

SANTA FE COUNTY
RESOLUTION NO. 2017 - 127

**A RESOLUTION TO DISCUSS WITH THE SANTA FE CITY COUNCIL
MODIFICATIONS TO THE ANNEXATION SETTLEMENT AGREEMENT AND
PHASING AGREEMENTS**

WHEREAS, on May 29, 2008, the City of Santa Fe (City) and Santa Fe County (County) entered into a Settlement Agreement directing the City to annex certain lands in order to create a clear identifiable City boundary referred to as the Presumptive City Limits; and

WHEREAS, the City and County (Parties) executed a Phasing Agreement on February 10, 2009, dividing the annexation into three phases, encompassing 18 discrete areas; and

WHEREAS, Amendment No. 1 to the Annexation Phasing Agreement Between the City of Santa Fe and Santa Fe County, executed on May 20, 2013, altered the annexation, such that Area 18 was removed from annexation and will remain part of the County, and Area 1 was divided into two components, a portion of which was included in annexation Phase II and a portion of which is slated for annexation in Phase III; and

WHEREAS, the City adopted Ordinance 2009-51, which was recorded on November 10, 2009 and which annexed Phase I, including areas 3, 6, 8, 9, 10, 11, 13, 15, 16, 17 and the I-25 right-of-way from NM 599 to Old Pecos Trail and that portion of NM 14 from I-25 to the current City limits; and

WHEREAS, on June 10, 2013, the Parties entered into a Roadway Improvement MOU which required the County to improve certain roadways to bring them up to customary County maintenance standards before they were turned over to the City, and that the Parties share equally the cost of certain drainage improvements to that portion of Alameda Road between Camino Carlos Rael and a point .21 miles West of Siler Road; and

WHEREAS, on November 27, 2013, the City of Santa Fe recorded Ordinance 2013-36 annexing Phase 2 into the City, including a portion of Area 1, north of the right-of-way boundary of West Alameda Street to the existing City limits, and Areas 2, 4, 5, 7 and 12, along with the NM 599 right-of-way between I-25 and the city limits east of Camino La Tierra; and

WHEREAS, Phase III of annexation is scheduled to be completed by June 10, 2018, and will include the remainder of Area 1, North of Alameda and Area 14;

WHEREAS, the Parties held a joint meeting of the City Council and the Board of County Commissioners (BCC) on June 15, 2017, at which various aspects of annexation were discussed, including Commissioner Hansen's request to discuss removing the remainder of Area 1 from the Settlement Agreement so that it is not annexed into the City, the possibility of reinstating Area 18 into Phase III of the annexation, the need to develop plans for completion of the drainage improvements to Alameda Road, and transfer of

ownership of a park on South Meadows from the County to the City now that the park is within the Presumptive City Limits; and

WHEREAS, the BCC desires to continue discussions with the Santa Fe City Council regarding the annexation related matters raised during the June 15, 2017, meeting.

NOW, THEREFORE, BE IT RESOLVED that:

1. The BCC requests to discuss the following topics with the City:
 - a. Commissioner Hansen's request to discuss removing the remainder of Area 1 from the Settlement Agreement so that it is not annexed into the City;
 - b. Reinstatement of Area 18 into Phase III of the annexation;
 - c. Development of plans for completion of the drainage improvements to Alameda Road, including which party will take responsibility for planning, designing, and constructing the necessary drainage improvements; and
 - d. Transfer of ownership of a park on South Meadows from the County to the City.
2. The County Manager shall forward this Resolution to the Mayor and City Manager of Santa Fe with a request for proposed dates for a joint meeting at which the aforementioned topics will be discussed.

PASSED, APPROVED, AND ADOPTED THIS 14th DAY OF NOVEMBER, 2017.

BOARD OF COUNTY COMMISSIONERS



 Henry P. Roybal, Chair


ATTESTATION:



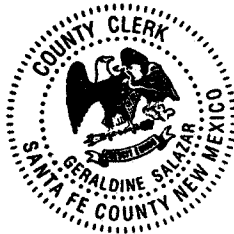
 Geraldine Salazar, Santa Fe County Clerk



APPROVED AS TO FORM:



 R. Bruce Frederick, Santa Fe County Attorney




COUNTY OF SANTA FE)
 STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
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I Hereby Certify That This Instrument Was Filed for Record On The 15TH Day Of November, 2017 at 11:38:10 AM And Was Duly Recorded as Instrument # 1841436 Of The Records Of Santa Fe County

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Witness My Hand And Seal Of Office
 Deputy  Geraldine Salaza
 County Clerk, Santa Fe, NM

SFC CLERK RECORDED 11/15/2017