

**STATE OF NEW MEXICO  
COUNTY OF RIO ARRIBA  
FIRST JUDICIAL DISTRICT**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO ARRIBA and**

**NO. D-117-CV-2016-00254**

**THE CITIZENS FOR ACCESSIBLE AND  
REPRESENTATIVE GOVERNMENT,**

**Petitioners**

**v.**

**THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF SANTA FE,**

**Respondent.**

**COMBINED ANSWER AND BRIEF IN OPPOSITION TO THE VERIFIED PETITION  
FOR A WRIT OF MANDAMUS IN THE FIRST JUDICIAL DISTRICT COURT**

The Board of County Commissioners of the County of the Santa Fe (“Board”), by and through its undersigned counsel, submits this answer and brief in opposition to the Verified Petition for a Writ of Mandamus in the First Judicial District Court (“Verified Petition”).

**I. PRELIMINARY STATEMENT.**

The City of Española (“Española”) lies partly within Rio Arriba County and partly within Santa Fe County. A citizen petition was submitted to the Board pursuant to NMSA 1978, § 4-33-2 requesting that the Española portion of Santa Fe County be annexed to Rio Arriba County. At a public meeting, the Board voted to disapprove the citizen petition on the ground that it was facially deficient, in that it failed to set forth facts required by law to be included in the petition. Consequently, it did not cause notice of the petition to be published in one or more newspapers of general circulation in each county affected, a necessary step in the annexation process. The Verified Petition requests a writ of mandamus be issued compelling the Board to publish notice.

Fatally flawed, both procedurally and on the merits, the Verified Petition must be dismissed and the requested writ denied.

Procedurally, the Verified Petition must be dismissed:

- Due to improper venue, since the Board may only be sued in Santa Fe County, pursuant to NMSA 1978, § 38-3-2; and
- Because Petitioners lack standing. The Board of County Commissioners of Rio Arriba County is not beneficially interested in this matter. Neither it nor its citizens have the right to sign the annexation petition or vote in the annexation election, should one be held.

The other petitioner, Citizens for Accessible and Representative Government (CARG), does not appear to have the capacity to sue and be sued.

On the merits, the Verified Petition fails because:

- A county annexation petition must set forth facts showing that “it will be more convenient for the residents of any portion of a county to travel to the county seat of some other contiguous county” **and** (ii) “it will be more convenient and economical for such other county to render governmental services to such portion of such other county”. Here, the citizen petition submitted to the Board did not even mention the county seat of Rio Arriba County, Tierra Amarilla, let alone set forth facts showing it would be more convenient to travel to Tierra Amarilla than the county seat of Santa Fe County, the City of Santa Fe.
- Accordingly, the Board had no legal duty to publish notice of the petition, since the Board’s duty to act arises only if presented with a legal petition.

The Verified Petition contains a slew of well poisoners intended to divert the Court's attention from the narrow legal issues presented. Those well poisoners are incredible on their face (e.g., that the Santa Fe County Clerk forsook her constitutional oath of office so as to put the kibosh on the citizen petition and that, in blatant violation of the Open Meetings Act, the Board amended its agenda on the day of its May 10, 2016, meeting to add the citizen petition), contradicted by the Verified Petition itself, and refuted by the sworn testimony of Santa Fe County officials and employees attached hereto.

## **II. PROCEDURAL POSTURE AND OVERVIEW OF PLEADING.**

The Verified Petition was filed on August 1, 2016. Contrary to Rule 1-065(C), the Verified Petition was not accompanied by the proposed form of writ in the form proscribed by Rule 1-065(E).

In lieu of an alternative writ, on August 2, 2016, the Board was served with an ordinary summons commanding it to respond to the Verified Petition within thirty days of service; i.e., by September 1, 2016. This Combined Answer and Brief in Opposition to the Verified Petition is, therefore, timely filed.

The Combined Answer and Brief in Opposition to the Verified Petition is divided into the following parts. Part III contains an index of attached exhibits, consisting of sworn declarations of Santa Fe County officials and employees. Part IV contains the Board's answer, in the forms of admissions and denials, to the numbered factual allegations in the Verified Petition as well as affirmative defenses. Part V contains a brief response to the alleged nefarious conduct on the part of Santa Fe County. Part VI contains the Board's legal argument as to why the Verified Petition should be dismissed or the requested writ denied.

### **III. INDEX OF ATTACHED EXHIBITS.**

- Exhibit 1 – Declaration of Geraldine Salazar, Santa Fe County Clerk, dated September 1, 2016 (“G. Salazar Declaration”).
- Exhibit 2 – Declaration of Tony T. Flores, Deputy Santa Fe County Manager, dated September 1, 2016 (“Flores Declaration”).
- Exhibit 3 – Declaration of Philip Salazar, Election Administrative Specialist, Santa Fe County, dated September 1, 2016 (“P. Salazar Declaration”).
- Exhibit 4 – Declaration of Kristine Mihelcic, Communication Coordinator, Santa Fe County, dated September 1, 2016 (“Mihelcic Declaration”).
- Exhibit 5 – Declaration of Ambra Baca, Administrative Assistant, Santa Fe County Manager’s Office, dated September 1, 2016 (“Baca Declaration”).
- Exhibit 6 – Declaration of Katherine Miller, Santa Fe County Manager, dated September 1, 2016 (“Miller Declaration”).
- Exhibit 7 – Declaration of Kathleen Ortiz, Santa Fe County Paralegal, dated September 1, 2016 (“Ortiz Declaration”).

### **IV. ANSWER TO VERIFIED PETITION AND AFFIRMATIVE DEFENSES.**

1. The Board admits the averments in Paragraph 1 of the Verified Petition.
2. The Board admits the averments in Paragraph 2 of the Verified Petition.
3. With regard to the averments in Paragraph 3 of the Verified Petition, the Board

admits that the county seat of Rio Arriba County is Tierra Amarilla. The Board is without knowledge or information sufficient to form a belief as to the truth of the remaining averments in Paragraph 3 of the Verified Petition.

4. With regard to the averments in Paragraph 4 of the Verified Petition, the Board admits that the Board of County Commissioners of the County of Rio Arriba has the power and authority to bring suits on behalf of Rio Arriba County but denies that it has standing to bring this action under NMSA 1978, § 4-46-1 (1953) or other law.

5. The Board admits the averments in Paragraph 5 of the Verified Petition.

6. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 6 of the Verified Petition.

7. The Board admits the averments in Paragraph 7 of the Verified Petition, except denies that venue is proper in Rio Arriba County pursuant to NMSA 1978, § 38-3-1 (1988).

8. The Board denies the averments in Paragraph 8 of the Verified Petition, except admits that NMSA 1978, § 44-2-5 (1953) provides in its entirety as follows: “The writ shall not issue in any case where there is a plain, speedy and adequate remedy in the ordinary course of law. It shall issue on the information of the party beneficially interested.”

9. The Board denies the averments in Paragraph 9 of the Verified Petition.

10. The Board denies the averments in Paragraph 10 of the Verified Petition, except admits that the City of Española is located partially within Rio Arriba County and partially within Santa Fe County.

11. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 11 of the Verified Petition. The Board affirmatively avers that, based upon a good faith search of the Secretary of State’s website and the records of the Santa Fe County Clerk and Rio Arriba County Clerk, CARG is not duly organized as a partnership, corporation, limited liability corporation, or other legal entity with the capacity to

sue and be sued; nor is it a registered unorganized association under NMSA 1978, § 53-10-1 with the power to sue and be sued under NMSA 1978, §§ 53-10-5 and 53-10-6.

12. The Board denies the averments in Paragraph 12 of the Verified Petition.

13. The Board denies the averments in Paragraph 13 of the Verified Petition. The Board affirmatively avers that the First Amendment to the Constitution for the United States of America provides in its entirety as follows: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.” The Board denies, however, that the Verified Petition states any claim under that amendment or that that amendment has any relevance to the legal issues presented by the Verified Petition.

14. The Board admits that Art. II, Section 8 of the Constitution of the State of New Mexico contains the quoted language. The Board denies, however, that the Verified Petition states any claim under that section or that that section has any relevance to the legal issues presented by the Verified Petition.

15. The Board admits that NMSA 1978, § 4-33-1 (1953) contains the quoted language. The Board affirmatively avers that NMSA 1978, § 4-33-1 requires two distinct and separate conditions be present before a portion of a county may be annexed to another county: viz., annexation is only justified if, because of the location and conditions of roads, or the existence or nonexistence of transportation facilities, (i) “it will be more convenient for the residents of any portion of a county to travel to the county seat of some other contiguous county” **and** (ii) “it will be more convenient and economical for such other county to render governmental services to such portion of such other county”. These two conditions are

sometimes referred to throughout the remainder of this pleading as the “County Seat Condition” and the “Governmental Services Condition”, respectively.

16. The Board admits that, except for the bracketed information inserted by the compiler, NMSA 1978, § 4-33-2 (1953) contains the language quoted in Paragraph 16 of the Verified Petition. The Board affirmatively avers that, to be legally sufficient, a petition submitted to it pursuant to NMSA 1978, § 4-33-2 must contain facts showing the existence of both the County Seat Condition and the Governmental Services Condition.

17. The Board admits that NMSA 1978, § 4-33-3 (1953) contains the language quoted in Paragraph 17 of the Verified Petition. The Board affirmatively avers that the duty to publish notice of a petition under that section arises only if all statutory prerequisites have been met, including that the petition contain facts showing the existence of both the County Seat Condition and the Governmental Services Condition.

18. The Board admits that *Cox v. City of Albuquerque*, 1949-NMSC-041, ¶ 14, 53 N.M. 334, contains the language quoted in Paragraph 18 of the Verified Petition. The Board denies *Cox* is dispositive of the issues presented in this case.

19. The Board denies the averments in Paragraph 19 of the Verified Petition, except admits that Santa Fe County includes a portion of the City of Española and that the Española portion of Santa Fe County contained approximately 1,346 registered voters as of May 6, 2016.

20. The Board denies the averments in Paragraph 20 of the Verified Petition.

21. The Board denies the averments in Paragraph 21 of the Verified Petition, except admits that Santa Fe County Clerk Geraldine Salazar received the letter attached to the Verified Petition as Exhibit 1. The Board respectfully refers the Court to that letter for the contents thereof.

22. The Board denies the averments in Paragraph 22 of the Verified Petition, including footnote 3, except admits that the December 14, 2015, letter enclosed a proposed petition form and exhibits to the proposed petition and requested that the Santa Fe County Clerk's Office "please review these documents as to form and that the documents comply with New Mexico Statutes Annotated, Chapter 4 Counties, Article 33 Creation or Change of Counties." The Board affirmatively avers that NMSA 1978, § 3-1-5 (2007) was not cited in the December 14, 2015, letter, that this section is not applicable to county annexation petitions under NMSA 1978, § 4-33-2, and that no statute requires or authorizes a county clerk to approve county annexation petitions under NMSA 1978, § 4-33-2 as to form.

23. The Board denies the averments of Paragraph 23 of the Verified Petition, except admits that the County Clerk received a voicemail message from a person purporting to be George Salazar on or about February 10, 2016, and that she returned the call on or about February 11, 2016, leaving a voicemail in which she apologized for the delay in a response and indicated that she hoped to have a response to him by 5:00 p.m. on Friday, February 12, 2016.

24. The Board denies the averments of Paragraph 24 of the Verified Petition, except admits that, on February 12, 2016, the Santa Fe County Clerk sent the letter attached to the Verified Petition as Exhibit 3. The Board respectfully refers the Court to that letter for the contents thereof.

25. The Board denies the averments of Paragraph 25 of the Verified Petition or is without knowledge or information sufficient to form a belief as to the truth of those averments, including the averments in footnote 4, except admits that the Santa Fe County Clerk received the letter attached to the Verified Petition as Exhibit 4. The Board respectfully refers the Court to that letter for the contents thereof.



26. The Board denies the averments of Paragraph 26 of the Verified Petition, except admits that, on or about February 22, 2016, the Santa Fe County Clerk discussed the proposed petition on the phone with a person whom she understood to be George Martinez and stated that she would not sign the petition, because she did not have the authority to do so, and that questions about the substance of the form should be directed to the Board.

27. The Board denies the averments of Paragraph 27 of the Verified Petition, except admits that Tony T. Flores received the email attached to the Verified Petition as Exhibit 5. The Board respectfully refers the Court to that email for the contents thereof.

28. The Board denies the averments of Paragraph 28 of the Verified Petition, including those in footnote number 5, except admits that the Santa Fe County Clerk received the letter attached to the Verified Petition as Exhibit 6 and that NMSA 1978, § 3-1-5 contains the language quoted in footnote 5. The Board respectfully refers the Court to the letter attached as Exhibit 6 for the contents thereof and affirmatively avers that NMSA 1978, § 3-1-5 is not applicable to county annexation petitions under NMSA 1978, § 4-33-2 and that no other statute requires or authorizes a county clerk to approve county annexation petitions under NMSA 1978, § 4-33-2 as to form.

29. The Board denies the averments of Paragraph 29 of the Verified Petition, except admits and affirmatively avers that a meeting was held on February 26, 2016, at the Santa Fe County Manager's Office, in attendance at which were Deputy County Manager, Tony T. Flores, County Attorney Gregory S. Shaffer, Orlando Romero, Constituent Liaison for County Commissioner Henry P. Roybal, George Martinez, and Margaret C. Campos. The Board affirmatively avers the following concerning the discussion at the meeting: (i) Santa Fe County staff explained the County Clerk's view that NMSA 1978, § 3-1-5 did not apply to the proposed

annexation petition and, therefore, that she would not be signing the proposed petition; (ii) Santa Fe County staff made clear that they had not been authorized to and were not speaking on behalf of the Board; (iii) Santa Fe County staff explained that, if the proponents of the annexation wanted the Board to review the petition prior to signatures being requested, they would have to request to be placed on the Board's agenda, the Board had meetings on March 8, 2016, and March 29, 2016, and that the proponents of the annexation should inform the Deputy County Manager by Monday, February 29, if they wanted the Board to consider the proposed petition at its March 8, 2016, meeting; (iv) Santa Fe County staff identified what it perceived to be potential facial deficiencies with the draft petition; (v) Santa Fe County staff specifically noted their understanding that NMSA 1978, § 4-33-1 contained two statutory conditions that had to be met before annexation was proper and that both conditions had to be set forth in an annexation petition; (vi) the proposed petition did not address the County Seat Condition at all; (vii) with regard to the County Seat Condition, Santa Fe County staff noted that that the county seat of Rio Arriba County was Tierra Amarilla rather than the City of Española; (viii) Santa Fe County staff expressed its understanding that mileage alone was not the test but, rather, it was the location **and** condition of roads or the existence or nonexistence of transportation facilities that determined convenience, both with regard to the County Seat Condition and the Governmental Services Condition, and the economics of providing governmental services; (ix) that, should an election be called on the question of annexation, it would be a countywide election in Santa Fe County; and (x) that the heading of the petition could be simplified and the statutory conditions precedent to annexation recited in the petition. At the end of the meeting, Santa Fe County staff provided Ms. Campos with a copy of NMSA 1978, Chapter 4, Article 33, as well as some

newspaper articles concerning the annexation by Sandoval County of the portion of the Village of Corrales that was formerly part of Bernalillo County.

30. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments of Paragraph 30 of the Verified Petition.

31. With regard to the averments in Paragraph 31 of the Verified Petition, the Board is without knowledge or information sufficient to form a belief as to the truth of the averments concerning when Ms. Campos consulted her notes of the February 26, 2016, meeting or whether she described the points set forth in Paragraph 31 as “an aside”. With regard to the points set forth in Paragraph 31 that Ms. Campos now remembers, the Board avers that those points and Ms. Campos’s notes attached to the Verified Petition as Exhibit 8 are generally consistent with the positive averments set forth in the Board’s answer to Paragraph 30 of the Verified Petition above.

32. The Board denies the averments in Paragraph 32 of the Verified Petition, except admits that, on May 3, 2016, Deputy County Manager Tony T. Flores caused the letter attached as Exhibit 10 to the Verified Petition to be sent to the recipients indicated. The Board affirmatively avers that the letter contained a typo, in that the title beneath Mr. Flores’s name read “Deputy County Attorney” rather than Deputy County Manager. The Board respectfully refers the Court to the letter for the contents thereof.

33. The Board denies the averments in Paragraph 33 of the Verified Petition, except admits that the Santa Fe County Clerk received the letter attached to the Verified Petition as Exhibit 9. The Board respectfully refers the Court to the letter for the contents thereof.

34. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 34 of the Verified Petition.

35. The Board denies the averments in Paragraph 35 of the Verified Petition or is without knowledge or information sufficient to form a belief as to the truth of those averments, except admits that, on March 14, 2016, the Santa Fe County Clerk's Office received a request for information from the Santa Fe County voter file for the "area of City of Española that is also part of Santa Fe County". [P. Salazar Declaration, ¶ 3 and Exhibit A.]

36. The Board denies the averments in Paragraph 36 of the Verified Petition.

37. The Board denies the averments in Paragraph 37 of the Verified Petition, except admits that the petition contained approximately 712 signatures and that the number of signatures was greater than 51% of the registered voters residing within the City of Española portion of Santa Fe County as of May 6, 2016.

38. The Board is without knowledge or information sufficient to form a belief as to the truth of the averments in Paragraph 38 of the Verified Petition. With regard to footnote 6 of the Verified Petition, the Board admits that NMSA 1978, § 3-1-5(E) contains the language quoted. The Board affirmatively avers that Section 3-1-5(E) is not applicable to annexation petitions pursuant to NMSA 1978, § 4-33-2.

39. The Board denies the averments in Paragraph 39 of the Verified Petition, except admits that, on May 3, 2016, Deputy County Manager Tony T. Flores caused the letter attached as Exhibit 10 to the Verified Petition to be sent to the recipients indicated. The Board affirmatively avers that the letter contained a typo, in that the title beneath Mr. Flores's name read "Deputy County Attorney" rather than "Deputy County Manager" and respectfully refers the Court to the letter for the contents thereof.

40. The Board denies the averments in Paragraph 40 of the Verified Petition, except admits that, on May 4, 2016, the letter attached to the Verified Petition as Exhibit 11 was

delivered to the County Manager's Office. The Board respectfully refers the Court to the letter for the contents thereof.

41. The Board denies the averments in Paragraph 41 of the Verified Petition, except admits that, on May 6, 2016, Deputy County Manager Tony T. Flores caused the letter attached as Exhibit 12 to the Verified Petition to be sent to the recipients indicated. The Board respectfully refers the Court to the letter for the contents thereof.

42. The Board admits the averments in Paragraph 42 of the Verified Petition. Attached as Exhibit A to the G. Salazar Declaration are true and correct copies of the documents filed with and recorded by the Santa Fe County Clerk on May 9, 2016.

43. The Board admits the averments in Paragraph 43 of the Verified Petition. The Board affirmatively avers that the full text of the motion passed by the Board read substantively as follows:

I move that we disapprove and take no further action on the petition since it is legally defective on its face because it does not set forth facts showing the existence of the statutory conditions justifying annexation. In particular the petition does not set forth facts showing that it would be more convenient for citizens in the annexed area to travel to the county seat of Rio Arriba County as opposed to the county seat of Santa Fe County because of the location and conditions of roads or the existence or non-existence of transportation facilities. Such facts are required by NMSA 1978, Sections 4-33-1 and 4-33-2.

[G. Salazar Declaration, Ex. C.]

44. The Board denies the averments in Paragraph 44 of the Verified Petition or is without knowledge or information sufficient to form a belief as to the truth of those averments, except admits that Deputy County Manager Tony T. Flores did call Mr. Martinez on May 10, 2016, as a courtesy to let him know that the Annexation Petition was on the Board's agenda. The Board affirmatively avers that the Amended Agenda for its May 10, 2016, was a matter of

public record as of Friday, May 6, 2016, when it was posted at the Santa Fe County Administrative Building and on Santa Fe County's website.

45. The Board admits that NMSA 1978, § 10-15-1(F) (2013) contains the language quoted in Paragraph 45 of the Verified Petition.

46. The Board denies the averments in Paragraph 46 of the Verified Petition, including those in footnote 7, except admits that, at the beginning of the Board's May 10, 2016, meeting, Santa Fe County Manager Katherine Miller reviewed additions to the meeting agenda that were made on Friday, May 6, 2016, when the Amended Agenda for the meeting was posted at conspicuous and appropriate places at the Santa Fe County Administrative Building and on Santa Fe County's internet website.

47. The Board denies the averments in Paragraph 47 of the Verified Petition, except admits that the N.M. Attorney General's Open Meetings Act Compliance Guide (Eighth Ed. 2015) contains the language quoted in Paragraph 47 of the Verified Petition.

48. The Board denies the averments in Paragraph 48 of the Verified Petition, except admits that the N.M. Attorney General's Open Meetings Act Compliance Guide (Eighth Ed. 2015) contains the language quoted in Paragraph 48 of the Verified Petition.

49. The Board admits the averments in Paragraph 49 of the Verified Petition.

50. The Board denies the averments in Paragraph 50 of the Verified Petition. The Board respectfully refers the Court to the letter attached to the Verified Petition as Exhibit 16 for the contents thereof.

51. The Board denies the averments in Paragraph 51 of the Verified Petition. The Board respectfully refers the Court to the letter attached to the Verified Petition as Exhibit 16 for the contents thereof.

52. The Board denies the averments in Paragraph 52 of the Verified Petition. The Board respectfully refers the Court to the letter attached to the Verified Petition as Exhibit 16 for the contents thereof.

AFFIRMATIVE DEFENSE – IMPROPER VENUE

Venue in this matter is only proper in Santa Fe County, pursuant to NMSA 1978, § 38-3-2 (1953).

AFFIRMATIVE DEFENSE – LACK OF STANDING AND LACK OF CAPACITY

Rio Arriba County is not beneficially interested within the meaning of NMSA 1978, § 44-2-5.

CARG lacks the capacity to sue and be sued.

AFFIRMATIVE DEFENSE – FAILURE TO STATE A CLAIM

The Verified Petition fails to state a claim upon which the requested relief can be granted.

V. **BRIEF RESPONSE TO SANTA FE COUNTY’S ALLEGED NEFARIOUS CONDUCT.**

On December 14, 2016, George Martinez asked Santa Fe County Clerk Geraldine Salazar to approve the proposed annexation petition “As To Form”. [Verified Petition, Exhibit 1.] This was the first time Clerk Salazar had ever been asked to review a petition seeking to have a portion of Santa Fe County annexed to another county for compliance with substantive law. [G. Salazar Declaration, ¶ 4.] She was not aware of any statute that would require her or authorize her to approve the substance of such a petition. She sought legal advice, and ultimately concluded that there was no such statute. [G. Salazar Declaration, ¶¶ 4-5.]

Clerk Salazar responded to Mr. Martinez on February 12, 2016. Because she lacked the authority to approve the substance of the proposed annexation petition, she suggested that Mr. Martinez have the Board review the proposed petition if he wanted the substance approved in

advance of gathering signatures. [Verified Petition, Exhibit 1; G. Salazar Declaration, ¶ 7.] To facilitate such a review, should Mr. Martinez want it, she gave Mr. Martinez the contact information of the Deputy County Manager, who would work with him to have the draft petition placed on the agenda for review by the Board. [*Id.*]

Nowhere in the Verified Petition do the Petitioners claim that the County Clerk's signature was required or authorized by statute. Instead, it is clear that Mr. Martinez misread NMSA 1978, § 3-1-5 as applying to the annexation petition when it did not.

To summarize to this point of the story, Mr. Martinez misread the law and asked the County Clerk to approve the substance of the annexation petition. The County Clerk did her homework before concluding that she lacked the authority to do so. She tried to facilitate what Mr. Martinez wanted – confirmation that the Annexation Petition was substantively valid – by directing him to the Board and putting him in contact with the person that could place the draft petition on the agenda. There is no nefarious conduct in these facts.

Mr. Martinez and Rio Arriba County employee Margaret C. Campos met with Santa Fe County staff on February 26, 2016. There, Mr. Martinez was again directed to the Board if he wanted officials at the County to formally review the form of the proposed petition. [Flores Declaration, ¶¶ 7-8; Verified Petition, Exhibit 8 and 10.] Santa Fe County staff, however, did note some facial deficiencies with the proposed annexation petition, including that it contained no factual allegations that it would be more convenient for the residents of the area to be annexed to travel to the county seat of Rio Arriba County. [Flores Declaration, ¶ 7; Verified Petition, Exhibit 8 (Margaret C. Campos's notes specifically record conversation about the county seat being Tierra Amarilla, as follows: "'county seat' – TA") and Exhibit 10. Mr. Flores offered to have the draft petition placed on the agenda of the Board's next meeting on March 8, 2016, or its



meeting on March 29, 2016. If Mr. Martinez wanted it considered on March 8, 2016, Mr. Flores asked to be informed of that fact by the following Monday. [Flores Declaration, ¶¶ 7-8; Verified Petition, Exhibit 8 (Margaret C. Campos's notes of the February 26, 2016, meeting reflect the Board's March meeting dates, with a "\*" next to the March 8, 2016, date and the text "inform by Monday"). As was their right, the annexation proponents proceeded without having the Board review the annexation petition in advance.

In short, Santa Fe County staff gave Mr. Martinez the opportunity to have the Board review the draft petition, but he chose not to. Santa Fe County staff pointed out what they perceived to be facial deficiencies in the draft annexation petition, including the one ultimately relied upon by the Board, and Mr. Martinez chose not to address them. There is no nefarious conduct in these facts.

Next, the Verified Petition alleges that the Santa Fe County Clerk's office refused to provide Mr. Martinez with a list of registered voters residing within the City of Española portion of Santa Fe County and the data that was provided contained hundreds of pages of entries. [Verified Petition, ¶ 36.] This is not true. [P. Salazar Declaration, ¶¶ 3-4, 9 and Exhibits A and B.] The list was provided to Mr. Martinez in Microsoft Excel format, allowing the requester to sort and print the data any way he liked. The entire list could be printed on 18 pages of 8.5" x 11" paper. [P. Salazar Declaration, ¶¶ 4, 9 and Exhibit B.]

The Petitioners also allege that the Board violated the Open Meetings Act by amending its May 10, 2016, agenda on the day of the meeting to add consideration and possible action on the annexation petition. [Verified Petition, ¶ 46.] This is not true. The Amended Agenda for the May 10, 2016, meeting was posted on the County's website and at the Santa Fe County

Administrative Building the previous Friday, May 6. [Baca Declaration, ¶ 10 and Exhibit B; Mihelcic Declaration, ¶ 5 and Exhibit B.]

The Petitioners complain that a courtesy call to Mr. Martinez on the day of the meeting informing him that the annexation petition was going to be considered at the Board's May 10, 2016, meeting was made too late. [Verified Petition, ¶ 44.] The reality, however, was that no courtesy call was required, and the Board's amended agenda had been posted on Santa Fe County's website since the previous Friday for all interested parties to see. Consequently, through the exercise of ordinary due diligence, Mr. Martinez, Rio Arriba County, and any other interested person would have known that the annexation petition was going to be considered.

