

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

County Commission Chambers  
Santa Fe County Administrative Building  
102 Grant Avenue Santa Fe NM

**NOTICE OF SPECIAL MEETING**

**March 20, 2015, 10:00 a.m.**

The Board of County Commissioners of Santa Fe County (County) will hold a special meeting at 10:00 a.m. on Friday, March 20, 2015, in the County Commission Chambers located in the County Administrative Building, 102 Grant Avenue Santa Fe NM 87501.

**AGENDA**

- I. Call to Order.
- II. Roll Call.
- III. Approval of the Agenda. (Action Item)
- IV. Presentation Concerning Applicant Solicitation Process and Overview of Applicants.
- V. Recommendation to the Governor of Person for Appointment as State Senator for State Senate District 39, per NMSA 1978, § 2-8D-4(B)(2)(a). (Action Item)
- V. Adjournment. (Action Item)

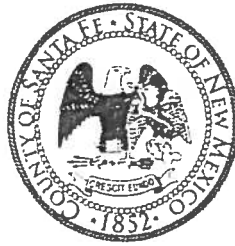
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## **IV. Presentation Concerning Application Solicitation Process and Overview of Applicants**

**Henry P. Roybal**  
*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:** March 20, 2015  
**To:** Board of County Commissioners  
**From:** Tony Flores, Deputy County Manager   
**Subject:** State Senate District 39 Vacancy

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### Background and Summary:

On March 14, 2015, Santa Fe County received notification from the Governor (Exhibit A) that there was an immediate vacancy in the office of State Senator for New Mexico Senate District 39. The Governor requested that the Board of County Commissioners (Board) submit a nomination to her by 5:00 p.m. on March 15, 2015. In response, the Board held an emergency meeting on Sunday, March 15, 2015, at 12:00 p.m.

At its March 15, 2015, meeting, the Board unanimously voted to:

1. Solicit applications from persons interested in being appointed to the vacant senate seat through 5:00 p.m. on Wednesday, March 18, 2015; and
2. Hold a special meeting at 10:00 a.m. on Friday, March 20, 2015, to consider the applications for possible recommendation to you pursuant to NMSA 1978, § 2-8D-4(B)(2)(a).

The Board Chair informed the Governor of this in a letter that same day.

The Board also directed staff to develop a simple application that addressed constitutional requirements for holding the office of State Senator and required applicants to submit a letter of interest and resume along with the application.

With this direction, staff developed a simple application form (Exhibit B), which was to be notarized and accompanied by proof of legal residence, proof of citizenship, and proof of age. The call for applicants was posted on the County's web-page along with the application form and background information (Exhibit C).

## **Applicants**

As a result of the call for applications, staff received the following applications which are listed in alphabetical order:

- Michael D. Anaya
- Theodore Barela
- Ambrose Castellano
- Nicole Castellano
- Deborah DeMack
- Brent Racher
- Liz Stefanics
- Jose Varela Lopez
- Michael A. Vigil
- Jose L. Villegas, Sr.

After a review of the application requirements and telephonic discussions with Mr. Ambrose Castellano, Mr. Castellano withdrew his application.

Due to the short time frame established by the Board, not all applicants were able to submit proof of U.S. Citizenship – e.g., copies of a passport, birth certificate, or consular report of birth abroad or certification of birth. Those that were not able to submit proof of U.S. Citizenship are Nicole Castellano, Brent Racher, Michael A. Vigil, Jose L. Villegas, Sr. Each of these applicants, however, swore under oath that they were U.S. Citizens and submitted what they could to support that sworn statement (e.g., a social security card).

Included within the Board's packets are the application form, letter of interest, and resume for each of the received and complete applications. We did not include supporting documentation concerning proof of legal residency, proof of citizenship, or proof of age. This supporting documentation is available for inspection by Commissioners in the County Manager's Office.



