

EXCERPT FROM A REGULAR MEETING
OF THE BOARD OF COUNTY COMMISSIONERS
SANTA FE COUNTY

The Board of County Commissioners (the "Commission"), as the governing body of Santa Fe County, New Mexico (the "County"), met in regular session in full conformity with law and the rules and regulations of the Board in the Commission Chambers at the County Administration Building, 102 Grant Avenue, Santa Fe, New Mexico, being the regular meeting place of the Board, on May 11, 2010, at the hour of 2:00 p.m. . Upon roll call, the following members were found to be present:

PRESENT:

Chairperson:

Harry Montoya

Members:

MIKE Anaya

Virginia Vigil

liz Stefanics

Kathy Holian

ABSENT:

ALSO PRESENT:

SFC CLERK RECORDED 05/13/2010

SANTA FE COUNTY, NEW MEXICO
ORDINANCE NO. 2010-~~4~~

AMENDING AND SUPPLEMENTING ORDINANCE NO. 2009-12 TO INCLUDE THE CITY OF SANTA FE, NEW MEXICO AND THE TOWN OF EDGEWOOD, NEW MEXICO IN THE SANTA FE COUNTY RENEWABLE ENERGY FINANCING DISTRICT PURSUANT TO THE RENEWABLE ENERGY FINANCING DISTRICT ACT, CHAPTER 180, LAWS OF NEW MEXICO 2009; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS ORDINANCE.

Capitalized terms in the following preambles and throughout this Ordinance shall have the meanings assigned in the Ordinance No. 2009-12 unless the context clearly requires otherwise.

WHEREAS, the Board of County Commissioners (the "Commission") of Santa Fe County (the "County") adopted County Resolution No. 2009-126 on July 28, 2009 (the "Intent Resolution") stating its intent to form the Santa Fe County Renewable Energy District (the "District") pursuant to the Renewable Energy Financing District Act (Sections 5-18-1 through 5-18-13 NMSA 1978) (the "Act"); and

WHEREAS, the Commission adopted Ordinance No. 2009-12, which created the Santa Fe County Renewable Energy District pursuant to the Act; and

WHEREAS, a District Boundary map is included in Ordinance No. 2009-12, evidencing the boundaries of the District which included only the unincorporated areas of Santa Fe County; and

WHEREAS, Section 5-18-4 of the Act, provides that a renewable energy finance district formed by a county may include the incorporated areas of the county with the municipality's consent; and

WHEREAS, the City of Santa Fe, New Mexico (the "City") adopted Resolution No. 2010-14, consenting to the City's inclusion in the District; and

WHEREAS, Town of Edgewood, New Mexico (the "Town") adopted Resolution No. 2009-48, consenting to the Town's inclusion in the District; and

WHEREAS, this Ordinance amends the Ordinance No. 2009-12 to provide that the City and the Town are included in the District as evidenced in the Amended District Boundary Map; and

WHEREAS, the Commission shall cause a copy of the Ordinance No. 2009-12, as supplemented and amended by this Ordinance, to be delivered to the County Assessor, the County Treasurer, the Taxation and Revenue Department of the State and the Local Government Division of the Department of Finance and Administration as required by the Act.

SFC CLERK RECORDED 05/13/2010

BE IT ORDAINED BY THE GOVERNING BODY OF SANTA FE COUNTY, NEW MEXICO:

Section 1. Defined Terms. The following terms, as defined herein, shall supplement and amend the definitions provided in the Ordinance No. 2009-12:

“Amended District Boundary Map” means the map attached as Exhibit “A” to this Ordinance, which evidences the inclusion of the City and the Town in the District.

“City” means the City of Santa Fe, New Mexico.

“District” means the Santa Fe County Renewable Energy Financing District which includes the unincorporated areas of the County and the incorporated areas of the City of Santa Fe, New Mexico and the Town of Edgewood, New Mexico as evidenced in the District Boundary Map.

“Town” means the Town of Edgewood, New Mexico.

Section 2. Findings. The County hereby declares it has considered all relevant information and data, and hereby makes the following findings:

A. Ordinance No. 2009-12 is hereby amended and supplemented to include the Amended District Boundary Map.

B. Section 2 (B) of the Ordinance No. 2009-12 shall be amended in its entirety as follows:

“B. The Renewable Energy Improvements will be constructed to County specifications, and will be subject to inspection, approval and acceptance by the County. Additionally the Renewable Energy Improvements constructed in the City or the Town will be constructed to the specifications of the City or the Town, as applicable, and will be subject to inspection, approval and acceptance by the City or the Town, as applicable.”

Section 3. Amendments. This Ordinance may be amended or supplemented by ordinance or resolution adopted by the Commission in accordance with the laws of the County and the State.