The Petitioners also allege that Santa Fe County insulted Mr. Martinez and attacked his credibility when it asked him to properly file the Annexation Petition with the Santa Fe County Clerk's Office. [Verified Petition, p. 22-23.] As Mr. Flores explains, however, having the annexation petition filed with the Santa Fe County clerk was consistent with the law and a best practice in any event. Such filing allowed a permanent record to be created of what was filed, to the benefit of everyone involved, including the Court. He knows from over 17 years of experience in government that documents delivered to a government entity can get misplaced, in whole or in part, through inadvertence or otherwise. Filing the petition with the County Clerk drastically reduces, if not eliminates, the possibility that documents could be misplaced and a dispute arise about what was filed. Requiring the Annexation Petition to be filed with the Santa Fe County Clerk had nothing to do with Mr. Martinez's credibility. [Flores Declaration, ¶ 10,]

## **VI. ARGUMENT.**

### **A. The Verified Petition Must Be Dismissed for Improper Venue.**

Without citing the specific subsection they think applies, Petitioners claim that venue "is proper in Rio Arriba County pursuant to NMSA 1978, § 38-3-1." [Verified Petition, ¶ 7.]

Section 38-3-1 does not apply. Section 38-3-2 NMSA 1978 does, and it mandates that suits against the Board be brought in Santa Fe County. It provides:

All civil actions not otherwise required by law to be brought in the district court of Santa Fe county, wherein any . . . board of county commissioners is a party defendant, shall be instituted only in the district court of the county . . . for which such board of county commissioners is acting.

None of the subsections of Section 38-3-1 apply by their terms.

Subsection A applies to “transitory actions”, which, at common law, were those founded on transactions that “might have taken place anywhere”, in contrast to local actions involving transactions that “could have happened only in a particular place.” *Cooper v. Amerada Hess Corp.*, 2000-NMCA-100, ¶ 11, 129 N.M. 710, *aff’d* 2002-NMSC-020, 132 N.M. 382. Here, the Board could have only acted in Santa Fe County, since it may only meet in Santa Fe County. NMSA 1978, § 4-38-8 (requiring the board of county commissioners of a county to meet quarterly “at the county seat” of the county and at other times “**within the prescribed county**”) (emphasis added).

Section 38-3-1(B) is inapplicable because it governs suits where “the defendant has rendered himself liable to a civil action by any criminal act”. Section 38-3-1(C) is inapplicable because it governs suits “brought for the recovery of personal property other than money”, which also plainly does not apply here. Section 38-3-1(D) applies to suits where “lands or any interest in lands are the object”, in which case the suit “shall be brought in the county where the land or any portion of the land is situate.” If applicable, which it is not, this section would require suit to be brought in Santa Fe County, since the land in question – the Santa Fe County portion of the City – is situate in Santa Fe

County.<sup>1</sup> Section 38-3-1(E) is inapplicable because it governs “[s]uits for trespass on land”. Section 38-3-1(F) is inapplicable because it governs suits “against transient persons or non-residents”. Section 38-3-1(G) is inapplicable because it governs suits against “state officers”.

In sum, this action must be dismissed for improper venue, since the Board may only be sued in Santa Fe County under NMSA 1978, Section 38-3-2.

**B. Petitioners Lack Standing or the Capacity to Sue and be Sued.**

Writs of mandamus may only be issued “on the information of the party beneficially interested.” NMSA 1978, § 44-2-5 (1953). Rio Arriba County alleges that it “is beneficially interested in ensuring that the citizen petitioners of Santa Fe County who have expressed their desire in writing to be annexed into Rio Arriba County are afforded their right to a free and open election, without interference from a civil authority” and that it is “beneficially interested” in seeing Española consolidated within one county so as to resolve a “long-standing issue of ‘checkerboarding’ in the area proposed to be annexed.” [Verified Petition, ¶¶ 9-10.]

In *State ex rel. Coll v. Johnson*, 1999-NMSC-036, ¶ 14, 128 N.M. 154, the New Mexico Supreme Court analyzed what a party must show in order to demonstrate standing as a “beneficially interested” party under Section 44-2-5. Summarizing and analyzing prior cases, the Supreme Court held that a citizen may not “enforce a shared, abstract duty owed to the public at

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<sup>1</sup> In addition, the New Mexico Supreme Court has rejected efforts by local governments to manipulate venue by claiming an action involved an interest in land, so as to sue in a county other than the one required by NMSA 1978, § 38-3-2. *State ex rel. Board of County Commissioners of Harding County v. the Board of County Commissioners of County of Quay*, 1954-NMSC-124, ¶ 10, 59 N.M. 9 (challenge to annexation election results; holding that Quay County could only be sued in Quay County and rejecting argument that an interest in land was involved because “ownership of the roads and bridges is involved” and that the County set to lose territory “has a sort of interest or ownership of the lands sought to be annexed to Quay county”); *City of Albuquerque v. Village of Corrales*, 1975-NMSC-043, ¶ 9, 88 N.M. 185.

large, but that only citizens whose individual fundamental rights are infringed ‘in common with’ the individual rights of other citizens are entitled to sue for mandamus relief.” *Id.* at 18.

Accordingly, the Supreme Court ruled that petitioners lacked standing because they had no individual, fundamental right in assuring that a bill passed by the legislature and signed by the governor comports with federal and state law. *Id.*

Here, Rio Arriba County has no individual, fundamental right that it shares with the public at large. Neither it nor its citizens can sign an annexation petition seeking to have territory annexed to Rio Arriba County; nor can they vote in the election on the question of such annexation. Rather, the petition must be signed by the requisite number of “qualified electors residing within the portion of the county proposed to be annexed”. NMSA 1978, § 4-33-2. Should a court order that an election be held, the election is held in the county losing territory. NMSA 1978, § 4-33-3.

A desire in having the City Española be located entirely within one county is likewise insufficient. No one has a legal right to require a municipality to be located entirely within one county. To the contrary, state law expressly allows a municipality to span two counties. *E.g.*, NMSA 1978, § 3-2-1(A) (authorizing “residents of territory proposed to be incorporated as a municipality [to] petition the board of county commissioners of the county in which the greatest portion of the territory proposed to be incorporated lies to incorporate the territory”).

A party to litigation must have capacity to sue and be sued. Rule 1-017(C) NMRA; *Mackey v. Burke*, 1984-NMCA-028, ¶ 16, 102 N.M. 294 (“once capacity is challenged, a plaintiff must show capacity”), *overruled on other grounds*, *Chavez v. Regents of University of New Mexico*, 1985-NMSC-114, ¶ 5, 103 N.M. 606. Santa Fe County’s search of public records of the Secretary of State revealed no record that CARG is duly organized as a partnership,

corporation, limited liability corporation, or other legal entity with capacity to sue or be sued. [Ortiz Declaration, ¶ 3.] Nor has CARG taken the steps necessary to be an unincorporated association under NMSA 1978, § 53-10-1 (1953), et seq., with the power to sue and be sued under NMSA 1978, §§ 53-10-5 (1953) and 53-10-6 (1959). [Ortiz Declaration, ¶¶ 4-5.]

**C. The Writ of Mandamus Must be Denied Because the Annexation Petition is Illegal on Its Face.**

**1. The Board has no duty to act on an illegal petition.**

The law is settled that “[t]he county commissioners are called upon to act upon legal petitions only. If a petition is not legal, no imperative duty exists on their part to call an election. They cannot by mandamus be compelled to perform an illegal task.” *Kiddy v. Board of County Com’rs of Eddy County*, 1953-NMSC-023, ¶ 10, 57 N.M. 145 (citations omitted).

In *Kiddy*, qualified electors submitted a petition to the Board of County Commissioners of Eddy County requesting that it call a special election on the question of issuing bonds in the total amount of \$1.6 million for two separate hospitals. One million dollars for a hospital located in Carlsbad, and \$600,000 for a hospital in Artesia. *Id.* at ¶ 1. The Board of County Commissioners “disapproved the petition and determined not to call the election requested upon advice given them by the district attorney” to the effect that the petition impermissibly called “for a joint submission of two propositions as one question.” *Id.* at ¶ 2. The Supreme Court held that the Board of County Commissioners had acted properly in refusing to act on an illegal petition and, therefore, upheld the trial court’s decision to deny the requested peremptory writ of mandamus.

Rejecting the argument that the Board of County Commissioners could not question the constitutionality of a statute because commissioners were “not personally injured or jeopardized in his official capacity by its operation, the Supreme Court held:

**Submission of the petition created a situation under which it became their duty either to call an election or not to call one.** We may admit that under the controlling statute, as a general proposition, the task to be performed by the county commissioners is substantially ministerial in character. **Yet, the petition was framed in such language and form that the board was of necessity called upon to determine whether under the particular circumstances it had a duty to call an election.** The answer to that question was not of a ministerial type. To resolve its dilemma the board quite properly sought the advice and guidance of competent and duly constituted legal authority. The board is not by its own judgment questioning the constitutionality of a statute or of the petition. **It is merely carrying out the requirements of the fundamental and statutory law, as it safely may and is expected to do, under their individual oaths to uphold the Constitution and laws of the State of New Mexico. The county commissioners are called upon to act upon legal petitions only. If a petition is not legal, no imperative duty exists on their part to call an election. They cannot by mandamus be compelled to perform an illegal task.** . . . . As stated in 55 C.J.S., Mandamus, § 142, at page 236:

“The writ, however, will not lie in the absence of a clear, legal right, or where the statutory prerequisites have not been satisfied \* \* \*.”

*Id.* at ¶ 10.

The Supreme Court also rejected the claim that the Board of County Commissioners could correct the defect in the petition and submit “the matter to the electorate as two separate propositions.” *Id.* at ¶ 14. Accordingly, the Supreme Court upheld the trial court’s denial of the requested writ of mandamus. *Kiddy*, 1953-NMSC-023, ¶ 18.

Here, as explained below, the Annexation Petition presented to the Board was legally defective on its face because it did not set forth facts establishing the County Seat Condition.

2. **Annexation by one county of territory of another is only proper if both the County Seat Condition and Governmental Services Condition are met.**

a. **The Plain Meaning of NMSA 1978, § 4-33-1 (1947).**

NMSA 1978, § 4-33-1 provides as follows:

Whenever, because of the location and conditions of roads, or the existence or nonexistence of transportation facilities, **it will be more convenient for the residents of any portion of a county to travel to the county seat of some other contiguous county, and** because of such location and condition of roads or the

existence or nonexistence of transportation facilities, **it will be more convenient and economical for such other county to render governmental services to such portion of such other county, the portion of the county so affected may be annexed to such other county in the following manner.**

(Emphasis added.)

In assessing legislative intent, Courts look “first to the plain language of the statute, giving the words their ordinary meaning, unless the Legislature indicates a different one was intended.” *Diamond v. Diamond*, 2012-NMSC-022, ¶ 25, 283 P.3d 260 (internal quotation marks and citations omitted). Under the plain meaning rule, “[i]f the language of a statute is not ambiguous, the literal meaning of the words must be applied[.]” *Cummings v. X-Ray Associates of N.M., P.C.*, 1996 -NMSC- 035, ¶ 45, 121 N.M. 821 (N.M. 1996) (internal quotation marks and citations omitted). Courts apply this rule to conjunctive and disjunctive words used in a statute, giving “or” its normal disjunctive meaning and “and” its normal conjunctive meaning, “unless the context of a statute demands otherwise, or if adherence to the literal use of the word leads to absurdity or contradiction”. *Diamond*, 2012-NMSC-022, ¶ 27 (internal quotation marks and citations omitted); *Stevenson v. Louis Dreyfus Corporation*, 1991-NMSC-051, 112 N.M. 97 (“The conjunctive wording of the statute itself requires an interpretation that the fourth elements set forth in Section (D) must be present in the examples delineated in subsections (1) through (17) . . . Here, the statute states the definition of an unfair or deceptive trade practice followed by the word ‘and,’ nor ‘or.’”). *See also* Statutes and Statutory Construction, Norman J. Singer and J.D. Shambie Singer (7<sup>th</sup> Ed. 2009), § 21.14 (“[s]tatutory phrases separated by the word ‘and’ are usually interpreted in the conjunctive”).

Giving “and” its normal conjunctive meaning in NMSA 1978, § 4-33-1, two basic conditions must both be present for annexation to be legally permissible: (1) “it will be more convenient for the residents of any portion of a county to travel to the county seat of some other



contiguous county” and (2) “it will be more convenient and economical for such other county to render governmental services to such portion of such other county”. A.G. Opinion No. 87-55, p. 4 (opining that the only grounds for annexing a portion of a county to another county are that: “(i) it would be more convenient for the residents of a portion of a county to travel to the county seat of some other contiguous county because of location and conditions of roads or the existence or nonexistence of transportation facilities; and (ii) that it would be more convenient and economical for such other county to render governmental series to such portion of such other county because of the location and conditions of roads or the existence or nonexistence of transportation facilities”) (emphasis in original).

Giving “and” its normal conjunctive meaning does not lead to absurd or contradictory results. To the contrary, requiring both conditions to be met makes perfect sense, since the two conditions focus on two different, fundamental things: citizen participation in the democratic process and efficiency in the provision of governmental services.

With regard to citizen participation in the democratic process, as previously indicated, a board of county commissioners must meet “at the county seat of each county at quarterly meetings in January, April, July and October in each year”. NMSA 1978, § 4-38-8 (1981). “Meetings other than quarterly meetings **may be held** in the municipality with the largest population concentration in the county, and meetings concerning matters of local interest only may be held in the community affected.” *Id.* (emphasis added). Consequently, citizens wishing to observe or participate in meetings of the board of county commissioners will have to travel to the county seat for some (if not all) of its meetings. Among other reasons, the relative convenience of travel to the county seat is significant since a board of county commissioners is required to hold public hearings on such fundamental issues as zoning decisions and ordinances,

the creation of public improvement districts with taxing authority, and whether to make a property tax rebate for low income residents available within the County, to name but a few. *E.g.*, NMSA 1978, § 3-21-6(B) (1981); § 5-11-5 (2001); and § 7-2-14.3 (2003). Accordingly, the Legislature could reasonably conclude that annexation is not appropriate unless it is more convenient for citizens in the area to be annexed to travel to the county seat of the other county, since such travel is critical to citizen participation in government.

Petitioners allege that the Board's interpretation "removes the services that the Española annex offers from the analysis." [Verified Petition, p. 19.] The Board's interpretation does no such thing. Rather, the Board's interpretation simply gives effect to the Legislature's clear intent that it must be both more convenient to travel to the county seat of the annexing county **and** more convenient and economical for the annexing county to provide services within the area to be annexed.

In contrast, Petitioners interpretation would rewrite the statute to replace "and" with "or", so that either condition would be sufficient. They have offered no analysis or rule of statutory construction that would justify such judicial rewriting of a statute that makes sense as written.<sup>2</sup>

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<sup>2</sup> Petitioners' reliance on *Cox* is misplaced. [Verified Petition, ¶ 18, p. 18.] In *Cox*, appellants argued that a municipal annexation statute improperly delegated legislative power, since the statute vested unfettered discretion in the administrative tribunal. *Cox*, 1949-NMSC-041, ¶¶ 7-8. Appellants made this argument by focusing in isolation on sections of the statute that did not include any test to judge the propriety of annexation. The Supreme Court rejected this effort to create a statutory deficiency, holding "the whole Act is to be read together" and that the administrative tribunal's discretion was constrained by other sections of the statute supplying a clear test. *Id.* at ¶¶ 12-13. It was in that context that the Supreme Court wrote the words that Petitioners rely upon: namely, that "[s]tatutes should be construed in the most beneficial way of which their language is susceptible to prevent absurdity, hardships, or injustice, to favor public convenience, and to oppose all prejudice to public interests." *Id.* at ¶ 14. Nothing in *Cox* supports Petitioners' efforts to interpret the county annexation statutes contrary to the Legislature's clear intent as expressed by the plain meaning of the language it used.

- b. The other County annexation laws support the plain meaning of Section 4-33-1.

Demonstrating that both statutory conditions – i.e., convenience of travel to the county seat and the convenient and economical provision of governmental services – must be present, the other County annexation laws consistently use the plural term “conditions”. Specifically, the petition calling for annexation must “set forth the facts showing the existence of the conditions described in Section 1 hereof [Section 4-33-1].” NMSA 1978, § 4-33-2 (1953). An annexation petition may be challenged, among other grounds, on the basis that “the conditions described in Section 1 hereof do not exist.” NMSA 1978, § 4-33-3 (1953).

**3. An annexation petition must establish that both the County Seat Condition and Governmental Services Conditions are met.**

Section 4-33-2 provides as follows:

A petition executed by at least fifty-one percent (51%) of the qualified electors residing within the portion of the county proposed to be annexed shall be filed with the county commissioners of the county in which such portion is located. Such petition shall set forth the facts showing the existence of the conditions described in Section 1 hereof and shall accurately set out the boundaries of the portion of the county proposed to be annexed.

NMSA 1978, § 4-33-2.

**4. The Annexation Petition does not contain facts establishing the County Seat Condition.**

The Annexation Petition does not mention Tierra Amarilla, the county seat of Rio Arriba County, let alone allege, even in a conclusory fashion, that it would be more convenient for the residents of the Annex Area to travel to Tierra Amarilla versus the county seat of Santa Fe County, the City of Santa Fe. The Annexation petition provides, in pertinent part, as follows:

2. Attached hereto and incorporated herein as Ex. “B” is a map showing the relative distances and time in travel for residents of Ex. “A” to the Santa Fe County offices versus offices of Rio Arriba County.

3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978, § 4-33-2, et seq.

Exhibit B measures only travel distance and time between various points within the area to be annexed and the Rio Arriba Offices located in the City of Española and Santa Fe County offices with the City of Santa Fe. [Salazar Declaration, Exhibit A.]

Accordingly, the Annexation Petition is legally deficient on its face, and the Board properly declined to act on it. The requested writ of mandamus should, therefore, be denied.

**C. There was No Open Meetings Act (“OMA”) Violation.**

**1. Petitioners have not complied with the OMA’s precondition to suit.**

NMSA 1978, § 10-15-3(B) (1997) provides as follows:

All provisions of the Open Meetings Act shall be enforced by the attorney general or by the district attorney in the county of jurisdiction. However, nothing in that act shall prevent an individual from independently applying for enforcement through the district courts, **provided that the individual first provides written notice of the claimed violation to the public body and that the public body has denied or not acted on the claim within fifteen days of receiving it. . . .**

(Emphasis added.)

Petitioners do not allege that they notified the Board of the claimed violation prior to filing the Verified Petition. The OMA violations should be dismissed accordingly.

**2. The Board’s Amended Agenda for its May 10, 2016, meeting was posted on Friday, May 6, 2016.**

“Except in the case of an emergency or in the case of a public body that ordinarily meets more frequently than once per week, at least seventy-two hours prior to the meeting, the agenda shall be available to the public and posted on the public body’s web site, if one is maintained.” NMSA 1978, § 10-15-1(F) (2013). As required by NMSA 1978, § 10-15-1(D) (2013), the Board annually adopts a resolution determining reasonable notice of its meetings. Resolution No. 2015-172 applies to Board meetings during calendar year 2016. Section 4 of that resolution

provides that, “[i]f not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site at least seventy-two (72) hours before the meeting.” The Santa Fe County Administrative Building is defined as 102 Grant Avenue Santa Fe NM 87501. [Resolution No. 2015-172, Section 10(C).]

As required by law and Resolution No. 2015-172, the Amended Agenda for the Board’s May 10, 2016, meeting was posted at the Santa Fe County Administrative Building and online on Friday, May 6, 2016. [Baca Declaration, ¶ 10 and Exhibit B; Mihelcic Declaration, ¶ 5.] This was over seventy-two hours prior to the scheduled start of the Board’s meeting at 2:00 p.m. on May 10. The Amended Agenda gave clear notice that the Annexation Petition would be discussed in Executive Session and that the Board would consider and possibly take action on the Annexation Petition, as follows:

VII. Matters From the County Attorney

A. Executive Session (Items Added)

1. Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, and Discussion of the Purchase, Acquisition or and Discussion of the Purchase, Acquisition or Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:

...

b. Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española.

...

C. Consideration and Possible Action on Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española. (Action Item) (Item Added)

Petitioners allege that these items were added to the agenda on the day of the meeting. These allegations are based exclusively upon a misreading of the minutes of the May 10, 2016 meeting. By way of background, regular Board meetings are held on Tuesday. Over and above what is required by the OMA and Resolution No. 2015-172, the County’s practice is to post the

initial agenda for a regular Board meeting the Tuesday prior to the Board meeting. Consequently, the initial agenda for the Board's May 10, 2016, meeting was posted on Tuesday, May 3, the day before the Annexation Petition was delivered to the County Manager's Office. If required, an Amended Agenda is prepared and posted seventy-two (72) hours prior to the Board's meeting, usually the Friday before the Board's Tuesday meeting. In this case, the agenda was amended on Friday, May 6, to include the Annexation Petition delivered to the County Manager's Office on Wednesday, May 4. At the beginning of the Board's May 10, 2016, meeting, the County Manager reviewed the changes from the original agenda posted the previous Tuesday (May 3) and the Amended Agenda posted the previous Friday (May 6), as is her normal practice. [Miller Declaration, ¶¶ 4-5.]

**3. The Board properly discussed the Annexation Petition in closed or executive session.**

The OMA authorizes "meetings subject to the attorney-client privilege pertaining to threatened or pending litigation in which the public body is or may become a participant" to be closed to the public. NMSA 1978, § 10-15-1(H)(7). This allows a policymaking body such as the Board to discuss in a closed meeting both litigation that may be brought against it as well as litigation that it may consider bringing affirmatively. *Board of County Com'rs of Luna County v. Ogden*, 1994-NMCA-010, ¶¶ 14-16, 117 N.M. 181 (rejecting argument that the threatened or pending litigation exception applies only when the public body "has already become involved in litigation or has been informed it will likely become involved" in litigation; "[w]e thus conclude that, under [threatened or pending litigation exception], Plaintiff could properly discuss and decide to file suit against Defendants in a closed session").

Here, the Board could properly discuss the Annexation Petition in closed session because there was a credible threat of litigation against the Board based upon Mr. Martinez's May 4,

2016, letter to the Board as well as his prior threat of suit when an elected official disagreed with his legal interpretation. In addition, the Board could properly discuss affirmative action it might consider regarding the Annexation Petition.

The Annexation Petition was accompanied by a letter from George Martinez. In it, he wrote the following:

“This decision by the Board of County Commissioners/the Board’s Attorney or Deputy County Manager is arbitrary, capricious and designed deliberately to deny the citizens of Santa Fe County residing in the City of Española the statutory right to effectively petition our government as guaranteed by law.”

Any reasonable person would understand this statement for what it was: a threat to bring an action like the Verified Petition if the Board did not publish notice of the Annexation Petition.

This threat was consistent with the previous threat made by Mr. Martinez when the County Clerk did not agree with his legal interpretations. After the County Clerk declined to sign the Annexation Petition, George Martinez threatened to seek a writ of mandamus against her. In a February 25, 2016 letter, Mr. Martinez opined (erroneously) that the County Clerk was statutorily required to sign the Annexation Petition. The next to last paragraph in his letter included this language:

Please be on notice that in the case you determine not to fulfill the statutory requirement set forth above, we will be prepared to seek a Writ of Mandamus asking the District Court to order compliance this coming Monday.

[Verified Petition, Exhibit 6..]

Separate and apart from the credible threat that Mr. Martinez would affirmatively sue the Board if it disapproved the Annexation Petition, the Board could properly discuss the merits of the Annexation Petition in the context of affirmative litigation it might consider to have the legal sufficiency of the Annexation Petition judicially resolved. *Ogden*, 1994-NMCA-010, ¶ 16; N.M. Attorney General’s Open Meetings Act Compliance Guide (Eighth Ed.), p. 29 (noting that the

pending or threatened litigation exception may also “be used to close a meeting when the public body wants to consult with its attorney about a lawsuit the public body has initiated or is considering initiating against a defendant”). Consequently, even if there was not a credible threat of litigation from Mr. Martinez (which there was), the Board could properly consider whether it wanted to affirmatively pursue litigation.

**D. Petitioners Miscellaneous Arguments are Meritless.**

Petitioners also allege that the Board violated the First Amendment to the federal constitution and Article II, Section 14 of the state constitution. [Verified Petition, ¶¶ 13-14; p. 20.] Petitioners cite no authority in support of these propositions. *State v. Godoy*, 2012-NMCA-084, ¶ 6, 284 P.3d 410.

On their face, these claims are specious. Petitioners were at all times free to pursue the annexation petition without having the Board or any other county official preapprove the form of the petition. There were risks to not knowing the Board’s opinion on the form of the petition in advance, but they were risks the Petitioners were free to (and ultimately did) accept. In disapproving the Annexation Petition when it was filed, the Board was merely discharging its duty to ensure that it had the legal authority to act. *Kiddy*, 1953-NMSC-023, ¶ 10.

Nor did the Board interfere with the right of suffrage. Santa Fe County voters have the right to vote on the proposed annexation if and only if all statutory prerequisites to an annexation election have been met. Those prerequisites include the filing of a legal petition under NMSA 1978, Section 4-33-2. *Kiddy*, 1953-NMSC-023, ¶ 10.



**VII. CONCLUSION**

For the foregoing reasons, the Verified Petition should be dismissed or, in the alternative, the requested writ of mandamus denied.

Respectfully Submitted,

**SANTA FE COUNTY ATTORNEY'S OFFICE**

By: 

Gregory S. Shaffer

County Attorney

Rachel A. Brown

Deputy County Attorney

P.O. Box 276

Santa Fe, NM 87504-0276

Tele: (505) 986-6279

Fax: (505) 986-6362

Email: [gshaffer@santafecountynm.gov](mailto:gshaffer@santafecountynm.gov)

[rabrown@santafecountynm.gov](mailto:rabrown@santafecountynm.gov)

Attorneys for the Board of County Commissioners  
of the County of Santa Fe

**VERIFICATION**

I, Tony T. Flores, am the Deputy County Manager for Santa Fe County. I have read the Answer to Verified Petition and Affirmative Defenses section of the Combined Answer and Brief in Opposition to the Verified Petition for a Writ Of Mandamus in The First Judicial District Court. I affirm under penalty of perjury under the laws of the State of New Mexico that the statements in that section are true and correct to the best of my knowledge, information, and belief.

  
\_\_\_\_\_  
Tony T. Flores

9.1.16  
\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**

I hereby certify that on the 1<sup>st</sup> day of September, 2016, I caused to be filed the foregoing Combined Answer and Brief in Opposition to the Verified Petition for a Writ Of Mandamus In The First Judicial District Court electronically through the Odyssey File & Serve system, which caused all counsel of record to be served.

