

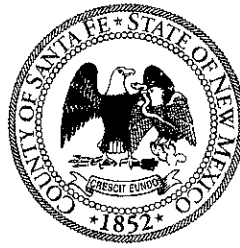
NO PACKET MATERIAL
FOR THIS ITEM

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FOR THIS ITEM

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: December 11, 2012

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KW*

FROM: *CB* Chris M. Barela, Constituent Service Liaison District 3

RE: Resolution supporting the City of Santa Fe to adopt an Airport Road Overlay District that incorporates healthy food zones

BACKGROUND AND SUMMARY:

On the agenda for your consideration: A Resolution Supporting the City Santa Fe to incorporate a healthy food zone into proposed zoning legislation called the Airport Road Overlay District, in order to make it easier for the residents of the Airport Road area to buy fresh, nutritious food close to home, school and work.

REQUEST ACTION:

Commissioner Robert A. Anaya respectfully requests that the Board of Santa Fe County Commissioners support and approve this Resolution.

**SANTA FE COUNTY
RESOLUTION NO. _____**

**A RESOLUTION SUPPORTING
THE CITY OF SANTA FE'S PLAN TO ADOPT
AN AIRPORT ROAD OVERLAY DISTRICT
THAT INCORPORATES HEALTHY FOOD ZONES**

WHEREAS, communities from across the Country have incorporated healthy food zones into their communities by giving incentives to lure supermarkets and farmers' markets to "food deserts," or encouraging corner stores to stock fruits and vegetables;

WHEREAS, communities have also established healthy food zones near schools to ban fast-food restaurants in order to increase student participation in school meals;

WHEREAS, in 2011 the City of Santa Fe adopted Resolution 2011-15, A Resolution Directing Staff to Develop Various Initiatives for the Airport Road Area in Order to Promote a Healthy, Progressive and Safe Community;

WHEREAS, the City of Santa Fe is now considering adoption of a resolution directing staff to incorporate a healthy food zone into proposed zoning legislation called the Airport Road Overlay District, in order to make it easier for the residents of the Airport Road area to buy fresh, nutritious food close to home, school, and work;

WHEREAS, the Airport Road area will likely be annexed into the City of Santa Fe in the near future, and thus the population in that area is of concern to both the City of Santa Fe and Santa Fe County; and

WHEREAS, residents of Santa Fe County will benefit from a healthy food zone in the Airport Road area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR SANTA FE COUNTY to support the City of Santa Fe's efforts to establish healthy food zones in the Airport Road area.

PASSED, APPROVED and ADOPTED this ___ day of _____, 2012.

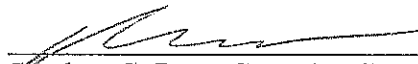
BOARD OF COUNTY COMMISSIONERS

Liz Stefanics, Chair

ATTEST:

Valerie Espinoza, Santa Fe County Clerk

APPROVED AS TO FORM:

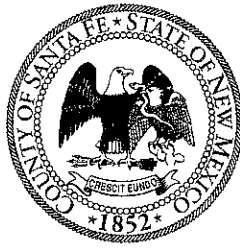


Stephen C. Ross, Santa Fe County Attorney

Daniel "Danny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: December 11, 2012

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM 12/11/12*

FROM: *CB* Chris M. Barela, Constituent Service Liaison District 3

RE: Resolution supporting La Bajada Mutual Domestic Water Consumers Association

BACKGROUND AND SUMMARY:

On the agenda for your consideration: A Resolution Supporting the La Bajada Mutual Domestic Water Consumers Association (MDWCA) and its efforts to have the New Mexico Finance Authority remove two readiness to proceed items required before closing on the Water Trust Board funding granted to Santa Fe County for the La Bajada Water System Improvement. The MDWCA has indicated its desire to abide by all submission requirements exclusive of item (f) on the resolution: Copy of resolution from Santa Fe County that Santa Fe County assumes ownership of the MDWCA and item (g) on the resolution: Verification of MDWCA assets being transferred to Santa Fe County.

REQUEST ACTION:

Commissioner Robert A. Anaya respectfully requests that the Board of Santa Fe County Commissioners support and approve this Resolution.

