



Agenda

REGULAR MEETING OF
THE GOVERNING BODY
MARCH 11, 2015
CITY COUNCIL CHAMBERS

AFTERNOON SESSION – 5:00 P.M.

CITY CLERK'S OFFICE

DATE 3/6/15 TIME 10:35am

SERVED BY

RECEIVED BY Alicia Martinez

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. SALUTE TO THE NEW MEXICO FLAG
4. INVOCATION
5. ROLL CALL
6. APPROVAL OF AGENDA
7. APPROVAL OF CONSENT CALENDAR
8. APPROVAL OF MINUTES: Joint City/County Meeting – February 20, 2015
Reg. City Council Meeting – February 25, 2015
9. PRESENTATIONS
 - a) Proclamation – Certified Government Financial Managers Month – March 2015. (Councilor Dominguez) (5 Minutes)
 - b) Climate Action Task Force Update and Recommended Energy Initiatives. (David Coss) (10 Minutes) **(Postponed at February 25, 2015 City Council Meeting)**
10. CONSENT CALENDAR
 - a) Bid No. 15/11/B – Salvador Perez Fitness Equipment; The Fitness Superstore. (Robert Rodarte)
 - b) Request for Approval of Bus Bridge Services Agreement – Public Transit Services Within the City of Santa Fe; Rio Metro Regional Transit District. (Ken Smithson)
 - c) Request for Approval of Amendment No. 3 to Professional Services Agreement – Software Licenses and Technical Support; RouteMatch Software, Inc. (Ken Smithson)



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- d) Request for Approval of Application – FY 2015/16 Law Enforcement Protection Fund; New Mexico Department of Finance Administration Local Government. (Chief Eric Garcia)
- e) Request for Approval of Procurement Under State Price Agreement – Four (4) Ford Fusion Vehicles and Equipment for Police Department; Don Chalmers Ford. (Deputy Chief Mario Salbidrez)
 - 1) Request for Approval of Budget Adjustment – Police Property Tax Fund.
- f) Request for Approval of Agreement Between Owner and Architect – Southside Transit Center and Police Department Renovations (RFP #15/19/P); Huitt-Zollers, Inc. (LeAnn Valdez)
 - 1) Request for Approval of Budget Adjustment – Alarm Enforcement Fund.
- g) CONSIDERATION OF RESOLUTION NO. 2015-____. (Councilor Rivera)
A Resolution Supporting the Next Phase of Project Planning for the Santa Fe “Arts + Creativity Center” Which is Intended to Provide Affordable Live, Work, Creation, Performance and Retail Space for Artists and Creative Businesses in Santa Fe. (Alexandra Ladd)
- h) Request to Publish Notice of Public Hearing for April 8, 2015:
 - 1) Bill No. 2015-9: An Ordinance Creating a New Section 10-11 SFCC 1987 to Prohibit the Sale of Single Serving Containers of Alcoholic Beverages, in Sizes of Eight Ounces or Less, Within the Municipal Boundaries of the City of Santa Fe. (Councilor Lindell, Councilor Dimas, Councilor Dominguez, Councilor Ives and Councilor Bushee) (Alfred Walker)
 - 2) Bill No. 2015-10: An Ordinance Authorizing the Sale of 2,352 Square Feet of Real Property Located Adjacent to 213 West Alameda Street and Described as Parcel ‘A’ as Shown and Delineated on a Plat of Survey Entitled, “Boundary Survey Plat, Parcel ‘A’ for Galisteo Street, Inc., Lying and Being Situate Within Projected Section 24, T17N, R9E, Within the Santa Fe Grant, NMPM, West Alameda, City and County of Santa Fe, New Mexico,” Dated December 12, 2014. (Matthew O’Reilly)



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- i) Request for Approval of Budget Adjustment to Provide Full Funding for FY 2014/15 Economic Development Program. (Kate Noble)
- j) Request for Approval for City of Santa Fe to Become a Charter Member of the Rio Grande Wildfire and Water Source Protection Collaborative Program. (Rick Carpenter)
11. CONSIDERATION OF RESOLUTION NO. 2015-____. (Mayor Gonzales and Councilor Ives)
A Resolution Relating to Early Childhood Care and Education; Proclaiming Support for Community Efforts to Provide Universal, High-Quality Early Childhood Care and Education and Services for Children Ages Prenatal through Five and Their Families. (Chris Sanchez)
12. CONSIDERATION OF RESOLUTION NO. 2015-____. (Councilor Maestas and Councilor Ives)
A Resolution Supporting Proposed State Legislation, Senate Bill 665 ("SB 665") Relating to Water Wells, Leases, Hearings and Abandonment. (Rick Carpenter)
13. **Case # 2013-116 & 2014-82:** Request for Approval of the Recommendation of the City Attorney Pursuant to Santa Fe City Code Section 14-3.17(D)(6) that the Governing Body Dismiss the Appeal of Cellular Phone Task Force, Arthur Firstenberg and Fifty-One Citizens from the October 30, 2013 Decision of the Land Use Department to Issue a Building Permit #13-2097 and the Appeal by the Cellular Phone Task Force, Arthur Firstenberg and Twenty-One Citizens from the July 15, 2014 Decision of the Land Use Department to Issue a Building Permit #14-813 to John Malone and Verizon Wireless Regarding Replacement of Telecommunications Antennas at 1402 Agua Fria. (Zachary Shandler)
(Postponed at February 25, 2015 City Council Meeting)
14. Request for Approval of City of Santa Fe Contribution Toward NCRTD's "Mountain Route" Pilot Project. (Jon Bulthuis)
15. MATTERS FROM THE CITY MANAGER



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16. MATTERS FROM THE CITY ATTORNEY

Executive Session

In Accordance with the New Mexico Open Meetings Act §10-15-1(H)(7) NMSA 1978, Discussion Regarding Pending Litigation in Which the City of Santa Fe is a Participant: High Summit Corp.; Summit South Co; and Ralph Brutsche v. City of Santa Fe, Case No. D-101-CV-2009-03914 in the First Judicial District Court for the State New Mexico; Qwest Corporation v. City of Santa Fe, Case No. 14-2008 in the U.S. Court of Appeals for the Tenth District; and 14-00332-UT, In the Matter of the Application of the Public Service Company of New Mexico for Revision of its Retail Electric Rates Pursuant to Advice Notice No. 507.

17. Action Regarding High Summit Corp.; Summit South Co., and Ralph Brutsche v. City of Santa Fe, Case No. D-101-CV-2009-03914 in the First Judicial District Court for the State New Mexico. (Kelley Brennan)

18. Action Regarding Qwest Corporation v. City of Santa Fe, Case No. 14-2008 in the U.S. Court of Appeals for the Tenth District. (Kelley Brennan)

19. MATTERS FROM THE CITY CLERK

20. COMMUNICATIONS FROM THE GOVERNING BODY

EVENING SESSION – 7:00 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. SALUTE TO THE NEW MEXICO FLAG
- D. INVOCATION
- E. ROLL CALL
- F. PETITIONS FROM THE FLOOR
- G. APPOINTMENTS
 - Arts Commission



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H. PUBLIC HEARINGS:

- 1) Request from National Dance Institute of New Mexico (NDI New Mexico) for a Waiver of the 300 Foot Location Restriction and Approval to Allow the Dispensing/Consumption of Alcoholic Beverages at the NDI Dance Barns, 1140 Alto Street, Which is Within 300 Feet of Aspen Community Magnet School, 450 La Madera. This Request is for NDI's Annual Gala to be held on Saturday, May 16, 2015 from 4:30 p.m. to 11:00 p.m. (Yolanda Y. Vigil)
- 2) CONSIDERATION OF RESOLUTION NO. 2015-____. (Councilor Trujillo)
A Resolution Authorizing the Reallocation of 2012 Parks and Trails Bond Funds, in the Amount of \$533,300, that are Currently Allocated for the Skate Features at Franklin Miles Park, Ragle Park and West De Vargas Park to be Reallocated for a Skate Feature at Genoveva Chavez Community Center. (Richard Thompson)
- 3) CONSIDERATION OF BILL NO. 2015-5: ADOPTION OF ORDINANCE NO. 2015-____. (Councilor Dominguez and Councilor Dimas)
An Ordinance Relating to Youth League Fees for Use of City Sports Fields; Amending Subsection 23-4.13 and 23-7.5 SFCC 1987 to Require Youth League Representatives to Participate in the Keep Santa Fe Beautiful Cleanup Events in Exchange for the Reduced Youth League Fees the City Offers and Making Such Other Grammatical and Typographical Changes as are Necessary. (Richard Thompson)

I. ADJOURN

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been addressed, the meeting should be reconvened at 7:00 p.m., the following day and shall be adjourned not later than 12:00 a.m. Agenda items, not considered prior to 11:30 p.m., shall be considered when the meeting is reconvened or tabled for a subsequent meeting.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

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March 11, 2015**

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**MINUTES OF THE
REGULAR MEETING OF THE
GOVERNING BODY
Santa Fe, New Mexico
March 11, 2015**

AFTERNOON SESSION

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Javier M. Gonzales, on Wednesday, March 11, 2015, at approximately 5:00 p.m., in the City Hall Council Chambers. Following the Pledge of Allegiance, Salute to the New Mexico flag, and the Invocation, roll call indicated the presence of a quorum, as follows:

Members Present

Mayor Javier M. Gonzales
Councilor Peter N. Ives, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Others Attending

Brian K. Snyder, City Manager
Kelley A. Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

6. APPROVAL OF AGENDA

Brian Snyder, City Manager said he would like to pull Item #10(j), to go back to Public Utilities for an informational item and discussion. He asked to insert a Muchas Gracias for Cecilia Lipworth prior to 9(a)

MOTION: Councilor Bushee moved, seconded by Councilor Maestas, to approve the agenda as amended.

VOTE: The motion was approved unanimously on a voice vote with Mayor Gonzales, Councilors Bushee, Dimas, Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and none against.