Section 4. Repealer. All ordinances or resolutions, or parts thereof in conflict with the provisions of this Ordinance, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance or resolution, or part thereof, heretofore repealed.

Section 5. Severability. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall in no manner affect any remaining provisions of this Ordinance.

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Section 6. Publication of Notice of Adoption of Ordinance. The County Clerk is hereby directed to publish a notice of this Ordinance, in substantially the following form:

Notice is hereby given of the title and general summary of the subject matter contained in an ordinance duly adopted and approved by the Board of County Commissioners of Santa Fe County, New Mexico relating to the approval of the Santa Fe County Renewable Energy Financing District. Complete copies of the ordinance are available for public inspection during the regular business hours of the County Clerk, Santa Fe County, New Mexico.

The title of the Amending Ordinance is as follows:

ORDINANCE

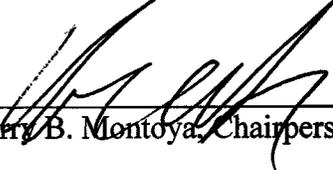
AMENDING AND SUPPLEMENTING ORDINANCE NO. 2009-12 TO INCLUDE THE CITY OF SANTA FE, NEW MEXICO AND THE TOWN OF EDGEWOOD, NEW MEXICO IN THE SANTA FE COUNTY RENEWABLE ENERGY FINANCING DISTRICT PURSUANT TO THE RENEWABLE ENERGY FINANCING DISTRICT ACT, CHAPTER 180, LAWS OF NEW MEXICO 2009; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS ORDINANCE.

(End of Form of Summary of Ordinance for Publication)
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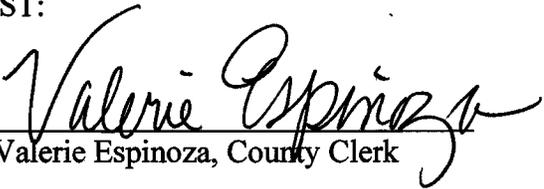
SFC CLERK RECORDED 05/13/2010

PASSED, ADOPTED AND APPROVED this 11^h day of May, 2010.

BOARD OF COUNTY COMMISSIONERS
SANTA FE COUNTY, NEW MEXICO

By: 
Harry B. Montoya, Chairperson

ATTEST:

By: 
Valerie Espinoza, County Clerk



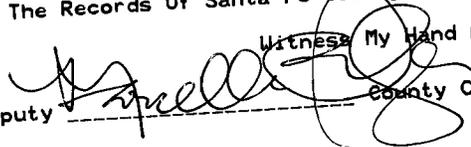
APPROVED AS TO FORM:

By: 
Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss
BCC ORDINANCE
PAGES: 12

I Hereby Certify That This Instrument Was Filed for
Record On The 13TH Day Of May, 2010 at 10:10:30 AM
And Was Duly Recorded as Instrument # 1598663
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
 Valerie Espinoza
Deputy County Clerk, Santa Fe, NM

SFC CLERK RECORDED 05/13/2010

Board Member Comm. Holian then seconded the adoption of the foregoing ordinance introduced by Board Member Comm. Vigil.

The motion to adopt the ordinance upon being put to a vote was passed and adopted on the following recorded vote:

Those Voting Aye:

Harry Montoya
Mike Anaya
Virginia Vigil
Liz Stefanics
Kathy Holian

Those Voting Nay:

FIVE (5) members of the Board having voted in favor of the motion, the presiding officer declared the motion carried and the ordinance adopted, whereupon the Chairperson of the Board and County Clerk signed the foregoing proceedings and ordinance upon the records of the minutes of the Board.



BOARD OF COUNTY COMMISSIONERS
SANTA FE COUNTY, NEW MEXICO

By:

Harry B. Montoya, Chairperson

ATTEST:

By:

Valerie Espinoza
Valerie Espinoza, County Clerk

EXHIBIT "A"

Amended District Boundary Map

SFC CLERK RECORDED 05/13/2010

Santa Fe County
Renewable Energy
Financing District

District Boundary Map

EXHIBIT "A" to
Ordinance No. 2010-4

Legend

Exterior District Boundary



Major Roads



City of Espanola

(Not Currently in District)