  
Gregory S. Shaffer

**STATE OF NEW MEXICO  
COUNTY OF RIO ARRIBA  
FIRST JUDICIAL DISTRICT**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO ARRIBA and**

**NO. D-117-CV-2016-00254**

**THE CITIZENS FOR ACCESSIBLE AND  
REPRESENTATIVE GOVERNMENT,**

**Petitioners**

**v.**

**THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF SANTA FE,**

**Respondent.**

**DECLARATION OF GERALDINE SALAZAR**

Geraldine Salazar declares as follows:

1. I am the County Clerk of Santa Fe County.
2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.
3. I take my duties as County Clerk seriously, having taken an oath of office to support the constitution and laws of the State of New Mexico and faithfully and impartially discharge the duties of my office to the best of my ability. This oath includes understanding and respecting the limits of my legal authority.
4. The December 14, 2015, letter from George Martinez was the first time I had ever been asked to review a petition seeking to have a portion of Santa Fe County annexed to another county for compliance with substantive law. (Mr. Martinez's December 14, 2015, letter is attached to the Verified Petition for a Writ of Mandamus in the First Judicial District Court



(Verified Petition) as Exhibit 1.) I was aware of no statute that would require me or authorize me to approve the substance of such a petition.

5. I sought legal advice regarding the scope of my authority from the Santa Fe County Attorney. The substance of that advice is confidential. Ultimately, I concluded that there was no statute that required me or authorized me to approve the substance of the proposed annexation petition.

6. I wrote Mr. Martinez on February 12, 2016. (Exhibit 3 to the Verified Petition.) In my letter, as a courtesy, I did confirm that the proposed petition contained adequate information – i.e., the name and registered voting address of petitioners – to enable my staff to verify whether the petition has been executed by the requisite number of qualified electors in the proposed annexation area, should we be called upon to do so.

7. Given my conclusion that I lacked the authority to approve the substance of the proposed petition, however, in my letter, I referred Mr. Martinez to the Board of County Commissioners of the County of Santa Fe (Board). My reasoning was that, if Mr. Martinez wanted Santa Fe County officials to review and approve the substance of the petition form in advance, the Board would be the body to do so. That seemed appropriate, since, by law, county annexation petitions are filed with the Board and any statutory responsibilities with respect to such petitions rest with the Board. To facilitate such a review, I provided Mr. Martinez with the contact information of Deputy County Manager Tony T. Flores, who I told him he should contact “[s]hould you want the petition to be reviewed by Board before you obtain signatures”. My letter concluded that “Mr. Flores would work with you to have the draft petition placed on the agenda for review by the Board.”

8. Prior to my February 12, 2016, letter, I did exchange voicemails with Mr. Martinez. I do not recall verbatim what I said in my voicemail and did not record the voicemail on my end. But I generally remember apologizing for the delay in a response and indicating that I hoped to have a response to him by 5:00 p.m. on Friday, February 12, 2016.

9. My apology was sincere, as I wish that I could always respond to every constituent in the timeframe they desire. But this was, for my office and Santa Fe County, a novel request that required research to ensure that I was not acting outside of my statutory authority.

10. Sometime between February 12, 2016, and February 25, 2016, I did speak with Mr. Martinez after he continued to request that I sign the annexation petition. While I do not recall the specifics of our conversation, I recall reiterating that I would not sign the petition, because I did not have the authority to do so, and that questions about the substance of the form should be directed to the Board.

11. Pages 20 and 21 of the Verified Petition include the following: “Clerk Salazar is a duly-elected County Clerk with no oversight of her official duties by either the Board, the County Manager’s office or the County Attorney. It therefore appears that Santa Fe County prevented Clerk Salazar from performing her statutory duties in signing the petition despite the fact that Clerk Salazar herself had indicated that it had met with her approval. This is reflected in a direct quote taken by Margaret Campos of County Attorney Shaffer, that there was no prerequisite that “. . . we have her [Clerk Salazar] sign the form.” See Exhibit 2. Petitioners assert that Santa Fe County has attempted to deny CARG’s petition any form of legitimacy from the outset.” This assertion is wrong.

12. First, no-one at Santa Fe County prevented me (or tried to prevent me) from doing anything with regard to the annexation petition. With regard to the County Attorney, I receive confidential advice from him and his staff on a routine basis, and did so with respect to my authority relative to the annexation petition. But I ultimately make the decisions about the scope of my authority and how to faithfully discharge the duties of my office. With regard to the inapplicability of NMSA 1978, § 3-1-5, my views are accurately captured in Mr. Flores's May 3, 2016, letter, attached to the Verified Petition as Exhibit 10. Second, I never said that the petition "met with [my] approval". The statement in my letter was much narrower than that. As previously explained, as a courtesy, my office did review the proposed form of petition to see whether it would contain enough information for us to determine whether the petition had been executed by the requisite number of qualified electors in the proposed annexation area, should we be called upon to do so. I deferred questions about the substance of the petition, however, to the Board. Third, I continue to be of the opinion that I have no statutory authority to approve the form of a county annexation petition. Consequently, by asking me to go beyond my statutory authority, Mr. Martinez was in essence asking me to bestow upon the annexation petition "legitimacy" that I had no authority to give.

13. My statutory duties as County Clerk include "keep[ing] the seals, records and papers of [the] board of county commissioners and keep[ing] a record of the proceedings of said board". NMSA 1978, § 4-40-3 (1876).

14. Attached hereto as Exhibit A are true and correct copies of the materials that Mr. Martinez filed with and that were recorded by my office on May 9, 2016, as Instrument No. 1793046.

15. Attached hereto as Exhibit B are true and correct copies of the pages of the Board's May 10, 2016, meeting at which the annexation petition was acted upon.

16. Attached hereto as Exhibit C is a true and correct copy of Santa Fe County Resolution No. 2015-172.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

  
Geraldine Salazar

9-1-2016  
Date





Received  
5/4/16

Ambra Baca  
Administrative Assistant



May 4, 2016

Honorable Chairman, Miguel M. Chavez  
Santa Fe County Commission  
102 Grant Ave.  
Santa Fe, NM 87504

COUNTY OF SANTA FE ) PETITION (NC)  
STATE OF NEW MEXICO ) ss PAGES: 85

I Hereby Certify That This Instrument Was Filed for  
Record On The 9TH Day Of May, 2016 at 11:20:35 AM  
And Was Duly Recorded as Instrument # 1793046  
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office  
Geraldine Salazar  
Deputy Sherrill Atencio County Clerk, Santa Fe, NM

Dear Chairman Chavez:

We are excited and pleased to report that we have obtained pursuant to §4-33-2 NMSA 1978 the names of at least 51% of the qualified electors residing within the portion of Santa Fe County proposed to be annexed into Rio Arriba County. Attached for filing is that petition pursuant to that section of the statutes.

I called County Clerk Geraldine Salazar on February 10, 2016 and asked about the status of our letter of December 14, 2015. She called back on February 11, 2016 and left the following message on my cell phone which I saved and quote verbatim:

"Hello Mr. Martinez this is Geraldine Salazar, Santa Fe County Clerk. I'm calling to give you an update. As soon as you delivered that to my office I immediately gave it to my Bureau of Elections Chief to work with our County Attorney to prepare a response for you. It shouldn't have taken this long, I'm sorry it has. Tomorrow the County Attorney has been so busy that he's rescheduled with my staff three times. But tomorrow they have a meeting so and I've already sent up an e-mail saying that I would like a response to be sent to you by this Friday, tomorrow before 5:00 so hopefully everything will be done, you'll get a response from me but there should be other procedures that will come forward also because this would be a Board of County Commissioner decision, ok. So first of all thank you for calling and you will be getting a response and I'm hoping tomorrows the final date where I will have a final response for you. Thank you so much. Take care. Bye bye."

I understood she was sorry, no action had been taken, she gave it to the County Commissioners attorney, the County Attorney, to take action and get back with us and then I received the February 12, 2016 letter. My understanding was that the letter was written by the Commission attorney on behalf of the Board, signed by the County Clerk.

SFC CLERK RECORDED 05/09/2016



I then called and set up a meeting where I met on February 26, 2016 with Deputy County Manager, Tony T. Flores and County Attorney Greg Schaefer. At that meeting I went through a summary of events with the Board of County Commissioners staff and I requested they authorize the County Clerk to approve the form. They refused to authorize the Clerk to do so because the Attorney for the Board of County Commission took the position that we need not have the signature of the County Clerk but the County Attorney or Deputy County Manager never indicated that review of the Board of County Commissioners of the Petition was required, so we did not ask for it.

Indeed, I understood I was talking that day to the agents for the Board of County Commissioners and they were reviewing the petition, telling me they had no objection. I had presented the Petition to the Board of County Commissioners via the County Clerk on December 14, 2015. I understood the meeting with the Deputy County Manager and County Attorney was my meeting with the Board of County Commissioners per my understanding of the telephone recording of February 11, 2016 at 5:25 p.m. Out County Commission did not attend the meeting but he sent a representative who attended on his behalf. I understood that I was on February 26, 2016 talking to the agents for the Board of Commissioners and they never informed me the Petition contents were subject to some sort of Board public meeting that I would have to request; in fact my impression was we were free to proceed to gather signatures immediately rather than wait for another 2 ½ months because I explained repeatedly that we needed approval of the Petition that day, February 26, 2016 because we needed to start gathering signatures so as to meet the time lines of the election calendar to have an election in the summer after the primaries but before the general election as authorized by law.

Then the County Commission waits until May 3, 2016, next to the last day to turn in petitions under NMSA §3-1-15 1978 to provide me a letter telling me that the Petition we have spent hundreds of man hours circulating and explaining to residents of Santa Fe County living within the City of Española is defective. I take issue with the statement in your May 3, 2016 letter that you advised me that the Petition was defective because it failed to make factual statements regarding location or condition of roads, absence of transportation facilities or convenience of residents to travel to County service locations. Your Deputy County Manager and County Attorney, contrary to the statements suggesting you gave me such information, never even hinted the Board of Commissioners had concerns about the lack of fact allegations you now raise on next to the last day to turn in petitions. This decision by the Board of County Commissioners/the Board's Attorney or Deputy County Manager is arbitrary, capricious and designed deliberately to deny the citizens of Santa Fe County residing in the City of Española the statutory right to effectively petition our government as guaranteed by law.

SFC CLERK RECORDED 05/09/2016

Our understanding of the statute is that under §4-33-3 you will immediately upon the filing of the petition cause a notice to be published in a newspaper or newspapers of general circulation in each county affected (Rio Arriba County and Santa Fe County). Because the statute uses the word "immediately" we tender herewith a form of notice that we would ask you to consider immediately publishing. With regard to the process for examination of the Petition signatures to ensure there are valid signatures of at least 51% of the registered voters residing in the area to be annexed, we used the list provided by the Santa Fe County Clerk showing 1,315 resident qualified electors in the area. There are in excess of 51% of them on the Petition filed with the County Clerk today.

Under §4-33-3, the notice shall notify the public of the filing of the petition and notify the public of the petition being on file at the County administrative offices and open to public inspection by any member of the public. Our understanding of the notice requirement is that this is to give the opportunity to any resident of either of the counties affected, on behalf of himself or others similarly situated, to bring an action in the District Court of the county in which such area proposed to be annexed is located, against any one or more of the signers of the petition, alleging that the petition has not been executed by the requisite number of signers or that the description of the area to be annexed is not accurately described or that the conditions described in §4-33-1 NMSA 1978 do not exist.

It is our understanding that only if such an action is filed within the 30 day period after notice of this petition is published by you, will the court conduct a hearing and make a determination on the question of whether or not the allegations of the petition are well taken. We understand the law to be that in the event such an action is not filed, then we, the proponents of the proposed annexation will call the matter to the attention of the court by appropriate pleading requesting the court determine that jurisdictional grounds exist for the annexation and requesting the court issue an order authorizing the process to proceed to an election.

Thank you very much for your time and attention, we very much appreciate the cooperation of Santa Fe County in facilitating the opportunity by the voters to choose which County will serve the territory in question.

---

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George Martinez

Citizens Group for Annexation into Rio  
Arriba County of Santa Fe County  
Territory now located within the City of  
Española

Enclosure: Notice of Filing Petition for Annexation into Rio Arriba County of Santa Fe  
County Territory Now Located in the City of Española

70 Sheets of Petitions of 717 Petitioners

December 14, 2015 letter to Honorable Geraldine Salazar from George  
Martinez

Sample Petition for Annexation of Part of Santa Fe County by Rio Arriba  
County, New Mexico; Requesting the Board of Commissioners of Santa  
Fe County (NMSA 1978 §4-33-3) to Immediately Cause Notice to be  
Published of this Petition; Follow the Process set out Therein and Hold an  
Election on the Question of Annexation of the Portion of Santa Fe County  
into Rio Arriba County as set out in the Attached Map

Maps, Exhibits A and B

May 3, 2016 letter to George Martinez from Tony T. Flores, Deputy  
County Attorney

SFC CLERK RECORDED 05/09/2016

May 4, 2016

Honorable Chairman, Miguel M. Chavez  
Santa Fe County Commission  
102 Grant Ave.  
Santa Fe, NM 87504

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SFC CLERK RECORDED 05/09/2016

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SFC CLERK RECORDED 05/09/2016

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Under §4-33-3, the notice shall notify the public of the filing of the petition and notify the public of the petition being on file at the County administrative offices and open to public inspection by any member of the public. Our understanding of the notice requirement is that this is to give the opportunity to any resident of either of the counties affected, on behalf of himself or others similarly situated, to bring an action in the District Court of the county in which such area proposed to be annexed is located, against any one or more of the signers of the petition, alleging that the petition has not been executed by the requisite number of signers or that the description of the area to be annexed is not accurately described or that the conditions described in §4-33-1 NMSA 1978 do not exist.

It is our understanding that only if such an action is filed within the 30 day period after notice of this petition is published by you, will the court conduct a hearing and make a determination on the question of whether or not the allegations of the petition are well taken. We understand the law to be that in the event such an action is not filed, then we, the proponents of the proposed annexation will call the matter to the attention of the court by appropriate pleading requesting the court determine that jurisdictional grounds exist for the annexation and requesting the court issue an order authorizing the process to proceed to an election.

Thank you very much for your time and attention, we very much appreciate the cooperation of Santa Fe County in facilitating the opportunity by the voters to choose which County will serve the territory in question.

---

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George Martinez

Citizens Group for Annexation into Rio  
Arriba County of Santa Fe County  
Territory now located within the City of  
Española

Enclosure: Notice of Filing Petition for Annexation into Rio Arriba County of Santa Fe  
County Territory Now Located in the City of Española

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December 14, 2015 letter to Honorable Geraldine Salazar from George  
Martinez

Sample Petition for Annexation of Part of Santa Fe County by Rio Arriba  
County, New Mexico; Requesting the Board of Commissioners of Santa  
Fe County (NMSA 1978 §4-33-3) to Immediately Cause Notice to be  
Published of this Petition; Follow the Process set out Therein and Hold an  
Election on the Question of Annexation of the Portion of Santa Fe County  
into Rio Arriba County as set out in the Attached Map

Maps, Exhibits A and B

May 3, 2016 letter to George Martinez from Tony T. Flores, Deputy  
County Attorney

SFC CLERK RECORDED 05/09/2016



December 14, 2015

Honorable Geraldine Salazar  
Santa Fe County Clerk  
102 Grant Ave  
Santa Fe, NM 87501

RECEIVED FOR  
GERALDINE SALAZAR  
SANTA FE COUNTY CLERK  
BY: Phillip Salano  
TIME: 12/14/15  
DATE: 12/14/15

15 DEC 14 PM 10:15

Re: Request review of proposed annexation documents as to form pursuant to  
Section 4-33-1 NMSA.

Dear Ms. Salazar,

The Citizens for Accessible and Representative Government is an assembly of registered voters that reside in that section of the City of Espanola that falls within Santa Fe County. Given our proximity to Rio Arriba County Services and conversely the distance to Santa Fe County services, we request that an election be held in a timely manner to consider annexation of this area into Rio Arriba County and if approved to take effect January 1, 2017.

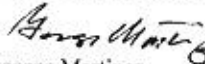
For your review please find the enclosed documents:

1. Proposed Petition Form
2. Exhibit A, a map accurately describing the Santa Fe County territory proposed to be annexed into Rio Arriba County
3. Exhibit B, a map showing the relative distances and time travel for residents of Exhibit A to Santa Fe County offices versus offices of Rio Arriba County

We request that your office please review these documents as to form and that the documents comply with New Mexico Statutes Annotated, Chapter 4 Counties, Article 33 Creation or Change of Counties. We look to begin our petition drive in mid-January and would respectfully request a timely response.

We appreciate your time and consideration of this matter. I remain available to you by phone or email as you may require. If you choose to respond by mail my address is 1031 Camino Vuelta, Espanola NM 87532.

Respectfully Submitted,

  
George Martinez  
Petitioner  
505-603-4097  
Gm.maj.04@gmail.com

SFC CLERK RECORDED 05/09/2016

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
 BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
 COMMISSIONERS OF SANTA FE COUNTY (NMSA 1978 §4-33-3)  
 TO IMMEDIATELY CAUSE NOTICE TO BE PUBLISHED OF THIS PETITION;  
 FOLLOW THE PROCESS SET OUT THEREIN AND HOLD AN ELECTION ON THE  
 QUESTION OF ANNEXATION OF THE PORTION OF SANTA FE COUNTY  
 INTO RIO ARRIBA COUTY AS SET OUT IN THE ATTACHED MAP**

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").
2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.
3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.
4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter) in the territory proposed to be annexed, is guilty of a fourth degree felony.

SEC CLERK RECORDED 05/09/2015

Date of Signature	Name (Print)	Signature	Petitioner Registered Voter Address
<b>Sample</b>			

Date \_\_\_\_\_

Approved As To Form, Geraldine Salazar  
 County Clerk, Santa Fe County

**NOTICE OF FILING PETITION FOR ANNEXATION INTO RIO ARRIBA  
COUNTY OF SANTA FE COUNTY TERRITORY NOW LOCATED  
WITHIN THE CITY OF ESPANOLA**

Notice is hereby given that on May 4, 2016 there was filed with the Santa Fe County Commission a Petition for Annexation into Rio Arriba County of Santa Fe County territory now located within the City of Española. Please take notice that within 30 days after the publication of this notice, but not thereafter, any resident of either Rio Arriba County or Santa Fe County, on behalf of himself and all others similarly situated, may bring an action in the District Court of Santa Fe County against any one or more of the signers of the Petition, alleging that the Petition has not been executed by the requisite number of signers or that the description of the area to be annexed does not accurately describe the territory to be annexed or that the conditions described in §4-33-1 NMSA 1978 do not exist. The Petition and the map of the territory to be annexed is on file with the Santa Fe County Commission and such is open to inspection by the public during normal and regular County business hours at its offices located at 102 Grant Ave., Santa Fe, NM 87501.

DONE THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
SANTA FE COUNTY MANAGER

Publish once in the Santa Fe New Mexico and Rio Grande Sun

SFC CLERK RECORDED 05/09/2016

**EXHIBIT A**

**A MAP DESCRIBING THE SANTA FE COUNTY TERRITORY PROPOSED TO BE ANNEXED INTO RIO ARRIBA COUNTY**

SFC CLERK RECORDED 05/09/2016



**DESCRIPTION OF THAT PORTION OF SANTA FE COUNTY PROPOSED TO BE ANNEXED INTO RIO ARRIBA COUNTY**

"All parcels of Santa Fe County located within the current municipal boundaries of the City of Espanola, New Mexico." (1332 Parcel's (approx.))



RIO ARRIBA COUNTY ASSESSOR'S OFFICE  
 LUIS VALDEZ JR., ASSESSOR  
 MAPPER/GIS SPECIALIST  
 1122 INDUSTRIAL PARK ROAD  
 ESPANOLA, NM 87532  
 (505)733-7019  
 D:\david\m



**NOTE:**

This map was prepared through the use of information in accordance with the Property Tax Code. Any use or re-compilation of this data is the responsibility of the data users. Users of the data are solely responsible for validation and verification of the data. This information shall not be used to establish boundary lines or legal title. This information is for general representation purposes ONLY. The Rio Arriba County Assessor expressly disclaims all liability regarding accuracy or completeness of this data for purposes other than to meet the requirements of the Property Tax Code.

PROPERTY LINES ARE PROVIDED BY THE RIO ARRIBA COUNTY ASSESSOR. NOTE: PROPERTY LINES ARE IN ACCORDANCE WITH DEEDS ON SURVEYS. ALL COUNTY MAPS ARE FOR VISUAL USE ONLY AND ARE SUBJECT TO CHANGE.

MAP PROVIDED BY RIO ARRIBA COUNTY ASSESSOR'S OFFICE  
 CREATED BY E. GONZALES, MAPPING SUPERVISOR  
 SEPTEMBER 25, 2015; REVISED DECEMBER 3, 2015

(Map Location: \OSMT\_MAPPING\ARRIBA\_SANTA\_FE\_COUNTY)

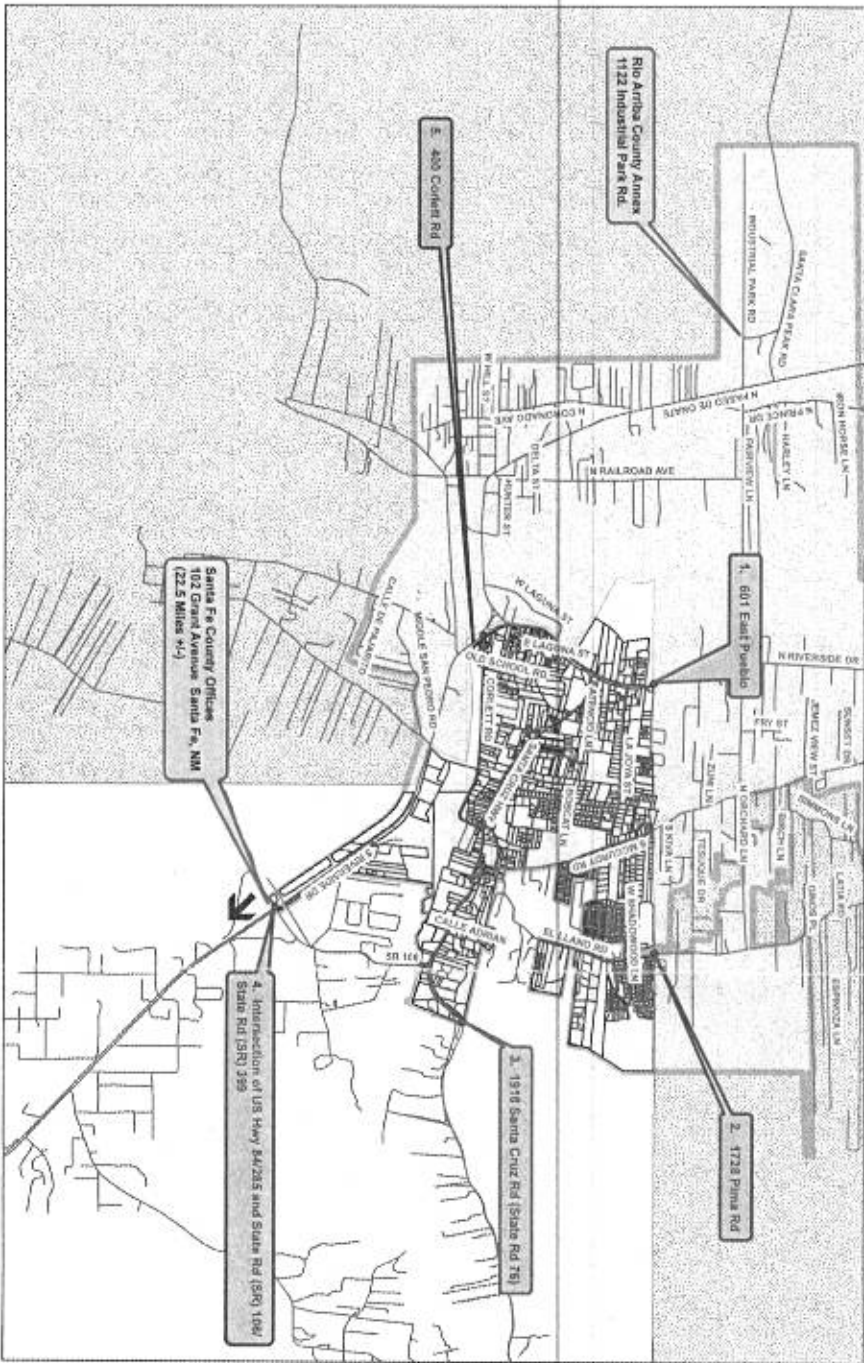
**Legend**

-  Santa Fe County Roads
-  City of Espanola Roads
-  Rio Arriba County Roads
-  1332 (approx) SF Parcels in City of Espanola
-  RA County Boundary

# EXHIBIT B

## A MAP DEPICTING RELATIVE DISTANCES AND TIME IN TRAVEL FOR RESIDENTS OF EXHIBIT A TO THE SANTA FE (SF) COUNTY OFFICES VERSUS THE OFFICES OF RIO ARRIBA (RA) COUNTY

NUMBER	LOCATION	DISTANCE TO RACOUNTY	TRAVEL TIME TO RACOUNTY	DISTANCE TO SF COUNTY	TRAVEL TIME TO SF COUNTY
1	601 EAST PUEBLO ESPANOLA, NM	1.95 MILES +/-	8 MINUTES +/-	25.1 MILES +/-	32 MINUTES +/-
2	1728 PINA RD ESPANOLA, NM	3.3 MILES +/-	8 MINUTES +/-	24.9 MILES +/-	33 MINUTES +/-
3	1918 SANTA CRUZ RD ESPANOLA, NM	4.2 MILES +/-	10 MINUTES +/-	23.6 MILES +/-	28 MINUTES +/-
4	US HWY 84/285/5R 1061SR 389	3.9 MILES +/-	11 MINUTES +/-	22.5 MILES +/-	11 MINUTES +/-
5	400 CORLETT RD ESPANOLA, NM	2.3 MILES +/-	8 MINUTES +/-	24.2 MILES +/-	29 MINUTES +/-



**Method and source of information:**  
Five points were selected along the outer boundaries of the territory under consideration for annexation to compare and contrast distance and relative time to Santa Fe County and Rio Arriba County Services respectively. Source of information: [www.googlemaps.com](http://www.googlemaps.com); Rio Arriba County Data; and City of Espanola Data.



RIO ARRIBA COUNTY ASSessor's OFFICE  
LIZY WALKER, ASSESSOR  
MANAGER OF OPERATIONS  
1100 W. 2ND ST. N. SUITE 200  
ESPANOLA, NM 87521  
505.833.4194



**NOTE:**

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MAP PRODUCED BY RIO ARRIBA COUNTY ASSESSOR'S OFFICE  
CREATED BY B. GONZALES, MAPPING SUPERVISOR  
SEPTEMBER 25, 2015, REVISED DECEMBER 3, 2015, LAST  
REVISED DECEMBER 10, 2015

(Also location: VASMT\_MAP/RA/ARRIBA\_SANTA\_FE\_COUNTY)

**Legend**

- LOCATIONS\_OUTER\_BOUND
- Santa Fe County Roads
- City of Espanola Roads
- Rio Arriba County Roads
- 1332 (approx) SF Parcels in City of Espanola
- ▨ RA County Boundary

Henry P. Roybal  
Commissioner, District 1

Miguel M. Chavez  
Commissioner, District 2

Robert A. Anaya  
Commissioner, District 3



Kathy Holian  
Commissioner, District 4

Liz Stefaniak  
Commissioner, District 5

Katherine Miller  
County Manager

May 3, 2016

• **BY EMAIL AND REGULAR MAIL**

George Martinez  
1031 Camino Vuelta  
Española NM 87532  
Email: gm.maj.04@gmail.com

**Re: Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española**

Dear Mr. Martinez:

I am writing as a follow-up to our meeting of February 26, 2016, concerning your proposed petition for Rio Arriba County to annex the portion of Santa Fe County that lies within the City of Española, pursuant to NMSA 1978, Chapter 4, Article 33.