7. APPROVAL OF CONSENT CALENDAR

MOTION: Councilor Bushee moved, seconded by Councilor Rivera, to approve the following Consent Calendar, as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

10. CONSENT CALENDAR

- a) **BID NO. 15/11/B – SALVADOR PEREZ FITNESS EQUIPMENT; THE FITNESS SUPERSTORE. (ROBERT RODARTE)**
- b) **REQUEST FOR APPROVAL OF BUS BRIDGE SERVICES AGREEMENT – PUBLIC TRANSIT SERVICES WITHIN THE CITY OF SANTA FE; RIO METRO REGIONAL TRANSIT DISTRICT. (KEN SMITHSON)**
- c) **REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO PROFESSIONAL SERVICES AGREEMENT – SOFTWARE LICENSES AND TECHNICAL SUPPORT; ROUTEMATCH SOFTWARE, INC. (KEN SMITHSON)**
- d) **REQUEST FOR APPROVAL OF APPLICATION – FY 2015/16 LAW ENFORCEMENT PROTECTION FUND; NEW MEXICO DEPARTMENT OF FINANCE & ADMINISTRATION, LOCAL GOVERNMENT DIVISION. (CHIEF ERIC GARCIA)**
- e) **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT – FOUR (4) FORD FUSION VEHICLES AND EQUIPMENT FOR POLICE DEPARTMENT; DON CHALMERS FORD. (DEPUTY CHIEF MARIO SALBIDREZ)**
 - 1) **REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – POLICE PROPERTY TAX FUND.**

- f) REQUEST FOR APPROVAL OF AGREEMENT BETWEEN OWNER AND ARCHITECT – SOUTHSIDE TRANSIT CENTER AND POLICE DEPARTMENT RENOVATIONS (RFP #15/19/P); HUITT-ZOLLERS, INC. (LeANN VALDEZ)
 - 1) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – ALARM ENFORCEMENT FUND.
- g) *[Removed for discussion by Councilor Trujillo]*
- h) REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING FOR APRIL 8, 2015:
 - 1) *[Removed for discussion by Councilor Maestas]*
 - 2) BILL NO. 2015-10: AN ORDINANCE AUTHORIZING THE SALE OF 2,352 SQUARE FEET OF REAL PROPERTY LOCATED ADJACENT TO 213 WEST ALAMEDA STREET AND DESCRIBED AS PARCEL 'A' AS SHOWN AND DELINEATED ON A PLAT OF SURVEY ENTITLED, "BOUNDARY SURVEY PLAT, PARCEL 'A' FOR GALISTEO STREET, INC., LYING AND BEING SITUATE WITHIN PROJECTED SECTION 24, T17N, R9E, WITHIN THE SANTA FE GRANT, NMPM, WEST ALAMEDA, CITY AND COUNTY OF SANTA FE, NEW MEXICO," DATED DECEMBER 12, 2014. (MATTHEW O'REILLY)
- i) REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT TO PROVIDE FULL FUNDING FOR FY 2014/15 ECONOMIC DEVELOPMENT PROGRAM. (KATE NOBLE)
- j) REQUEST FOR APPROVAL FOR CITY OF SANTA FE TO BECOME A CHARTER MEMBER OF THE RIO GRANDE WILDFIRE AND WATER SOURCE PROTECTION COLLABORATIVE PROGRAM. (RICK CARPENTER. This item was removed from the agenda and sent back to the Public Utilities Committee.

**8. APPROVAL OF MINUTES: JOINT CITY/COUNTY MEETING - FEBRUARY 20, 2015
REGULAR CITY COUNCIL MEETING - FEBRUARY 25, 2015.**

MOTION: Councilor Rivera moved, seconded by Councilor Trujillo, to approve the minutes of the Joint City/County meeting of February 20, 2015, as presented.

VOTE: The motion was approved on a voice vote with Mayor Gonzales, Councilors Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion, none voting against and Councilors Bushee and Dimas abstaining

MOTION: Councilor Dominguez moved, seconded by Councilor Rivera, to approve the minutes of the Regular City Council meeting of February 25, 2015 as presented.

VOTE: The motion was approved on a voice vote with Mayor Gonzales, Councilors Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion, none voting against and Councilors Bushee and Dimas abstaining

9. PRESENTATIONS

(a)(1) MUCHAS GRACIAS – CECILIA LIPWORTH

Councilor Bushee presented a Muchas Gracias Certificate to Cecilia Lipworth for her work organizing programs and activities of One Billion and Rising to end violence against women and girls.

Mayor Gonzales thanked the organization which bring awareness to women's issues and to end violence against women, as well as bringing the community together to support these efforts. Mayor Gonzales said we look forward each year to the activities of One Billion and Rising.

a) PROCLAMATION – CERTIFIED GOVERNMENT FINANCIAL MANAGERS MONTH – MARCH 2015. (COUNCILOR DOMINGUEZ)

Councilor Dominguez read the Proclamation into the record declaring March 2015 as Certified Government Financial Managers Month in New Mexico, and presented the Proclamation to Elena Tercero, President, New Mexico AGA Chapter..

Ms. Tercero said there are almost 300 members in New Mexico, most of whom are government employees, and they encourage the membership to participate in the Association of Government Accountants for continuing education. They encourage their members to become CGFM. She currently is studying for the CGFM and has completed one exam with two to go. She introduced members and CGFM's Brian Maestas and Vince Lithgow, who are part of this Chapter and committee.

Councilor Dominguez thanked them for their hard work.

b) CLIMATE ACTION TASK FORCE UPDATE AND RECOMMENDED ENERGY INITIATIVES. (DAVID COSS). (Postponed from February 25, 2015 City Council Meeting)

A copy of Memorandum dated February 25, 2015, to Mayor Gonzales and City Councilors, from the Santa Fe Climate Action Task Force, regarding *Energy Efficiency and Renewable Energy Programs and Project Recommendations*, is incorporated herewith to these minutes as Exhibit "1."

Mayor Gonzales said he reached out to a group of citizens in the Fall and asked them to begin to take on the development of measurable action items that would help us begin to take on the challenges of climate change and to present a set of recommendations the Council could consider to move into policy. He said, after hundreds of hours, and the more than 70 people who participated in this process, he would like to invite Former Mayor Coss, Co-Chair of the Task Force along with Councilor Ives, to present the report. He thanked the members of the Task Force for serving, and continue to serve, on this Task Force to help us identify policy that can be brought before the Council for adoption. He said later this evening, he will begin the process along with Councilor Ives, with introducing resolutions and to invite any of the members of the Council to consider joining as cosponsors so we can build support for policy that will yield results in battling climate change in Santa Fe.

Former Mayor David Coss said it is great to see everyone again. He said he thought often in Co-Chairing the Task Force with Councilor Ives, about the great example that Justice Serna set when he chaired the Charter Commission two years ago. He said he did such a great job with this. He said he Chairs and listens and tries not to say too much. He said the citizens on the Task Force who are working so hard, really "know their stuff, are very passionate about it and really have done a tremendous amount of work." He noted several people from the Task Force are in attendance, and asked them to stand, and thanked them for their work. He said his presentation this evening is the work of the Task Force that has been going on for a long time.

Former Mayor Coss presented information from Exhibit "1." Please see Exhibit "1" for specifics of this presentation.

The Governing Body commented and asked questions as follows:

- Mayor Gonzales reiterated Former Mayor Coss's thanks to the Sustainable Planning Commission who re-gearred themselves a little bit to move into the Climate Action Task Force and become a part of the body and allow for their expertise to be lent to community members when they were considering some of these recommendations. He said, "I want to assure the Council that the Sustainability Commission that was appointed by Council is intact, in play and participating alongside with the Climate Action Task Force."
- Councilor Ives thanked Former Mayor Coss for the initial report to the Governing Body on the activities and recommendations of the Climate Action Task Force. He said this is a significant and important first step in the process which Mayor Gonzales set in place in September, to leverage the significant expertise and capacity across the community by the citizens who live here who bring so much knowledge and experience in these issues, creating an opportunity for them to be much more involved in taking our City forward into a very sustainable future. He thanked the members of the Task force in attendance as well as those who aren't here, as well as the 70 odd people who serve on the different working groups who are working to bring forth recommendations in all the other areas.

- Councilor Ives continued, saying, this is to be the first of many such opportunities to present to the Governing Body the recommendations to consider on policies to move our City forward into the sustainable future we all desire for it. He looks forward to continuing working with Former Mayor Coss. He said we have had many of these committees doing fabulous work and the Climate Action Task force is a catalyst in taking the good work done over many years, combining it with what is new and best in all of these areas and bringing it forward to the Governing Body for its consideration. He said we will have opportunity as Councilors to participate in those areas in which we have a particular interest to be able to look at sponsoring items of policy related to the recommendations that the Task Force will be bringing forward. He said, "Again, thanks. A brilliant start and looking forward to more."
- Councilor Bushee thanked Former Mayor Coss for his past initiatives, and for bringing Nick Schiavo on board as our energy specialist, and said, "we just went to town getting our City buildings solarized and that was the big jump start on the effort." She asked if the new Finance Director participated in any way, commenting she is interest in the Appendix, and the suggestion to use the water resources as a potential funding source.

Former Mayor Coss said the new Finance Director wasn't involved.

- Councilor Bushee asked who put together the Appendix that says, "We have a number of current customers, 762, I assume that's who are participating in some form of solar rooftop or other solar form, and the aim is to find 10,000 by a certain period. I'm just interested in the numbers."

Former Mayor Coss said, "The matrix and some of those goal settings were done by the Finance and the Energy working groups, and we get some of our numbers from Positive Energy and some of the solar installation companies. It was not reviewed with the Finance Department, it was more the financial expertise of the people on the working group."

- Councilor Bushee said she is looking for timelines as to when they have any expectation that we could achieve a goal of 10,000 residential solar energy systems.

Former Mayor Coss said, "That's significant. That's not in the next year. I think it ties back to the first goal of what is our footprint and what do we need to get to a zero footprint by 2040. But we think 740 is a darned good start, but not nearly enough. And again, that's why the PNM Rate Case concerns us, because it is a backward step when we're really going in a really positive direction. But I think every community in the country is looking at, we need to accelerate this."

- Councilor Bushee said she wanted to see who was behind the numbers and if they had the expertise to be able to consider that as a realistic goal. She said, "I'm assuming, again, not knowing the entire makeup of the committee, did the Santa Fe Public Schools participate in some way."

Former Mayor Coss said, "Yes. Lisa [Randall] has been with us all along."