SANTA FE COUNTY

RESOLUTION NO. 2012-_____

A RESOLUTION SUPPORTING THE LA BAJADA MUTUAL DOMESTIC WATER CONSUMERS ASSOCIATION (MDWCA) AND ITS EFFORTS TO HAVE THE NEW MEXICO FINANCE AUTHORITY REMOVE TWO READINESS TO PROCEED ITEMS REQUIRED PRIOR TO CLOSING ON THE WATER TRUST BOARD FUNDING GRANTED TO SANTA FE COUNTY FOR THE LA BAJADA WATER SYSTEM IMPROVEMENT PROJECT

WHEREAS, on April 25, 2012 the Water Trust Board approved funding for Santa Fe County for the La Bajada Water System Improvement Project (WTB-256);

WHEREAS, the Board of Directors of the New Mexico Finance Authority (NMFA) met on June 22, 2012 to approve the final terms, structure and conditions of the Water Project Funding for the La Bajada Water System Improvement Project;

WHEREAS, the approved funding requires a 10% loan component in the amount of \$20,000 with a twenty year term at a net effective interest rate of .25% (0% interest rate with an administrative fee component of ¼ of 1%) and 90% grant in the amount of \$180,000;

WHEREAS, the loan component of the Water Trust Board funding will be subordinate to MDWCA's existing debt and provides for hardship waivers of annual principal payments as determined by the New Mexico Department of Finance and Administration;

WHEREAS, the Water Trust Board loan and grant are to be used by Santa Fe County for the construction of a community well as the supply of water and to replace the existing water tank for the MDWCA;

WHEREAS, to close on the funding from the Water Trust Board, the following readiness to proceed items must be submitted to NMFA:

- (a) Copy of detailed cost estimates for project;
- (b) A monthly draw-down schedule of project expenditures (estimated);
- (c) Verification from OSE that the project has secured all necessary permits and water rights;
- (d) Verification from NMED that the system is in compliance with all regulatory requirements;
- (e) Approval from NMED on all construction plans and specifications;
- (f) A copy of a resolution from Santa Fe County that Santa Fe County assumes ownership of the MDWCA assets;
- (g) Verification of the MDWCA assets being transferred to Santa Fe County;
- (h) Verification of the 10% match requirement in the amount of \$20,000;
- (i) Verification of the loan repayment;

- (j) All contingencies must be satisfied by April 24, 2013; and
- (k) Any additional information requested by the NMFA or Water Trust Board.

WHEREAS, the MDWCA has indicated its desire to abide by all submission requirements exclusive of item (f) Copy of resolution from Santa Fe County that Santa Fe County assumes ownership of the MDWCA and item (g) Verification of MDWCA assets being transferred to Santa Fe County.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for Santa Fe County supports the MDWCA in its effort to have NMFA remove Readiness to Proceed items (f) and (G) from the requirements for closing on the loan/grant agreement for Water Trust Board funding so that the MDWCA can continue to own their water system.

PASSED, APPROVED, and ADOPTED this 11th day of December, 2012.

BOARD OF COUNTY COMMISSIONERS

LIZ STEFANICS, CHAIR

ATTEST:

VALERIE ESPINOZA, SANTA FE COUNTY CLERK

APPROVED AS TO FORM:

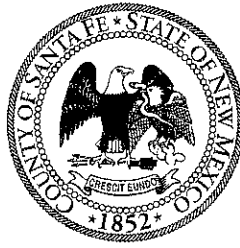


STEPHEN C. ROSS, SANTA FE COUNTY ATTORNEY

Daniel "Darny" Mayfield
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Kathy Holian
Commissioner, District 4

Liz Stefanics
Commissioner, District 5

Katherine Miller
County Manager

DATE: December 11, 2012

TO: Board of County Commissioners

VIA: Katherine Miller, County Manager *KM 12.4.12*

FROM: *CB* Chris M. Barela, Constituent Service Liaison District 3

RE: Request approval of limited utility easement on Santa Fe County

BACKGROUND AND SUMMARY:

On the agenda for your consideration: Request Approval of Limited Utility Easement on Santa Fe County Property for Use by Public Service Company of New Mexico, a New Mexico Corporation, New Mexico Gas Company Inc., a New Mexico Corporation, and the REDI NET Board, a Board created by the joint Powers Agreement for Management of the REDI Middle Mile Broadband Network By and Among the North Central New Mexico Economic Development District in support of Broadband Access in Santa Fe County.

Approval of this item will create an easement needed to supply electric and gas utilities to the REDI NET broadband, Point of Presence (POP), communication hub located on the Santa Fe County Fairgrounds property.