At the meeting, among other things, we discussed what appeared to County staff to be potential facial deficiencies with the draft petition. In particular, County staff noted the following:

- NMSA 1978, § 4-33-1 sets forth the factual basis upon which a petition for one county to annex a portion of another county must be based. That section provides as follows:  
“Whenever, **because of the location and conditions of roads, or the existence or nonexistence of transportation facilities**, it will be more convenient for the residents of any portion of a county to travel **to the county seat of some other contiguous county**, **and because of such location and condition of roads or the existence or nonexistence of transportation facilities**, it will be more convenient and economical for such other county to render governmental services to such portion of such other county, the portion of the county so affected may be annexed to such other county in the following manner.” (Emphasis added.)
- Mileage alone is not the test of convenience. *Stone v. Crenshaw*, 1952-NMSC-093, ¶ 8, 56 N.M. 707.
- The annexation petition must “set forth the facts showing the existence of the conditions described in [NMSA 1978, § 4-33-1]”, among other information. NMSA 1978, § 4-33-2.
- The draft petition contained no factual statements concerning the location and condition of roads or the existence or nonexistence of transportation facilities.

We also discussed that, should an election be called on the question of annexation, it would be a countywide election in Santa Fe County.

In addition, we explained the County Clerk’s view that, by statute, she was not required to approve the form of the petition, since NMSA 1978, § 3-1-5 applies only to “those petitions that trigger a municipal special or regular election” and Santa Fe County was not included in the definition of municipal or municipality under NMSA 1978, § 3-1-2(G), since it was neither an incorporated or H class county.

SFC CLERK RECORDED 05/09/2016

George Martinez  
May 3, 2016  
Page 2 of 2

Finally, I informed you that, if you wanted the Board of County Commissioners of Santa Fe County (Board) to formally consider the form and substance of the petition in advance of its formal submission to the Board with voter signatures, you would need to ask to be put on its agenda, which you never did.

After our meeting, we provided Margaret C. Campos, who accompanied you to the meeting, with a copy of NMSA 1978, Chapter 4, Article 33, as well as some newspaper articles concerning the annexation by Sandoval County of the portion of the Village of Corrales that was formerly part of Bernalillo County.

Sincerely,



Tony T. Flores  
Deputy County Attorney

cc (by email):

Board of County Commissioners of Santa Fe County  
Katherine Miller, County Manager  
Margaret C. Campos (algonativo@cybcmesa.com)

SFC CLERK RECORDED 05/09/2016

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
 BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
 COMMISSIONERS OF SANTA FE COUNTY (NMSA 1978 §4-33-3)  
 TO IMMEDIATELY CAUSE NOTICE TO BE PUBLISHED OF THIS PETITION;  
 FOLLOW THE PROCESS SET OUT THEREIN AND HOLD AN ELECTION ON THE  
 QUESTION OF ANNEXATION OF THE PORTION OF SANTA FE COUNTY  
 INTO RIO ARRIBA COUNTY AS SET OUT IN THE ATTACHED MAP**

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").
2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.
3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.
4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4-26	Stella McCoy	Stella McCoy	737 - La Joya Street 42
4-26	Jinda McDonald	Jinda McDonald	737 La Joya # 41
7-26	Lucy MARTINEZ	Lucy Martinez	1332 Calle Don Alfredo
" "	Audrey MAERZ	Audrey Maerz	1332 CALLE DON ALFREDO
4-26-16	Vincent K MARTINEZ	Vincent K Martinez	1408 MARTINEZ Lane
4-27-16	BERT GRIGGO	Bert Griggo	4007 INDIAN WAY, ESPANOLA
4-27-16	Edwano J LUCAS	Edwano J Lucas	119A Camino de ESTRELLA 87567
4/27/16	Patrick Martined	Patrick Martined	143 Santa Cruz PkA 87567
4/27/16	Charles L. Radosevic	Charles L. Radosevic	989 Camino Santa Cruz 87542
4/27/16	Nadine S. Martinez	Nadine S. Martinez	966 St Rd 76, Espanola 87582
4/27/16	Lorian C. Martinez	Lorian C. Martinez	412 Lamb Street Espanola 87587
4/27/16	Raquel Lette	Raquel Martinez	1053 McGill St Esp. 87582
4/28/16	Ernesto Baresca	Ernesto Baresca	737 La Joya Apt 50
4/28/16	Thomas HAYNES	Thomas Haynes	707 PLEASANT LN ESPANOLA

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.





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SFC CLERK RETURNED 05/09/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
	SALDO LUNA	<i>[Signature]</i>	119 RINCON DE ESTRELLA
4/19/16	Sarah Talaya	<i>[Signature]</i>	1326 Camino Don Jose Merced Espanola NM
4/23/16	Felix Pulda	<i>[Signature]</i>	1421 McCurdy Circle Espanola NM
4-25-16	Richard Gonzales	<i>[Signature]</i>	1434 McCurdy Circle, Espanola NM
4-25-16	Eric Cortez	<i>[Signature]</i>	1434 McCurdy Circle Espanola NM
4-25-16	SANDRA REYES	<i>[Signature]</i>	1815 CAUC REDONDA, ESPANOLA NM
<del>4-25-16</del>	<del>Parricior Borrajo</del>	<del><i>[Signature]</i></del>	<del>1610 Greenfield Rd Espanola NM</del>
<del>4-25-16</del>	<del>Parrick Borrajo</del>	<del><i>[Signature]</i></del>	<del>1610 Greenfield Rd Espanola NM</del>
4-25-16	Debra Borrajo	<i>[Signature]</i>	1610 Greenfield Rd Espanola NM
4-25-16	Thomas Morage	<i>[Signature]</i>	137 South McCurdy Rd. Espanola NM
4-25-16	Araceli Salinas	<i>[Signature]</i>	1901 A CAMARON CT Espanola NM
4-26-16	Donna Rivera	<i>[Signature]</i>	305 Camino Del Sol Espanola, NM
2/26/16	ARFUROMEZA	<i>[Signature]</i>	463 Santa Cruz Rd Esp.
2/26/16	Frankie Meza	<i>[Signature]</i>	463 Santa Cruz Rd Esp
4/26/16	Guru Salazar	<i>[Signature]</i>	798 Calle Romero Esp. NM
4-26-16	Gilbert Salazar	<i>[Signature]</i>	799 Calle Romero Espanola
4-26-16	Desiree Miranda	<i>[Signature]</i>	1615 State Road 76 Espanola NM

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SFC CLERK: RECEIVED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/23/16	Emilia Atencio	Emilia Atencio	723 Atencio Lane Espanola NM
4/23/16	J. S. A. Valdez	Jose A. Valdez	753-22-B 420 Questa Ln Espanola
4/23/16	Candelaria Valdez	Candelaria Valdez	46 Questa Lane Espanola, NM
4/23/16	Bernice Romo	Bernice Romo	630 Las Vigas St Espanola
4/24/16	Marlene Atencio	Marlene Atencio	1310 State Rd 76/ Santa Cruz, NM
4/24/16	Elizabeth Schmitt	Elizabeth Schmitt	707-A Las Vegas St. Espanola, NM
4/24/16	Ernestine V Garcia	Ernestine V Garcia	514 W. Pueblo Dr, Espanola, NM
4/24/16	MARIAH PIZZARO	Mariah Pizarro	213 Paseo del Valle
4/24/16	Vincent Garcia	Vincent Garcia	724B SR76 Espanola

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SFC CLERK, RECORDED 05/09/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/25/16	Tyra Castro	[Signature]	1902-b Canale Ct. Espanola, NM
4/25/16	Eric Gaccia	[Signature]	600 st road 76 apt 4-26 Espanola
4/25/16	Malik Tyree Woods-Williams	[Signature]	600 st rd 76 apt 4-26 Espanola
4/25/16	Angelo Ligancie	[Signature]	600 st rd 76 apt 4-26 Espanola
4/25/16	Maria Miranda	[Signature]	1615 State Rd. 76
4-25/16	Linda Cardona	[Signature]	316 Santa Fe Rd
4/26/16	Geraldine Martinez	[Signature]	05C Camino de Duran Esp NM 87532
4/26/16	Jessa Martinez	[Signature]	05C Camino de Duran Esp Nm 87532
4/26/16	Shanice Martinez	[Signature]	05C Camino de Duran Esp NM 87532
4/26/16	Kylie Borrego	[Signature]	05C Camino De Duran Esp NM 87532
4/27/16	Barbara Hernandez	[Signature]	520 Camino Santa Cruz, Esp. NM 87532
4/27/16	Dolores F. Lucero	[Signature]	across HOLY CROSS CHURCH
4/27/16	Gloria A. Meza	[Signature]	403 Camino Santa Cruz Esp.
4/27/16	JUAN GILBERTO	[Signature]	1151 CALLE VERDE Espanola NM 87532
4-27-16	AMELIA SALAZAR	[Signature]	726 pheasant
4/25/16	Richard Horton	[Signature]	128 PINCON DE ESTRELLA

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/1/16	PAT J. LOVATO	<i>Pat J. Lovato</i>	228 McCurdy Rd.
4/1/16	ANDREA D. LOVATO	<i>Andrea D. Lovato</i>	228 McCurdy Rd.
4/1/16	PAUL D. QUANTANA	<i>Paul Quantana</i>	226 S. McCurdy
4/1/16	BENJAMIN P. RODRIGUEZ	<i>Ben Rodriguez</i>	01 C. Old Oregon Lane
4/1/16	JOHNNY KING	<i>Johnny King</i>	1130 - St Rd. 76
4/1/16	CHRIS ACERRA	<i>Chris Acerra</i>	1205 - St Rd 76
4/3/16	ELIZA M. VIGIL	<i>Eliza M. Vigil</i>	1425 - Calle C. del Lindo
4/3/16	ANITA L. VIGIL	<i>Anita Vigil</i>	1425 - Calle C. del Lindo
4/4/16	JULIAN MARTINEZ	<i>Julian Martinez</i>	HSE. 32 - WALNUT CIRCLE
4/4/16	JOSEPH LIAL	<i>Joseph Lial</i>	1401 McCurdy Court
4/5/16	ELIZABETH A. LEWIS	<i>Elizabeth A. Lewis</i>	152 ELI CANO RD
4/7/16	PATRICIA J. LOVATO	<i>Patricia J. Lovato</i>	228 - C Calle Lovato

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/1/16	Floyd E. Archuleta	Floyd Archuleta	612 Camino Santa Cruz Espanola
3/1/16	TOMY VALDEZ	Tomy Valdez	630 CAMINO RIO VISTA Espanola
3/1/16	Ernest Sanchez	Ernest Sanchez	1440 Calle Cristito Linder, Espo.
3/1/16	Margie Sanchez	MARGIE SANCHEZ	" " " "
3/1/16	Judith Barr	Judith Barr	631 Camino Rio Vista, Espo.
3/1/16	Judith M. Barr	Judith M. Barr	606 Camino Rio Vista, Espo.
3/1/16	Nasom Martinez Archuleta	Nasom Martinez Archuleta	612 Camino Santa Cruz, Espanola, NM
3/1/16	Leo Montoya	Leo Montoya	312 McCracken Ln
3-1	James Scott	James Scott	219 Elm Street L.R. Espanola
3-1	Robo R. Magallon	Robo R. Magallon	600 So 76 opt 2-26 Espanola
3-1	Danette V. Martinez	Danette V. Martinez	605 306 McClure Ave Espanola
3/1/16	Stephanie F. Martinez	Stephanie F. Martinez	1515 N. Martinez Ave Espanola
3/1/16	Amanda G. Garza	Amanda G. Garza	301 Maltracoe Lane, Espanola
3/1/16	William Jesse Velington	William Jesse Velington	732 S. McCordy Rd Espanola, NM
3-1-16	FREDRICO D. CEDILLO	Fredrico D. Cedillo	525 Camino Rio Vista Espanola
3-7-16	Helen Cedillo	Helen Cedillo	613 Camino Santa Cruz Espanola

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SFC CLERK RECORDED 05/06/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-1-16	Priscilla T. Lugo	<i>Priscilla T. Lugo</i>	1437-0401 Calle Lugo Santa Cruz
3-1-16	Jennie Li C	<i>Jennie Li C</i>	1401 McCurdy Cir Espanola NM 87522
3-1-16	Thelma Montoya	<i>Thelma Montoya</i>	720 McGill St Espanola NM
3-1-16	Larry Montoya	<i>Larry Montoya</i>	629 Lugo Rd Vista Exp. NM
3-1-16	Priscilla MARTINEZ	<i>Priscilla R. Nicole</i>	629 Camino Rio Vista, Esp, NM 87522
3-1-16	MAGDALENA Trujillo	<i>Margaleen Trujillo</i>	PO Box 286 Santa Cruz NM 87522 *
3-1-16	Luis E Valdez	<i>Luis E. Valdez</i>	<del>749</del> 749 South McCurdy RD
3-1-16	Edna A JVALDEZ	<i>Edna J. Valdez</i>	749 South McCurdy Rd
3-1-16	Richard Vigil	<i>Richard Vigil</i>	1425 Calle cicloton Lindo
3-1-16	Ruben Salazar	<i>Ruben Salazar</i>	PO Box 265 Santa Cruz NM 87522 *
3-1-16	DENNIS SALAZAR	<i>Dennis Salazar</i>	PO Box 3778 Espanola, 87533 *
3-1-16	ORLANDO J. MARTINEZ	<i>Orlando J. Martinez</i>	1406 Camino Don Jose MERCED
3-1-16	Gilbert A Borrego	<i>Gilbert A. Borrego</i>	1621 State Rd 76 Santa Cruz, NM
3-1-16	RAYMOND C. LITTE	<i>Raymond C. Litte</i>	212 Camino Santa Cruz
3-1-16	Levita Archibut	<i>Levita Archibut</i>	212 Camino Santa Cruz
3-1-16	CRISTIANA Ruiz de Lugo	<i>Cristiana Ruiz de Lugo</i>	1407 Calle tercolate Santa Cruz *

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SFC CLERK RECORDED 05/09/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/9/16	Charles Marruto	<i>[Signature]</i>	719 Megill St Española
4/9/16	Milinda Serrano	<i>[Signature]</i>	720 Megill St Española NM
4/9/16	<del>Jeff Martin</del> SAPPEL martin 2	<i>[Signature]</i>	727 Megill St Española NM 282
4/9/16	Toby Truxella	<i>[Signature]</i>	1403 James Thompson Lane

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SFC CLERK RECEIVED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
04/17/16	EMILY GREGO	<i>Emily Grego</i>	1433 SR74 ESPANOLA, NM 87532
04/17/16	Phillip Martinez	<i>Phillip M.</i>	312 Calle Lucia Espanola NM 87532
4/17/16	Dennis Sandoval	<i>Dennis Sandoval</i>	310 Calle Lucia Espanola NM 87532
4/17/16	Jane Sandoval	<i>Jane Sandoval</i>	310 Calle Lucia Espanola NM 87532
4/17/16	Ashley Sandoval	<i>Ashley Sandoval</i>	117 Paseo Don Juan Espanola, NM 87532
4.17.16	Andres Romero	<i>Andres Romero</i>	209 Paseo don Juan 87532
4/17/16	Carmen Naranjo	<i>Carmen Naranjo</i>	520 S Avenida (d/e Juan Naranjo)
4/17/16	Scott Jackson	<i>Scott Jackson</i>	318 Paseo Don Juan
4/17/16	MARIA LEE	<i>Maria Lee</i>	1335 CALLE DON ALFREDO

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
COMMISSIONERS OF SANTA FE COUNTY (NMSA 1978 §4-33-3)  
TO IMMEDIATELY CAUSE NOTICE TO BE PUBLISHED OF THIS PETITION;  
FOLLOW THE PROCESS SET OUT THEREIN AND HOLD AN ELECTION ON THE  
QUESTION OF ANNEXATION OF THE PORTION OF SANTA FE COUNTY  
INTO RIO ARRIBA COUNTY AS SET OUT IN THE ATTACHED MAP**

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").
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4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

SFC CLERK RECORDED

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4-4-16	Rose M Quintana	Rose M Quintana	1027 Corlette Dr
4-6-16	JOSEPHINE L. MAESTAS	Josephine Maestas	1212 SANTA CAUZ RD
4-6-16	Melissa Bernasconi	Melissa Bernasconi	102 Calle Adrian Santa Fe
4-12-16	[Signature]	[Signature]	106 Calle Adrian Santa Fe
4-12-16	ALFREDO CASTILLO	Alfredo Castillo	342 Camino Santa Cruz
4-14-16	LAWRENCE BELL	Lawrence Bell	335 Camino Santa Cruz
4-14-16	Nancy Bell	Nancy Bell	335 Camino Santa Cruz
4-16-16	Lou Ann Amond	[Signature]	208 Old School Rd
4-16-16	BERTHA BARRERO	Bertha Barrero	1608 St Rd. 76
4-16-16	SCORINO BARRERO	Scorino Barrero	1608 St Rd. 76
4-16-16	Reber Vasquez	[Signature]	118 Windstar Rd.
4-16-16	Lenny E Chavez	Lenny E Chavez	408 E. Solana Ln Espanola
4-16-16	Sharon J. Chavez	Sharon J. Chavez	408 E. Solana Espanola
4-16-16	Sherril Chazy Winters	Sherril Chazy Winters	413 East Solana, Espanola, NM 87532

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J  
M

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SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/4/2016	ANGINA R. RODRIGUEZ	Angina R. Rodriguez	714 S McCurdy Rd, Espanola, NM
3-4-16	ANDRES MARTINEZ	Andres Martinez	1339 CALLE DON ALFONSO SANTA CRUZ
" " "	Lucy Martinez	Lucy Martinez	SANTA CRUZ
3/5/16	Isabel Becker-Hudson	Isabel Becker-Hudson	1106 Camino Vuelta, Espanola, NM 87532
3/5/16	MARC HUDSON	Marc Hudson	1106 Camino Vuelta, Espanola NM
3/5/16	BONNIE JATES	Bonnie Jates	1112 Camino Vuelta, Espanola, NM
3-5-16	Robert Coronado	Robert Coronado	1115 Camino Vuelta Espanola 87532
3-5-16	Loretta H. Martinez	Loretta H. Martinez	1114 Camino Vuelta Espanola, NM
3-5-16	Frances Rodriguez	Frances Rodriguez	523 Camino Santa Cruz Espanola, NM
3-5-16	MARK JONES	Mark Jones	215 CAMINO SANTA CRUZ ESPANOLA, NM
3-5-16	CRISTO HERRERA	Cristo Herrera	1115 Lomb Street Espanola NM
3-5-16	ROBERT J. ROMERO	Robert J. Romero	1111 Camino Vuelta Espanola NM
3-5-16	Irene L Coronado	Irene L Coronado	1115 Camino Vuelta Espanola NM
3-6-16	RICHARD T GARCIA	Richard T Garcia	344 CAMINO SANTA CRUZ ESPANOLA NM
3-6-16	CYNTHA A GARCIA	Cynthia A Garcia	344 CAMINO SANTA CRUZ ESPANOLA NM
3-7-16	Jelene A. Hart	Jelene A. Hart	732 S. McCurdy Rd Espanola NM 87532

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

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**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
COMMISSIONERS OF SANTA FE COUNTY (NMSA 1978 §4-33-3)  
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SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-1-16	Lonic J. Sanchez	<i>[Signature]</i>	611 S McCurdy Rd
3/1/16	Edwina G Sanchez	<i>[Signature]</i>	611 S McCurdy Rd
3/1/16	Leonard E. Archak	<i>[Signature]</i>	295 Lamb St.
3-1-16	Maldonado	<i>[Signature]</i>	416 Cortate Dr.
3-1-01	Kenneth Vigil	<i>[Signature]</i>	1155 Calle Verde Espada N. 87532
3-12-16	Gerald Romero	<i>[Signature]</i>	1901 Calle Redonda 87532
3-12-16	Feliz G Romero	<i>[Signature]</i>	1901 Calle Redonda Esp 87532
3-12-16	Mario Madrid	<i>[Signature]</i>	580 El Hano Rd.
3-12-16	David HERRERA	<i>[Signature]</i>	125 McGill St Espada
3-12-16	Betsy Guinn	<i>[Signature]</i>	1105 McGill St Esp NM 87532
3-12-16	Reuben Guinn	<i>[Signature]</i>	1034 McGill St Esp. NM 87532
3/12/16	Timothy Valdez	<i>[Signature]</i>	1034 McGill St Esp NM 87532
3/12/16	Daniel Gallegos	<i>[Signature]</i>	1105 McGill St Esp NM 87532
3/12/16	Dorothy Guinn	<i>[Signature]</i>	1034 McGill St Esp NM 87532
3/12/16	Flore Tabachy	<i>[Signature]</i>	603 Camino Arbutus, Esp. 87532
3-12-16	Gary Walshy	<i>[Signature]</i>	603 Camino Arbutus E/NM 87532

Felipe Guinn

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
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SFC CLERK RECORDED 05/05/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
03/01/2016	ANNA DENISE FLORES	<i>[Signature]</i>	248 CALLE SIERRA SANTA CRUZ 87517
03/01/2016	Chris J. Martinez Jr	<i>[Signature]</i>	248 CALLE SIERRA SANTA CRUZ 87517
03/1/2016	Maria Teresa Romero	<i>[Signature]</i>	828 E Pueblo Di Esp. N.M. 87532
3-14-16	Victor L. Salazar	<i>[Signature]</i>	526 Camino Santa Cruz
2-14-16	Charles Barros	<i>[Signature]</i>	1333A CALLE DON ALFREDO S. CRUZ
3-14-16	BOBBY DAVIS	<i>[Signature]</i>	1333A CALLE DON ALFREDO, SANTA CRUZ
3-18-16	Fabiola Cruz	<i>[Signature]</i>	936 Regatta St. Espanola
3-6-16	Redolfo Chavez	<i>[Signature]</i>	734 Theasant Lane, ESP. N.M.
3/19/16	JEFF L. MARTINEZ	<i>[Signature]</i>	727 MEGILL ST ESPANOLA N.M. 87532
3/19/16	David Guinn	<i>[Signature]</i>	1109 MEGILL ST ESPANOLA N.M. 87532
3/19/16	MARCEL J. MARTINEZ	<i>[Signature]</i>	1033 MEGILL ST ESPANOLA 87532
3/19/16	MARY HONES MARRASCO	<i>[Signature]</i>	1033 MEGILL ST ESPANOLA 87532
3/19/16	RAG-ANNA MARTINEZ	<i>[Signature]</i>	1033 MEGILL ST ESPANOLA 87532
3/19/16	Charlene Guinn	<i>[Signature]</i>	1034 MEGILL ST Espanola, 87532
3/19/16	SONJA VALDEZ	<i>[Signature]</i>	1034 MEGILL ST ESPANOLA 87532

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

\*

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
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05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-16-16	Isabel Romero	Isabel Romero	1337 B Calle Don Alfonso
3-16-16	Cynthia Redman	Cynthia Redman	704 La Joya Espanola NM
3-16-16	Adan A. Casados	Adan A. Casados	44710 D Riverside Espanola, NM
3-16-16	Gwen J. Casados	Gwen J. Casados	819 East Rio Ab St. Espanola NM
3-16-16	Debbie Vigil	Debbie Vigil	State Road 76 1116-B North
3-16-16	Ralph Gallegos	Ralph Gallegos	813 S. MERCURY RD
3-16-16	Anthony L. Martinez	Anthony L. Martinez	Calle Lucano
3/16/16	Josefina Martinez	Josefina Martinez	318274 514-B Santa Cruz NM 87517
3/17/16	Isabel Madrid Anhalt	Isabel Madrid Anhalt	1136 La Joya SE
3/18/16	EDUARDO ORBAKER	Eduardo Orbaker	811 LA JOYA APT B ESPANOLA 87532
3/18/16	Pearl A. Delgado	Pearl A. Delgado	429 Corbett Rd. Espanola 87532
3/18/16	Chris A. Delgado	Chris A. Delgado	429 Corbett Rd. Espanola
3/18/16	Rosemarie N. Lujan	Rosemarie N. Lujan	211 Old School Rd. Espanola NM
3/18/16	Jose M. Navajo	Jose M. Navajo	513 Calle Navajo Esp. NM
3/18/16	SOCARRO GONZALEZ	Socarro Gonzalez	719 MEGILL ESPANOLA 87532
3/19/16	Mary Spill	Mary Spill	723 Megill St. Espanola, NM 87532

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/20/16	Michael C. Salazar	<i>Michael C. Salazar</i>	1432 Calle Celito Lugo
4/23/16	Benny A. Macenas	<i>Benny A. Macenas</i>	1220 B. Santa Cruz Hwy Rd
4/23/16	McLaurie Macenas	<i>McLaurie Macenas</i>	1220 B. Santa Cruz Hwy Rd
4/23/16	Alfred V. Galligan	<i>Alfred V. Galligan</i>	1126 St. Rd 76
4/23/16	Terrell T. Sison	<i>Terrell T. Sison</i>	211 Camino S. 0603
4/23/16	Dolores I. Roybal	<i>Dolores I. Roybal</i>	110 Calle Adriana
4/23/16	Ramona M. Smith	<i>Ramona M. Smith</i>	120 Calle Gordon
4/23/16	Herman J. Alvarez	<i>Herman J. Alvarez</i>	755-1914 Shadowwood Lane

05/09/2016

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.