- Councilor Bushee asked if they have ever bonded to go out.... because just like us, we can bond easily to build things. She asked, "Do you know if the schools have bonded to consider solarization."
- Former Mayor Coss said, "Some of the members may, I don't think they have. I think they've been doing it....:
- Mayor Gonzales said someone said yes.
- Councilor Bushee said she is interested in the funding mechanisms, the rate and would love to know if there is some way to send this to the Finance Committee to look at some of these funding options.

Former Mayor Coss said, "Those are great questions, and I think we're right at the time we want to start having Councilors and Council committees working with us and looking at these recommendations."

- Mayor Gonzales said, "I want to add on that point, Councilor. Thank for bringing up that point. There is a next process which is to turn it over to the Council. These really are citizen led recommendations. I will add that Commissioner Holian has been a part of this program as well, so the County has been included. I want to recognize Craig O'Hare and John Alejandro who have staffed the action task force for both the County and the City. And we expect Commissioner Holian to take at least form of recommendations to the Commission, so there can be joint participation in that."
- Mayor Gonzales continued, "And I think on the point of the Water Company, I think the way I understand the Climate Action Task Force, is they threw out a series of ideas, given where the City is. One of the options we could have, although it's going to take some work to understand, would be to adopt what other utilities across the country have, which is some form of utility bill pay through our water customers that would all people who could not necessarily go to a bank and borrow money for small retrofits or other energy efficient programs in their home, for us to look at utility bill pay in the form of our Water Company, to allow people to pay back costs associated with those retrofits."
- Mayor Gonzales, "Now, that's at the 30,000 ft. level, because we have the structure set up, but it will take a lot of work on our Finance Department's part, and certainly the utility side of the house. And any proposal or recommendation for that kind of program would be under full review by the City Council's Finance, Public Utilities and other committees. This is one example I've heard how the water company can play a role in being able to use their structure to bring other forms of capital if you will to some time of retrofit programs to the public that normally wouldn't. Large utilities in other communities across the country haven't opted for that kind of program, but we can if we have the mechanism to do so."

- Councilor Bushee asked if we can presume that the federal government – Fannie Mae and all of them – are going to continue to not allow us to use property taxes as the basis to do that kind of funding."
- Mayor Gonzales said, "PACE is funding that allows for property taxes to be used, or basically property to be secured to general capital to go for retrofits. That's different from using a utility bill system. And, you're right, I don't think there's been movement on the residential side. And Mike Lofton is here so he could help on that. But on the commercial side there seems to be a vehicle available for large commercial users. I think the technicalities and the cumbersome process is something that needs to be evaluated on whether it truly can be a form of financing. But PACE is very different from the utility bill pay that could be considered by the Council."
- Councilor Dominguez said, "Thank you, Mayors, for your work. Thank you Councilor Ives for your work as well, and thanks to the Task Force. How many members did you say there were, Mayor."
- Former Mayor Coss said, "I think, with all the working groups, there are over 70 people that have been participating. I think Commissioner Holian's group is truly large, for the land, the water and food security."
- Councilor Dominguez said it is exciting to see that kind of energy behind this sort of effort, and it's exciting to see this kind of effort being brought as far as it has been brought. He said, "It's one of those things where there is probably going to be a lot of capital costs, or expense I should say, in the front, but on the back end it's probably going to be well worth that investment."
- Councilor Dominguez continued, "I had just a couple of questions. One has to do with what Councilor Bushee brought up in terms of bringing this to the Finance Committee. I'm not sure what the timeline is for some of this stuff in terms of what the cost may be. I would ask staff to be wary of the fact that we're getting ready to jump into our budget. And so, as important as that is, and as important as this is, we want to make sure we provide the proper attention that each of those things need."
- Councilor Dominguez continued, "The question I had was, with regard to the LEAP process, it sounds like from what I read, that that the City is ready to initiate in that process. And it might be more of a technical question that staff might be able to answer."
- Former Mayor Coss said that is a question for John Alejandro.
- Mayor Gonzales said, "And I think that we.... so the goal would be to go to Finance with specific resolutions that would identify financial implications to the programs. But I will say that the Climate Action Task Force has heard from all of us that the City doesn't have a pull of capital necessary to put into these. So the idea of creating financing is something that is very important in this process. I think what the Council will be seeing over the course of the summer is a series of resolutions that

map to the recommendations that the Task Force has brought forward. And that's where you'll get to start really delving into what works, what doesn't."

- Councilor Dominguez said, "But the process is, in and of itself, right. It's a process that you probably have to go through outside of some of the other creative finance opportunities."
- Mayor Gonzales said, "Certainly, for expansion of City facilities that are going to use solar, that obviously has implications that need to be addressed and dealt with, for sure."
- Councilor Dominguez said he brought that up, because it seems like it might be one of those pieces of low hanging fruit we should pay specific attention to. He doesn't know the cost implications, but the sooner we engage in some of these processes the better it will be as we start to consider the fiscal impacts these might have on the City."
- Councilor Dominguez continued, "Just on the other comment I wanted to make, is I know a good part of this, and it's a good thing, is we're looking at job growth. I want to make sure we continue to work with our Public Schools and the private sector to make sure we have the qualified workforce for some of this technology that is important and technical and all those things. So we need to make sure we have that qualified workforce to make sure we can provide as many jobs as we can locally, so we don't have to contract with Albuquerque because we don't have the workforce here to make these things happen. I look forward to what might come down. This is a great start, a great blueprint, and again, congratulations and thanks for all of your work for the Task Force."
- Mayor Gonzales noted that the Schools developed a Sustainability High School, so they are starting to work with high school students to introduce them to the concept of sustainability and preparing them to map into the Community College which already has a comprehensive program. He said, "Fortunately, Councilor Maestas on your point on the number of individuals. What has been interesting and fascinating to watch here is that hasn't been minus me asking 10-12 individuals to help lead this, everything else has been open access for the public to participate. So those aren't through appointments. They are people who have an active interest in a particular part and they show up to the meetings and they become, by matter of their interest, participants in the dialogue and the discussion. And that's how it's led to 70 plus members, by the community knowing about it and choosing to show up and put time and effort into it."
- Councilor Maestas said it is fitting that Former Mayor Coss is here continuing to implement his legacy and sustainability here in the City, and it's good to see him. He thanked the members of the Task Force for their work to date. He said, "Before we consider specific initiatives from the Task Force, and I realize these are all low hanging fruit, short term initiatives, I was looking through the other climate action plan in the Sustainable Santa Fe Plan and there's a lot of overlap in recommendations. So if we're going to talk significant investment or implementation, it would be good, for me, to see kind of status report on the climate action plan from the Sustainable Santa Fe Plan. I would be more apt to invest money and continue initiatives already underway, versus

starting something new and shifting investments away from some of these other Climate Action Plan recommendations.”

- Councilor Maestas continued, “That’s a tall task, I know that. This is kind of maybe farther down the road, but I think that would be really helpful, because in the plan there were no milestones, or timelines or anything like that. I’m sure with each progress report filed by the Commission, they did make progress on a lot of these, the Green Building Code, the solarization of City buildings. But I think for me to have proper context I would like to see where we are in terms of implementing all these initiatives and see how we can incorporate your Task Force’s recommendation.”

Former Mayor Coss said that fits with their first recommendation to get the carbon footprint nailed down, and really we want to work with what the Sustainable Santa Fe Commission has developed, and all the other great groups in Santa Fe and take it forward. You hit on the main point, which is it’s time to start measuring if we want to be carbon neutral by 2040, where are we now, and what collection of actions and programs can get us there. I hope to see 2040.

- Mayor Gonzales, “In closing, there is no staff movement in implementing any of these policies until the Council has considered resolutions. I just want to assure what we see up here are recommendations that will come to policy. I think the Manager has been very clear to the staff that until Council adopts a resolution that gives specific direction, that they are not to move in those areas.”

CONSENT CALENDAR DISCUSSION

10(g) CONSIDERATION OF RESOLUTION NO. 2015-24 (COUNCILOR RIVERA AND COUNCILOR IVES). A RESOLUTION SUPPORTING THE NEXT PHASE OF PROJECT PLANNING FOR THE SANTA FE “ARTS + CREATIVITY CENTER,” WHICH IS INTENDED TO PROVIDE AFFORDABLE LIVE, WORK, CREATION, PERFORMANCE AND RETAIL SPACE FOR ARTISTS AND CREATIVE BUSINESSES IN SANTA FE. (ALEXANDRA LADD)

A copy of an Action Sheet from the Public Works/CIP and Land Use Committee meeting of Monday, March 9, 2015, is incorporated herewith to these minutes as Exhibit “2.”

Councilor Ives asked to be added as a cosponsor.

Councilor Trujillo said he has had a lot of time to look at this and what it’s about. He said, “This is City land we’ve donated to Creative Santa Fe for those that are creative. In all the time I’ve been on the Council, we’ve always had the discussion about creating housing for Police, Fire, teachers. Are we going to start donating land and, this section here is for creative people, this section here hopefully will be for Police Officers, this section here for Fire. That’s not something I would like to see. You know, I’ve been about fairness across the Board. That’s what I want to see. I understand where you are going with this.

I've spoken with a lot of my constituents and personnel from Fire and Police. Some of them would like to live in Santa Fe because they protect the City, but rates are high, they understand that."

Councilor Trujillo continued, "I'm just wondering, within this complex, is there going to be room for possibly putting a Police Officer, possibly putting one of our Fire Department personnel. These are questions I'm asking you guys."

Kate Noble said, "If I may. This has been something that has been a bit of a struggle in talking about this project. And I'll let Daniel answer the specific question in a moment. This has been focused on creatives because it is a project that puts together affordable housing and economic development and the idea there would be shared services, resources, work spaces to support it. To some degree, we've struggled with the initial perception that it's for artists. And just to read from a handout that was presented to Business & Quality of Life, today... *while initially focused on artists, the scope of the Arts & Creativity project has broadened to serve what we're calling creatives, meaning people to materially participate in or support the creative economy. These are creative individuals working in the visual arts, music, theater, dance, media arts, designers, entrepreneurs, writers, craftsmen, builders, or people in related industries that support these professions.*' So, because we're talking about a project that does something new in putting affordable housing and economic services together, focusing around the creative industries, faced that sort of initial stigma that it was only for artists, and it's not. I will let Daniel answer, because I don't know the specific answer on Police Officers."

