

City of Santa Fe, New Mexico

memo

DATE: September 18, 2014
TO: City Council
FROM: Mayor Javier M. Gonzales
RE: Appointments

I would like to make the following appointments:

Airport Advisory Board

Stephen C. Ross—to fill unexpired term ending 2/2017 (Resume attached)

Planning Commission

Brian Patrick Gutierrez – to fill unexpired term ending 6/2016 (Resume attached)

STEPHEN C. ROSS

ATTORNEY AT LAW

EXPERIENCE

ATTORNEY, LAW & RESOURCES AND PLANNING ASSOCIATES, P.C., ALBUQUERQUE, NEW MEXICO MAY 2014 - PRESENT.

General civil practice, general civil litigation, environmental law, natural resources law, environmental litigation, local government law, land use law.

COUNTY ATTORNEY SANTA FE COUNTY, NEW MEXICO 2003 - 2014.

Represent the Board of County Commissioners, County Manager and, as appropriate, county elected officials (County Clerk, Assessor, Treasurer, Sheriff) in state and federal courts. Represent or monitor several intergovernmental boards, commissions and agencies. Assist with risk management and manage the County's portfolio of insurance coverage. Manage a staff of five lawyers and three support staff. Directly litigate uninsured cases including writs of mandamus, injunctions, administrative appeals, employment matters, collective bargaining matters, etc. Supervise litigation strategy of contract counsel in insured cases. Draft ordinances, resolutions, contracts and other relevant documents. Assist with policy development in areas such as government structure and function, water, land use, public finance, ethics, and environmental law and compliance.

ASSISTANT GENERAL COUNSEL, NEW MEXICO ENERGY AND NATURAL RESOURCES DEPARTMENT SANTA FE, NEW MEXICO 2000 - 2003

Represented the Oil Conservation Commission (OCC) and the Director of the Oil Conservation Division. Defended decisions of the OCC on oil and gas exploration and production in state courts and supervised litigation before the California Public Utilities Commission and the Federal Energy Regulatory Commission on natural gas pricing issues. Assisted with legislation, rule making and policy development at the state and federal levels. Participated in the development of proposed revisions to the Model Oil and Gas Act at the Interstate Oil and Gas Compact Commission.

DEPUTY COUNTY ATTORNEY SAN JUAN COUNTY, NEW MEXICO 1994 - 2000

Similar duties to present position. In addition, represented the San Juan Water Commission and implemented the Animas La Plata Water Project. Superfund litigation.

ATTORNEY, CIVEROLO, HANSEN & WOLF ALBUQUERQUE, NEW MEXICO 1989 - 1993

General civil litigation including products liability, insurance coverage, personal injury, local government, and environmental hazards (CERCLA).

EDUCATION

University of Utah College of Law — J.D., 1989. William H. Leary Scholar.

Wichita State University — M.M., 1979

University of Illinois — B.S., 1977

LICENSES

State Bar of New Mexico (No. 5913), 1989

State of Colorado (No. 33834), 2003

Federal District Court, District of New Mexico, 1990

Tenth Circuit Court of Appeals, 1990

United States Supreme Court, 2011

OTHER RELEVANT EXPERIENCE

Board of Directors of the Public Law Section of the New Mexico State Bar. Chair, 2009.

Speaker at numerous continuing legal education seminars on topics such as local regulation of oil and gas drilling and production, land use law and planning, public procurement, water law, and hydraulic fracturing, through the American Bar Association, the New Mexico Public Procurement Association, CLE International, the State Bar of New Mexico, and others.

INTERESTS

Music performance, outdoor pursuits, flying (private pilot), family and friends.

201 Third Street NW, Suite 1750
Albuquerque, New Mexico 87102
Direct: (505) 346-0998
Facsimile: (505) 346-0997
Email: sra@lrpa-use.com
Website: www.lrpa-usa.com/q.com

PRESENTATIONS

Presentation: "Controlling the Local Impacts of Hydrofracking," with Bolling, Richardson and Sifers, during a conference entitled *Leading Communities toward a Resilient Future*, the Land Use Center at Pace Law School's *12th Annual Land Use and Sustainable Communities Development Conference*, White Plains, New York, December 6, 2013.

Program Chair: *Hydraulic Fracturing: The Law and the Science*, CLE International, 2nd Annual Conference, Santa Fe, New Mexico, October 11, 2013.

Presentation: "Local Government Bans on Hydraulic Fracturing or Outright Drilling Bans — current Legal Status," during a conference entitled *Hydraulic Fracturing: The Law and Science*, CLE International, 2nd Annual Conference, Santa Fe, New Mexico, October 11, 2013.

Presentation: "The Santa Fe County Oil Development Ordinance," to the Board of County Commissioners of Mora County, New Mexico, May 14, 2012.