**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
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SFC CLERK, RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/5/16	Eloy Trujillo	Eloy Trujillo	1445 Calle Cielito Lindo
3/5/16	Mary B Gomez	Mary B Gomez	1449 Calle Cielito Lindo
3/5/16	Naxon Labadie	Naxon Labadie	1445 Calle Cielito Lindo
3/5/16	Jennifer Sisneros	Jennifer Sisneros	1449 Calle Cielito Lindo
3/5/16	Sherry Lerach	Sherry Lerach	1433 Calle Cielito Lindo
3-5-2016	Gabriella Rodriguez	Gabriella Rodriguez	1420 Calle Cielito Lindo
3-5/16	William Sarver	William Sarver	1420 Calle Cielito Lindo
3/5/16	Cheryl Meyer	Cheryl Meyer	1421 Calle Cielito Lindo
3-5-16	Mary Alice Asagueda	Mary Alice Asagueda	1416 Calle Cielito Lindo
3-5-16	Robert O. Parcell	Robert O. Parcell	1461 Calle Cielito Lindo
3-5-16	Jean O. Parcell	Jean O. Parcell	1461 Calle Cielito Lindo
3-5-16	MARY V Montoya	Mary V Montoya	1018 - Santa Cruz Hwy 76
3/5/16	Harold W. Martinez	Harold W. Martinez	911 St Rd. 76
3/5/16	Gloria K. Martinez	Gloria K. Martinez	911 St Rd. 76
3/5/16	Prescilla B. Herrera	Prescilla B. Herrera	1205 Santa Cruz Rd.
3/6/16	Marie A Garcia	Marie A Garcia	1437 Calle Cielito Lindo

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
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SFC CLERK, RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-1-16	Gasman Morales	Gasman Morales	721 Glenwood
3-1-16	RANDY TERRAGLW	[Signature]	750 Monte Vista Española
3-1-16	Chris Montano	[Signature]	304 Pichon Lane Esp 87532
3/1/16	Dwight Herborn	[Signature]	736 McCurdy Road Espanola
3/1/16	ANITA MORA	[Signature]	806 Sunset Drive, Espanola
3/1/16	MARY MADRID	[Signature]	1136 La Joya St., Espanola 87532
3/1/16	Santiago Madrid	[Signature]	1136 La Joya Street, Espanola NM 87532
3/1/16	<del>JOSE RODRIGUEZ</del>	<del>[Signature]</del>	
3/1/16	JOSEPH A. RODRIGUEZ	[Signature]	714 S McCurdy Rd
3/1/16	Rose Gray	[Signature]	524 Camino Santa Cruz Esp. 87532
3/1/16	Marcia Richardson	[Signature]	1922 Avenida Canaan Espanola 87532
3/1/16	Brian [unclear]	[Signature]	1502 N. 42. Ln Espanola 87532
3/01	MARYAGNES Lujan	[Signature]	1407 McCurdy Circle Esp, NM 87532
3/01/16	DANIEL RODRIGUEZ	[Signature]	424 Camino Santa Cruz SP 87532
3/1/16	Carmela Rivera	[Signature]	1017 Meadow View Espanola 87532
3-1-16	Quentin Martin	[Signature]	1413 Calle Cicuta Lado Espanola 87532

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.



**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
COMMISSIONERS OF SANTA FE COUNTY (NMSA 1978 §4-33-3)  
TO IMMEDIATELY CAUSE NOTICE TO BE PUBLISHED OF THIS PETITION;  
FOLLOW THE PROCESS SET OUT THEREIN AND HOLD AN ELECTION ON THE  
QUESTION OF ANNEXATION OF THE PORTION OF SANTA FE COUNTY  
INTO RIO ARRIBA COUNTY AS SET OUT IN THE ATTACHED MAP**

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").
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SFC CLERK, RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-1-16	Foxl Valdez	<i>[Signature]</i>	991 East Pueblo Drive Esp
3-1-16	Nick Romero	<i>[Signature]</i>	704 meadow View Esp
3-1-16	Juanita Lucero	<i>[Signature]</i>	State Rd 76 gate 1326, Santa Cruz
3-1-16	Raymond Lucero	<i>[Signature]</i>	State Rd 76, gate 1326, Santa Cruz
3-1-16	Lorencita Vigil	<i>[Signature]</i>	318 calle Lucia
3-1-16	Alysha Chavez	<i>[Signature]</i>	11019 Shadowwood Ln, Espanola
3/1/16	Matthew G. Martinez	<i>[Signature]</i>	1414 Martinez Lane, Espanola NM 87532
3/1/16	Ernesto Espinoza	<i>[Signature]</i>	1411 James Thompson Ln, Espanola NM 87532
3/1/16	Cecilia Espinoza	<i>[Signature]</i>	1411 James Thompson Ln, Espanola NM 87532
3/1/16	JEANETTE R. MARTINEZ	<i>[Signature]</i>	1143 Calle Sombra Santa Cruz
3-1-16	Levi R. Martinez	<i>[Signature]</i>	524 Pacheco Lane Santa Cruz
3-1-16	Margaret Martes	<i>[Signature]</i>	367 Mc Cracker Lane Santa Cruz
3-1-16	Mary Ann Valdez	<i>[Signature]</i>	709A State Rd. 76, Santa Cruz, N.M.
03/01/16	Roy P. Archuleta	<i>[Signature]</i>	738 Pheasant Lane, Espanola, NM 87532
03/01/16	Lorenna Archuleta	<i>[Signature]</i>	738 Pheasant Ln, Espanola NM 87532
3-1-16	Ernesto Silva	<i>[Signature]</i>	340 Camino Santa Cruz

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

*[Handwritten mark]*

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SFC CLERK, RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-1-16	Sylvia Martinez	<i>Sylvia Martinez</i>	413 Calle Cuervo Santa Fe, NM 87502
3-1-16	Sammy A. Quintana	<i>Sammy A. Quintana</i>	5141 76th Street NE
03-01-16	Jesse Herrera	<i>Jesse Herrera</i>	521 Camino Rio Vista
3-1-16	John Santillanes	<i>John Santillanes</i>	1409 McCurdy Circle
3-1-16	Diane Santillanes	<i>Diane Santillanes</i>	1409 McCurdy Circle
3-12-16	Margarita Martinez	<i>Margarita Martinez</i>	1114 Camino Viejo Espanola, NM 87532
3-12-16	Jared Alire	<i>Jared Alire</i>	728 S. McCurdy Rd
3/12/16	Veronica Maes	<i>Veronica Maes</i>	728 S. McCurdy Rd Espanola, NM 87532
3/12/16	Samantha Atencio	<i>Samantha Atencio</i>	11034 McGill St Espanola, NM 87532
3/14/16	Dugma Romero	<i>Virginia Romero</i>	1111 CAMINO VIEJO A ESPANOLA
3/14/16	Terry Nevarez	<i>Nevarez</i>	1335 Calle Don Alfredo Santa Cruz
	Placida Arriola		
3/14/16	Placida Arriola	<i>Placida Arriola</i>	1335 Calle De Alfredo Santa Cruz
3/14/16	Alfonso Romero	<i>Alfonso Romero</i>	1335 Calle Don Alfredo Santa Cruz
3/14/16	Melanie Lucero	<i>Melanie Lucero</i>	1335 Calle Don Alfredo Santa Cruz
3/14/16	Lorraine Salazar	<i>Lorraine Salazar</i>	526 Camino Santa Cruz, Espanola, NM 87532

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SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-1-16	GEORGE MARTINEZ	<i>George Martinez</i>	1631 CAMINO VUELTA, ESPANOLA, NM 87532
3-1-16	Edward Medina	<i>Edward Medina</i>	411 Corbett Rd Espanola NM 87521
3-1-16	Claudette Cordova	<i>Claudette Cordova</i>	1510 Montanoz Lane Esp. NM 87532
3-1-2016	Floyd Cordova	<i>Floyd Cordova</i>	1510 Montanoz Lane Espanola NM 87532
03-01-16	Ralph J. Alarid	<i>Ralph J. Alarid</i>	921 Parkside Lane Santa Fe, NM 87567
3-1-16	REGGIE MAESTAS	<i>Reggie Maestas</i>	1030 LA JOYA ST ESPANOLA NM 87532
3-1-16	Roxabella Martinez	<i>Roxabella Martinez</i>	1631 Camino Vuelta Espanola NM 87532
3-1-16	Christine V. Salazar	<i>Christine V. Salazar</i>	756 S McCurdy St Espanola NM 87532
3-1-16	Lucretia Sandovar	<i>Lucretia Sandovar</i>	722 McGill St Esp. NM 87532
3-1-16	Richard DeLoCoe	<i>Richard DeLoCoe</i>	722 McGill St. Espanola NM 87532
3-1-16	Kathy E. Valdez	<i>Kathy E. Valdez</i>	941 East Pueblo Dr. Espanola, nm 87532
3-3-16	Tracy Biza	<i>Tracy Biza</i>	1526 Camino los Sanchez NM 87532
3-8-16	CAELOS FAJEROS	<i>Caelos Fajeros</i>	116 HIWAY 76 SANTA FE, NM 87501
3-12-16	Ruby Mares	<i>Ruby Mares</i>	1744 Calle Redonda
3-12-16	Rudolph Reyes	<i>Rudolph Reyes</i>	1815 Calle Redonda

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SFC CLERK RECEIVED 05/06/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/18/16	Patsy Duran	<i>Patsy Duran</i>	934 E. Pueblo Dr. Espanola, NM
4/19/16	Joel Crockett	<i>Joel Crockett</i>	334 Camino Santa Cruz
4-19-16	Ben MAESTAS	<i>Ben Maestas</i>	12206 W. Santa Cruz Rd, NM
4-19-16	John Ricci	<i>John Ricci</i>	209 Old School Rd, NM
4/19/16	Barbara Ricci	<i>Barbara Ricci</i>	209 Old School Rd, NM
4/19/16	KEVIN HAUCK	<i>Kevin Hauck</i>	208 OLD SCHOOL RD NM

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SFC CLERK: RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/16/16	Martha Sanchez (Garcia)		1453 SE 76 Esp. NM
3/16/16	Cristina Sandoval		936 EAST Pueblo Di Esp NM
3/16/16	James Sandoval		936 EAST Pueblo Di Esp. NM
3/21/16	Cesar Lujan		319 SANTA NINA LANE, ESPANOLA
3/21/16	Dolores Ballegas		408 Cortilla, ESPANOLA NM
3/21/16	Billy J. Jolley		408 Cortilla, Espanola NM
4/18/16	Johnny King		1130 ST RD 76 Esp. NM
4/18/16	MANUELA LUNA		1130 ST RD 76 Esp NM
4/18/16	Eppie Martinez		1030 ST RD 76 Esp. NM
4/19/16	Theresa Raybal		118 State RD 76, Esp NM
4/19/16	Mike Raybal		118 State RD 76, Esp. NM
4/19/16	Sylvia D. Tafora		1326 Camino Don Jose Merced Esp. NM
4/19/16	Mark Sarkis		423 A RIVERIDO DE ESPANOLA
4/19/16	RALPH TRUJILLO		P.O. Box 2451 / 315 East 11th Ave Espanola, NM 87532
4/19/16	Michael Johnson		600 SE 76 Esp 87532
4/19/16	Fernando Alvarez		1005 A La Juya Street Espanola, NM 87532

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SFC CLERK RECEIVED 05/06/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/23/16	Generva Miera	<i>Generva Miera</i>	1805 Calle Redonda Esp N.M.
4/23/16	Harold Brito	<i>Harold Brito</i>	1614 Calle Redonda Esp N.M.
4/24/16	Angel Ponce	<i>Angel Ponce</i>	1114 Calle Redonda Española
4/23/16	Beth Pacheco	<i>Beth Pacheco</i>	
4/23/16	Elizabeth Pacheco	<i>Elizabeth Pacheco</i>	1803 Calle Redonda, Española, NM.
4/23/16	Leven Rudy	<i>Leven Rudy</i>	1806 Calle James Española NM
4/23/16	Ruben Garcia	<i>Ruben Garcia</i>	14 CAMINO DE DURAN, SANTA FE
4/25/16	Lynette Diaz	<i>Lynette Diaz</i>	679 Cubero Court, Española
<del>4-25-16</del>	<del>Eli</del>	<del>Eli</del>	<del>679 CUBERO COURT ESPANOLA</del>
4-25-16	Joyce Diaz	<i>Joyce Diaz</i>	679 CUBERO COURT ESPANOLA
4-25-16	Eli Zamora de Diaz	<i>Eli Zamora de Diaz</i>	679 CUBERO COURT ESPANOLA
4-25-16	Carlos Montoya	<i>Carlos Montoya</i>	1612 Greenfield Rd, Española NM
4/25/16	Sylvia Garcia	<i>Sylvia Garcia</i>	
4/25/16	Sylvia Garcia	<i>Sylvia Garcia</i>	14 Camino de Duran.
4/25/16	Ruben Garcia	<i>Ruben Garcia</i>	14 Camino de Duran
4-25-16	Joseph Sanchez	<i>Joseph Sanchez</i>	1407 James Thompson Ln.

LA VECIA FLORES

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SFC CLERK RECORD 05/09/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
April 22, 16	Paul Baynes	Paul Baynes	518 Camino Arbolita Espanola
4-22-16	Anthony Martinez	Anthony Martinez	408 Indian way SF Espanola NM 87505
4/22/16	Joseph M. Garcia	Joseph M. Garcia	4008 Indian Way SF Espanola NM 87505
4-22-16	Cecilia M. Garcia	Cecilia M. Garcia	1908 Avenida Concha Espanola NM 87505
4-22-16	Esther Martinez	Esther Martinez	720 Brown Street Espanola NM 87529
04/22/16	Gregory C. Medina	Gregory C. Medina	1700 Greenfield Rd, Espanola NM 87532
4-22-16	LEONARDO MARTINEZ	Leonardo Martinez	720 BROWN STREET ESPANOLA NM 87529
4-22-16	RANDY MARTINEZ	Randy Martinez	1001 La Joya Espanola NM 87539
4-22-2016	Rick Dominguez	Rick Dominguez	13 CAMINO DE DURAN Espanola NM
April 22, 2016	Bianca Ponce	Bianca Ponce	1616 Calle Redonda Espanola NM
April 22, 2016	Ricardo Delva	Ricardo Delva	1712 Calle Redonda Espanola NM
4-22-16	Betty Gonzalez	Betty Gonzalez	1606 Calle Redonda Espanola NM
4-22-16	Sherry Carter	Sherry Carter	1747 Calle Redonda Espanola NM 87532
4-22-16	Huby Ochoa	Huby Ochoa	4009 Indian way Espanola NM 87505
4-22-16	Joseph Miera	Joseph Miera	1805 Calle Redonda Espanola NM 87532
4/25/16	Isabel Tamayo	Isabel Tamayo	1731 Calle Redonda Espanola NM 87532

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SFC CLERK, REGISTERED 05/05/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/22/16	Marcia Baynes	Marcia Baynes	518 Camino Arbolera Espanola NM
4-23-16	Richard M. Whiting	Richard M. Whiting	1030 Camino Vuelta Espanola NM
4/23/16	Henry Valenciano	Henry Valenciano	1030 Camino Vuelta Espanola NM
4/23/16	Celisa Lucero	Celisa Lucero	2011 Camino Anita Cr. Espanola NM
4/24/16	Daniel Garcia	Daniel Garcia	724A, SR-76, Espanola NM
4/23/16	Joseph Quintana	STEVEN QUINTANA	816 SR 76, ESPANOLA NM
04/23/16	Shay Riley	Shay Riley	820 SR 76 Espanola, NM
04/23/16	Dawn Meyer	Dawn Meyer	932 State Rd. 76 Santa Fe, NM
4-23-16	Ramon Cano	Ramon Cano	Indian way 4026
4/23/16	Kiana Lujan	Kiana Lujan	4016 Indian Way
4-23-16	Jayne Gutierrez	Jayne Gutierrez	332 Holy Cross St Santa Fe NM
4/23/16	Lorraine Trujillo	Lorraine Trujillo	160 Calle Padilla
4/23/16	Mary E. Martinez	Mary E. Martinez	812 Vista del Valle
4/23/16	Janet Trujillo	Janet Trujillo	1507 Mt Lane
4/23/16	Steve Trujillo	Steve Trujillo	827 Vista Pointe Espanola NM 87532
4/23/16	Tommy Martinez	Tommy Martinez	1158 Bobcat Ln Espanola NM 87532

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
 BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
 COMMISSIONERS OF SANTA FE COUNTY (NMSA 1978 §4-33-3)  
 TO IMMEDIATELY CAUSE NOTICE TO BE PUBLISHED OF THIS PETITION;  
 FOLLOW THE PROCESS SET OUT THEREIN AND HOLD AN ELECTION ON THE  
 QUESTION OF ANNEXATION OF THE PORTION OF SANTA FE COUNTY  
 INTO RIO ARRIBA COUNTY AS SET OUT IN THE ATTACHED MAP**

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").
2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.
3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.
4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing the Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

SFC CLERK RECORDED 05/09/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/5/16	Paula Reid	<i>Paula Reid</i>	725 James Thompson Lane
4/24/16	Alicia Reid	<i>Alicia Reid</i>	1401 James Thompson Lane
4/24/16	Alicia Byers-Smith	<i>Alicia Byers Smith</i>	1407 James Thompson Lane
4/24/16	KELVIN SMITH	<i>Kelvin Smith</i>	1407 James Thompson Lane
4/24/16	Stephanie Avramaki	<i>Stephanie Avramaki</i>	1310 Montecarlo Espanola, NM
4/24/16	Alex Derrin	<i>Alex Derrin</i>	1316 mtz Espanola NM
4/24/16	Angela D. ...	<i>Angela D. ...</i>	1409 mtz. LA Espanola
4/24/16	Nicole Wustner	<i>Nicole Wustner</i>	1400 mtz Lane Espanola NM
4/24/16	Pamela T. Maestas	<i>Pamela T. Maestas</i>	1412 mtz Lane Espanola NM
4/24/16	OLIVER WILTON	<i>Oliver Wilton</i>	752 Brown St. Espanola, NM
4/24/16	Juanita Wilton	<i>Juanita Wilton</i>	752 Brown St. Espanola, NM
4/24/16	José Chavez	<i>José Chavez</i>	1320 Martinez Lane
4/24/16	Jacque Chavez	<i>Jacque Chavez</i>	1300 Martinez Lane
4/24/16	MICHAEL VALERIO	<i>Michael Valerio</i>	1323 MARTINEZ LANE, ESP 87532

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.





**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
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SFC CLERK RECORDED 05/19/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/12/16	Jeff Arellano		P.O. Box 4216 Fairview N.M. 87533
4/13/16	AL POYER		10 Calle Adrian - 120
4-20-16	Felipe X. Atencio		523 Camino Rio Vista Espanola NM 87532
4/20/16	Michael Quintana		603 Camino Rio Vista Espanola, NM 87532
4/20/16	San Quintana		603 Camino Rio Vista Espanola, NM 87532
4-21-16	Tom Barrego		102 Calle Adrian Santa Cruz NM
4-23-16	Coracina Suazo		168 Starr Rd 76 PO-Box 1061-Santa Cruz NM
4-23-16	Felicia Suazo	Felicia Suazo	240 Calle Sierra P.O. Box 1061 Santa Cruz NM 87567
4/23/16	Helen Rivera		1119 St Rd 76, Santa Cruz, NM 87567
4/23/16	Leroy Martinez		706 St. Rd 76 Espanola
4/23/16	Gilbert Padilla		737 La Joya St, Apt. 118 87532
4/23/16	Veronica Dennis		737 La Joya Apt 15, Esp. N.M. 87532
4/23/16	SABEL SANCHEZ		737 La Joya St #18
4/23/16	Gilbert Hernandez		737 La Joya St #17
4/23/16	PACOMIO MORALES		737 La Joya St. apt. 20
4/23/16	REYMIUNDO ORTIZ		737 La Joya St apt. 29

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SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/20	LARRY ORTIZ	<i>Larry Ortiz</i>	1715 CANON VOLTA
4/20	Jacob Spill	<i>Jacob Spill</i>	723 Regill St.
4/20	Guru Kirin Khuts	<i>Guru Kirin Khuts</i>	1004 SF 76
4/20	Michelle Silva	<i>Michelle Silva</i>	76 Camino Santa Cruz, Espanola, NM
4/20	David Lambert	<i>David Lambert</i>	1154 Dubaut Lane
4/20	A. GUARDIA PELLIS	<i>A. Guardia Pellis</i>	1154 Dubaut Lane
4/21	Nicole Villalobos	<i>Nicole Villalobos</i>	1006 Indian Way, Santa Cruz
4/21	MICHELLE SILVA	<i>Michelle Silva</i>	1011 Indian Way, Santa Cruz
4/21/16	Barbara Garcia	<i>Barbara Garcia</i>	4032 Indian Way, Santa Cruz, NM 87807
4/21/16	ANGIE G. SALAZAR	<i>Angie G. Salazar</i>	1452 Avenida Santa Cruz
4/21/16	Expresio Barraga	<i>Expresio Barraga</i>	1510 C. N. 76
4/21/16	Sheldene Wells	<i>Sheldene Wells</i>	1421 McCurdy Circle Espanola NM 87528

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SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address <i>Physical Address</i>
4/9	Richard A. Quintana	<i>[Signature]</i>	
4/9	Ernie Barrios	<i>[Signature]</i>	737 La Joya St Apt 50 Española
4/9	Nora Maes	<i>[Signature]</i>	737 La Joya St Apt 3 Española
4/9	<del>Ralph Gallego</del> Ralph Gallego	<i>[Signature]</i>	737 La Joya St Apt 5 Española
4/9	MARGARET EGGERT	<i>[Signature]</i>	737 La Joya Apt 6
4/9	Brenda K Salas	<i>[Signature]</i>	
4/9	Penelope Davies	<i>[Signature]</i>	643 WISC Lane Emp NM
4/9	Robert Stearns	<i>[Signature]</i>	643 WISC LANE
4-9	Joy Norri	<i>[Signature]</i>	1903A Shadowood Ln
4-9	<del>Patricia Ramirez</del> Patricia Ramirez	<i>[Signature]</i>	1901 E. Shadowood Ln #2, PR.
4-9	Juanita Sandoz	<i>[Signature]</i>	1911 E. Shadowood Lane
4-9	Melissa Padilla	<i>[Signature]</i>	P.O. Box 20, Santa Cruz 87567
4-9	Dolores T. Garcia	<i>[Signature]</i>	1917 Avenida Bandera P.O. Box 20, Santa Cruz 87567
4-9	Mabel B. Jijil	<i>[Signature]</i>	1911 BOX 14

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SEC. CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/1/2016	Willie Atencio	Willie Atencio	745 Atencio Lane
3/1/2016	Bloriana D. Atencio	Bloriana D. Atencio	745 Atencio Lane
03/01/16	Kathie Romero	Kathie Romero	1005 E. Corlett Dr.
03/01/16	Belle Becker	Belle Becker	1113 St. Rd 76, Espanola 87532
03/01/16	Isabelle Becker	Isabelle Becker	1113 St. Rd 76, Espanola 87532
03/01/16	Amaron Sarmas	Amaron Sarmas	1901A Canada Ct Espanola 87532
3/1/16	CARLOS YELLAREITE	Carlos Yellareite	1005 CORLETT RD. SANTA FE, NM 87507
3/1/16	Geri Galvan	Geri Galvan	1402 Kings Thapson Lane
3-9-16	Louis w. Alarid	Louis w. Alarid	1115 La Joya St Espanola, N. Mex 87532
3-9-16	MARIE ALARID	Marie Alarid	1115 LA JOYA ST, ESPANOLA
3/10/16	Beth Pacheco	Beth Pacheco	1803 Calle Redonda, Espanola, NM
3/10/16	Celestina Vigil	Celestina Vigil	1728 Calle Redonda, Espanola, NM
3/10/16	Gertrude Baras	Gertrude Baras	1333 Calle DON ALFONSO SANTA FE, NM
3/11/16	Jean McGehee	Jean McGehee	1745 Calle Redonda, Espanola, NM
3/11/16	Vernon McGehee	Vernon McGehee	1745 " " " "
3/12/16	Theresa Lopez	Theresa Lopez	1744 " " " "

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SFC CLERK RECORDED

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
2/18/16	Johnny Silva	<i>Johnny Silva</i>	1118 LAJOYA Espanola, NM
3/19/16	Angela Borrego	<i>Angela Borrego</i>	748 A Brown St. Espanola, NM
3.19.16	Oliver Wilton	<i>Oliver Wilton</i>	752 Brown St. Espanola, NM
3-19-16	Juanita Wilton	<i>Juanita Wilton</i>	752 Brown St Espanola, NM
3/19/16	Martha Leal	<i>Martha Leal</i>	748 B. Brown St Espanola, NM
3/19/16	Casey Casados	<i>Casey Casados</i>	748 B. Brown St Espanola, NM
3/19/16	Richard Herrera	<i>Richard Herrera</i>	730 BROWN ST, Espanola, NM
3/19/16	Irene Griego	<i>Irene Griego</i>	730 Brown St Espanola, NM
3/21/16	Veronica Silva	<i>Veronica Silva</i>	1118 LAJOYA Esp NM

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SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-6-16	Ruby Naranzo	Ruby Naranzo	1114 State Road 76
3-6-16	Anthony Navajo	Anthony Navajo	1118 State Road 76
3-6-16	Melva Romero	Melva Romero	1110 Santa Cruz Rd
3-6-16	Sylvia Romero	Sylvia Romero	1114 State Rd 76
3-21-16	Melanie Maestas	Melanie Maestas	1030 La Jaga Street

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SFC CLERK, RECORDED 05/02/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-12-16	Eric Fernandez	<i>Eric Fernandez</i>	905 Pacheco LN, 87532
3-18-16	Sadie Alvarado	<i>Sadie Alvarado</i>	721 Pacheco Lane 87532
5-19-16	Veronica Fernandez	<i>Veronica Fernandez</i>	905 Pacheco LN 87532
3-19-16	Raymond A. Lopez	<i>Raymond A. Lopez</i>	504 Pacheco Ln 87532
3-19-16	Loretta E. Lopez	<i>Loretta E. Lopez</i>	504 Pacheco Ln 87532
3-19-16	Frances Jaramilla	<i>Frances Jaramilla</i>	504 Pacheco Ln 87532
3-19-16	Marie B. Pacheco	<i>Marie B. Pacheco</i>	429 Pacheco Ln 87532
3-19-16	MARC A VALERIO	<i>MARC A VALERIO</i>	1015 calle Lucia 87532
3-19-16	Theresa Sanchez	<i>Theresa Sanchez</i>	722 Las Vegas 87532
3-20-16	John P. Navarro	<i>John P. Navarro</i>	751 Las Vegas St. 87532
3/20/16	Monica Ybarra	<i>MONICA YBARRA</i>	751 LAS VEGAS ST Sp, NM 87532

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.