Daniel Werwath said, "I would say, first of all, I don't think that a Police Officer would income qualify for the type of very affordable rental housing we're proposing to create with this project, so that's just a consideration at the top level, unless maybe it was single income household with a very large family. So that's a consideration. We certainly haven't finalized the details of his this process works and we realize it is something that will take the utmost care in terms of how we approach it."

Mr. Werwath continued, "What I would say to address your core question is that what we're trying to do here is develop a new type of housing that's not available and do it in a way that's affordable. I too, having worked as a housing counselor for years at the Housing Trust, know well the challenges that particularly public servants have in finding affordable housing. But I would also put forward that we have some of the best affordable housing programs in the country designed to serve this folks. And this is really a unique thing,. We're trying to target people with relatively low incomes, below 60% of the median income. That's a very low income level, lower than pretty much anyone that is a City employee, maybe a newly-hired high school Parks maintenance guy would qualify or large families."

Mr. Werwath said, "Really, it's about trying to create a new type of housing that creates not just an affordable space for living, but also some economic opportunity at the same time and I think it's a really novel approach."

Councilor Trujillo said, "I'm not going to hold this up. I just wanted you to be aware of what I've been told. "The other thing I want on the record, is where you are planning to develop this is on Siler Road on City property."

Mr. Werwath said, "That's is their preferred site which is far from being 100% confident from the City side and our side."

Councilor Trujillo said, "I brought this up at Finance, because, I'm not saying it's going to happen, but it could happen in the future, because we have the homeless shelter on Cerrillos Road. And I know it's not a popular place to have it. We probably will be over the next few years lease. I don't know what's going to happen, but I think it's imperative the Council get to work on what we're going to do that building – if it is going to stay a homeless shelter are we going to expand it or are we going to move it. One of those options. I'm looking at moving to Siler Road because we have the land. You guys have your building [inaudible] and we're looking at this, and should it occur that I get this Not In My Backyard. It's City property and nothing's going to happen, I'm just putting it in here. That's all the discussion I really want to have on it. I just want you to be aware of that and I want the rest of the Council to be aware as well. Other than that, I will move for approval."

MOTION: Councilor Trujillo moved, seconded by Councilor Ives, to adopt Resolution No. 2015-24.

DISCUSSION: Councilor Dominguez asked Councilor Trujillo if he has specific language to propose.

Councilor Trujillo said if the housing that Mr. Werwath is trying to create, and technically Police Officers and Firefighters would make too much money to be there, he understands that. He reiterated he has heard from Police and Firefighters along with other constituents, and he doesn't know how to word that into it.

Councilor Dominguez said the issue of housing for public employees is much more complicated than a proposal and the things being requested in this Resolution. "It's just complex, and there a lot of moving parts to it. But one of the things I would like to see and ask if staff is okay with this, to kind of speak to the issue of the homeless shelter or the fact that there is a lot of land there in the Siler Road area. If there is a way for us, not as a condition of this piece of legislation, but an opportunity for use to ask staff to evaluate the entire public space we have there on Siler Road to find out what are the possibilities. That's what I'm interested in. Councilor Lindell, I don't know if you have language to propose. Let me hear what you have to say and then I think I have some that gets to the intent that I have. So let me ask staff, first of all, if you see any problems with that."

Ms. Noble said, "This Resolution has been revised in order to make it place agnostic. The affordable housing tax credits do depend on a substantial municipal donation. At this state, we've moved forward with the understanding that the easiest way to do that might be land rather than cold, hard cash. But this Resolution, with the evaluation and advice of senior staff, you may not, it no longer refer to Siler Road. It did, in the initial draft. This basically moves forward with the process for us to scope how a project like this would work, the process a municipal land donation and the analysis of the public property that might be considered for this. But this Resolution and the process outlined here is place agnostic, relating to the Siler Road site."

Ms. Noble continued, "We would plan on, and it's outlined here in the Resolution, to work closely with the office of asset development, the City Attorney's Office and others to do an assessment in order to bring forward some criteria to the Governing Body to consider in any donation of public property."

Councilor Dominguez said, "I imagine the potential for brownfield redevelopment is more specific to that location and that site. So let me ask Councilor Lindell if she has...."

Councilor Lindell said, "I just want to make the comment that Councilor Bushee made me aware earlier this week, in 2007-2008 there was a sizable study done on the Siler Road property, and it might be reasonable, at some point in time, for the Council, the Governing Body to take a look at that study. I spoke to Mr. Pino, and he did forward me that. It's a sizable document, and it would seem it's reasonable to take a look at the study we did, spent a fair amount of money on and see if we're staying within the recommendations of that land use."

FRIENDLY AMENDMENT: Councilor Dominguez said the language I would propose would be another Therefore be it Resolved where staff would be directed to consider the master plan that's been established for the Siler Road property for this specific piece of legislation or for other potential opportunities that may exist out there. **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE GOVERNING BODY.**

Councilor Dominguez said the amendment is pretty broad and general, but just via the conversation, we kind of know what we're looking for. A real master plan for that whole area.

Mayor Gonzales said, "If the master plan does not allow or call for artist housing, which this is in line with a Resolution passed by Council, directing Creative Santa Fe and bring a project forward, would your motion prevent this project from being able to go forward on Siler."

Councilor Dominguez said, "No. It's just a little bit more specificity in naming the Siler Road area as a potential site, so it just brings a little bit more specificity."

Councilor Bushee said, "I was grateful to see the Siler Road location removed as a specific site. Does that mean you will entertain other sites. I was just interested in the College of Santa Fe area, given all the work that's been done on ReMike, and the creative nexus that is already there. I know you have certain points you have to aim for, but given that this is now place agnostic, a new term for me, would you suggest, and I looked it up and it doesn't exist, but would you suggest, do you need to mention any other places. How does that work. Does it harm you to not get specific. I want to see if there's potential to get over toward the Santa Fe University of Art and Design."

Ms. Noble said, "We have been working with the development team, Creative Santa Fe and Daniel's organization, Interfaith Housing Alliance, to do a scoring of different sites under the previous Resolution and existing contract. And the College of Santa Fe has been considered as a part of that. There are a number of factors including the brownfield issue Councilor Dominguez mentioned. And the specificity I think, our view from staff, would be to look at any possible City-owned site, the specificity to consider the

Master Plan, we have talked extensively about that and we're moving forward in that direction any way. As Councilor Dominguez said, that additional language would simply specify that we do that, but the approach and the work outlined by staff would be to look at any potential City sites, and certainly the College of Santa Fe property has been the second most discussed place."

Councilor Bushee said you will be coming back to the Council, once you've gone through your process, and if you are successful, it's not place dependent, the application, location dependent. If you are given the money, does it have to specify that it is at a particular site."

Ms. Noble said, "To get to the low income housing tax credit application, we will have to have specified a site. At this state, we have not. The process outlines in this Resolution going forward to a timeline, identify the mechanism by which a municipal land donation could occur and some other due diligence, will hone us in on a site, and we will then bring back to the Council the specific site recommended for approval through the public process. And basically what is on the site control, in order to apply for the low income housing tax credit, substantial site control. So the process would go roughly, that we identify a site, get the Council's provisional approval, put in the low income housing tax credit application. If that tax credit is granted, then the Council would need to act and make the land donation."

Councilor Bushee asked the reason for this interim step that doesn't specify where.

Ms. Noble said, "This interim step is to give the expression of the role of this Governing Body so the Board of Interfaith Housing, Creative Santa Fe are ready to go to the next step with the City, hand in hand, to move this partnership forward which would mean spending some money of site analysis, surveying and other technical things that would need to move the process forward to target a low income housing tax credit application early in 2016."

Councilor Bushee said this has no fiscal impact to it, so you'll be coming back to us for the money to go out and look at a specific site.

Ms. Noble said, "And for any action around the specific site with a value and appraisal of that property and what we would be moving forward. Yes. That's correct."

Councilor Bushee said, "And I want to reinforce what I think Councilor Dominguez was saying about all the moving parts. I've been very interested in having public safety members of our community living here. But I have to tell you we're done so much work, and so many of them do not want to live here. I like the old beehive concept and the emphasis on entrepreneurs and see it as a natural fit over in the Re-Mike area. I know you have to get a point system and these are competitive applications. I just hope there's some way to keep considering that along the way."

Councilor Ives said, "As I recall, the matrix provided at prior considerations by the Governing Body actually contained some of that ranking system. I believe the Siler site had additional points potentially available by virtue of the fact that it was a brownfield site. So I understand the attractiveness of that. And I think perhaps the point to emphasize is that these low income housing tax credits are incredibly competitive

across the country. I was involved for a year in meetings with Art Space, another group that had come into town that was considering taking on some of these efforts. They did describe that those tax credits, in order to qualify for them, you really need to bring forward proposals that rank very high in the scoring matrix."

Councilor Ives continued, "So if we as a City, competing with all the other cities across the country for these limited tax credit dollars are to be successful, we really need to come up with sites that do rank high and that's going to be a matter of consideration of all those different factors. So I appreciate that you're looking at everything that is out there, and that is certainly appropriate at this step, but I would emphasize, I do understand you have to be tremendously competitive when you come back with a solid proposal. So I think it's important for us to say here, yes, tonight that we support moving to that next level, given the assurances we need to the potential partners on this that we retain that significant interest in moving this process forward. So I certainly intend on voting in favor here, and I would also join as a cosponsor, which would make my support of it very evident. Thank you.":

Councilor Maestas said, "We had considerable discussion about any proposed undeveloped City parcel. what I would like to see, going forward, is that as we inventory all of our assets that we apply the City's criteria to these assets before any other entity expresses interest and applies their own criteria for their own purposes. So instead of us being reactive and wanting context, especially in the case of Silver Road, because I think the interest was 5 acres, but that was a 25 acre piece of property. And that was my concern, so we're kind of backing off and really focusing more on the intent to donate land and take this in steps, and I can appreciate that. But going forward, I want to make sure that any asset of the City being considered has already been assessed by our own City staff and our own criteria. We may have a future purpose for certain parcels of undeveloped land. Maybe not. Maybe's it designated for partnerships with nonprofit organizations. I just want us to be proactive going forward, rather than reactive, and truly take stock in all the assets throughout the City and then determine what we want to do with those assets."

Mayor Gonzales said, "I would point out that the City Manager did appoint Matthew O'Reilly to the office of asset development, which I think this is the first time that we as a City have made a commitment to be proactive in defining and inventorying the land, and then figuring out the most appropriate and best purposes. I know Matt has the ability to do it, but I hope we will be able to do it in some kind of timeline where we can see some results fairly soon."