Presentation: "Local Regulation of Water Quality Issues: A Look Into the Future," during CLE International's *19th Annual New Mexico Water Law Conference*, Santa Fe, New Mexico, August 5, 2011.

Presentation: "State of the Art Planning for New Mexico's Future: The Santa Fe County Sustainable Land Development Plan," during CLE International's *15th Annual Land Use Law Conference - Planes, Trains and Automobiles*, Albuquerque, New Mexico, November 4, 2010.

Moderator, Panel Discussion: "The Use and Practice of Alternative Dispute Resolution in Government," with Herrmann, Bushnell, Beaucaire, during the State Bar of New Mexico's *2010 New Mexico Administrative Law Institute*, Albuquerque, New Mexico, October 22, 2010.

Presentation: "Land Use and Water Concerns: How Availability of Water for New and Existing Development is Fostering a Review of the Regulatory Approach to Development Permitting in Santa Fe County, New Mexico," during ALI-ABA *26th Annual Institute, Land Use Institute: Planning, Regulation, Litigation, Eminent Domain and Compensation*, Santa Fe, New Mexico, August 26, 2010.

Presentation: "Land Use Aspects of Medical Marijuana," during ALI-ABA *26th Annual Institute, Land Use Institute: Planning, Regulation, Litigation, Eminent Domain and Compensation*, Santa Fe, New Mexico, August 27, 2010.

Presentation: "Santa Fe County: Sustainable, Renewable and Green," during ALI-ABA *26th Annual Institute, Land Use Institute: Planning, Regulation, Litigation, Eminent Domain and Compensation*, Santa Fe, New Mexico, August 26, 2010.

Presentation: "Santa Fe County's Oil Development Zoning Ordinance — Will it be a Model for New Mexico?" Presented during CLE International's *14th Annual Land Use Law Conference*, Albuquerque, New Mexico, December 4, 2009.

Presentation: "Pitfalls of Government Construction Projects," during the *Procurement Code Institute* of the State of New Mexico and the Center for Legal Education, September 21, 2007, Santa Fe, New Mexico.

PUBLICATIONS

"The Unusual Role of Elected County Clerks in Resolving the Question of Same-Sex Marriage in New Mexico," *State and Local Law News*, a publication of the Section of State and Local Government Law of the American Bar Association, Vol. 37, No. 2, Winter 2014.

201 Third Street NW, Suite 1750
Albuquerque, New Mexico 87102
Direct: (505) 346-0998
Facsimile: (505) 346-0997
Email: sna@lrpa-usa.com
Website: www.lrpa-usa.com

Brian Patrick Gutierrez

7625 Baca Lane

Santa Fe, NM 87507

Phone: 505.474.6969

Fax: 505.634.5025

Brian@SamtaFeRecycles.com

Objective: Volunteer for the City of Santa Fe Planning Commission

2007 –Present Owner/Sole Member Mr. G's Santa Fe Recycles

Mr. G's Santa Fe Recycles is a full service Recycler located at 7625 Baca Lane on the north east corner of Airport Rd. and NM 599. We are primarily a scrap metal recycler. Our motto is "From Cans To Cars". We also recycle fibrous materials such as OCC ("Old Corrugated Container") more commonly referred to as cardboard. In the very near future we will be accepting plastics number one and two for recycle.

As the owner of Mr. G's Santa Fe Recycles I am responsible for every function of a small family owned business. During the day I am the President, and at night I am the one who makes sure the place stays clean.

- Over see daily functions of the operation of a full service recycling center.
- In charge of purchasing recyclable material, along with the resale of materials.
- Interact with all customers who patronize the facility on a daily basis. Handling of money to purchase materials.
- Balancing the cash drawer at the end of the work day.
- Coordinate with outside trucking companies to make sure material is moved in a timely manner, and to a location for proper recycling.
- Manage employee in their daily duties.
- Track and manage the "Best Management Practices" for the safety of the facility. Environmental "Best Management Practices" are also a function overseen by myself.

1996-2007 Owner/Sole Member Mr. G's Pro-Tow L.L.C

- *Operate a twenty-four hour, seven day a week, towing service.
- *Dispatch and receive incoming and outgoing calls for service.
- *Manage daily operation of employees, ensure trucks are maintained.

*Process all paperwork necessary for the operation. This included handling of money, issuing receipts, filing liens.

1996-Present Owner/Sole Member Mr. G's Auto Sales L.L.C.

- Obtain used vehicles for resale from different sources.
- Get vehicles safety inspected and prepared for sale.
- Involvement in every step of the sale process.
- Follow up after the sale to guarantee customer satisfaction.

Certifications and Licensees:

- State of New Mexico Solid Facility Operator
- State of New Mexico Recycling Facility Registration
- State of New Mexico Auto Recycler and Dealer License
- State of New Mexico Recycled Metals Program
- State of New Mexico Public Regulation Commission Warrant

Volunteer Activities

- City of Santa Fe Charter Commission 2012/2013