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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/19/16	Victoria Montoya	<i>Victoria Montoya</i>	609 Camino Santa Cruz
3/19/16	Juanita Montoya	<i>Juanita Montoya</i>	609 Camino Santa Cruz
3/19/16	PATRICE Montoya	<i>Patrice Montoya</i>	609 Camino Santa Cruz
20 Mar 16	Harry Risor	<i>Harry Risor</i>	648 Camino Santa Cruz
3/23/16	Adelano Anglada	<i>Adelano Anglada</i>	647 Camino Santa Cruz
3/23/16	Rosalind Anglada	<i>Rosalind Anglada</i>	647 Camino Santa Cruz

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BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
COMMISSIONERS OF SANTA FE COUNTY (NMSA 1978 §4-33-3)  
TO IMMEDIATELY CAUSE NOTICE TO BE PUBLISHED OF THIS PETITION;  
FOLLOW THE PROCESS SET OUT THEREIN AND HOLD AN ELECTION ON THE  
QUESTION OF ANNEXATION OF THE PORTION OF SANTA FE COUNTY  
INTO RIO ARRIBA COUNTY AS SET OUT IN THE ATTACHED MAP**

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").
2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.
3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.
4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

SFC CLERK RECORDED 05/08/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-7-16	JOHN HERNANDEZ	<i>John Hernandez</i>	531 CAMINO SANTA CRUZ, ESPANOLA
11	Barbara Hernandez	<i>Barbara Hernandez</i>	531 Camino Santa Cruz, Espanola
3/23/16	TONI S VALENCIA	<i>Toni S. Valencia</i>	410 E. SOLANO ESPANOLA
3/23/16	AMADA Q. HERRERA	<i>Amada Herrera</i>	303 E. SOLANO ST ESPANOLA
3/23/16	YOSNIA MILLER	<i>Yosnia Miller</i>	600 STATE RD 76 #315 Espanola
3/23/16	Michael Weier	<i>Michael Weier</i>	600 SR 76 #215 Espanola
3/23/16	Donielle Webber	<i>Donielle Webber</i>	600 SR 76 #5-13 Espanola
3/23/16	JOSE G. VASQUEZ	<i>Jose G. Vasquez</i>	600 SR 76 # 4-22 ESPANOLA
3/23/16	MARY SANCHEZ	<i>Mary Sanchez</i>	462 RIVERSIDE DR. ESPANOLA
3/23/16	STEVEN D. SALAZAR	<i>Steven D. Salazar</i>	935 E. Pueblo Dr. Espanola
3/23/16	Maraklena Salazar	<i>Maraklena Salazar</i>	935 E. Pueblo Dr. Espanola
3/24/16	Charles L. Radosowich	<i>Charles L. Radosowich</i>	929 N. St. Rd 76 Espanola
3/24/16	Eric Radosowich	<i>Eric Radosowich</i>	# 400 Lamb Street Santa Cruz
3/24/16	Luz Valencia	<i>Luz Valencia</i>	419 Lamb St. Espanola, NM
3/28/16	SILVIA A. FUJILLO	<i>Silvia A. Fujillo</i>	900 E. Pueblo Dr. Santa Cruz
3/28/16	Rebina Loibl	<i>Rebina Loibl</i>	950 E. Pueblo Dr. Santa Cruz

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
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SEC. CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/10/16	Theresa Choy	<i>Theresa Choy</i>	1412 Calle Ciclite Linda
3/27/16	Charles Satazar	<i>Charles Satazar</i>	1432 Calle Ciclite Linda
3/18/16	Brandon Ricci	<i>Brandon Ricci</i>	209 Old School Road
3/19/16	Roberta S. Haynes	<i>Roberta S. Haynes</i>	707 Pheasant Lane Espanola
3/19/16	ISARC A. LOVATO	<i>Isaac A. Lovato</i>	730 Pheasant Lane Espanola
3/19/16	Helen L LOVATO	<i>Helen L Lovato</i>	730 Pheasant Lane Espanola
3/10/16	Levi S. Dunn	<i>Levi S. Dunn</i>	934 E. Pueblo Dr, Espanola
3/19/16	PATSY DURAN	<i>Patsy Duran</i>	934 E. PUEBLO DR ESPANOLA
3/21/16	Mabel M. Valencia	<i>Mabel M. Valencia</i>	940 E. Pueblo Dr, Espanola, NM.
3/21/16	MICHAEL A. SISNEROS	<i>Michael A. Sisneros</i>	942 E. Pueblo Dr. Esp. N.M.
3/21/16	Veronica Sisners	<i>Veronica Sisners</i>	942 E. Pueblo Dr. Espanola, NM
21 Mar 16	DeAgüero, David D.	<i>David D. DeAgüero</i>	1153 Calle Verde, Espanola N.M.
3-21-16	Er. Linda Montoya	<i>Er. Linda Montoya</i>	221 Old School Road
2-21-16	Johanny Montoya	<i>Johanny Montoya</i>	221 Old School Road
3-21-16	Joyce Lopez	<i>Joyce Lopez</i>	501 Castilla Ln. Espanola, N.M.
3-21-16	HOWARD FLOZ	<i>Howard Floz</i>	501 Castilla Ln. Espanola

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SFC CLERK RECORDED 05/03/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-22-16	Angela Archuleta	Angela Archuleta	1134 SI. RD 76 ESPANOLA
3/23/16	Daniel Archuleta	Daniel Archuleta	P.O. Box 307 Santa Cruz, NM
3/22/16	Larry Lopez	Larry Lopez	219 OLD SCHOOL ROAD ESPANOLA NM 87532
3/22/16	Feddina Lopez	Feddina Lopez	218 OLD SCHOOL RD ESPANOLA
3/24/16	Russell G. Narango	Russell G. Narango	P.O. Box 327 Espanola NM 87532
3/24/16	Lisa M. Narango	Lisa M. Narango	210 Old School Rd. Espanola, NM 87532
3/24/16	MATILDA GUILLEN	Matilda Guillen	429 Cobble Rd, Espanola NM 87532
3/24/16	John Narango	John Narango	318 Paseo Don Juan Espanola NM 87532
3/24/16	Frank Narango	Frank Narango	318 Paseo Don Juan, Espanola NM 87532
3/24/16	Conner Narango	Conner Narango	214 Paseo Don Juan, Espanola, NM 87532
<del>3-23-16</del>	<del>Chris Rodriguez</del>	<del>Chris Rodriguez</del>	<del>207 Spruce St. Santa Fe, NM 87501</del>
3-23-16	Dino Martinez	Dino Martinez	908 Calle Arriba Espanola NM 87532
3-23-16	Modesto Martinez	Modesto Martinez	118 Paseo de Don Juan Espanola NM 87532
3-23-16	Jake Sandoval	Jake Sandoval	111 Paseo de Ortega Espanola NM 87532
3-23-16	Mary Martinez	Mary Martinez	111 Paseo de Ortega Espanola NM 87532
3-23-16	Rosealia Ortega	Rosealia Ortega	117 Paseo de Don Juan Espanola NM 87532

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**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
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SFC CLERK RECORDED 05/09/2015

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/11	Delayna Garcia	<i>Delayna Garcia</i>	1141 Calle Sombra
3/11	Isabel Garcia	<i>Isabel Garcia</i>	1141 Calle Sombra
3/11/16	Selina Garcia	<i>Selina Garcia</i>	1141 Calle Sombra
3/15/16	MURA L. Naestas Martinez	<i>MURA L. Naestas Martinez</i>	1142 Calle Sombra
3/15/16	Timmy Martinez	<i>Timmy Martinez</i>	1142 Calle Sombra
3-15-16	Laura S. Vigil	<i>Laura S. Vigil</i>	1146 Calle Sombra
3-15-16	Christopher Martinez	<i>Christopher Martinez</i>	1143 Calle Sombra
3-15-16	Sammy Garcia	<i>Sammy Garcia</i>	1141 Calle Sombra
3-15-16	Joyce Sasso Davis	<i>Joyce Sasso Davis</i>	1149 Calle Verde
3-15-16	Thomas A. Sinsnes	<i>Thomas A. Sinsnes</i>	1207 CALLE VERDE
3-15-16	Eliana Griego	<i>Eliana Griego</i>	1151 Calle Verde
3-15-16	Marisa Griego	<i>Marisa Griego</i>	1151 Calle Verde
3-15-16	Philippa Griego	<i>Philippa Griego</i>	1151 Calle Verde
3-16-16	DESIINA GARCIA	<i>DESIINA GARCIA</i>	1141 CALLE SOMBRA
3-21-16	Micela Griego	<i>Micela Griego</i>	304 McClellan Ln
3-21-16	Crystal Pardo	<i>Crystal Pardo</i>	302 McClellan Ln

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

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SEC. CLERK RECORDED 05/05/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-21-16	LEONARDO MARTINEZ	<i>[Signature]</i>	300 McCracken Ln ESPANOLA, NM
3-21-16	Esther E. Martinez	<i>[Signature]</i>	300 McCracken Ln Espanola, NM
3/21/16	Marcie P. Davis	<i>[Signature]</i>	1324 Lomita Ln Espanola NM
3-21-16	Anna MARTINEZ	<i>[Signature]</i>	1324 Lomita Lane Espanola, NM 87532
3/21/16	David Salazar	<i>[Signature]</i>	1154 Calle Verde Esp. NM 87532
3/21/16	Guia Salazar	<i>[Signature]</i>	1154 Calle Verde Esp. NM 87532
3/28/16	Alex Salazar	<i>[Signature]</i>	1203 Bobcat Lane Esp. NM. 87532
3/28/16	Julio Garcia	<i>[Signature]</i>	1152 Bobcat Ln Espanola NM 87532
3/28/16	Amanda Romero	<i>[Signature]</i>	1152 Bobcat LN Espanola, NM 87532
3/28/16	Corina Vigil	<i>[Signature]</i>	1144 Calle Sombra Espanola NM 87532

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SFC CLERK RECEIVED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/22/16	Theresa Roybal	Theresa Roybal	629 E/Hano Rd.
3/22/16	Jimmy Roybal	Jimmy Roybal	629 E/Hano Rd.
3/22/16	Nichelle Herrera	Nichelle Herrera	1940 Calle Roybal
3-22-16	JEFF ROYBAL	Jeff Roybal	1940 Calle Roybal
3/22/16	ANNA GALVAN ROYBAL	Anna Galvan Roybal	1935 CALLE ROYBAL
3/22/16	JOHANNIE ROYBAL (JOHANNIE ROYBAL)	Johannie Roybal	1935 CALLE ROYBAL
3/31/16	Rita Lucille Galvan	Rita Lucille Galvan	1923 Calle Roybal
3/31/16	Adam B. Martinez	Adam B. Martinez	1923 Calle Roybal

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SFC CLERK: RECORDED 05/05/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3-25-16	Mary Ann Valdez	<i>Mary Ann Valdez</i>	709A State Rd. 716, Santa Fe
3-25-16	Elise Woodall	<i>Elise Woodall</i>	713 Glenwood Avenue, Española
3-25-16	Jamie Aragon	<i>Jamie Aragon</i>	1907 E. Shadowood Ln., Española
3-25-16	James Aragon	<i>James Aragon</i>	1907 E. Shadowood Ln, Española, NM 87528
3-28-16	Maria Gonzalez	<i>Maria Gonzalez</i>	1912 E. Shadowood Lane, Española, NM
3/28/16	Eric Muffler	<i>Eric Muffler</i>	1445 Camino de la court Española, NM
3/28/16	Antonio Fresquez	<i>Antonio Fresquez</i>	1927 Avenida Coronado Espan
3/28/16	Requena Fresquez	<i>Requena Fresquez</i>	1927 Avenida Coronado Espan
3-28	Baronette Viases	<i>Baronette Viases</i>	1925 Avenida Coronado Espan
3/28	Judith A Bell	<i>Judith A Bell</i>	1926 Avenida Coronado Espan
3/29	Colores Sanchez	<i>Colores Sanchez</i>	1895 East Shadowood Lane
3/30	Kevin Cardenas	<i>Kevin Cardenas</i>	1703 Shadowood Esp NM
3-31-16	<del>John C. Maes</del>	<del>John C. Maes</del>	<del>1703 Shadowood Esp NM</del>
3-31	John C. Maes	<i>John C. Maes</i>	1703 Shadowood Esp NM
3/21	Rose Maes	<i>Rose Maes</i>	1701 W. Shadowood Ln - Esp
3/31	James C. Maes	<i>James C. Maes</i>	1701 W Shadowood Ln - Esp

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SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/2/16	MARY SANCHEZ	Mary Sanchez	402 RIVERSIDE DR. ESPANOLA
4/2/16	Darin Lewis	Darin Lewis	1919 Avenida Canada
4/2/16	Edward Valencia	Edward Valencia	119 Lamb S.
4/2/16	Mario Pacheco	Mario Pacheco	412 Lamb St Espanola
4/2/16	Dorian Martinez	Dorian Martinez	412 Lamb St Espanola
4/2/16	Tim A. Valbuena	Tim A. Valbuena	408 Lamb St Esp.
4/2/16	Evangelina Galvez	Evangelina Galvez	199 Calle Romero Espanola 87532
4/2/16	CORINNE VIGIL	Corinne Vigil	272 PACHECO, ESPANOLA
4/2/16	Ray Medina	Ray Medina	218 S. McCurdy, Espanola 87532
4/2/16	Curtis Schattschneider	Curtis Schattschneider	310 S. McCurdy Rd. Espanola 87532
4/2/16	Alicia Galvan	Alicia Galvan	1102 James Thompson Lane
4/2/16	Dennis Galvan	Dennis Galvan	1102 James Thompson Lane
04/02/16	Michael A. Gutierrez	Michael Gutierrez	740 McCurdy Rd Espanola
04/13/16	Cyrtana Jimenez	Cyrtana Jimenez	1104 La Juya ESPANOLA
04/13/16	Laura Jimenez	Laura Jimenez	1104 La Juya ESPANOLA
4/13/16	SIRIA LUCERO	Siria Lucero	1359 CALLE DON ALFREDO

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8/15/16



**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
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INTO RIO ARRIBA COUNTY AS SET OUT IN THE ATTACHED MAP**

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SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
3/8/16	Socorro Madrid	<i>Socorro Madrid</i>	1452 Calle Cielito Lindo
3/10/16	PATRICIA MADRID	<i>Patricia Madrid</i>	1136 LA JOYA ST ESPANOLA NM
3/16/16	John Patrick Mueber	<i>John Patrick Mueber</i>	1418 El Llano Santa Cruz NM 87562
3-28-16	Christopher M. Loibl	<i>Christopher M. Loibl</i>	950 East Pueblo Rd. Espanola 87532
3-28-16	DELFIDO SERRANO	<i>Delfido Serrano</i>	1417 C@LLE CIELITO LINDO
8-30-16	NORAL SERRANO	<i>Nora Serrano</i>	1417 CALLE CIELITO LINDO, ESPANOLA
3-30/16	THOMAS HAYNES	<i>Thomas Haynes</i>	722 PAESANT Ln. ESPANOLA NM
3-30-16	DEANIS MASTUS	<i>Deanis Mastus</i>	732 PAESANT Ln. Espanola
3-30-16	MELLENIE MASTUS	<i>Mellenie Mastus</i>	1030 LA JOYA ST.
3-30-16	Rebecca Martinez	<i>Rebecca Martinez</i>	526 Calle Arbolera Espanola
3-30-16	Steven Marez	<i>Steven Marez</i>	526 Calle Arbolera Espanola
3/31/16	Lorraine Quintana	<i>Lorraine Quintana</i>	111 Calle Adrian Santa Cruz
3/31/2016	Dolores Quintana	<i>Dolores Quintana</i>	St. Rd. 76 House #1600 B
4/1/16	MILBERT TRUJILLO	<i>Milbert Trujillo</i>	900 E. pueblo, ESPANOLA
4/1/16	Catherine Pahl	<i>Catherine Pahl</i>	600 St Rd 76-7-11 Espanola
4-1-16	Billie Pena	<i>Billie Pena</i>	600 St. Rd. 76 Espanola

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**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
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4/12/16	Marvin Montoya	<i>[Signature]</i>	1725 Pima Rd, Espanola, NM 87532
4/12/16	Elizabeth McCall	<i>[Signature]</i>	1614 Greenfield Rd Esp 87532
4/2/16	Karl Guzan	<i>[Signature]</i>	1614 Greenfield Rd Esp 87532
4/2/16	Skylar McCall	<i>[Signature]</i>	1614 Greenfield Rd Esp 87532
4/2/16	Matthew Amisco	<i>[Signature]</i>	683 Calle ranchitos Espanola 87532
4/2/16	Tommy Montoya	<i>[Signature]</i>	112 Meadow View Ave Espanola 87532
4/2/16	James W. Marsh	<i>[Signature]</i>	1712 W. SHADWOOD Ln. Espanola, NM 87532
4/2/16	Rosella MARSH	<i>[Signature]</i>	1712 W. SHADWOOD Ln Espanola, NM 87532
4/2/2016	<i>[Signature]</i>	Lawrence Rayzel	1957 Calle Rayzel Espanola, NM 87532
4/5/2016	<i>[Signature]</i>	Charles Quinteran	1963 Calle Rayzel, Santa Fe NM 87502
4/5/2016	Cherania Quintana	<i>[Signature]</i>	1963 Calle Rayzel, Santa Fe NM 87502
4-5-16	Steve Santistevan	<i>[Signature]</i>	1619 GREENFIELD Rd Espanola NM

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3/31/2016	Sally A. Gallegos	<i>Sally A. Gallegos</i>	71905 E. Shadowwood Ln PO Box 878, Santa Cruz, NM 87567
3/31/2016	Gary A. Gallegos	<i>Gary A. Gallegos</i>	PO Box 878, Santa Cruz, NM 87567
3/31/2016	Charlotte T. Gallegos	<i>Charlotte T. Gallegos</i>	P.O. Box 115 Santa Cruz, NM 87567
4/2/2016	Tanya Lewis	<i>Tanya Lewis</i>	1915 E. Shadowwood Ln
2 April 2016	Vernon G. Lujan	<i>Vernon G. Lujan</i>	1903 Calle del Rancho, Espanola, NM 87532
4/2/16	Carmen M. Lujan	<i>Carmen M. Lujan</i>	1903 Calle del Rancho Rd Espanola NM 87532
4/2/16	Tommy Holder	<i>Tommy Holder</i>	713 Glenwood Espanola NM
4/2/16	Robert Woodall	<i>Robert Woodall</i>	713 Glenwood, Espanola, NM
4/2/16	David Vira	<i>David Vira</i>	709 Glenwood Ave, Espanola NM
4/2/16	Magdalena	<i>Magdalena</i>	1623 Greenwood Rd
4/2/16	LEONARDO ARAGON	<i>Leonardo Aragon</i>	713 GLENWOOD, ESPANOLA, NM
4/5/16	Francisco Andrade	<i>Francisco Andrade</i>	1806 Vista del Valle Espanola NM
4/5/16	Louis C Salazar	<i>Louis C Salazar</i>	64 A+B Calle Duran Espanola
4/5/16	Siria Galazar	<i>Siria Galazar</i>	64 A+B Calle Duran Espanola
4/5/16	Michael D Salazar	<i>Michael D Salazar</i>	64 A+B Calle Duran Espanola

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4-2-16	Vicenta RIVERA	<i>Vicenta Rivera</i>	704 Las Vegas, Española 87532
4-2-16	Gregg Velarde	<i>Gregg Velarde</i>	815 Pacheco LN 87551
4/2/16	<del>Esteban</del> Olivia	<i>Olivia</i>	310 Pacheco LN. 87532
4/2/16	Elia's Martinez	<i>Elia's Martinez</i>	310 Pacheco Ln 87532
4/4/16	Geraldine Lopez	<i>Geraldine Lopez</i>	906 Apache Ln 87567
4/4/16	James G. Lopez	<i>James G. Lopez</i>	906 Apache Ln 87567

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4/2/16	LEON LOPEZ	<i>Leon Lopez</i>	124 Calle Adrian Santa Cruz
4/2/16	KARMELOPEZ	<i>Karme Lopez</i>	124 Calle Adrian, Santa Cruz
4/2/16	Timmy C. Lara	<i>Timmy C. Lara</i>	807 Ash Loop Espanola
4/2/16	Norma J. Lara	<i>Norma J. Lara</i>	807 Ash Loop, Espanola, NM
4/2/16	Jerrold E. Ortega	<i>Jerrold E. Ortega</i>	113 Paso de Ortega
4/2/16	Jose M. Naranjo	<i>Jose M. Naranjo</i>	513 C. CALLETT RD P.O. Box 59 Santa Cruz NM
4/2/16	Toth Diecks	<i>Toth Diecks</i>	PO Box 933 Santa Cruz NM
4/2/16	Carmen Naranjo	<i>Carmen Naranjo</i>	216 Paseo Don Juan Espanola NM
4/2/16	John P. Naranjo	<i>John P. Naranjo</i>	318 Paseo Don Juan, Espanola, NM 87532

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4/19	Sharon Busch	<i>Sharon Busch</i>	1912 Avenida Canada Espanola
7/9	PATRICK MARTINEZ	<i>Patrick Martinez</i>	1905 AVENIDA CANADA ESPANOLA
01/09	JOSEPH MCWELL	<i>Joseph McWell</i>	1877 AV. CANADA, ST 32
4/11	NOAH E. BUCK	<i>Noah E. Buck</i>	1908 EAST SHADOWWOOD LANE ESPANOLA
4-11	Sandra Adams	<i>Sandra Adams</i>	1910 E Shadowwood Ln Espanola NM 87532

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4/18/16	Carol Taschek	<i>Carol Taschek</i>	PO Box 116/1518 St Rd 76/Santa Cruz 87567
4/18/16	Dulores Lucero	<i>Dulores Lucero</i>	P.O. Box 25, Santa Cruz, NM 87567
4/18/16	SAN VADOR LUCERO	<i>Sanador Lucero</i>	P. O. Box 25, Santa Cruz, NM 87567
4/18/16	Edward Lucero	<i>Edward Lucero</i>	Ab8 Runcon Santa Cruz NM 87567
4/18/16	MARGARET DOMINGUEZ	<i>M D</i>	PLS Runcon Santa Cruz NM 87567
4/20/16	KATARYN BENNET	<i>K B</i>	PO Box 951 Santa Cruz NM 87567 13 Runcon NM 87567

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4/9/16	Wise Maria	<i>[Signature]</i>	717 McGill St
4/9/16	Darlene Maxiner	<i>[Signature]</i>	717 McGill St
<del>4/9/16</del>	<del>Bryan Trujillo</del>	<del><i>[Signature]</i></del>	
4/9/16	Bryan Trujillo	<i>[Signature]</i>	1403 James Thompson Lane
4/23/16	VERA ORTIZ	<i>[Signature]</i>	787 LA JOJA ST

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/8/16	Tony Martinez	<i>Tony Martinez</i>	808 La Joya St. 87532
4/9/16	Wanda Ward	<i>Wanda Ward</i>	812 La Joya St 87532
4/9/16	Sadie Martinez	<i>Sadie Martinez</i>	312 Calle Lucia 87532
4-7-16	Frank Anaya	<i>Frank Anaya</i>	407 Lamb St 87532
4-7-16	Rebecca Naranjo	<i>Rebecca Naranjo</i>	407 LAMB ST 87532
4-7-16	Frank Naranjo	<i>Frank Naranjo</i>	407 Lamb St 87532

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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/20/16	Brandi Cordova	<i>Brandi Cordova</i>	213 Camino Santa Cruz Espanola NM 87532
4/20/16	Ryan Cordova	<i>Ryan Cordova</i>	213 Camino Santa Cruz Espanola NM 87532
4/20/16	Kristen Cisneros	<i>Kristen Cisneros</i>	585 West Pueblo Dr, Espanola NM 87532
4/20/16	Andrea Cisneros	<i>Andrea Cisneros</i>	582 W. Pueblo Dr, Espanola 87532
4/20/16	Manuel Dixon	<i>Manuel R. Dixon</i>	424 B W Pueblo Dr
4/20/16	Diana Wheeler	<i>Diana Wheeler</i>	424 W Pueblo Dr A
4/20/16	John SANCHEZ	<i>John Sanchez</i>	1453 sr-76 Espanola NM 87532
4-21-16	ERIC BAKER	<i>Eric Baker</i>	4052 Avenida W. by Santa Cruz 87567
4.21.16	Joseph Trujillo	<i>Joseph Trujillo</i>	173 Paseo del Pueblo
4-21-16	Judy A. Montoya	<i>Judy A. Montoya</i>	4001 Indway Santa Cruz, NM
4-21-16	Orlando M. Montoya	<i>Orlando M. Montoya</i>	4001 Indway Santa Cruz, NM
4-21-16	Orlando S. Montoya	<i>Orlando S. Montoya</i>	4001 Indway Santa Cruz, NM

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
COMMISSIONERS OF SANTA FE COUNTY (NMSA 1978 §4-33-3)  
TO IMMEDIATELY CAUSE NOTICE TO BE PUBLISHED OF THIS PETITION;  
FOLLOW THE PROCESS SET OUT THEREIN AND HOLD AN ELECTION ON THE  
QUESTION OF ANNEXATION OF THE PORTION OF SANTA FE COUNTY  
INTO RIO ARRIBA COUNTY AS SET OUT IN THE ATTACHED MAP**

Pursuant to NMSA 1978 §4-33-1, the undersigned petitioners state that:

1. Attached hereto and incorporated herein as Ex. "A" is a map describing the Santa Fe County territory to be annexed into Rio Arriba County (hereinafter referred to as the "Territory").
2. Attached hereto and incorporated herein as Ex. "B" is a map showing the relative distances and time in travel for residents of Ex. "A" to the Santa Fe County offices versus offices of Rio Arriba County.
3. It will be more convenient and economical for Rio Arriba County to render governmental services to the portion of Santa Fe County Petitioners request be annexed to Rio Arriba County pursuant to NMSA 1978 §4-33-2, et seq.
4. The Santa Fe County Commission is requested to conduct such an election pursuant to NMSA 1978 §4-33-3 and 4 in a timely manner so that if the annexation is approved, it will take effect January 1, 2017.
5. By signing this Petition, you swear or affirm that you are a resident qualified elector (registered voter) residing within the territory proposed to be annexed into Rio Arriba County. Any person knowingly providing or causing to be provided any false information on this Petition, forging a signature, or signing this Petition when that person knows that they are not a resident qualified elector (registered voter), in the territory proposed to be annexed, is guilty of a fourth degree felony.

SFC CLERK RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/26/16	Helen D. Martinez	<i>Helen D. Martinez</i>	1429 MacCurdy Circle Espanola
4/26/16	Dennis Salazar	<i>Dennis Salazar</i>	1431 Calle Credito Lindo
4/26/16	Allen Trevillo	<i>Allen Trevillo</i>	1456 Calle Credito Lindo
4/26/16	Linda Trujillo	<i>Linda Trujillo</i>	1458 Calle Credito Lindo
4/26/16	Ernesto Espartero	<i>Ernesto Espartero</i>	1411 James Thompson Ln Espanola
4/26/16	Kimberly Lucero	<i>Kimberly Lucero</i>	1457 Calle Credito Lindo

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.











**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
 BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
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SFC CLERK, RECORDED 05/09/2016

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/1/16	PAT LOVATO	Pat Lovato	221- Calle Lovato
4/1/16	ANDREA LOVATO	Andrea Lovato	221- Calle Lovato
<del>4/1/16</del>	<del>_____</del>	<del>_____</del>	<del>_____</del>
4/29/16	STEPHANIE LOVATO	Stephanie Lovato	228- Calle Lovato

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
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SFC CLERK: RECD 05/09/16

Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4-22-16	Rick Enzales	<i>Rick Enzales</i>	1434 McCurdy Circle Esp.
4-22-16	Andrea Cortez	<i>Andrea Cortez</i>	1434 McCurdy Circle Española
4-22-16	Eric Cortez	<i>Eric Cortez</i>	1434 McCurdy Circle Española
4-28-16	Naty Reyes	<i>Naty Reyes</i>	1430 McCurdy Circle Española
4-28-16	Tama Reyes	<i>Tama Reyes</i>	1430 McCurdy Cir. Española
4-28-16	Alfredo Reyes	<i>Alfredo Reyes</i>	1426 McCurdy Cir Española

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.