Councilor Rivera said he would like to thank staff, Kate, Alexandra, Daniel and Cindy from Creative Santa fe, for coming up with a Resolution and language that took the next logical steps in this and not pinning down a certain location and coming up with a formula for how a land donation would work within City boundaries. He thinks all of that is important, and "I thank you guys for taking the next logical step. Again a Resolution supporting the next phase of the project plan for the Santa Fe Arts & Creativity Center was passed about two years ago. So just taking that next step. I would also like to than my colleagues for their well thought intentions as well and for making things a little bit clearer, so I'm sure we'll get through this and I look forward to this coming through the Committee process."

VOTE: The motion, as amended, was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

10(h)(1) REQUEST TO PUBLISH NOTICE OF PUBLIC HEARING FOR APRIL 8, 2015:

- 1) **BILL NO. 2015-9: AN ORDINANCE CREATING A NEW SECTION 10-11 SFCC 1987, TO PROHIBIT THE SALE OF SINGLE SERVING CONTAINERS OF ALCOHOLIC BEVERAGES, IN SIZES OF EIGHT OUNCES OR LESS, WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE (COUNCILORS LINDELL, DIMAS, DOMINGUEZ, IVES AND BUSHEE). (ALFRED WALKER)**

Councilor Maestas said, *"I would like to read a statement into the record. I have disclosed that I have an interest in a family business that owns an inter-local dispenser liquor license in Espanola that is currently for sale and I have recused myself from voting on inter-local license transfer requests and for any discussion relating to inter-local transfer licenses generally. At the March 2nd Finance Committee meeting, I participated in the Committee's consideration of the bill that is the subject of Item 10(h)(1) on tonight's agenda. I did so in believe that there was no conflict in part because the City Attorney had not advised me that there was one. Nevertheless, I did disclose the interest to assure transparency during that discussion. A motion on the item subsequently failed, so my participation did not influence the outcome. Subsequently, I spoke to the City Attorney who advised me that she believes there is a conflict requiring recusal. As a result, I recuse myself from participating in the matter at the March 4, 2015, Public Utilities Committee meeting, and will not vote on Item 10(h)(1) tonight or when it comes before this body in the future. If there's any discussion, I'll step out, but if there's a quick vote, I'll stay."*

MOTION: Councilor Trujillo moved, seconded by Councilor Bushee, to approve this request.

DISCUSSION: Mayor Gonzales said, "Okay quickly, under discussion. I would just add to all Councilors that I think the City Attorney only knows so much about what our business dealings are, so if we have any questions, because I appreciate you stating for the record, Councilor Maestas, kind of where you are, but if any of us having any questions on procedure or potential conflicts, it's probably easier that we approach the City Attorney, rather than expect that she might reach out to us and tell us that she thinks there's a conflict. But sometimes, that gets lost in the discussion. Tonight I'll have to be recusing myself from a vote and it's through a lot of conversations that I reached out to the City Attorney on to provide guidance and counsel as to the best course of action."

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Rivera and Councilor Trujillo.

Against: None.

Recused: Councilor Maestas.

END OF CONSENT CALENDAR DISCUSSION

11. **CONSIDERATION OF RESOLUTION NO. 2015-25 (MAYOR GONZALES AND COUNCILOR IVES, COUNCILOR BUSHEE, COUNCILOR DOMINGUEZ, AND COUNCILOR MAESTAS). A RESOLUTION RELATING TO EARLY CHILDHOOD CARE AND EDUCATION; PROCLAIMING SUPPORT FOR COMMUNITY EFFORTS TO PROVIDE UNIVERSAL, HIGH-QUALITY EARLY CHILDHOOD CARE AND EDUCATION AND SERVICES FOR CHILDREN AGES PRENATAL THROUGH FIVE AND THEIR FAMILIES. (CHRIS SANCHEZ)**

A copy of a poster, *Fiesta Para Bebe's*, is incorporated herewith to these minutes as Exhibit "3."

Mayor Gonzales said through the Children, Youth and Family Community Cabinet, we have identified early childhood investment, and introduced individuals who lead efforts to bring high quality development for pre-natal through kindergarten – Kim from the Brindle Foundation, Catherine from United Way, Jo Heath from Santa Fe Community Foundation and Kate Dry from the Children and Youth Commission who helped organize tonight's event. Mayor Gonzales expressed "our collective thanks to the community providers who are constantly working to improve the quality of life of our children." He said the data is very clear that if we invest in early childhood development, we give a child a true chance at an incredible life, and when talk about breaking the cycle of poverty, it begins with what happens from the time our children born in our community and what we do help cultivate their development. He also noted that on November 5-6, 2015, there will be a conference at the Eldorado Hotel, *The Psychology of Boys at Risk indicated from 0 to 5*. So there are organizations that are moving their way through this from the Santa Fe Boys Foundation, United Way, Brindle and others also provide conferences in which the public can participate and get the true data.

Chris Sanchez said they are asking that the Governing Body proclaim support for community efforts to provide universal, high-quality early childhood care and education and services for children ages prenatal through five and their families.

Councilor Bushee said she is in support, but she is struck by the generic nature of the Resolution, noting it has no specific programs for support, it has no fiscal impact, and it says if this Resolution isn't enacted the City won't support community efforts. She asked what exactly are we hoping to achieve with this Resolution, commenting we already support any community efforts to help children.

Mr. Sanchez said, the fiscal impact is zero because they currently are working on aligning all of their programs, so it's not going to cost any money for us to convene all the non-profits and those working around early childhood.. He said they have been working through the Mayor's Children and Youth Cabinet, noting there is a subcommittee that currently is convening among the stakeholders and policymakers and looking at the non-profit organizations. He said the Children & Youth Commission currently funds a multitude of agencies already working in early childhood. So because we fund them, we have asked them to come to the table with no additional financial obligations. The Financial Impact Report is incorrect, we do continue to support all the local non-profit organizations, in particular early childhood.

Councilor Bushee reiterated her question – what does this Resolution do.

Mr. Sanchez said, "This will kick off the Year of the Child. Really what this Resolution is going to do, and I have Katie Dry who will talk a little more about the actual activity that is going to come and the things that are going to happen throughout the year. This is really the kick-off and saying we want to acknowledge, through the Governing Body, that kids mean something to us, that this is incredibly important to the work we're doing. And as we continue to formalize and come together as a team, we will come with a more defined Resolution in the particular areas we're looking at. So, if I may, if I can have Katie talk just a little more about that."

Katy Dry, Santa Fe Baby Fund, Santa Fe Community Foundation and member, Children & Youth Commission, said to speak to Councilor Bushee's question, this is about raising awareness, absolutely it is apple pie and you would have to be crazy not to support it. She said there are people that don't recognize that there are overwhelming economic benefits, and this isn't a women's issue as President Obama recently said, this is an economic issue for our whole community. She said overwhelming scientific research points to how important it is to supporting young minds. She thinks it also is a social justice issue and that awareness isn't in the community. She said there is no fiscal impact at this point. She doesn't think there is awareness that allowing every baby born here to have access to a great start is a social justice issue. She said, "Overwhelmingly in this country now, the zip code you're born into determines your fate. And I think this Resolution is a first step for changing that."

Councilor Bushee said we don't have a lot of money, but it's about setting priorities and maybe the percentage to Children & Youth needs to be 3%.

Ms. Dry said she is in favor of that. She said the Year of the Baby will be a calendar of events throughout the year in Santa Fe celebrating families with young children, community providers. She said the Fiesta of the Bebe's [Exhibit "3"], coming up on May 2, 2015, and hopes everyone will attend.

Councilor Bushee asked Mr. Sanchez to remind the Committee of that date via email.

Mayor Coss thanked the Council for its wisdom to allocate funds to the Youth Commission. He said the idea of the Cabinet, chaired by Councilor Dominguez, is to create alignment so we don't have to grow it to 3%, although that would be good, but to be smarter and more strategic in how we can all work together to properly invest. He said this statement by this Governing Body of early childhood being a

priority, allows the City to position itself for new sources of revenue we haven't pursued in terms of national foundations that can see what we do to address an inequality in income gap and how early childhood can play that role. He said the statement, while broad and generic is powerful to people outside of this Governing Body because we've made this commitment and sends a message to the State and federal governments that we're serious about early childhood development, if only through Resolution, that's good. However, thanks to yours and the Council's action through true monetary investment, year after year to the Youth Commission, that does a good in delivering that message.

Mr. Sanchez said this also brings the organizations together to work and "play in the same sandbox," which is incredibly important. It is important to break down the silos and having everybody working holistically together, and this Resolution helps bring everybody together.

Councilor Ives said he has attended a number of events around town in the last several years have served to sharpen the focus on age 0-5 and the significance of giving everybody an equal opportunity enter school at a level that allows them to participate fully and not be behind in school on day one. He has attended United Way functions where speakers talked about the benefits of dollars spent on that early age group, returning a social pay-off of factor between 10 and 20, and many studies suggesting \$16 saved for every dollar spent in this age group. Statistics relating to attendance, drop out, delinquency this effort significantly targeted toward finding a cure to these problems. So many time we address the effects as opposed to the cause. And all of these efforts are working to focus and eliminate the cause of so many later bad behaviors by giving the early and best opportunity become fully functional, and productive members of society. This is great.

Councilor Ives continued, noting Mayor Gonzales mentioned the conference in November, and Paul Golding, Executive Director, Santa Fe Boys Educational Foundation, is in the audience, and thanked him for bringing the conference to Santa Fe. He applauds the Resolution and the many efforts to focus on the early age level and within 10 years. He said he believes those efforts will bear fruit across the community in significant ways we can appreciate.

Councilor Rivera said most of the discussion has been about young children, but this refers to pre-natal, and he asked what kinds of programs those will be.

Ms. Dry said the County and the hospital recently issued a community health plan, and as the result, the Hospital identified a lower percentage than we would like who are getting early prenatal care. There is tremendous research to show that if you get early prenatal care, the outcomes of the babies are better. So, increasing access to prenatal care in particular, Hispanic populations in the community and other at-risk pregnant populations. There was an alarming uptick of births of babies born exposed to opioids in Santa Fe County that outstripped other counties in the State, so helping those women get the appropriate pre-natal care. So those are two.