The Point of Presence communications hub is part of the overall infrastructure being constructed to provide a regional internet broadband network for Santa Fe County and adjoining rural communities. REDI Net is a joint-powers-agreement created entity of which Santa Fe County participates along with The North Central New Mexico Economic Development District, the incorporated county of Los Alamos, the City of Espanola, Rio Arriba County, Ohkay Owingeh, the Pueblo of Santa Clara, the Pueblo of Pojoaque and the Pueblo of Tesuque.

REQUEST ACTION:

Commissioner Robert A. Anaya respectfully requests that the Board of Santa Fe County Commissioners support and approve this agenda item.

LIMITED UTILITY EASEMENT

The County of Santa Fe, New Mexico, a political subdivision of the State of New Mexico, by its Board of County Commissioners (hereinafter "Grantor"), in exchange for one dollar of consideration, the receipt of which is hereby confirmed, does hereby grant and convey to Public Service Company of New Mexico, a New Mexico Corporation, New Mexico Gas Company Inc., a New Mexico Corporation, and the REDI NET, a Board created by the Joint Powers Agreement For Management Of The REDI Middle Mile Broadband Network By And Among The North Central New Mexico Economic Development District, The Incorporated County Of Los Alamos, Santa Fe County, The City of Espanola, Rio Arriba County, Ohkay Owingeh, The Pueblo Of Santa Clara, The Pueblo Of Pojoaque, And The Pueblo Of Tesuque, their successors and assigns, (hereinafter "Grantee") a gas, electrical and broadband utility easement, as described on the Easement Plat, attached hereto and incorporated herein as Exhibit A, to be utilized for the sole purpose of providing electrical power, gas and broadband cable to the broadband box located on the subject property.

The Easement is subject to the following terms and conditions:

- a) This Easement shall be interpreted under the laws of the State of New Mexico.
- b) This Easement may be modified only by a written document signed and notarized and recorded in the official records of Santa Fe County, New Mexico.
- c) This Easement is solely for the purpose of providing electrical power, gas and broadband cables for the REDI NET broadband system and other County purposes from Rodeo Road to the utility building located on the property. PNM and New Mexico Gas Company Inc. shall not utilize the easement to provide services to customers beyond the property boundaries unless so authorized by the Board of County Commissioners of Santa Fe County.
- d) This Easement includes the right of ingress and egress for crews and machinery to install, maintain, repair and remove gas, electric and broadband infrastructure for the aforementioned purpose.


SANTA FE COUNTY, GRANTOR

Liz Stefanics, Chair
Board of County Commissioners

ATTEST

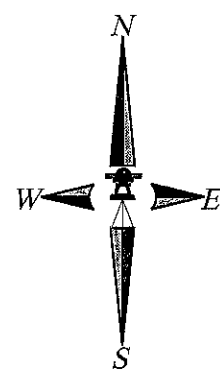
VALERIE ESPINOZA
Santa Fe County Clerk

APPROVED AS TO FORM:



STEPHEN C. ROSS
Santa Fe County Attorney

EXHIBIT A



SCALE 1" = 100'

LEGEND/DEED-PLAT REFERENCES

- 1) REFERENCE A PLAT OF SURVEY TITLED, "LANDS SURVEYED FOR THE RODEO DE SANTA FE, SANTA FE COUNTY, NM," DATED 04/29/1958 BY WALTER G. TURLEY, N.M.P.E. & P.S.95 HAVING PROJECT No.58 F 16
- 2) REFERENCE A WARRANTY DEED FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK AS INSTRUMENT No. 231793, DATED 12/31/1958
- 3) REFERENCE A PLAT OF SURVEY TITLED, "BOUNDARY SURVEY/LOT LINE ADJUSTMENTS FOR THE RODEO PROPERTY ET. AL," DATED 12/03/95 BY RICHARD A. MORRIS, N.M.L.S. 10277 AND FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK IN PLAT BOOK 336 PAGES 16-17 AS INSTRUMENT 94836
- 4) REFERENCE SANTA FE EXTRATERRITORIAL LAND USE AUTHORITY ORDINANCE No.2009-01 FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK AS INSTRUMENT No.1576351
- 5) REFERENCE "SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS," IDENTIFIED AS ITEM#08-0382, UNRECORDED, AVAILABLE FROM SANTA FE COUNTY

- MONUMENT FOUND AND USED, AS NOTED
- COMPUTED POINT
- ⚡ UTILITY POLE, OVERHEAD UTILITY LINES, AND POLE GUY ANCHOR WHERE APPLICABLE

NOTES:

BASIS OF BEARING IS GEODETIC AZIMUTH BASED ON GPS OBSERVATIONS. ANY MONUMENTED LINE NOTED HEREON MAY BE UTILIZED AS A LOCAL BASIS OF BEARINGS.