**PETITION FOR ANNEXATION OF PART OF SANTA FE COUNTY  
BY RIO ARRIBA COUNTY, NEW MEXICO; REQUESTING THE BOARD OF  
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Date of Signature	Name (Printed)	Signature	Petitioners Registered Voter Address
4/28/16	EVANGELINE MARTINEZ	<i>Evangelina Martinez</i>	601 El Llano Road

Per letter of Santa Fe County Clerk dated February 12<sup>th</sup> 2016, petition contains adequate information for purposes of the County Clerks' Office.

SFC CLERK RECORDED 05/09/2016

**SANTA FE COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**REGULAR MEETING**  
**May 10, 2016**

Miguel Chavez, Chair - District 2  
Henry Roybal, Vice Chair - District 1  
Robert A. Anaya, Chair - District 3  
Kathy Holian - District 4  
Liz Stefanics - District 5

SFC CLERK RECORDED NB/15/2016



**SANTA FE COUNTY**

**REGULAR MEETING**

**BOARD OF COUNTY COMMISSIONERS**

**May 10, 2016**

I. A. This regular meeting of the Santa Fe Board of County Commissioners was called to order at approximately 2:45 pm by Chair Miguel Chavez in the Santa Fe County Commission Chambers, Santa Fe, New Mexico.

**B. Roll Call**

Roll was called and indicated the presence of a quorum as follows:

**Members Present:**

Commissioner Miguel Chavez, Chair  
Commissioner Henry Roybal, Vice Chair  
Commissioner Robert A. Anaya  
Commissioner Kathy Holian  
Commissioner Liz Stefanics

**Members Excused:**

None

**C. Pledge of Allegiance**

**D. State Pledge**

**E. Moment of Reflection**

The Pledge of Allegiance was led by Andria Duran, the State Pledge by Dana Budagher and the Moment of Reflection by Margie Romero of the Human Resources Department.

**F. Approval of Agenda**

**1. Amendments**

**2. Tabled or Withdrawn Items**

CHAIRMAN CHAVEZ: Manager Miller, do you want to walk us through the agenda. Then we have some amendments that we want to present.

KATHERINE MILLER (County Manager): Yes, Mr. Chair. Since the agenda was published last Tuesday we've had a few additions. Then also some

SFC CLERK RECORDED 06/15/2016

**The motion to go into executive session pursuant to NMSA Section 10-15-1-H (2, 7 and 8) to discuss the matters delineated above passed by unanimous roll call vote as follows:**

<b>Commissioner Anaya</b>	<b>Aye</b>
<b>Commissioner Chavez</b>	<b>Aye</b>
<b>Commissioner Holian</b>	<b>Aye</b>
<b>Commissioner Roybal</b>	<b>Aye</b>
<b>Commissioner Stefanics</b>	<b>Aye</b>

CHAIRMAN CHAVEZ: So we'll go into executive session, then we have one item on our agenda, beer and wine license, and that will be discussed after, when we come out of executive session.

MR. SHAFFER: Mr. Chair, there are actually two other items listed under Matters from the County Attorney for certain which is a consideration and possible action on the petition, on Rio Arriba County to annex the portion of Santa Fe County that lies within the City of Española, as well as approval of a restrictive deed covenant for the Santa Fe County Judicial Complex.

CHAIRMAN CHAVEZ: So we'll have those two items as action items and then we'll have the public hearing on the beer and wine license. Okay. Thank you.

[The Commission met in closed session from 4:25 to 6:20.]

COMMISSIONER STEFANICS: Mr. Chair.

CHAIRMAN CHAVEZ: Commissioner Stefanics.

COMMISSIONER STEFANICS: I move that we come out of executive session, having only discussed the items that were listed with the five Commissioners, the County Manager, the County Attorney and the Deputy County Attorney.

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: There's a motion and a second, Commissioner Roybal, to come out of executive session.

**The motion passed by unanimous [4-0] voice vote.** [Commissioner Holian was not present for this action.]

**VII. C. Consideration and Possible Action on Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española [Exhibit 6: Supporting Material]**

CHAIRMAN CHAVEZ: So how we have two items that we need to take care of as a result of executive session, Commissioner Stefanics.

COMMISSIONER STEFANICS: Mr. Chair, on item C, consideration and possible action on the petition for the Rio Arriba County to annex the portion of Santa Fe



County that lies within the City of Espanola, I have a motion. I move that we disapprove and take no further action on the petition since it is legally defective on its face because it does not set forth facts showing the existence of the statutory conditions justifying annexation. In particular the petition does not set forth facts showing that it would be more convenient for citizens in the annexed area to travel to the county seat of Rio Arriba County as opposed to the county seat of Santa Fe County because of the location and conditions of roads or the existence or non-existence of transportation facilities. Such facts are required by NMSA 1978, Sections 4-33-1 and 4-33-2.

COMMISSIONER ANAYA: Second.

CHAIRMAN CHAVEZ: There's a motion and a second. Any further discussion? Hearing none.

**The motion passed by unanimous [4-1] voice vote with Commissioner Roybal casting the dissenting vote.**

CHAIRMAN CHAVEZ: Commissioner Roybal.

COMMISSIONER ROYBAL: I'm actually going to be voting nay. With that being said I would like to invite Mayor Lucero and the city councilors to work to meet with us to discuss ways in collaboration in a non-litigious way to service the area.

CHAIRMAN CHAVEZ: So we have four yeases and one no vote on this item. So thank you, Commissioner Roybal.

**VII. D. Approval of Restrictive Deed Covenant for the Santa Fe County Judicial Complex, VRP Site No. 53092001, as Required by the Conditional Certificate of Completion Issued to Santa Fe County by the New Mexico Environment Department Pursuant to the Voluntary Remediation Act [Exhibit 7: Staff Memorandum]**

COMMISSIONER STEFANICS: We need a presentation, Mr. Chair, on item D and we have it at our place as a separate handout.

CHAIRMAN CHAVEZ: Yes. You're correct.

MR. SHAFFER: And if I could, Mr. Chair, I'd just note for the record that that was not an item that was discussed in executive.

CHAIRMAN CHAVEZ: It was not. I stand corrected. So we're done with executive session then.

PAUL OLAFSON (Planning): Mr. Chair, Commissioners, I am presenting a restrictive deed covenant for the Santa Fe new traditional courthouse. This is an item that is part of the voluntary remediation program we've been entering into with NMED. It's part of the final cleanup phase of that project. As you'll recall, we did encounter some environmental conditions and we have remediated those conditions. Part of the final agreement is to provide – we have already received our conditional certificate of completion and one of the conditions of that is that the County places a deed restriction prohibiting residential development on the property until such time as a final certificate of completion is issued.

THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY, NEW MEXICO

RESOLUTION NO. 2015- 172

---

**A RESOLUTION  
DETERMINING REASONABLE NOTICE FOR PUBLIC MEETINGS DURING  
CALENDAR YEAR 2016 OF THE BOARD OF COUNTY COMMISSIONERS OF  
SANTA FE COUNTY AND FOR BOARDS AND COMMITTEES APPOINTED BY OR  
ACTING UNDER THE AUTHORITY OF THE BOARD OF COUNTY  
COMMISSIONERS; ESTABLISHING PERMISSIBLE MEETING LOCATIONS AND A  
WEBCAST AND BROADCAST POLICY; AND RESCINDING PARTS OF  
RESOLUTION NO. 2015-59**

---

**WHEREAS**, the Open Meetings Act, NMSA 1978, Chapter 10, Article 15 (hereinafter referred to as "the Act") provides that "[a]ll meetings of a quorum of members of any board, commission, administrative adjudicatory body or other policymaking body of . . . any county, . . . held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or taking any action within the authority of or the delegated authority of any board, commission or other policymaking body are declared to be public meetings open to the public at all times, except as otherwise provided in the constitution of New Mexico or the [Act]" (NMSA 1978, Section 10-15-1(B) (2013));

**WHEREAS**, the Act further provides that "[a]ny meetings at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs and at which a majority or quorum of the body is in attendance, and any closed meetings, shall be held only after reasonable notice to the public" (NMSA 1978, Section 10-15-1(D));

**WHEREAS**, the Act further requires a public body to "determine at least annually in a public meeting what notice for a public meeting is reasonable when applied to that body" (NMSA 1978, Section 10-15-1(D)); and

**WHEREAS**, for calendar year 2016, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") desires to determine what constitutes reasonable notice to the public of its meetings and for meetings of boards and committees appointed by or acting under the authority of the Board, as required by the Act, and to otherwise specify important elements of its continuing compliance with the Act, establish permissible meeting locations, and establish a policy concerning the webcasting and broadcasting of meetings.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF AS FOLLOWS:**

**1. Regular Meetings.**

**A. Board Meetings.**

**i. Time and Place; Schedule for Calendar Year 2016.** From January 1, 2016, through December 31, 2016, regular meetings of the Board will be held beginning at 2:00 p.m. on the second and last Tuesday of each month, except that there will be only one Board

SFC CLERK RECORDED 12/09/2015



meeting in December, on December 13, 2016. A copy of the complete calendar of regular meetings of the Board for calendar year 2016 is attached to this resolution as Appendix 1.

**ii. Notice.** This Resolution and Appendix 1 shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building. So long as the meetings are held on the days and times and at the location specified in Appendix 1, posting of this Resolution and Appendix 1 shall constitute reasonable and appropriate notice of each regular meeting of the Board.

**iii. Notice of Rescheduled Regular Meeting.** If a regular meeting is rescheduled from the date, time, or location specified in Appendix 1, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

**iv. Notice to Radio, Television and Print Media.** Notice of a regular meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such Notice.

**B. Other Meetings Requiring Notice.**

**i. Time and Place.** A regular meeting of a board or committee appointed by or acting under the authority of the Board shall be held at a time and place to be specified in the resolution creating such board or committee or, if not specified, upon a decision of the board or committee.

**ii. Notice, Annual Schedule.** Notice of a regular meeting of each board or committee shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days before such meeting. Alternatively, a regular meeting schedule of a board or committee may be developed for calendar year 2016 and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building; if so posted and so long as meetings are held on the days and times and at the location specified, posting of the annual meeting schedule shall constitute reasonable and appropriate notice of each regular meeting of the board or committee.

**iii. Notice of Rescheduled Regular Meeting.** If a regular meeting is rescheduled from the date, time, or location specified on the annual schedule, notice of the rescheduled meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least ten (10) days prior to the date of the meeting.

**iv. Notice to Radio, Television and Print Media.** Notice of a regular meeting of a board or committee shall also be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notices.

**2. Special Meetings.**

**A. When Held.** A special meeting of the Board may be called by the Chair or by a majority of the members of the Board at such time and place as the Chair or a majority of the members of the Board deem appropriate. A special meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee at such time or place as

the chair of that board or committee or a majority of members of the board or committee deem appropriate.

**B. Notice of Special Meeting.** Notice of a special meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least three (3) days before such meeting.

**C. Notice to Radio, Television and Print Media.** Notice of a special meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

### **3. Emergency Meetings.**

**A. Board Emergency Meeting, When, Where Held.** An emergency meeting of the Board may be called by the Chair or by a majority of the members of the Board to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County. An emergency meeting may be conducted at a time and place as the Chair or a majority of the members of the Board deem appropriate.

**B. Board or Committee Emergency Meetings, When, Where Held.** An emergency meeting of a board or committee appointed by or acting under the authority of the Board may be called by the chair of that board or committee or by a majority of the members of that board or committee to consider unforeseen circumstances that, if not addressed immediately, will likely result in injury or damage to persons or property or substantial financial loss to the County, to be held at such time or place as the chair of that board or committee or a majority of members of the board or committee deem appropriate.

**C. Notice.** If possible given the emergency circumstances, notice of an emergency meeting shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building at least twenty-four (24) hours prior to the meeting. If twenty-four (24) hours advance notice cannot be given, notice shall be posted as soon as possible.

**D. Notice to Radio, Television and Print Media.** Notice of an emergency meeting shall be provided to broadcast stations licensed by the Federal Communications Commission and newspapers of general circulation that have made written request for such notice.

**E. Required Report.** Any action taken at an emergency meeting shall be reported to the Attorney General's Office as described in paragraph 4 of this Resolution.

**4. Agendas.** Meeting notices shall include an agenda containing a list of specific items of business to be discussed or transacted at the meeting or information on how the public may obtain a copy of such an agenda. If not included in the notice of meeting, a final agenda shall be prepared and posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building and on the County's internet web site at least seventy-two (72) hours before the meeting. Except for emergency matters, action shall be taken only on items appearing on the final agenda. An "emergency" refers to "unforeseen circumstances that, if not addressed immediately by the public body, will likely result in injury or damage to persons or property or substantial loss to the public body." NMSA 1978, Section 10-15-1(F). Within ten (10) days of taking action on an emergency matter, the County shall report to the Attorney General's Office.

the action taken and the circumstances creating the emergency, except in the event of a declared state or federal emergency.

5. **Recessed Meetings.** A meeting may be recessed to a later day, if, prior to recessing, the date, time and place for continuation of the meeting is specified, and, immediately following the recessed meeting, notice of the date, time and place for the reconvened meeting is posted on or near the door of the place where the original meeting was held. Only matters appearing on the agenda of the original meeting may be discussed at the reconvened meeting unless notice of the reconvened meeting is provided as otherwise set forth herein.

6. **Cancelled Meetings.** A meeting may be cancelled by posting a notice of cancellation in a conspicuous and appropriate place at the Santa Fe County Administrative Building and posting notices of the cancelled meeting on the doors of the building where the meeting was to be held as soon as practicable prior to the time and date of the cancelled meeting.

7. **Participation by Conference Telephone.** A member of the Board may participate in a meeting of the Board by means of conference telephone or other similar communications equipment when it is difficult or impossible for the member to attend the meeting in person, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member of the Board who speaks, during the meeting.

8. **Closed Meetings.** A meeting may be closed in the following manner:

A. If the Board or board or committee appointed by or acting under the authority of the Board is in an open meeting when a closed meeting is desired and authorized by the Act, then the closed meeting shall be approved on motion by a majority of a quorum of the Board, or committee and the authority for the closure shall be stated in the motion. The votes of the members on the motion shall be recorded in the minutes.

B. If the Board or committee appointed by or acting under the authority of the Board is not in a public meeting and a closed meeting is desired and authorized, public notice of the closed meeting, appropriate under the circumstances, shall be given stating the authority for the closure.

C. Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state that the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

9. **Application to County Boards, Committees.** This Resolution shall apply to each meeting of a board or committee whose members are appointed by the Board or which is acting under the authority of the Board, except the Extraterritorial Land Use Authority, the Extraterritorial Land Use Commission, the Buckman Direct Diversion Board, the Regional Planning Authority, the Regional Emergency Communications Committee, the Northern Central Regional Transit District, and the Solid Waste Management Authority.

SFC CLERK RECORDED 12/09/2015

**10. Definitions.**

A. "Board." For purposes of this Resolution, Board means the Board of County Commissioners of Santa Fe County.

B. "Meeting." For purposes of this Resolution, the term "meeting" shall be defined as a meeting of a quorum of the members of the Board and each meeting of a board or committee whose members are appointed by the Board held for the purpose of formulating public policy, including the development of personnel policy, rules, regulations or ordinances, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of the Board or board or committee whose members are appointed by the Board.

C. "Santa Fe County Administrative Building." For purposes of this Resolution, the term "Santa Fe County Administrative Building" means 102 Grant Avenue Santa Fe NM 87501.

**11. Meeting Locations.** Pursuant to NMSA 1978, Section 4-38-8 (1981), Board meetings shall be held in the City of Santa Fe, except that meetings concerning matters of local interest only may be held in the community affected. All Board meetings shall be held in a public building owned by the State, County, or public schools.


**12. Webcasting and Broadcasting.** Unless it is impracticable or impossible to do so, Board meetings shall be webcast live on the County's internet site and broadcast live on local radio and television stations. In addition, video recordings of Board meetings shall be made available on the County's internet site.

**13. Parts of Prior Resolution Rescinded.** Resolution No. 2015-59, except for Paragraph 13 of that resolution, is hereby rescinded.

**14. Effective Date.** This Resolution shall become effective on January 1, 2016.

**PASSED, APPROVED, AND ADOPTED** this 8<sup>th</sup> day of December, 2015.

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

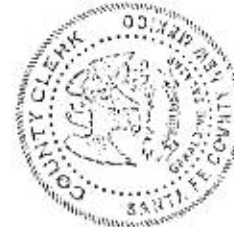
  
Robert A. Anaya, Chair

**ATTEST:**

  
Geraldine Salazar, County Clerk

**APPROVED AS TO FORM:**

  
Gregory S. Shaffer, County Attorney



APPENDIX 1

NOTICE OF REGULAR MEETINGS OF THE BOARD OF COUNTY  
COMMISSIONERS OF SANTA FE COUNTY TO BE HELD FROM JANUARY 1, 2016,  
TO DECEMBER 31, 2016, IN THE COMMISSION CHAMBERS ON THE SECOND  
FLOOR OF THE SANTA FE COUNTY ADMINISTRATIVE BUILDING  
LOCATED AT 102 GRANT AVENUE SANTA FE NM 87501

January 12, 2016	2:00 PM
January 26, 2016	2:00 PM
February 9, 2016	2:00 PM
February 23, 2016	2:00 PM
March 8, 2016	2:00 PM
March 29, 2016	2:00 PM
April 12, 2016	2:00 PM
April 26, 2016	2:00 PM
May 10, 2016	2:00 PM
May 31, 2016	2:00 PM
June 14, 2016	2:00 PM
June 28, 2016	2:00 PM
July 12, 2016	2:00 PM
July 26, 2016	2:00 PM
September 13, 2016	2:00 PM
September 27, 2016	2:00 PM
October 11, 2016	2:00 PM
October 25, 2016	2:00 PM
November 8, 2016	2:00 PM
November 29, 2016	2:00 PM
December 13, 2016	2:00 PM

SFC CLERK RECORDED 12/09/2015

Final agendas for these meetings shall be posted in a conspicuous and appropriate place at the Santa Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501 and on the County's internet web site at least seventy-two (72) hours before the meeting.



COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC RESOLUTIONS  
PAGES: 6

I Hereby Certify That This Instrument Was Filed for  
Record On The 9TH Day Of December, 2015 at 10:47:52 AM  
And Was Duly Recorded as Instrument # 1781443  
Of The Records Of Santa Fe County

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

**STATE OF NEW MEXICO  
COUNTY OF RIO ARRIBA  
FIRST JUDICIAL DISTRICT**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO ARRIBA and**

**NO. D-117-CV-2016-00254**

**THE CITIZENS FOR ACCESSIBLE AND  
REPRESENTATIVE GOVERNMENT,**

**Petitioners**

**v.**

**THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF SANTA FE,**

**Respondent.**

**DECLARATION OF TONY T. FLORES**

Tony T. Flores declares as follows:

1. I am the Deputy County Manager for Santa Fe County.
2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.
3. On Friday, February 26, 2016, there was a meeting in the conference room of the Santa Fe County Manager's Office. In attendance were me, County Attorney Gregory S. Shaffer, Orlando Romero (Constituent Liaison for County Commissioner Henry P. Roybal), George Martinez, and Margaret C. Campos. The purpose of the meeting was to discuss the proposed annexation petition that is the subject of this lawsuit.
4. Prior to the meeting, I had reviewed the proposed petition, some law on the topic, and some newspaper articles concerning the annexation by Sandoval County of the portion of the Village of Corrales that was formerly part of Bernalillo County. Based upon that review, the proposed petition seemed defective on its face.





5. Santa Fe County staff had a choice to make at the meeting. We could say nothing about the potential facial deficiencies we saw or be forthright about them. If we said nothing, and the petition was rejected by the Board when it was filed with them, we would be accused of sandbagging the annexation proponents and setting them up to fail. Saying nothing would also feel disingenuous.

6. Consequently, I made the decision that, in addition to providing basic information about the process, we should be candid about the shortcomings we saw, while being clear that we had not been authorized to speak on behalf of the Board. That way, the annexation proponents could make an informed decision about how they wanted to proceed.

7. By way of general summary, here are some of the takeaways that I recall from the meeting: (i) Santa Fe County staff explained the County Clerk's view that NMSA 1978, § 3-1-5 did not apply to the proposed annexation petition and, therefore, that she would not be signing the proposed petition; (ii) Santa Fe County staff made clear that they had not been authorized to and were not speaking on behalf of the Board; (iii) Santa Fe County staff explained that, if the proponents of the annexation wanted the Board to review the petition prior to signatures being requested, they would have to request to be placed on the Board's agenda, the Board had meetings on March 8, 2016, and March 29, 2016, and that the proponents of the annexation should inform the Deputy County Manager by Monday, February 29, if they wanted the Board to consider the proposed petition at its March 8, 2016, meeting; (iv) Santa Fe County staff identified what it perceived to be potential facial deficiencies with the draft petition; (v) Santa Fe County staff specifically noted their understanding that NMSA 1978, § 4-33-1 contained two statutory conditions that had to be met before annexation was proper and that both conditions had to be set forth in an annexation petition; (vi) the proposed petition did not address the

County Seat Condition at all; (vii) with regard to the County Seat Condition, Santa Fe County staff noted that that the county seat of Rio Arriba County was Tierra Amarilla rather than the City of Española; (viii) Santa Fe County staff expressed its understanding that mileage alone was not the test but, rather, it was the location **and** condition of roads or the existence or nonexistence of transportation facilities that determined convenience, both with regard to the County Seat Condition and the Governmental Services Condition, and the economics of providing governmental services; (ix) that, should an election be called on the question of annexation, it would be a countywide election in Santa Fe County; and (x) that the heading of the petition could be simplified and the statutory conditions precedent to annexation recited in the petition. At the end of the meeting, Santa Fe County staff provided Ms. Campos with a copy of NMSA 1978, Chapter 4, Article 33, as well as some newspaper articles concerning the annexation by Sandoval County of the portion of the Village of Corrales that was formerly part of Bernalillo County.

8. As indicated, to the extent the annexation proponents wanted the petition reviewed in advance by the Board, I offered to have the proposed petition placed on the agenda of the Board's March 8 or March 29, 2016, meeting. Ultimately, as was their right, the annexation proponents chose to proceed with the petition without such pre-review by the Board, thereby assuming the risk that, when filed with the Board, the Board might conclude that the petition was legally defective on its face after they had collected signatures.

9. In a May 3, 2016, letter, I memorialized what I considered at the time to be the most significant points discussed at the February 26, 2016, meeting. The time between the meeting and my letter reflects nothing more than the press of other work. My May 3, 2016,

letter contains an obvious typo. "Deputy County Attorney" appears under my name rather than "Deputy County Manager".

10. My May 6, 2012, letter is attached as Exhibit 12 to the Verified Petition for a Writ of Mandamus in the First Judicial District Court (Verified Petition). According to the Verified Petition, Mr. Martinez took this as an insult and an attack on his credibility. I do not think that is a fair reading of my letter, and it certainly was not what I intended. Having the annexation petition filed with the Santa Fe County clerk was consistent with the law and a best practice in any event. Such filing allowed a permanent record to be created of what was filed, to the benefit of everyone involved, including the courts. I know from over 17 years of experience in government that documents delivered to a government entity can get misplaced, in whole or in part, through inadvertence or otherwise. Filing the petition with the County Clerk drastically reduces, if not eliminates, the possibility that documents could be misplaced and a dispute arise about what was filed. In short, Santa Fe County's desire to create a proper record by having the annexation petition filed with the County Clerk has nothing to do with Mr. Martinez's credibility.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

  
\_\_\_\_\_  
Tony T. Flores

9.1.16  
\_\_\_\_\_  
Date

**STATE OF NEW MEXICO  
COUNTY OF RIO ARRIBA  
FIRST JUDICIAL DISTRICT**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO ARRIBA and**

**NO. D-117-CV-2016-00254**

**THE CITIZENS FOR ACCESSIBLE AND  
REPRESENTATIVE GOVERNMENT,**

**Petitioners**

**v.**

**THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF SANTA FE,**

**Respondent.**

**DECLARATION OF PHILIP SALAZAR**

Philip Salazar declares as follows:

1. I am employed by Santa Fe County as an Election Administrative Specialist in the Bureau of Elections within the Santa Fe County Clerk's Office.
2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.
3. Attached hereto as Exhibit A is a true and correct copy of a request I personally processed for registered voter information from the Santa Fe County voter file. The request was for the "Area of City of Española that is also part of Santa Fe County." The request was made by a Christopher Madrid of Taos NM representing George Martinez. The requested format was Microsoft Excel. The request did not request any particular sorting option. Nor did it request physical addresses. The Microsoft Excel file I created in response to the request was provided to the requester on a compact disc.



4. The program we use to extract voter records from the voter file keeps a copy of the electronic files of voter records that we create. Consequently, I have a digital copy of the Microsoft Excel file that I created to satisfy the attached request. A printed copy of that Microsoft Excel file is attached hereto as Exhibit B.

5. To capture the Santa Fe County residents residing within the City of Española, I searched for voters registered within the City of Española Council Districts that include a portion of Santa Fe County, Council Districts 1-4. In other words, the Microsoft Excel file I created contained all Santa Fe County residents registered to vote in City of Española City Council Districts 1-4.

6. Unless otherwise specified in the request for information from the voter file, my practice is to provide the mailing address of voters for whom there are different physical and mailing addresses in the voter list database. That means if a voter record contains both a physical address and a different mailing address, then the mailing address will be extracted rather than the physical address. This is done to make the size of the Microsoft Excel file more manageable and because most voter lists I create are used to mail campaign literature. Here, since the requester did not specifically ask for physical addresses, the Microsoft Excel file I created in response to this request contained mailing addresses only, some of which -- P.O. Boxes, for example -- are outside the City of Española.

7. All told, there were 1,315 voter records in the Microsoft Excel file I created. This is consistent with the price we charged for the file, \$21. As reflected on Exhibit A, there is a \$15 setup fee per request, plus an additional fee of \$3 per 1,000 records. (The \$3 fee is not prorated. For example, the charge for a Microsoft Excel file with 500 records would be \$3 (plus the \$15 setup fee). The charge for one with 1,001 records would be \$6 (plus the \$15 setup fee).)

8. It is important to understand that the voting records were provided to the requester in the requested Microsoft Excel format on a compact disc. This means that the requester of the data could easily sort the data in a multitude of ways, including by last name, city, zip code, or voter precinct. How the requester sorted, printed, and used the data was up to the requester.

9. The Microsoft Excel file that I provided in response to the request could have been printed on 18 8.5" x 11" pages of paper without any deleting or hiding of columns or rows. This could have been done by changing the page orientation to "Landscape Orientation" and choosing the "Fit All Columns on One Page" scaling option. Attached hereto as Exhibit B is a printout of the Microsoft Excel file I provided to the requester using those settings. But, again, how the data was sorted, printed, and used was up to the requester.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

  
Philip Salazar

9-1-16  
Date

# Affidavit of Authorization

For: Material Requested From Voter File

Date: 3-14-14

Christopher Madrid, representing George Martinez  
Requestor Name (please print or type) print or type name

Do hereby request information from the Voter File from the following:

Precinct(s): Area of City of Espanola that is also part of Santa Fe County  
District(s): \_\_\_\_\_

Political Party Affiliation: \_\_\_\_\_

Voted in Election(s): \_\_\_\_\_

Other: \_\_\_\_\_

Of \_\_\_\_\_ County, New Mexico, as follows:

- Voter Data - selected information derived from the voter file
- Special Voter List - prepared lists of selected voters arranged in the order in which requested.
- Election Campaign Purposes - relating in any way to a campaign in an election conducted by a federal, state, or local government.
- Governmental Purposes - noncommercial purposes relating in any way to the structure, operation or decision-making of a federal, state, or local government.