Councilor Maestas said this is fantastic and much needed. He said he previously chaired New Mexico Voices for Children, and one of the programs that was champion was similar to this, birth to five. The other program with which he is familiar was based as a pilot in Silver City, called First Born, and has since grown and been implemented in Rio Arriba and other counties. He likes First Born, because it helps first time mothers. And he doesn't see anything in here in terms of Incorporating a focus to assist first time mothers. He said the concept was that it takes a village to help the first time mother and the child, and asked if that will be included under this umbrella.

Mr. Sanchez said, "The Children's Cabinet has a subcommittee that is currently working on uniting all of the non-profit organizations working in and around early childhood. The goal with that is to really listen to the community and find out exactly what is working and what is not working. So all the areas you currently asking about, are going to be researched, and we're going to develop a plan and be able to bring that back to the [inaudible] and then we're bringing it back to the Governing Body for suggestions, and approvals, and so forth. So there will be an evaluation of all the programs and services we're currently doing here in Santa Fe, and in essence conducting a SWAT analysis of early childhood programs."

Councilor Maestas said the Kids Count Report is a statewide assessment of the state of children, and they use these common metrics, noting he realizes the focus is birth to 5. He asked if there is a way we can get City statistics in those same metrics to see how we're moving the needle in the City, commenting that would be exciting.

Ms. Dry said, "Not only is it possible, but it's currently under through a number of collaborative groups, noting as the Director of the Santa Fe Baby fund, she hopes to a report of just that – the key indicators of early childhood health and well being for the County. And they would include things such as low birth weight..... also things very particular to our community such as the number of babies born exposed to opioids. I'm working on that. The Early Childhood Steering Committee, which is part of the birth to career collaborative is also working on that. I don't know if the Mayor's Cabinet is as well. So there's just that effort underway right now, in identifying agreement around what those key indicators are for our community so we can change them.'

Mr. Sanchez said, "The way we have aligned our key indicators at the Children & Youth Commission, is alignment with the folks that have been working from birth to career in terms of their indicators, but they also line up with the Voices for Children indicators. So we are able to measure not just locally, but also to measure ourselves statewide where we stand. And those are also equal to the national centers being used as well. So we'll be able to tell exactly where we stand as we evaluate locally, state-wide and nationally."

Mayor Gonzales said, "I would just say, before we call for the vote, to your point Councilor, data is absolutely key. That is the only way for us to create a system of measurement so we know we're making progress in the right direction. And everyone is looking at how we do it, and to the Council's credit, you actually funded an effort last year to allocate funds to support the development of data. And so those are being done collectively, not individually. So I just want to assure the Council that there's not 3 or 4 different entities trying to develop their own data set, but it is a collaborative that is taking place around the groups

that are, and it's hard to get. But hopefully, we'll be able to figure how we can pull past HIPAA and some of the others to give us some information we need."

Mayor Gonzales said, "That's one, and then the final is just.... I think it's important and I know we all get it, but we want to state this over and over, and Catherine Freeman, when I first met her and she spoke to me about the importance of investment in early childhood development, what I remember about that meeting and I take with me every day is that it's a generational commitment. We're not going to solve all the issues this year, next year, over the next 4 or 10 years. This community, this State needs to build it into the normal process of funding these investments year over year and not have providers have to figure out how you pull together funds to take care of our kids. I think to the degree we can all lend voices to the efforts to open the permanent fund at the State level that truly is going to make a year over year investment and make that generational commitment, and said expectations realistically that we're investing today for kids that are being born, but we may not see the results until maybe fourth grade reading levels, or until graduation rates, and certainly on into a productive living environment for many people in our community. So hopefully, what we take away from this is it's a start, but it doesn't stop at the resolution and we have to stay pushing until we truly commit the resources needed to do what this Resolution calls for, which is the delivery of high quality, early childhood development. And then our kids are going to shoot to the moon. There's no question about what we're going to see changed in our community. So let's go for a vote and move on."

MOTION: Councilor Rivera moved, seconded by Councilor Bushee, to adopt Resolution No. 2015-25.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

Explaining her vote: Councilor Bushee said, "Yes. Please add my name to the Resolution. And there's no more important initiative for our community than this effort."

Explaining his vote: Councilor Dominguez said, "Yes. Please add my name as a cosponsor. Thank you for your work. I'm hoping we get as much enthusiasm as we've had for other initiatives. We need to have that same enthusiasm for kids."

Councilor Maestas asked to be added as a cosponsor as well.

Mayor Gonzales, on behalf of the Governing Body, thanked all of the early childhood advocates and providers in our community, and said, "keep up the good work."

Councilor Dominguez said, "I know Joohee [Rand] was here earlier. I was speaking of data and the Birth to Career Initiative. I think that's exactly what we're trying to do. She's not here any more, so I just wanted to call her out."

12. CONSIDERATION OF RESOLUTION NO. 2015-26 (COUNCILOR MAESTAS AND COUNCILOR IVES). A RESOLUTION SUPPORTING PROPOSED STATE LEGISLATION, SENATE BILL 665 ("SB 665") RELATING TO WATER WELLS, LEASES, HEARINGS AND ABANDONMENT. (RICK CARPENTER)

Councilor Maestas said, "Consistent with my past comments, I think this legislation is very consistent with addressing issues that are directly germane to a lot of the City's issues. In fact, the City did have a handle in the development of this Legislation."

Councilor Bushee noted we are almost at the end of the Legislative Session, and asked where this is going.

Nick Schiavo said he would defer to the City Attorney, saying he doesn't know.

Mr. Snyder said he read an update a day or two ago, but is unsure of the current status, noting it is moving forward, but he can't speak to whether or not it will get passed this session.

Councilor Bushee said, "I would like a report on that, as soon as you can get one. I'm just going to make my comments now. I can't support this. I have always voted against..... The Northwest Well is set up as a temporary well for drought purposes, and it has taken on a life of it's own. We are always constantly in litigation with the well owners in that area. And I'm not even sure of the outcome of the Office of the State Engineer ultimately. But I will say is I understand we run a utility, we're a municipality, but I have my concerns about the language of this bill in particular in the context of the Northwest Well. So I'm not going to support that. I don't agree, even if it is our utility, that that well should be operated as a permanent well."

MOTION: Councilor Maestas moved, seconded by Councilor Ives, to adopt Resolution No. 2015-26.

DISCUSSION: Responding to a request from a member of the public to comment on the Resolution, "Mayor Gonzales said we don't have comments under this section. Matters from the public will come up during the public hearing. Thank you sir."

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: Councilor Bushee

Abstain: Councilor Lindell.

Explaining her vote: Councilor Lindell said, "I'm going to abstain on this because I don't really feel I have enough information to support it."

Explaining his vote: Councilor Dominguez said, "A long range water plan. I think about that all of the time when this issue comes up. I vote yes."

13. **CASE NO. 2013-116 & 2014-82: REQUEST FOR APPROVAL OF THE RECOMMENDATION OF THE CITY ATTORNEY PURSUANT TO SANTA FE CITY CODE SECTION 14-3.17(D)(6) THAT THE GOVERNING BODY DISMISS THE APPEAL OF CELLULAR PHONE TASK FORCE, ARTHUR FIRSTENBERG AND FIFTY-ONE CITIZENS, FROM THE OCTOBER 30, 2013 DECISION OF THE LAND USE DEPARTMENT TO ISSUE A BUILDING PERMIT #13-2097 AND THE APPEAL BY THE CELLULAR PHONE TASK FORCE, ARTHUR FIRSTENBERG AND TWENTY-ONE CITIZENS FROM THE JULY 15, 2014 DECISION OF THE LAND USE DEPARTMENT TO ISSUE A BUILDING PERMIT #14-813 TO JOHN MALONE AND VERIZON WIRELESS REGARDING REPLACEMENT OF TELECOMMUNICATIONS ANTENNAS AT 1402 AGUA FRIA. (ZACHARY SHANDLER) (Postponed at February 25, 2015 City Council Meeting)**

A Memorandum dated January 30, 2015, for the February 11, 2015 Meeting of the Governing Body, with attachments, to the Members of the Governing Body, from Zachary Shandler, Assistant City Attorney, in this matter, is incorporated herewith to these minutes as Exhibit "4."

Disclosure: *Mayor Gonzales said, "I'm going to transfer the mantle to Councilor Ives. For the record, I want to disclose that some of my family members own a business that owns and operates one telecommunications tower and one radio tower in the City. And, while I do not have any ownership interest in that business, some requests relating to telecommunications or radio facilities that come before this body may create a conflict of interest requiring me to recuse myself. Although the family businesses leases space on the telecommunications tower to Verizon, my vote on Item 13 will not result in any pecuniary gain or loss to my family members. However, while I don't perceive there to be a conflict, I don't want even the possibility of a conflict to be in place, so I am going to recuse myself from participating on the discussion relating to Item 13, and remove myself from the chambers. Councilor Ives."*

Mayor Pro-Tem Ives said, "I am advised that the Council may be ready to move forward on this matter, Zach. I don't mean to put you off because I do enjoy your presentations to us very very much always. But let me just ask, what is the pleasure of the Council first. Councilor Bushee."

Councilor Bushee asked the proper wording for the motion.

Mr. Shandler said it is the bottom sentence on page 8 of his Memorandum of January 30, 2015.

MOTION: Councilor Bushee moved, seconded by Councilor Lindell, that the Governing Body not accept the recommendation of the City Attorney to dismiss the appeals in Case No. 2013-116 and Case No. 2014-82, and that the appeals be consolidated for hearing by the Board of Adjustment.

DISCUSSION: Councilor Maestas said at the previous Councilor meeting, we had considerable discussion about this issue, but there was nothing in the minutes, and the minutes just said that we decided to postpone this. He asked if that is typically what we do, saying, "Because as I recall, we had a lengthy, lengthy discussion and there were absolutely no minutes on that. It's not that I forgot what I said, but it's always good to go back and look at the record instead of reinventing the wheel. Was there a reason why there were no minutes. It just says Motion to Postpone. That was a general question."

Councilor Ives said, "I was just hoping that we could clarify, among these options, the law in regard to this type of appeal before the Governing Body. I was just going to ask for a brief statement clarifying generally on a case like this, again just the appeals process for this type of matter coming out of the Planning Commission."