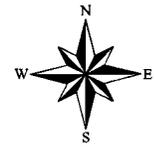
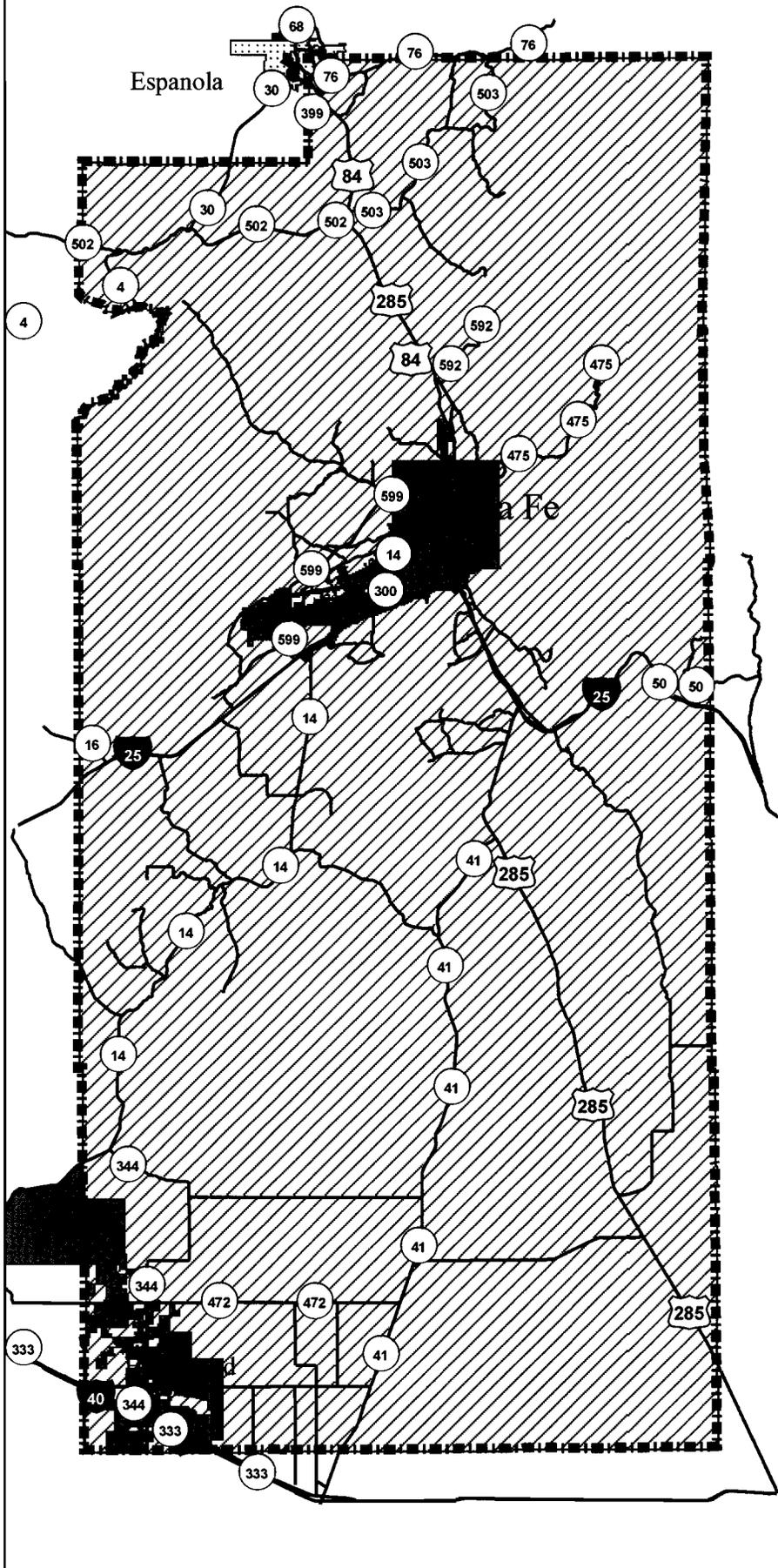


Renewable Energy Financing District



Municipalities (Those which have

Opted in are Included in District)



This information is for reference only.
Santa Fe County assumes no liability for
errors associated with the use of these data.
Users are solely responsible for confirming
data accuracy when necessary.



Santa Fe County
Growth Management
Department
Planning Division

May 11, 2010
renewable_energy_financing_district

SFC CLERK RECORDED 05/13/2010

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2010-14**

3 **INTRODUCED BY:**

4
5 **Councilor Calvert**

6 **Councilor Bushee**

7
8
9
10 **A RESOLUTION**

11 **AMENDING RESOLUTION NO. 2009-121 CONSENTING TO THE INCLUSION OF**
12 **THE MUNICIPALITY OF THE CITY OF SANTA FE WITHIN THE SANTA FE**
13 **COUNTY RENEWABLE ENERGY FINANCING DISTRICT.**

14
15 **WHEREAS**, on October 27, 2009, the Santa Fe County Board of County Commissioners
16 adopted Santa Fe County Ordinance No. 2009-12 approving the formation of the Santa Fe County
17 Renewable Energy Financing District pursuant to the Renewable Energy Financing District Act
18 [§§5-18-1 through 5-18-13 NMSA 1978] wherein individual property owners may voluntarily
19 agree to the imposition of a special property assessment on their property that the owner uses to
20 finance eligible renewable energy improvements on their property; and

