

THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

RESOLUTION NO. 2014 - 145

**A RESOLUTION DELEGATING AUTHORITY TO THE COUNTY MANAGER TO
NEGOTIATE AND EXECUTE A WRITTEN AGREEMENT BETWEEN THE COUNTY
AND OCENTRO ESPIRITA BENEFICENTE UNIAO DO VEGETAL, NUCLEO SANTA
FE MEMORIALIZING THE PARTIES' MUTUAL UNDERSTANDINGS
CONCERNING IMPLEMENTATION OF THEIR SETTLEMENT AGREEMENT**

WHEREAS, Santa Fe County ("County") and the OCentro Espirita Beneficente Uniao Do Vegetal, Nucleo Santa Fe ("UDV") are parties to that certain Settlement Agreement, dated November 8, 2012, which ended pending litigation between the parties in the United States District Court, District of New Mexico, Case No. 12-CV-00105 JB/LFG; and

WHEREAS, on November 27, 2012, pursuant to the Settlement Agreement, the County adopted a Revised Order, which granted UDV's request for Master Plan and Preliminary Development Plan approval for a community service facility (the "Project") at 5 Brass Horse Road Santa Fe NM; and

WHEREAS, the Settlement Agreement was attached to the Revised Order, and the Revised Order provided that additional conditions set forth in the Settlement Agreement shall also apply to the Project; and

WHEREAS, implementation of the Settlement Agreement requires the parties to develop mutual understandings on such things as infrastructure design, project management, and costs, which mutual understandings should be memorialized in a written agreement; and

WHEREAS, the Board of County Commissioners ("Board") desires to delegate to the County Manager the authority to negotiate with UDV and execute on behalf of the County a written agreement memorializing the parties' mutual understandings concerning implementation of the Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Board hereby delegates to the County Manager the authority to negotiate with UDV and execute on behalf of the County a written agreement memorializing the parties' mutual understandings concerning implementation of the Settlement Agreement; provided, however, that such agreement cannot commit the County to expenditures in excess of \$420,000 without further authorization from the Board.

2. Funding for capital expenditures up to the maximum authorized in this Resolution shall come from the litigation set aside within the County general fund.

PASSED, APPROVED, AND ADOPTED this 9th day of December, 2014.

THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY

By: _____

Daniel W. Mayfield, Chair