Ms. Brennan said, "Is this a question about where this appeal will go."

Councilor Ives said, "My recollection is that at a prior meeting, we spent some time talking about the appeals process, and it sounds like that is a part of the record that did not make it into the minutes, so I was just hoping for a very brief restatement before we move to a vote on this matter."

Ms. Brennan said, "Based on this motion, it would be heard by the Board of Appeals [Adjustment] because there would still be a pending appeal. In other words, it would not have been dismissed. So without a vote on the other side, it will be heard by the Board of Adjustment, excuse me, and any appeal from a Board of Adjustment decision would be to the Court. There was an amendment to the Appeals Ordinance a couple of years ago that provided everyone would have one appeal, not multiple appeals on the same matter."

Councilor Bushee said, "I'm going to briefly speak to my motion. I tried to make this effort this last meeting and we may not have the appropriate amount of votes here tonight and we may end up in a tie. But what I will say is this is a unique situation as far as these telecommunication appeals in my mind. This utility moved forward without a building permit and there were no public hearings on this issue, and I think it's time that we air this very clearly with the public. And it's important that we, in this instance, send this back to the Board of Adjustment. And I hope that enough of you will consider doing that. There are lots of folks in the area that would love a chance to justify. I would love to give them that opportunity."

Councilor Dominguez asked, if this goes to the Board of Adjustment, is it heard *de novo*.

Ms. Brennan said, "Essentially yes. It would be an appeal. It would be its first and only hearing before the City, and if this motion fails, it will go to the Board of Adjustment. If there was an opposite motion, it wouldn't. If the Motion succeeds, it goes to the Board of Adjustment. If the motion fails it goes to the Board of Adjustment."

Councilor Bushee said that was not explained the last meeting.

Councilor Dominguez asked Ms. Brennan to explain it a little bit more.

Ms. Brennan said, "If the motion fails, in other words, if you do not accept the recommendation of the City Attorney and it is a 4-4 vote, which I believe is what happened the last time, the motion will fail, but there will still be an appeal, and thus the appeal will be heard."

Councilor Maestas said, "I'm not going to regurgitate what I said at the last meeting, but one thing I do see, I see a disconnect here and it's probably out of our realm of influence, but it seems the FCC approved the installation of these towers, and I can't understand why there isn't some kind of local government notification or some similar permitting process to let us know that these telecommunication towers are going to be installed, because I think that is kind of one of the major issues in this case, but yet, we don't have any kind of authority when it comes to telecommunications towers. Kelly can you just comment. Isn't there any kind of public involvement process by the federal government when they do approve the installation of these antennas and towers."

Ms. Brennan said, "Basically the FCC sets standards and if they fall within those standards, they can be approved and they operate under those standards. Our local process does provide for notice via permitting and depending on what type of application it is, sometimes public hearings. This was an unusual case where that simply didn't happen and was done, one, after the fact."

Councilor Maestas said we all know about the Federal Register. It is the federal government's mechanism to inform the public about federal decisions and consequential actions, so I'm still dumbfounded why there is no kind of federal register notification that these telecommunications antennas will be installed at this location. Is there any way we can communicate with our federal delegation, because we have a lot of folks just concerned about living in close proximity to these types of facilities. At the very least, I think our federal delegation should perhaps weigh-in with the FCC if that's possible and try and implement some kind of public notification requirements whenever they do take actions in cities such as ours. Is that possible Kelley."

Ms. Brennan said, "You could certainly start a resolution that would ask the federal delegation to do that. I think it would be mostly a notice requirement. I think the issues that the federal government has preempted on are highly unlikely to be modified generally."

Councilor Maestas would like to explore that later down the line.

Yolanda Vigil, City Clerk, said, "Mayor Pro-Tem my response to Councilor Maestas's request. The minutes that you are referring to that you remember the long discussion, that was at the February 11th meeting. And then we postponed at the last meeting to this meeting, so those minutes were in the February 11th meeting."

Mayor Pro-Tem Ives asked, "The original construction of these towers without an appropriate building permit occurred when."

Mr. Shandler said this is the 2005 time period.

Councilor Ives asked, "Was there any action by anybody in opposition to those before this present matter."

Mr. Shandler said, "This was brought to the attention or the City in 2013."

Councilor Ives said, "So a period of roughly 8 years, no action being taken. And the action arose because in 2013 there is a filing to modify. Is that stating it correctly."

Mr. Shandler said, Mr. Mayor Pro-Tem, "It was a replacement."

Councilor Ives said, "And as I understand it, once the prior failure was discovered, a penalty was imposed under our existing Ordinances, against Verizon which was charging half the new permitting fee. Is that correct."

Mr. Shandler said, "Mr. Mayor Pro-Tem, we had that exchange where you calculated almost to the correct dollar. Yes."

Mayor Pro-Tem said, "If I had to summarize this. We had a violation that occurred in 2005, which existed without complaint through 2013. Then there was a request by the companies to replace the towers which resulted in the discovery of the previous failure and appropriate penalty was imposed, and then pursuant to law, they did those replacements. Or is that still a pending matter."

Mr. Shandler said, "Mr. Mayor Pro-Tem, the summary is correct. There was a red tag initially put on it, but it's been a series of years now. It is my understanding the replacements are up there."

Mayor Pro-Tem said, "Thank you, those are all of my questions."

Councilor Maestas said, "I had one question on the Land Use Department's policy of rendering sanctions. If someone does something without getting a permit, is it an established policy, or is it an established practice where we make them go back through the whole permitting process, but you pay a double fine. Is that policy or practice."

Mr. Shandler said, "As part of the record, we do provide it on the matrix of options. It is written in there, but I think that's the most common administration of the matrix."

Councilor Maestas said, "In the past, we have heard similar matters where somebody did not get a permit when they should have, and I think I embraced the philosophy of not being so punitive, but making it a learning experience. But I want to make this comment that not all permit violations are the same. And that's why I would like for us to revisit that policy. I realize Land Use has a wide latitude and discretion to render sanctions or double fines or whatever, but I think here's a clear case where all permit violations are not equal. And I think we really need to be careful and maybe look at that policy. And maybe differentiate consequences of certain permit violations and other factors. That's all I had."

VOTE: The resulting roll call vote was a tie vote, and the motion was defeated for lack of attaining a majority vote, as follows:

For: Councilor Bushee, Councilor Lindell, Councilor Maestas and Councilor Dominguez.

Against: Councilor Rivera, Councilor Trujillo, Councilor Dimas and Councilor Ives.

Recused: Mayor Gonzales.

Mayor Pro-Tem Ives said, "There is certainly the question if there are any other motions to be made in connection with this matter, but that probably would have very little other consequence."

Mr. Shandler said, "So, for the record, in the absence of the City Attorney's Office being able to persuade five Councilors to dismiss it, then the case will be remanded to the Board of Adjustment and we'll set that up as soon as we can."

14. REQUEST FOR APPROVAL OF CITY OF SANTA FE CONTRIBUTION TOWARD NCRTD'S "MOUNTAIN ROUTE" PILOT PROJECT. (JON BULTHUIS)

An email memorandum to Jon R. Bulthuis, from Benny Abruzzo, regarding Ski Santa Fe, is incorporated herewith to these minutes as Exhibit "5."

Mr. Bulthuis presented information from his Memorandum of March 5, 2015, with attachments, to Mayor Gonzales and City Councilors, regarding NCRTD "Mountain Trail" Route Pilot Project, which is in the Council packet. Please see this Memorandum for specifics of this presentation.

Mr. Bulthuis introduced George Brooks, Ski New Mexico, who is in attendance to speak in favor of the proposal as necessary. He said Anthony Mortillaro, Executive Director, NCRTD and his staff Stacy McGuire also are present. He said, "Randy Randall, Tourism Santa Fe's Executive Director was unable to be here this evening due to a prior a commitment, but wanted to voice his strong support for the proposal."

Councilor Bushee thanked everyone who came down from the north and are sticking around for this. She said, "What I wanted to add is I'm trying to get what Randy Randall sent me, so it's appropriate we're discussing this tonight after we heard from the Climate Change Task Force, the first benefits, you'll see on page 2, that were the result of the elimination of single or multi-person vehicles on the roadway, as many as 25-35 vehicles per day, during peak usage. And it talks about hydrocarbons and all that, but what important new news that we have, is that we have heard from the Ski Basin folks and they are now also willing to commit not only a reduction of \$5 on their ski pass, but the actual cash that was asked of them of \$15,000. So this would mean that.... and I have to tell you this is a bargain. The NCRTD has come up with the vehicle, the majority of the funding and has just asked for buy-in from the County, the City and the Ski Basin. And this could move onto the County, let's hope with everybody as partners contributing, sealing this deal."

Councilor Bushee continued, "But what I can tell you is this will be an 8-month pilot project, then there's potential after this project is put forward, to receive outside funding, whether it be State or federal governments after we've had a successful pilot project. This to me, is for a variety of reasons.... but my emphasis has been around safety. Safety in the environment. But also my hope is that we will get kids back up to the Ski Basin learning how to ski which is something we haven't had since that horrible accident. So I'm hopeful that you will also support this."

MOTION: Councilor Bushee moved, seconded by Councilor Lindell, to approve this request.

DISCUSSION: Councilor Rivera thanked Jon for really looking at this, commenting our intention was to get people to the ski basin to ski. He is glad he was able to extend the months they would provide ridership to the Ski Basin, and thanked him for talking to the people at the Ski Basin and getting them to participate in this. He said it will be a direct benefit to them as well as to the community.

Councilor Lindell added her thanks to Mr. Bulthuis for the work he put in on this, as well as to the other gentlemen here tonight. She said this is really important. We live in a town that has a ski area, and having our own children in this town not have the opportunity participate in a ski program "boggles her." She said this is such a wonderful opportunity for our children, and hopes we will support this. She said Mr. Bulthuis has put a lot of work on it, and it's gone back and forth and had its ups and downs – critical moments, but she thinks his efforts will really bear fruit with this.

Councilor Trujillo said he is now for this and is glad Mr. Bulthuis had the conversation with the Santa Fe Ski Basin and they're putting up some money, because that is the reason he voted against it the last time. He asked has there been discussion with the schools about starting a school ski program.

Councilor Bushee said, "There are folks and we will continue to talk to them, but transportation was always the issue."

