man Project. It worked out so well, I was then able to secure another grant from the Navajo Tribe, which kept the Medicine Man Project going.

e. Santa Fe County, 1972 to 1976, Left to work at the Prison, Don Sandoval.

I worked in the County Managers Office in what was then the financial arm of the County Government . This is not to be confused with the work of the County Treasurer. While in this work, I participated in some of the work for the remodel of the old Court House on Grant Street. This was also true for the "New" District Court at the old Harvey Junior High. We worked on developing the Low Income Housing when Armando Larragoite was their manager. We worked with President Nixon's Revenue Sharing Program and I was there when the NM State Supreme Court threw out the Doctrine of Sovereign Immunity. This meant that the County could now be sued by the citizens. I was actually the first County Employee to insure all of Santa Fe County for any possible contingency. I really enjoyed this work but left to work at the State Prison when my Supervisor, the County Manager, was replaced. I thought the New County Manager should have his own team.

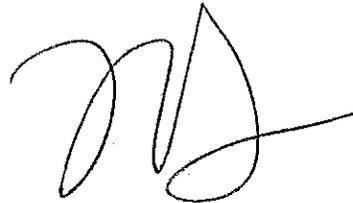
e. I am a United States Air Force Veteran, 1964 to 1968, Honorable Discharge. I served as an Airborne Voice Intercept Processing Specialist. In this work, I held one of our Nation's highest Security Clearances. I had access to everything except Atomic Work.

f. Kennecott Copper Corporation, 1964 to 1964. I left to join the United States Air Force. This was a copper mine. My first job was at the Crusher. I was a Crusher Clean-Up man but learned and was often upgraded to work as a Crusher Operator Helper and Tripper man.

One summer, when I was in College, I got a summer job at Kennecott. I worked as a smelter converter puncher. The noise level was so intense that I injured my hearing. I have had ringing of the ears since around 1970. I had problems hearing but managed. Now, with age, I need hearing aids and still struggle to hear. I do have to work harder at hearing, but I do get the job done.

Vincent Herrera
905 Alto Street
Santa Fe, NM, 87501

I am composing this letter in response to my interest in the Santa Fe County Commission. I am writing this letter in desire of an appointment with the DWI planning committee. I have strong concerns with the increasing issue of DWI within the state of New Mexico. It is my most express belief that our issues stem from lack of public awareness and education on the implications of driving under the influence. DWI has seemingly become a disease that has begun infecting our society here in New Mexico. In order to get this disease under control would be to create and implement programs in which can provide the necessary information to the public, especially our youth, and arm them with one of the most powerful deterrents; knowledge of the consequences not only to them, should they decide to drive drunk, but the possible and realistic amount of lives that can be lost in result. I am highly committed to this cause and feel my involvement would be highly rewarding. I currently and actively serve as a Volunteer Fire Firefighter in Santa Fe County since December of 2010. In 2012 I was both nominated and awarded firefighter of the year.

A handwritten signature in black ink, appearing to be 'VH', with a long horizontal stroke extending to the right.

3-1-2013

March 7, 2013

To Whom This May Concern:

My name is Cathleen Charney. I have lived in New Mexico since 2006, and been a resident of Santa Fe County since 2009.

I am interested in serving on the DWI Planning Council. I probably come at this from a different angle than most of the other applicants. I was arrested on DWI charges in Santa Fe County in November of 2007. As with many first-time offenders, the charges against me were deferred and dismissed upon completion of a one-year probation period. Unlike some first-time offenders, the lessons I learned were not lost on me - one could say I got my wake-up call.

My goal in serving on the council is to help develop programs that deter drunk driving -- ideally before the driver ever gets behind the wheel, but if they make the mistake of doing it even once (as in my case), to make sure they are "scared straight" so they never do it again. The complexity of this issue, especially in our state, is vast, but I want to be part of the solution. I believe my knowledge of the media, combined with my experience with the legal system in handling my own situation, would make me an asset to the panel.

Thank you for your consideration.

Sincerely,


Cathleen Charney

Cathleen Charney
1270 Chestnut Street*Santa Fe, NM 87507
505-944-6241 (area code required)
CLCharney@hotmail.com

Objective: To work with good people in an energized environment.

About me:

Proven oral/written communication skills
30-plus years work experience
Upbeat attitude and energetic personality

Education:

B.A., Communications, University of Michigan, Ann Arbor, Mich.

Current employment:

Crew member, Trader Joe's, Santa Fe, NM

Past work experience:

Clinic coordinator, Santa Fe Animal Shelter Spay Neuter & Wellness Clinic

Editor/news analyst, PR Newswire, Minneapolis, Minn. and Albuquerque, N.M.

Worked with corporate and public relations clients to develop news releases for media distribution.

Assistant Account Executive, Weber Shandwick Worldwide, Minneapolis, Minn.