BEARINGS ARE NM STATE PLANE CENTRAL ZONE - NAD83
DISTANCES ARE REFERRED TO 6800' AMSL
DISTANCES ARE GROUND
COMBINED SCALE FACTOR 0.999583883

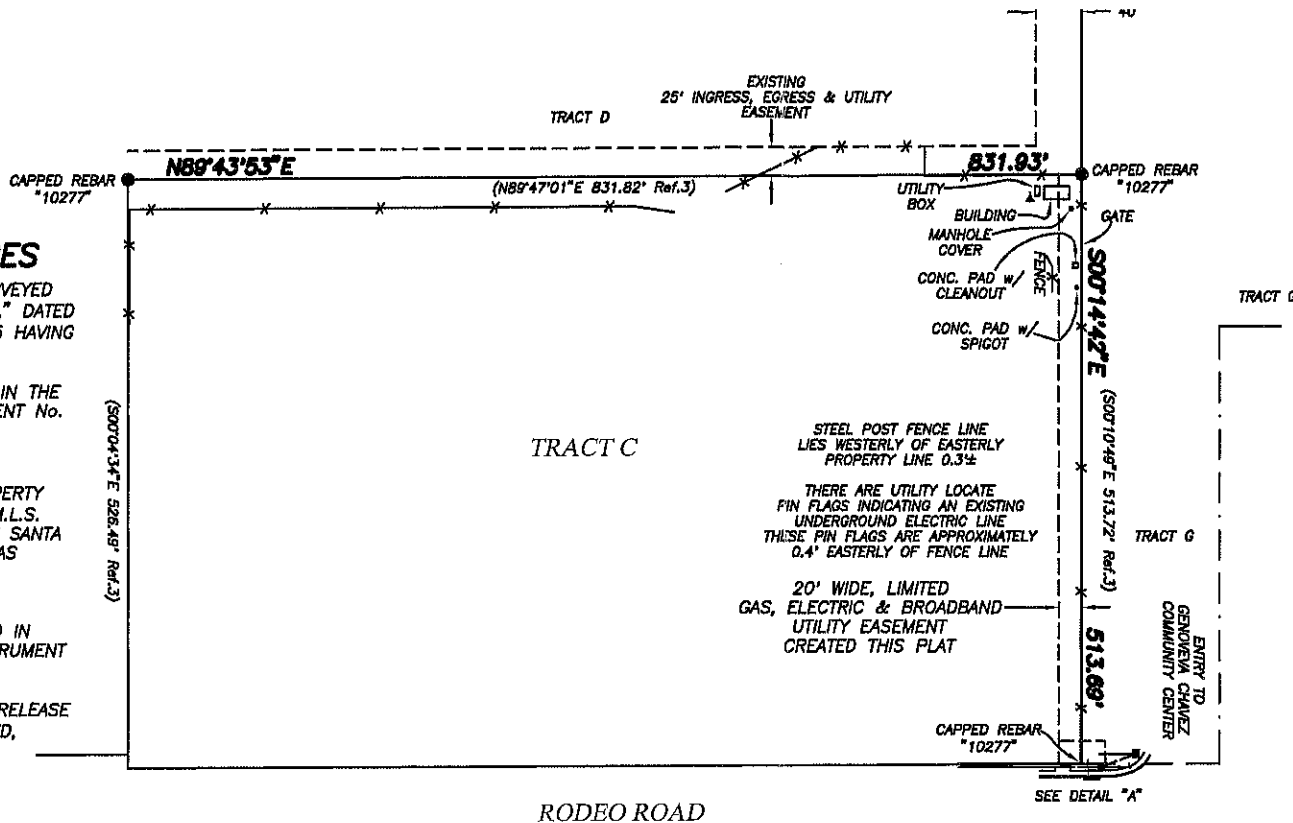
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS EASEMENT SURVEY PLAT AND THE FIELD SURVEY ON WHICH IT IS BASED WAS MADE BY ME OR UNDER MY PERSONAL DIRECTION AND CONTROL, AND THAT THE DATA SHOWN HEREON ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM REQUIREMENTS OF THE STANDARDS FOR LAND SURVEYS IN NEW MEXICO AS ADOPTED BY THE NEW MEXICO STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND SURVEYORS. FIELD WORK COMPLETED ON 10/30/2012.