## State of New Mexico

Susana Martinez  
*Governor*

March 14, 2015

Santa Fe County Commission  
Chairman Robert Anaya  
102 Grant Avenue  
Santa Fe, NM 87504

Dear Chairman Anaya,

Due to the resignation of Senator Phil Grlego, a vacancy now exists in the Senate for District 39, a district that includes portions of your county. There are only seven days remaining in the 2015 legislative session. It is imperative that the citizens of District 39 maintain representation through the rest of the legislative session.

I am requesting that the County Commission invoke its emergency meeting provisions for the purpose of submitting a nomination to fill the vacancy. If an appointment is not made before the Senate reconvenes on Monday morning, all residents of Senate District 39 will be unrepresented and your voters will be disenfranchised. This is a serious issue affecting core constitutional rights of New Mexico residents.

Please send the County's nomination to my office by 5:00 PM tomorrow, Sunday, March 15, 2015. It is my intention to make an appointment by Monday, March 16, 2015. Please direct any questions to Nick Piatek, Director of Boards & Commissions, at [Nicholas.Piatek@state.nm.us](mailto:Nicholas.Piatek@state.nm.us) or at 505-476-2235.

Thank you for your prompt attention to this critical issue.

Sincerely yours,

A handwritten signature in cursive script that reads "Martinez".

Susana Martinez  
Governor

SM/njp

EXHIBIT

"A"

tabbles

APPLICATION FOR STATE SENATE DISTRICT 39 VACANCY

\_\_\_\_\_, being first duly sworn, states as follows:  
(Print or Type Name)

1. I wish to be nominated by the Board of County Commissioners of Santa Fe County and appointed by the Governor to the position of State Senator for State Senate District 39.

2. I am a citizen of the United States, a resident of the State of New Mexico, and a resident of New Mexico State Senate District 39. (Attach proof of U.S. Citizenship.)

3. The physical address of my residence, determined in accordance with NMSA 1978, § 1-1-7, is \_\_\_\_\_.  
\_\_\_\_\_. (Attach proof of physical residency.)

4. I am 25 years of age or older. (Attach copy of driver's license or other proof of age.)

5. I am a qualified elector, meaning that I am a resident of the State and qualified to vote under the provisions of the constitution of New Mexico and the constitution of the United States.

6. Check and, if applicable, complete only one of the following alternative statements. Please note that notaries public and officers of the militia who receive no salary are not considered offices of trust or profit within the meaning of N.M. Const. art. IV, § 3.

☐ I do not hold any office of trust or profit with the state, county, or national governments.

OR

☐ I hold the following office(s) of trust or profit with the state, county, or national governments: \_\_\_\_\_  
\_\_\_\_\_.

I understand and agree that, if appointed by the Governor to the position of State Senator for Senate District 39, I must resign from each of these positions before qualifying for office.

7. The information and statements in my letter of interest and resume accompanying my application are true and correct to the best of my knowledge, information, and belief.

\_\_\_\_\_  
Signature of Applicant

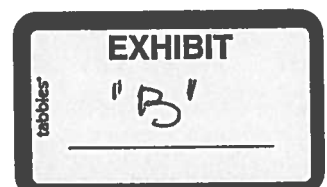
NOTARIZATION

State of \_\_\_\_\_  
(County) of \_\_\_\_\_

Signed and sworn to (or affirmed) before me on March \_\_\_\_\_, 2015, by \_\_\_\_\_.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Notarial Officer





(i)

[HOME \(/\)](#)[CONTACT \(/contact\\_us\)](#)[Home \(http://www.santafecountynm.gov\)](http://www.santafecountynm.gov) » News and Articles </rss/news.php>

## Santa Fe County Seeks Applicants for State Senate District 39 Seat - Deadline is 5 p.m. on Wed., March 18, 2015

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March 16, 2015

**Santa Fe County Seeks Applicants for State Senate District 39 Seat Deadline is 5 p.m. on Wednesday, March 18, 2015**

The Board of County Commissioners (BCC) of Santa Fe County is accepting applications from individuals interested in representing State Senate District 39. The senate seat is vacant following the recent resignation of former Senator Phil Griego.