Worked with a team to develop and implement public relations programs for clients.

Freelance communications/special events coordinator

Clients: Minnesota Zoo, Pillsbury

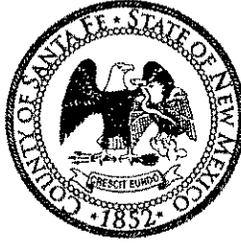
Server/bartender

Worked in a variety of high-volume establishments, including TGI Friday's and Ruby Tuesday's.

Daniel "Danny" Mayfield
Commissioner, District 1

Miguel M. Chavez
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: June 11, 2013

TO: Board of County Commissioners

FROM: Penny Ellis-Green, Growth Management Director *peg*

REF.: Appointment of Extraterritorial Land Use Committee (ELUC) members

SUMMARY:

There is a need to appoint the Extraterritorial Land Use Committee (ELUC) as the annexation process is moving forward and this committee will need to convene. The ELUC has the authority to carry out duties related to planning and platting, subdivision and zoning in the presumptive City limits.

Ordinance 2008-17 establishes the ELUC and requires that the committee consists of 5 County Development Review Committee (CDRC) members and 5 City Planning Commission members, the Ordinance and Statute are attached. The two remaining members of the CDRC are to be appointed as alternates.

The existing CDRC members are as follows:

I. Manuel Roybal, District 1

Term - Expires 1/1/2015

Maria DeAnda Hay, District 2

Term - Expires 1/1/2014

Filandro Anaya, District 3

Term - Expires 1/1/2015

Frank Katz, District 4

Term - Expires 1/1/2015

Dan Drobnis, District 5
Term - Expires 1/1/2015

Susan Fry Martin, At Large
Term - Expires 1/1/2014

JJ Gonzales, At Large
Term - Expires 1/1/2014

RECOMMENDATION:

Staff recommends that the appointments to the ELUC as follows:

Members:

I. Manuel Roybal, District 1
Maria DeAnda Hay, District 2
Filandro Anaya, District 3
Frank Katz, District 4
Dan Drobnis, District 5

Alternates:

Susan Fry Martin, At Large

JJ Gonzales, At Large

ATTACHMENTS:

Exhibit A—Ordinance 2008-17
Exhibit B - Statute

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

ORDINANCE NO. 2008-17

AN ORDINANCE
CREATING A NEW ARTICLE II, SECTION 1.4 OF THE SANTA FE COUNTY LAND
DEVELOPMENT CODE (1996, AS AMENDED) ESTABLISHING THE SANTA FE
EXTRATERRITORIAL LAND USE AUTHORITY (ELUA) AND THE SANTA FE
EXTRATERRITORIAL LAND USE COMMISSION (ELUC)

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE
COUNTY, NEW MEXICO:

Section 1. A new Section 1.4 of Article II of the Santa Fe County Land Development
Code (1996)(as amended) shall be and hereby is created to read:

"ARTICLE II - ADMINISTRATION

"1.4 The Extraterritorial Land Use Authority and the Extraterritorial Land Use
Commission

"1.4.1 The Santa Fe Extraterritorial Land Use Authority Creation;
Membership.

"1.4.1a There is created the Extraterritorial Land Use Authority
(ELUA) as provided in NMSA 1978, § 3-21-3.2 (2003) and pursuant to the Santa Fe County and
City Extraterritorial Land Use Joint Powers Agreement (2008). The Extraterritorial Land Use
Authority shall consist of four County Commissioners appointed by the Board of County
Commissioners and three City Councilors or two City Councilors and the Mayor appointed by
the Mayor with the approval of the City Council. The remaining member of the board of county
commissioners shall be appointed as an alternate to the Extraterritorial Land Use Authority, and
the Mayor shall appoint alternates with the approval of the City Council from among the



remaining City Councilors. The alternates shall be notified prior to a meeting of the Extraterritorial Land Use Authority if an appointed member cannot attend. When replacing a member, an alternate shall have the same duties, privileges and powers as other appointed members. The term of each member appointed by the City shall be for two years.

"1.4.1b The Extraterritorial Land Use Authority shall have the jurisdiction and powers of an extraterritorial zoning authority and shall carry out its duties related to planning and platting jurisdiction, extraterritorial zoning, subdivision approval and annexation approval or disapproval as provided in the Municipal Code, NMSA 1978, §3-1-1 *et seq.* and as set forth in the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008). The Extraterritorial Land Use Authority shall approve or disapprove annexation petitions brought pursuant to NMSA 1978, § 3-7-17.1 (2003) upon review and recommendation of the Extraterritorial Land Use Commission (ELUC).