21 **WHEREAS**, the Santa Fe County Renewable Energy Financing District encompasses
22 the boundaries of the County (subject to the addition of specific parcels pursuant to individual
23 assessment resolutions) including the area within the boundaries of the City of Santa Fe provided
24 that the City of Santa Fe adopts a resolution consenting to inclusion within the district; and

25 **WHEREAS**, the Governing Body supported the adoption of the Renewable Energy

SFC CLERK RECORDED 05/13/2010

RESOLUTION NO. 2009-48

TOWN OF EDGEWOOD, NEW MEXICO

CONSENTING TO THE INCLUSION OF THE MUNICIPALITY OF TOWN OF EDGEWOOD WITHIN THE SANTA FE COUNTY RENEWABLE ENERGY FINANCING DISTRICT.

WHEREAS, on October 27, 2009, the Santa Fe County Board of County Commissioners adopted Santa Fe County Ordinance No. 2009-12 approving the formation of the Santa Fe County Renewable Energy Financing District pursuant to the Renewable Energy Financing District Act [§§5-18-1 through 5-18-13 NMSA 1978] wherein individual property owners may voluntarily agree to the imposition of a special property assessment on their property that the owner uses to finance eligible renewable energy improvements on their property; and **WHEREAS**, the Santa Fe County Renewable Energy Financing District encompasses the boundaries of the County (subject to the addition of specific parcels pursuant to individual assessment resolutions) including the area within the boundaries of the Town of Edgewood provided that the Town of Edgewood adopts a resolution consenting to inclusion within the district; and

WHEREAS, the Governing Body supports the adoption of the Renewable Energy Financing District Act by the New Mexico Legislature (Resolution No. 2009-40) and indicates its support of such renewable energy financing districts; and

WHEREAS, the Santa Fe Renewable Energy Financing District, as established by County Ordinance No. 2009-12, will be governed by the Board of County Commissioners for the first six years after which a specially elected board will govern the district; and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE TOWN OF EDGEWOOD that the Governing Body consents to the inclusion of the municipality of the Town of Edgewood within the Santa Fe Renewable Energy Financing District upon the condition that the County agrees to the following:

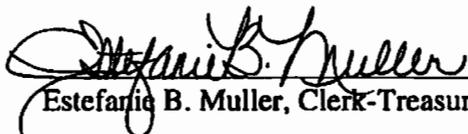
Property owners within the Town of Edgewood participating in the district shall be required to comply with Accepted building codes and be inspected and approved by the appropriate authority. This requirements is in addition to any guidelines and standards established by the district.

PASSED, APPROVED and ADOPTED this 16th day of DECEMBER, 2009.



Honorable Robert Stearley, Mayor

ATTEST:



Estefania B. Muller, Clerk-Treasurer

SFC CLERK RECORDED 05/13/2010

**Santa Fe County,
New Mexico
Notice of Meeting and
Public Hearing**

NOTICE IS HEREBY GIVEN of a regular meeting on May 11, 2010 at the hour of 2:00 p.m. in the Commission Chambers, 102 Grant Avenue, Santa Fe, New Mexico to hold a public hearing to consider for adoption an ordinance amending the Santa Fe County Renewable Energy Financing District. At such hearing, the Board will hear written and oral testimony and evidence presented in support of or in opposition to amending and supplementing Ordinance 2009-12.

The title of the proposed Ordinance is:

SANTA FE COUNTY
ORDINANCE NO.
2010-

AMENDING AND SUPPLEMENTING ORDINANCE NO. 2009-12 TO INCLUDE THE CITY OF SANTA FE, NEW MEXICO AND THE TOWN OF EDGEWOOD, NEW MEXICO IN THE SANTA FE COUNTY RENEWABLE ENERGY FINANCING DISTRICT PURSUANT TO THE RENEWABLE ENERGY FINANCING DISTRICT ACT, CHAPTER 180, LAWS OF NEW MEXICO 2009; RATIFYING CERTAIN ACTIONS HERETOFORE TAKEN; AND REPEALING ALL ACTIONS INCONSISTENT WITH THIS ORDINANCE

This notice is given pursuant to Section 5(B) of Chapter 180, Laws of New Mexico 2009 and Section 4-37-7, NMSA 1978.

Dated: April 13, 2010

/s/ Valerie
Espinoza

Santa Fe County Clerk
Legal #

Pub. Apr. 22, 2010

S F C C L E R K R E C O R D E D 0 5 / 1 3 / 2 0 1 0