Jeffery Ludwig

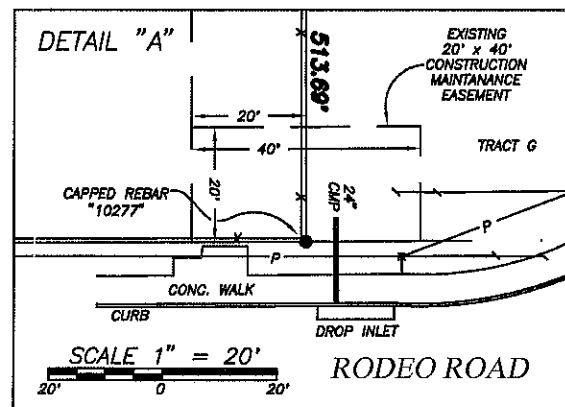
11/26/2012

JEFFERY L. LUDWIG N.M.L.S. 13054 DATE



RODEO ROAD

REFERENCE GRANT OF EASEMENT DOCUMENT TITLED, "LIMITED UTILITY EASEMENT," FILED FOR RECORD IN THE OFFICE OF THE SANTA FE COUNTY CLERK AS INSTRUMENT No. _____ BOOK _____, PAGE _____



SCALE 1" = 20'

RODEO ROAD

CONSENT AFFIDAVIT

KNOW ALL PERSONS BY THESE PRESENTS:

THAT THE UNDERSIGNED OWNER AND PROPRIETOR HAS REVIEWED THIS PLAT. SAID PLAT WAS PREPARED TO SHOW THE CREATION OF AND GRANTING OF, BY SEPARATE DOCUMENT, A 20 FOOT WIDE LIMITED GAS, ELECTRIC AND BROADBAND UTILITY EASEMENT WITHIN TRACT C, FOR THE BENEFIT OF NEW MEXICO GAS, PNM ELECTRIC AND REDI NET, ALL AS SHOWN HEREON LYING WITHIN THE COUNTY OF SANTA FE, NEW MEXICO. ALL THAT APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND PROPRIETOR. THESE LANDS LIE WITHIN THE PLANNING AND PLATTING JURISDICTION OF THE COUNTY OF SANTA FE, NEW MEXICO.

LIZ STEFANICS, CHAIR BOARD OF COUNTY COMMISSIONERS - SANTA FE COUNTY DATE

STATE OF NEW MEXICO }
COUNTY OF SANTA FE }

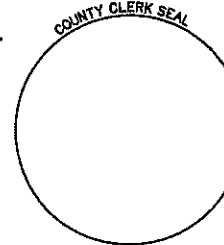
ON THIS _____ DAY OF _____, 2012 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY THE PERSON(S) WHOSE NAME(S) APPEAR ABOVE.

NOTARY PUBLIC

COMMISSION EXPIRES

COUNTY OF SANTA FE)
STATE OF NEW MEXICO)SS
I hereby certify that this instrument was filed for record on the _____ day of _____ A.D. 20____ at _____ o'clock _____ m. and was duly recorded in book _____ page _____ of the records of Santa Fe County.

Witness my hand and Seal of Office
Valerie Espinoza
County Clerk, Santa Fe County, N.M.



Deputy

UPC 1-051-096-150-025
INDEXING INFORMATION FOR COUNTY CLERK

| | | | | |
|---|--------------------------------|----------------------|---------------|-----------|
| CORNERSTONE LAND SURVEYING JEFFERY L. LUDWIG N.M.L.S. No.13054 505-690-7010 CELL 505-471-5477 OFFICE P.O. BOX 8348 SANTA FE, NEW MEXICO 87504 | SECTION(s) | EASEMENT SURVEY PLAT | | SCALE |
| | 4 | PREPARED FOR | | 1" = 100' |
| | TOWNSHIP | SANTA FE COUNTY | | DATE |
| | T-16-N | AFFECTING | | 11/26/12 |
| | RANGE | TRACT C | | DRAWN-BY |
| R-9-E | 3229 RODEO ROAD | | CLS | |
| GRANT | COUNTY OF SANTA FE, NEW MEXICO | | CHECKED-BY | |
| N/A | | | JLL | |
| N.M.P.M. | | | PROJECT No. | |
| | | | SFC ESMT Tr.C | |

EXHIBIT A

NO PACKET MATERIAL
FOR THIS ITEM

NO PACKET MATERIAL
FOR THIS ITEM

**NO PACKET MATERIAL FOR THIS
ITEM**

EXECUTIVE SESSION

NO PACKET MATERIAL
FOR THIS ITEM