"1.4.2 The Santa Fe Extraterritorial Land Use Commission

"1.4.2a There is created the Extraterritorial Land Use Commission (ELUC) as provided in NMSA 1978, 3 -21-3.2 (2003) and pursuant to the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008). The Extraterritorial Land Use Commission shall consist of five members of the County Development Review Committee/Planning Commission appointed by the Board of County Commissioners and five members of the City Planning Commission appointed by the Mayor with approval of the City Council. Alternates to the Extraterritorial Land Use Commission shall be appointed by the Board of County Commissioners from the remaining members of the County Development Review Committee/Planning Commission and by the Mayor with approval of the City Council from the remaining members of the City Planning Commission, who shall be notified prior to a meeting of

the Extraterritorial Land Use Commission if an appointed member cannot attend. When replacing a member, the alternate shall have the same duties, privileges and powers as other appointed members. The term of each member appointed by the City shall be for two years.

"1.4.2b The Extraterritorial Land Use Commission shall have the authority to carry out duties and make recommendations related to planning and platting jurisdiction, subdivisions, zoning, and annexations as provided for in NMSA 1978, §§ 3-7-3, 3-7-3.2 and 3-7-4 (2003) and as set forth in the Santa Fe County and City Extraterritorial Land Use Joint Powers Agreement (2008)."

Adopted by the Board of County Commissioners of Santa Fe County, this 18th day of November, 2008.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY, NEW MEXICO

By *Paul Campos*
Paul Campos, Chair

Attest:

Valerie Espinoza
Valerie Espinoza, County Clerk

Approved As To Form:

Stephen C. Ross
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE) BCC ORDINANCE
STATE OF NEW MEXICO) ss PAGES: 3
I Hereby Certify That This Instrument Was Filed for
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Of The Records Of Santa Fe County
Marcella Rogers)
Deputy) My Hand And Seal Of Office Valerie Espinoza
County Clerk, Santa Fe, NM

Effective:[See Text Amendments]

West's New Mexico Statutes Annotated Currentness

Chapter 3. Municipalities

Article 21. Zoning Regulations

→→ § 3-21-3.2. Extraterritorial zoning in class A counties; procedures

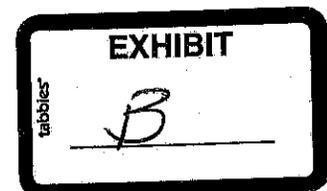
A. In a class A county in which a municipality is located that has a population of:

(1) more than three hundred thousand persons according to the last federal decennial census, there shall be no extraterritorial zoning; or

(2) three hundred thousand or fewer people, concurrent extraterritorial zoning jurisdiction between that municipality and the county may be determined by an "extraterritorial land use authority" pursuant to ordinances adopted by the municipal and county governing bodies stating that the county or municipality will create an extraterritorial land use authority. The extraterritorial land use authority shall have the jurisdiction and powers of an extraterritorial zoning authority and shall carry out its duties related to planning and platting jurisdiction, extraterritorial zoning, subdivision approval and annexation approval or disapproval as provided in the Municipal Code. The extraterritorial land use authority shall consist of four county commissioners appointed by the board of county commissioners and three city councilors or two city councilors and the mayor appointed by the municipality. Alternates to the extraterritorial land use authority shall be appointed by the board of county commissioners from among the remaining county commissioners and by the municipality from among the remaining city councilors. The alternates shall be notified prior to a meeting of the extraterritorial land use authority if an appointed member cannot attend. When replacing a member, an alternate shall have the same duties, privileges and powers as other appointed members.

B. The extraterritorial zoning commission in a class A county shall be known as the "extraterritorial land use commission" if it is formed by a municipality and a class A county that have adopted ordinances pursuant to Paragraph (2) of Subsection A of this section stating that the county and municipality will create an extraterritorial land use authority.

C. The extraterritorial zoning commission shall be composed of five members of the county planning commission appointed by the board of county commissioners and five members of the environmental planning commission of the municipality appointed by the city council. Alternates to the extraterritorial land use commission shall be appointed by the board of county commissioners from the remaining members of the county planning commission and by the municipality from the remaining members of the environmental planning commission, who shall be notified prior to a meeting of the extraterritorial land use commission if an appointed member cannot attend. When replacing a member, the alternate shall have the same duties, privileges and powers as other



appointed members.

D. The composition of the extraterritorial land use commission shall not affect the composition of any other extraterritorial zoning commission that may be established in that county with any other municipality.

E. The extraterritorial land use commission shall have the authority to carry out duties related to planning and platting jurisdiction, subdivision and extraterritorial zoning.

CREDIT(S)

L. 1998, Ch. 42, § 5; L. 1999, Ch. 115, § 1; L. 2003, Ch. 438, § 5, eff. July 1, 2003.

LIBRARY REFERENCES

Zoning and Planning ↪ 45.
Westlaw Key Number Search: 414k45.
C.J.S. Zoning and Land Planning § 21.

NMSA 1978, § 3-21-3.2, NM ST § 3-21-3.2

Current through all 2012 legislation

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