Interested persons must submit (i) a one-page application and supporting documentation concerning constitutional requirements for holding this office; (ii) a letter of interest explaining their interest and qualifications for the position; and (iii) a resume. The one page application must be notarized.

### One Page Application » (<http://www.santafecountynm.gov/userfiles/ApplicationSenateSe>

All required submittals must be delivered by hand to the Santa Fe County Manager's Office, ATTN: Tony Flores, Deputy County Manager, 102 Grant Ave. Santa Fe NM 87504, or via email at [tflores@santafecountynm.gov](mailto:tflores@santafecountynm.gov) (<mailto:tflores@santafecountynm.gov>) by 5 p.m. on Wednesday, March 18, 2015.

The BCC will consider applications at a special meeting at 10 a.m. on Friday, March 20, 2015. The Board will submit one name to the Governor, who will make the appointment from names submitted to her by each county within Senate District 39.

#### Background

The Board of County Commissioners unanimously voted during an Emergency Meeting on Sunday, March 15, 2015 to solicit applications from persons interested in being appointed to the vacant senate seat through 5 p.m. on Wednesday, March 18 at 5 p.m. The BCC will hold a special meeting on Friday, March 20 at 10 a.m. to consider applications for possible recommendation.

Additional information regarding the Emergency Meeting including the agenda, letter from Governor Martinez to the BCC, and the letter from the BCC Chair, Robert A. Anaya to Governor Martinez is posted on the County website as packet material under the emergency meeting [http://www.santafecountynm.gov/event\\_detail/3612](http://www.santafecountynm.gov/event_detail/3612) ([http://www.santafecountynm.gov/event\\_detail/3612](http://www.santafecountynm.gov/event_detail/3612)).



## Community

Public Comment Form  
[\(/contact\\_us/public\\_comment\\_form\)](/contact_us/public_comment_form)  
 Report a Road Concern  
[\(/public\\_works/road\\_concern\)](/public_works/road_concern)  
 Report Graffiti [\(/public\\_works/graffiti\)](/public_works/graffiti)  
 Report An Ethics Violation  
[\(/committees/county\\_ethics\\_board\)](/committees/county_ethics_board)  
 Inmate Lookup  
[\(/corrections/adultfacility/inmate\\_lookup\)](/corrections/adultfacility/inmate_lookup)  
 Voter Registration, Election, Wedding  
 License, Deeds [\(/clerk\)](/clerk)  
 Interactive Maps  
[\(/growth\\_management/gis/gisconfirm\)](/growth_management/gis/gisconfirm)  
 Solid Waste Information & Permits  
[\(/public\\_works/solidwaste\)](/public_works/solidwaste)  
 Emergency & Preparedness  
[\(/fire/emergency\\_management\\_division/plan\\_for\\_emergencies\)](/fire/emergency_management_division/plan_for_emergencies)

## Business

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[\(/treasurer\)](/treasurer)  
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[\(/growth\\_management/building\\_development\\_services/permit\\_applications\)](/growth_management/building_development_services/permit_applications)  
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[\(/assessor/online\\_tools/assessment\\_information\\_search\)](/assessor/online_tools/assessment_information_search)

## Government

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 Budget & Financial Information  
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[\(/ordinances\\_and\\_resolutions\)](/ordinances_and_resolutions)  
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# **Santa Fe County Board of County Commission**

**March 20, 2015**

## **Senate District 39 - List of Applicants**

*(Listed in Alphabetical Order)*

### **TAB**

### **APPLICANT**

**1.**

**Michael D. Anaya**

**2.**

**Theodore Barela**

**3.**

**Nicole Castellano**

**4.**

**Deborah DeMack**

**5.**

**Brent Racher**

**6.**

**Liz Stefanics**

**7.**

**Jose Varela Lopez**

**8.**

**Michael A. Vigil**

**9.**

**Jose L. Villegas, Sr.**