I hereby swear that the above material requested shall be used only for governmental, election and election campaign purposes, and shall not be made available or used for unlawful purposes.

[Signature]  
Signature of Requestor  
326 South Trapp Rd  
Residential Address  
Tuc NM 87571  
City State Zip

Sorted by:  
 Name  
 Precinct  
 Residential Address

Format:  
 Microsoft Excel (limit 65,535 records)  
 .CSV  
 Text (tab separated)  
 Paper List

Phone number where you can be reached: ( ) -

Deliver via U.S.P.S to Recipient, Address: \_\_\_\_\_

Hold with the County Clerk until pick up

I hereby authorize \_\_\_\_\_ to furnish the above-name person the material as indicated on this form.

Setup Fee \$15.00  
Electronic Format Without Voting History \$ 3.00 per 1000 records  
Electronic Format With Voting History \$ 4.00 per 1000 records  
Printed List of Voters \$5.00 Per 1000 records  
Labels \$ 20.00 per 1000 records

**Do Not Write Below This Line (For County Clerk Use ONLY)**

[Signature]  
Signature Of Recipient

3/14/14  
Date Materials Furnished to Recipient

[Signature]  
Data Processor (please Print)

[Signature]  
Signature of Data Processor

Records Found: \_\_\_\_\_  
Price Per Record: \_\_\_\_\_  
Total Price of Furnished Voter Data: \$ 21  
Comments: \_\_\_\_\_

Any person, organization or corporation or agent, officer, representative or employee thereof who commits unlawful use of voter data or special voter lists shall be guilty of a fourth degree felony and upon conviction shall be fined one hundred dollars (\$100.00) for each and every line of voter information which was unlawfully used. Each and every unlawful use of voter data or special voter lists shall constitute a separate offense.





















last name, first	last name, middle	first name, last	old name, suffix	cm grade	project, test designation	net phone, area code	net phone, exchange	net phone, ext four	net address, line 1	net address, line 2	net cascade, city	net cascade, area
MS	AVANNA	AVANNA		079					1041 E SANDWICH LN		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					471 BOX 107 B		ESPANOLA	87533
MS	ADRIAN	ADRIAN		079					PO BOX 16		ESPANOLA	87533
MS	ADRIAN	ADRIAN		079					BOX 33		ESPANOLA	87537
MS	ADRIAN	ADRIAN		079					P.O. BOX 148		ESPANOLA	87537
MS	ADRIAN	ADRIAN		079					4411 SOUTE DILLI LINDO		ESPANOLA	87537
MS	ADRIAN	ADRIAN		079					PO BOX 21		ESPANOLA	87537
MS	ADRIAN	ADRIAN		079					P.O. BOX 446		ESPANOLA	87537
MS	ADRIAN	ADRIAN		079					10111 MEDICAL ST		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 1001		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					738 B MARLINER LN		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 1012		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 1012		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					511 S MARLINER LN		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 782		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					998 E PUEBLO DR		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1614 MARLINER LN		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 782		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 1001		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 1001		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1012 CALLE NOROCC		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 2251		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1515 MARLINER LN		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 5121		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					7111 LA JALISA ST		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					471 47		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 481		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					726 STATE ROAD 78		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 4473		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 1784		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 2104		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 1007		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 4857		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 186		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 5052		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 1480 SANTA CRUZ		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					41706 AMERICA ST		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 419		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 4857		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1520 VANDERBILT		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1041 CAMINO VIEJA		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					S C CAMINO DE OQUAN		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 112		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 314		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 172		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1497 MCCLEARY CR		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 4616		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 2891		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 2891		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					727 MEDICAL ST		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1511 MARLINER LN		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 5202		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 2251		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1427 MCCLEARY CR		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 868		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					901 0241 778		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 6865		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1511 MARLINER LANE		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 3475		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 3076		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					520 CAMINO RIO VISTA		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					61706 ABBAYALA ST		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 4412		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 1326		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 55		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 4		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					PO BOX 3203		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1616 GREENHILL RD		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 2405		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					1112 CAMINO VIEJA		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					P.O. BOX 77		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					419 B N WASHINGTON		ESPANOLA	87532
MS	ADRIAN	ADRIAN		079					2083 WOODLIF ST		ESPANOLA	87532























**STATE OF NEW MEXICO  
COUNTY OF RIO ARRIBA  
FIRST JUDICIAL DISTRICT**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO ARRIBA and**

**NO. D-117-CV-2016-00254**

**THE CITIZENS FOR ACCESSIBLE AND  
REPRESENTATIVE GOVERNMENT,**

**Petitioners**

**v.**

**THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF SANTA FE,**

**Respondent.**

**DECLARATION OF KRISTINE MIHELICIC**

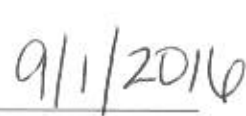
Kristine Mihelcic declares as follows:

1. I am the Communication Coordinator for Santa Fe County.
2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.
3. My duties at Santa Fe County include the posting of meeting agendas for meetings of the Board of County Commissioners of the County of Santa Fe (Board) on Santa Fe County's website, [www.santafecountynm.gov](http://www.santafecountynm.gov).
4. On Tuesday, May 3, 2016, I posted the initial Agenda attached hereto as Exhibit A on Santa Fe County's website.
5. On Friday, May 6, 2016, I posted the Amended Agenda attached hereto as Exhibit B on Santa Fe County's website.



Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

  
\_\_\_\_\_  
Kristine Mihelcic

  
\_\_\_\_\_  
Date

Board of County Commissioners of Santa Fe County  
County Commission Chambers  
County Administrative Building  
102 Grant Avenue  
Santa Fe NM 87501

REGULAR MEETING

May 10, 2016, at 2:00 p.m.

*Please turn off cellular phones during the meeting.*

*Agenda*

- I. Opening Business
- A. Call to Order
  - B. Roll Call
  - C. Pledge of Allegiance
  - D. State Pledge
  - E. Moment of Reflection
  - F. Approval of Agenda (Action Item)
    - 1. Amendments.
    - 2. Tabled or Withdrawn Items.
  - G. Approval of Minutes (Action Item)
    - 1. Approval of April 12, 2016, Board of County Commissioners Budget Study Session Meeting Minutes.
    - 2. Approval of April 12, 2016, Board of County Commissioners Meeting Minutes.
- II. Consent Agenda (Action Items)
- A. Resolutions
    - 1. Resolution No. 2016-\_\_\_, A Resolution Imposing An Annual Liquor License Tax Upon Persons Holding State Liquor Licenses. (County Treasurer/Patrick "Pat" Varela)
    - 2. Resolution No. 2016-\_\_\_, A Resolution Requesting a Budget Increase for the Senior Services Home Delivered Meal Program (101-0492) / \$11,991.00. (Finance Department/Carole Jaramillo)
- (End of Consent Agenda)*



III. Action Items

A. Items From Consent Agenda Requiring Extended Discussion / Consideration

B. Miscellaneous

1. Request Approval of Amendment No. 1 to Professional Services Agreement No. 2015-0229 A-CSD/MM between Santa Fe County and La Familia for the Low Birth Weight Prevention Initiative (i) Increasing Compensation in the Amount of \$185,000, Exclusive of GRT, and (ii) Extending the Term of the Agreement for an Additional Year. (Purchasing/Bill Taylor and Community Services/Patricia Boies)
2. Request Approval of Amendment No. 1 to Professional Services Agreement No. 2015-0188-CSD/MM between Santa Fe County and Presbyterian Medical Services for the Operation of the Mobile Crisis Response Team (i) Increasing Compensation in the Amount of \$350,000, Exclusive of GRT, and (ii) Extending the Term of the Agreement for an Additional Year. (Purchasing/Bill Taylor and Community Services/Patricia Boies)
3. Request Approval of (i) Agreement to Subject Property Interests to Existing Mortgage and (ii) Partial Release of Mortgage Arising Under Affordable Roof Program. (Growth Management/Robert Griego)
4. Request (i) Approval of the High Intensity Drug Trafficking Areas Program (HIDTA) Grant Award No. G16SN001A in the Amount of \$255,013.00 and (ii) Authorization for the County Manager to Sign the Grant Award Agreement. (Finance Department/Carole Jaramillo)

C. Resolutions

1. Resolution No. 2016-\_\_\_, A Resolution to Recognize La Bajada Traditional Village Committee as a Community Organization (CO) for The La Bajada Traditional Community. (Growth Management/Amy Rincon)
2. Resolution No. 2016-\_\_\_, A Resolution Requesting a Budget Increase to Budget Cash in the Lodger's Tax Advertising Fund (215) for Tourism Related Initiatives / \$500,000. (Finance Department/Carole Jaramillo)

IV. Matters From the County Manager

A. Miscellaneous Updates

V. Matters of Public Concern

- VI. Discussion/Information Items/Presentations
- A. Matters from County Commissioners and Other Elected Officials
1. Elected Officials Issues and Comments - These are Non-Action Items by Elected Officials, Such as Constituent Concerns, Elected Official Recognitions, and Requests for Updates or Future Presentations.
  2. Commissioner Issues and Comments - These are Non-Action Items by Commission District, Such as Constituent Concerns, Commissioner Recognitions, and Requests for Updates or Future Presentations.
- B. Presentations
1. Approval and Presentation of a Proclamation Honoring National Correctional Officer, Correctional Nurse and National Teacher Appreciation Week. (Commissioner Chavez) (Action Item)
  2. Approval and Presentation of a Proclamation Establishing the Day of May 11, 2016, as 2016 Wrestling State Champion Xavier Vigil Day. (Commissioner Chavez) (Action Item)
  3. Presentation by Santa Fe Community College (SFCC) and New Mexico Highlands University (NMHU) partnership, Masters of Social Work Program at the Santa Fe Higher Education Center (HEC), Presentation by: Dr. Andrew Israel, Rebecca Estrada, HEC Director and Thomasinia Ortiz-Gallegos, Director NMHU Santa Fe. (Commissioner Anaya)
- VII. Matters From the County Attorney
- A. Executive Session
- VIII. Public Hearings (To Begin No Earlier Than 5:00 P.M.)
- A. Land Use Case (Possible Action Item)\*
1. BCC CASE #MIS 16-5080 Black Bird, LLC Beer & Wine License. Black Bird Saloon, LLC, Applicant, Requesting Approval for a Restaurant Beer and Wine License. The Property is Located at 28 Main Street, within the Los Cerrillos Community Overlay District, within Section 17, Township 14 North, Range 8 East, (Commission District 3). (John M. Salazar, Case Planner)
- IX. Concluding Business
- A. Announcements
- B. Adjournment (Action Item)

\*These land use cases are administrative adjudicatory proceedings. Among other things, this means that Commissioners generally may not discuss a case with the applicant or other members of the public outside of the public hearing on the case. In addition, the Board of County

Commissioners may not announce its decision on a land use case at the conclusion of the public hearing tonight.

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**Board of County Commissioners of Santa Fe County**  
County Commission Chambers  
County Administrative Building  
102 Grant Avenue  
Santa Fe NM 87501

**REGULAR MEETING**

**May 10, 2016, at 2:00 p.m.**

*Please turn off cellular phones during the meeting.*

***Amended Agenda***

- I. **Opening Business**
- A. Call to Order
  - B. Roll Call
  - C. Pledge of Allegiance
  - D. State Pledge
  - E. Moment of Reflection
  - F. Approval of Agenda (Action Item)
    - 1. **Amendments.**
    - 2. **Tabled or Withdrawn Items.**
  - G. Approval of Minutes (Action Item)
    - 1. Approval of April 12, 2016, Board of County Commissioners Budget Study Session Meeting Minutes.
    - 2. Approval of April 12, 2016, Board of County Commissioners Meeting Minutes.
- II. **Consent Agenda (Action Items)**
- A. Resolutions
    - 1. Resolution No. 2016-\_\_\_, A Resolution Imposing An Annual Liquor License Tax Upon Persons Holding State Liquor Licenses. (County Treasurer/Patrick "Pat" Varela)
    - 2. Resolution No. 2016-\_\_\_, A Resolution Requesting a Budget Increase for the Senior Services Home Delivered Meal Program (101-0492) / \$11,991.00. (Finance Department/Carole Jaramillo)
- (End of Consent Agenda)*





### III. Action Items

#### A. Items From Consent Agenda Requiring Extended Discussion / Consideration

#### B. Miscellaneous

1. Request Approval of Amendment No. 1 to Professional Services Agreement No. 2015-0229 A-CSD/MM between Santa Fe County and La Familia for the Low Birth Weight Prevention Initiative (i) Increasing Compensation in the Amount of \$185,000, Exclusive of GRT, and (ii) Extending the Term of the Agreement for an Additional Year. (Purchasing/Bill Taylor and Community Services/Patricia Boies)
2. Request Approval of Amendment No. 1 to Professional Services Agreement No. 2015-0188-CSD/MM between Santa Fe County and Presbyterian Medical Services for the Operation of the Mobile Crisis Response Team (i) Increasing Compensation in the Amount of \$350,000, Exclusive of GRT, and (ii) Extending the Term of the Agreement for an Additional Year. (Purchasing/Bill Taylor and Community Services/Patricia Boies)
3. Request Approval of (i) Agreement to Subject Property Interests to Existing Mortgage and (ii) Partial Release of Mortgage Arising Under Affordable Roof Program. (Growth Management/Robert Griego)
4. Request (i) Approval of the High Intensity Drug Trafficking Areas Program (HIDTA) Grant Award No. G16SN001A in the Amount of \$255,013.00 and (ii) Authorization for the County Manager to Sign the Grant Award Agreement. (Finance Department/Carole Jaramillo)
5. Request Approval of Amendment No. 1 to the Jacona Solid Waste Transfer Station Lease Agreement and Access Easement between Santa Fe County and the Pueblo of Pojoaque. (Public Works/Robert Martinez) (Item Added)

#### C. Resolutions

1. Resolution No. 2016-\_\_\_, A Resolution to Recognize La Bajada Traditional Village Committee as a Community Organization (CO) for The La Bajada Traditional Community. (Growth Management/Erin Ortigoza)
2. Resolution No. 2016-\_\_\_, A Resolution Requesting a Budget Increase to Budget Cash in the Lodger's Tax Advertising Fund (215) for Tourism Related Initiatives / \$500,000. (Finance Department/Carole Jaramillo)
3. Resolution No. 2016-\_\_\_, A Resolution Authorizing the Disposition of Fixed Assets in Accordance with State Statute. (Public Works/Erik Aaboe) (Item Added)

**D. Appointments/Reappointments/Resignations**

- 1. Appointment of Nancy Long as Hearing Officer Pursuant to Section 3.5.3 of the Santa Fe County Sustainable Land Development Code until June 30, 2017. (Growth Management/Vicki Lucero) (Item Added)**

**IV. Matters From the County Manager**

**A. Miscellaneous Updates**

**V. Matters of Public Concern**

**VI. Discussion/Information Items/Presentations**

**A. Matters from County Commissioners and Other Elected Officials**

- 1. Elected Officials Issues and Comments - These are Non-Action Items by Elected Officials, Such as Constituent Concerns, Elected Official Recognitions, and Requests for Updates or Future Presentations.**
- 2. Commissioner Issues and Comments - These are Non-Action Items by Commission District, Such as Constituent Concerns, Commissioner Recognitions, and Requests for Updates or Future Presentations.**

**B. Presentations**

- 1. Approval and Presentation of a Proclamation Honoring National Correctional Officer, Correctional Nurse and National Teacher Appreciation Week. (Commissioner Chavez) (Action Item)**
- 2. Approval and Presentation of a Proclamation Establishing the Day of May 11, 2016, as 2016 Wrestling State Champion Xavier Vigil Day. (Commissioner Chavez) (Action Item)**  
**Presentation by Santa Fe Community College (SFCC) and New Mexico Highlands University (NMHU) partnership, Masters of Social Work Program at the Santa Fe Higher Education Center (HEC), Presentation by: Dr. Andrew Israel, Rebecca Estrada, HEC Director and Thomasinia Ortiz-Gallegos, Director NMHU Santa Fe. (Commissioner Anaya)**
- 3. Approval and Presentation of a Proclamation Establishing the Month of May as Mental Health Month. (Commissioner Chavez) (Item Added)**

**VII. Matters From the County Attorney**

**A. Executive Session (Items Added)**

- 1. Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, and Discussion of the Purchase, Acquisition or**

**Disposal of Real Property or Water Rights, as allowed by Section 10-15-1(H)(8) NMSA 1978, Including the Following:**

- a. **Right of Ways for County Roads.**
  - b. **Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española.**
  - c. **Whistleblower Protection Act, NMSA 1978, Chapter 10, Article 16C, Lawsuits.**
- 2. Limited Personnel Matters, as Defined and as Allowed by Section 10-15-1(H)(2) NMSA 1978.**
- a. **Department, Division, and Office Heads.**
- B. Possible Action(s) with Respect to Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant Discussed in Executive Session. (Action Item) (Item Added)**
- C. Consideration and Possible Action on Petition for Rio Arriba County to Annex the Portion of Santa Fe County that Lies within the City of Española. (Action Item) (Item Added)**
- D. Approval of Restrictive Deed Covenant for the Santa Fe County Judicial Complex, VRP Site No. 53092001, as Required by the Conditional Certificate of Completion Issued to Santa Fe County by the New Mexico Environment Department Pursuant to the Voluntary Remediation Act. (Action Item) (Item Added)**

**VIII. Public Hearings (To Begin No Earlier Than 5:00 P.M.)**

**A. Land Use Case (Possible Action Item)\***

1. **BCC CASE #MIS 16-5080 Black Bird, LLC Beer & Wine License. Black Bird Saloon, LLC, Applicant, Requesting Approval for a Restaurant Beer and Wine License. The Property is Located at 28 Main Street, within the Los Cerrillos Community Overlay District, within Section 17, Township 14 North, Range 8 East, (Commission District 3). (John M. Salazar, Case Planner)**

**IX. Concluding Business**

**A. Announcements**

**B. Adjournment (Action Item)**

\*These land use cases are administrative adjudicatory proceedings. Among other things, this means that Commissioners generally may not discuss a case with the applicant or other members of the public outside of the public hearing on the case. In addition, the Board of County Commissioners may not announce its decision on a land use case at the conclusion of the public hearing tonight.

Santa Fe County makes every practical effort to assure that auxiliary aids or services are available for meetings and programs. Individuals who would like to request auxiliary aids or services

**should contact Santa Fe County Manager's Office at (505) 986-6200 in advance to discuss specific needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).**

**STATE OF NEW MEXICO  
COUNTY OF RIO ARRIBA  
FIRST JUDICIAL DISTRICT**

**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO ARRIBA and**

**NO. D-117-CV-2016-00254**

**THE CITIZENS FOR ACCESSIBLE AND  
REPRESENTATIVE GOVERNMENT,**

**Petitioners**

**v.**

**THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF SANTA FE,**

**Respondent.**

**DECLARATION OF AMBRA BACA**

Ambra Baca declares as follows:

1. I am the Administrative Assistant for the Santa Fe County Manager's Office.
2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.
3. My duties at Santa Fe County include the posting of meeting agendas for meetings of the Board of County Commissioners of the County of Santa Fe (Board) at the Santa Fe County Administrative Building located at 102 Grant Avenue Santa Fe NM 87501.
4. Within the Santa Fe County Administrative Building, there are two locked bulletin boards generally used to post meeting notices and agendas. One is located on the first floor; the other on the second floor. Above each locked bulletin board used for the purpose of posting meeting notices and agendas is a carved wooden sign with the following words in all capital, black letters: "PUBLIC MEETING NOTICES & AGENDAS".



5. The key for the two locked bulletin boards described above is maintained in the Santa Fe County Manager's Office.
6. Regular Board meetings are usually held on Tuesdays.
7. One week before a regular Board meeting, Santa Fe County's practice is to try and post the initial agenda for the regular Board meeting on Santa Fe County's website and in the two locked bulletin boards at the Santa Fe County Administrative Building described above. The final amended agenda for a regular Board meeting is posted on Santa Fe County's website and at the Santa Fe County Administrative Building at least seventy-two hours before the regular meeting, and usually is posted on the Friday before the Board's meeting.
8. On Tuesday, May 3, 2016, I posted the initial Agenda attached hereto as Exhibit A in the two locked bulletin boards at the Santa Fe County Administrative Building described above.
9. On Wednesday, May 4, 2016, a letter from George Martinez to Board Chair Miguel M. Chavez, with enclosures, was delivered to the County Manager's Office. The letter and enclosures were ultimately filed with the Santa Fe County Clerk's Office and recorded as Instrument No. 1793046.
10. On Friday, May 6, 2016, I posted the Amended Agenda attached hereto as Exhibit B in the two locked bulletin boards at the Santa Fe County Administrative Building described above.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

  
\_\_\_\_\_  
Ambra Baca

  
\_\_\_\_\_  
Date

**Board of County Commissioners of Santa Fe County**  
County Commission Chambers  
County Administrative Building  
102 Grant Avenue  
Santa Fe NM 87501

**REGULAR MEETING**

**May 10, 2016, at 2:00 p.m.**

*Please turn off cellular phones during the meeting.*

***Agenda***

- I. Opening Business
- A. Call to Order
  - B. Roll Call
  - C. Pledge of Allegiance
  - D. State Pledge
  - E. Moment of Reflection
  - F. Approval of Agenda (Action Item)
    - 1. Amendments.
    - 2. Tabled or Withdrawn Items.
  - G. Approval of Minutes (Action Item)
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**III. Action Items**

**A. Items From Consent Agenda Requiring Extended Discussion / Consideration**

**B. Miscellaneous**

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**C. Resolutions**

1. Resolution No. 2016-\_\_\_, A Resolution to Recognize La Bajada Traditional Village Committee as a Community Organization (CO) for The La Bajada Traditional Community. (Growth Management/Amy Rincon)
2. Resolution No. 2016-\_\_\_, A Resolution Requesting a Budget Increase to Budget Cash in the Lodger's Tax Advertising Fund (215) for Tourism Related Initiatives / \$500,000. (Finance Department/Carole Jaramillo)

**IV. Matters From the County Manager**

**A. Miscellaneous Updates**

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VII. Matters From the County Attorney

A. Executive Session

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***Amended Agenda***

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**IV. Matters From the County Manager**

**A. Miscellaneous Updates**

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**VII. Matters From the County Attorney**

**A. Executive Session (Items Added)**

1. Threatened or Pending Litigation in which Santa Fe County is or may Become a Participant, as Allowed by Section 10-15-1(H)(7) NMSA 1978, and Discussion of the Purchase, Acquisition or



**should contact Santa Fe County Manager's Office at (505) 986-6200 in advance to discuss specific needs (e.g., interpreters for the hearing impaired or readers for the sight impaired).**

**STATE OF NEW MEXICO  
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**THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO ARRIBA and**

**NO. D-117-CV-2016-00254**

**THE CITIZENS FOR ACCESSIBLE AND  
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**Petitioners**

**v.**

**THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF SANTA FE,**

**Respondent.**

**DECLARATION OF KATHERINE MILLER**

Katherine Miller declares as follows:

1. I am the Santa Fe County Manager.
2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration, except as otherwise noted.
3. One week before a regular meeting of the Board of County Commissioners of the County of Santa Fe (Board), Santa Fe County's practice is to post the initial agenda for the regular Board meeting on Santa Fe County's website and at the Santa Fe County Administrative Building. The final amended agenda for a regular Board meeting is posted on Santa Fe County's website and at the Santa Fe County Administrative Building at least seventy-two hours before the regular meeting, and usually is posted on the Friday before the Board's meeting the subsequent Tuesday.
4. With regard to the Board's regular meeting on Tuesday, May 10, 2016, I understand from the members of my staff responsible for such things that (i) the initial Agenda





for this meeting was posted on Santa Fe County's website and at the Santa Fe County Administrative Building the previous Tuesday, May 3, 2016, and (ii) the Amended Agenda for the meeting was posted on Santa Fe County's website and at the Santa Fe County Administrative Building on Friday, May 6, 2016.

5. At the beginning of a regular Board meeting, my normal practice is to review changes between the initial Agenda posted the previous Tuesday and the final Amended Agenda posted no later than 72 hours before the meeting for the benefit of the Board and the public, as well as items that are to be tabled and withdrawn.

6. At the beginning of the Board's regular meeting on May 10, 2016, I reviewed amendments to the agenda. The amendments I reviewed included items that had been added to the agenda the previous Friday, when I understand that the Amended Agenda for the meeting had been posted on Santa Fe County's website and at the Santa Fe County Administrative Building.

7. The additions to the meeting agenda that I described at the beginning of the meeting, including those related to the petition requesting that the City of Española portion of Santa Fe County be annexed to Rio Arriba County, were **not** made on the day of the Board's May 10, 2016, meeting. Rather, as noted above, the amendments were made the previous Friday, May 6, when I understand the Amended Agenda was posted as described above. The comments I made at the beginning of the meeting simply described those changes for the Board and public.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

  
Katherine Miller

9-1-2016  
Date

STATE OF NEW MEXICO  
COUNTY OF RIO ARRIBA  
FIRST JUDICIAL DISTRICT

THE BOARD OF COUNTY COMMISSIONERS  
OF THE COUNTY OF RIO ARRIBA and

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THE CITIZENS FOR ACCESSIBLE AND  
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**Petitioners**

v.

THE BOARD OF COUNTY COMMISSIONERS OF  
THE COUNTY OF SANTA FE,

**Respondent.**

**DECLARATION OF KATHLEEN ORTIZ**

Kathleen Ortiz declares as follows:

1. I am the Paralegal for the Santa Fe County Attorney's Office.
2. I am over the age of eighteen and have personal knowledge of the facts contained in this declaration.
3. On September 1, 2016, I searched the online business records of the New Mexico Secretary of State's Office, <https://portal.sos.state.nm.us/BFS/online/CorporationBusinessSearch>. There was no record of an entity named The Citizens for Accessible and Representative Government ("CARG").
4. On August 31, 2016, I searched the digital records of the Santa Fe County Clerk's Office. There was no record of CARG having filed any statement, articles of association, or rules and regulations with the Santa Fe County Clerk's Office as an unincorporated association.



5. On August 31, 2016, I called the Rio Arriba County Clerk's Office, which did a courtesy search for me of their digital records dating back to 1997. There was no record of CARG having filed any organizational documents with the Rio Arriba County Clerk's Office.

Pursuant to Rule 1-011(B) NMRA, I affirm under penalty of perjury under the laws of the State of New Mexico that the above statements are true and correct.

  
Kathleen Ortiz

9-1-16  
Date