Councilor Trujillo said when were in school 40 years ago, we had that, and it was a great program and a lot of kids used it in school, and he hopes that conversations continues with the schools, because they will partner eventually. He said he stands in support of the motion.

Councilor Dominguez asked, with regard to the \$15,000, if that needs RTD Board approval.

Mr. Bulthuis said on April 3, 2015, the NCRTD Board will consider approval of the project in its entirety, but the pieces of the puzzle, one of which we're acting on tonight, need to be in place before they can do that.

Councilor Dominguez asked Councilor Bushee if she would like to make her motion contingent on NCRTD Board approval.

Councilor Bushee said it's going to go by the wayside if we don't get everybody on board anyway.

Councilor Dominguez said, "Let's make sure that Board follows through."

Councilor Bushee said, "I will be there pushing, pushing. I just wanted to thank Randy Randall who couldn't be here this evening and the OTAB Board for coming up with some of the money, and also the staff that's out there in Ski Santa Fe."

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

MOTION: Councilor Dominguez moved, seconded by Councilor Maestas, to reconsider the previous approval of the agenda, to move Items #15 through #20 to the evening Agenda and to move into the Evening Agenda, and hear Petitions from the Floor next, and then Item H(2), and to approve the Agenda as amended..

VOTE: The motion was approved unanimously on a voice vote with Mayor Gonzales, Councilors Bushee, Dimas, Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and none against.

END OF AFTERNOON SESSION AT APPROXIMATELY 7:10 P.M.

EVENING SESSION

A. CALL TO ORDER AND ROLL CALL

The Evening Session was called to order by Mayor Javier M. Gonzales, at approximately 7:10 p.m. Roll Call indicated the presence of a quorum as follows:

Members Present

Mayor Javier M. Gonzales
Councilor Peter N. Ives, Mayor Pro-Tem
Councilor Patti J. Bushee
Councilor Bill Dimas
Councilor Carmichael A. Dominguez
Councilor Signe I. Lindell
Councilor Joseph M. Maestas
Councilor Christopher M. Rivera
Councilor Ronald S. Trujillo

Others Attending

Brian K. Snyder, City Manager
Kelley A. Brennan, City Attorney
Yolanda Y. Vigil, City Clerk
Melessia Helberg, Council Stenographer

F. PETITIONS FROM THE FLOOR

Mayor Gonzales gave everyone 3 minutes to address the Council

Anna Hansen, 2008 Kiva Road, said she is here to ask for a Santa Fe River Corridor Study and Plan. She said, "The new west side, the area that has just recently been annexed into the City, a number of developments have started to appear in this recently annexed property, the River Corridors. And we need a plan. We don't want piecemeal and I'm here representing an *ad hoc* group of citizens who want a plan. We don't want piecemeal development along the new River Corridor. And I'm talking about basically from Camino Alire to the Village of Agua Fria, West Alameda, Agua Fria to Cerrillos. It's a fact that we have very few north/south arterials. We have lots of east/west arterials. And that area, the Corridor, needs a study plan. There have been numerous rezoning requests to come forward and we don't want it happening piecemeal. We want a plan."

Ms. Hansen continued, "And since this is a very historic area, Agua Fria is the El Camino Real, we need to protect our historic neighborhood, the Village of Agua Fria, for which we have a buffer zone. We're talking about an area that is rural, commercial, light industrial and single family. And the citizens of that area are concerned about not being represented and not having a plan. And so I am requesting from the

Council that we work with Long Range Planning and Land Use, to come up with some plans that we want to see so that we do not have piecemeal development along the Santa Fe Rivera Corridor. Also, one of the most endangered rivers in the country, and we need to protect our River. We also have FEMA regulations that have not been enacted so we need to start paying attention to the FEMA regulations along the River Corridor. We don't have a lot of infrastructure in the Santa Fe River Corridor, this west side, and we need to start taking that into consideration before we start having development there, so I'm requesting a committee or something so we can start working this area of the City that is newly-annexed, thank you."

Ms. Hansen continued, "One final note, I would like to sincerely thank Councilor Maestas for mentioning my mother's passing. She lived a century. It meant a tremendous amount to me that she was mentioned here. She was a good, kind, decent, giving, loving woman and I am here because of her support and love to me. I just want to thank you all for recognizing her."

H. PUBLIC HEARINGS

- 2) CONSIDERATION OF RESOLUTION NO. 2015-27 (COUNCILOR TRUJILLO, COUNCILOR BUSHEE AND COUNCILOR DIMAS). A RESOLUTION AUTHORIZING THE REALLOCATION OF 2012 PARKS AND TRAILS BOND FUNDS IN THE AMOUNT OF \$533,300, THAT ARE CURRENTLY ALLOCATED FOR THE SKATE FEATURES AT FRANKLIN MILES PARK, RAGLE PARK AND WEST DEVARGAS PARK, TO BE REALLOCATED FOR A SKATE FEATURE AT GENOVEVA CHAVEZ COMMUNITY CENTER. (RICHARD THOMPSON)**

Councilor Trujillo said in 2008, when we did the Parks Bond, he wanted to put a water feature at Franklin Miles, like Ragle. He said as time has passed, we hadn't gotten out of the drought and we had to look at better ways to utilize these funds. He said he wanted to give a shout out to POSAC because they did your job and found a new place for the skate feature, noting the original thought was to put it by the handball court, and with the work of POSAC they did a lot of work and saw it probably would be better utilized if we put at the GCCC. So a lot of work went into this and thanked POSAC for all the work they did, and hopes this is the best and we have a brand new skate park, one like we've never seen before in Santa Fe.

Councilor Bushee asked Isaac Pino if this skate feature is going to be lit at night.

Mr. Pino said he doesn't know.

Councilor Bushee said she is asking if we can use the new solar car port and come up with some cool lighting for this.

Richard Thompson said we have an Ordinance to keep parks open until 10:00 p.m., so they would have to light the expanded parking and the skate park unless they came to Council for a variance of that curfew. He said using the solar for lighting is a great idea..

Councilor Dominguez said he is in support of the Resolution, but he wants to make sure that we are not leaving anything out from the other skate parks we have. He said DeVargas has been completed. He said improvements have been needed at Franklin Miles. He asked if all of these improvements, all the safety issues that were there, been resolved and addressed, and if there is funding for them – at Franklin Miles have the improvements been addressed and funded..

Mr. Thompson said, "Yes. We did consider this. We allocated the money for the improvements to the surrounding apron. We moved the shelter, the water fountain and we're doing some repairs to the steel components, the rails, grind rails, and then there is some spalling of concrete that we will treat when the weather warms up a little bit."

Councilor Dominguez asked the source of the funds to do this.

Ms. Thompson said, "From the Martha Ramirez Skate Park at Franklin Miles, G.O. Bond 2012, first set. So we did allocate funds for the requested repairs, but there was substantial overage, approximately \$113,000 above what we needed for the requested repairs. And we're removing the area that contributed to flotsam and jetsam."

Councilor Dominguez said then the improvements that need to be made to Franklin Miles, that money is being funded out of the 2012 Bond.

Mr. Thompson said, "I believe so, maybe it is 2008. No, it's 2012, the first sale."

Councilor Dominguez said, "Once those improvements are made, there is nothing else that Franklin Miles will need."

Mr. Thompson said, "That's correct. We're completing the improvements at Franklin Miles and realizing a savings of \$113,000."

Councilor Dominguez said then DeVargas Skate Park has been released and accepted by the City.

Mr. Thompson said, "Yes. Actually the locals out of Facility Development, installed the brick pavers which replaced the gravel that was getting to the skate bowl. And that has been completed. We don't have a closeout procedure for bond projects, but that one is complete 100%"

Councilor Dominguez asked what he means when he says they don't have a close out procedure.

Mr. Thompson said, "In my experience, at the end of a bond, you call a halt to the scope of work and the project itself is closed out. So we have a procedure for signing off on it, reporting that all of the scope of work has been completed, but we really don't have a financial measure for closing out the fund. We then ask you to allow us to move the excess allocation into a BAR to other projects."

Councilor Dominguez said one of the things he likes about skate parks is they're relatively maintenance free, where you don't have to go mow the concrete. He asked if we have considered the maintenance that is needed for a skate park and using some of this money for that.

Mr. Thompson said, "We have an expansion budget line item for the bond projects and for the annexation as well. So yes, we have anticipated minor additional costs, but it actually would no more than what we anticipate for Ragle. So it's net zero increase in maintenance."

Councilor Dominguez asked what kind of maintenance he's talking about.

Mr. Thompson said, "Occasionally, we do wash the concrete, we remove vulgar graffiti, we move flotsam and jetsam from the bottom of the bowl and then maintain the area surrounding it."

Councilor Dominguez said, "Just for the record, Mayor, if I'm understanding you correctly, because as time goes by we'll see whether or not your statements are, I don't want to say true, but whether or not they are as true as they can be for as long as they can be. With this re-obligation, we should not anticipate any more needs at either Franklin Miles or DeVargas Park."

Mr. Thompson said, "That's correct. That's our position now and our understanding, and that's why we asked for the budget adjustments."

Councilor Dominguez said, "The one thing I don't want to do is I don't want to shortchange the other parks by reallocating. And then the second thing I'm hearing, in terms of future maintenance, you have enough money to continue that maintenance that needs to happen."

Mr. Thompson said, "By hook or by crook, we will maintain these areas to the quality standard that we're seeing in the capital improvement."

Public Hearing

Mayor Gonzales said he wants the kids to be able to speak first, and to the adults, if something has already been said or expressed, don't feel the need to come back and repeat it.

Theo Horning, 399 Calle Colina, said, "I think it would be good if we got a new park, because it would help us.... we would like to be able to go over there and skate instead of being in one place all the time, and it's like further away from downtown, so we go away from all like the City buildings and stuff. It brings us closer to the Chavez Center and that's nice. And it would be nice to have a park with lights and stuff and was different than the other ones."

O'Ryan Curtis, 1212 N. Summit Drive, said, "And I think the new skate park would be a good idea because the old one down at Franklin Miles, there's a lot of bowls and stuff, but it's also full of cracks and spray paint and the concrete is getting like old and stuff. And the park, it's really good and I love it, but it's also old. A park that had bowls and stuff and more transitional features would be nice that's newer and stuff. And I think it would be good to have one down there as well."

Matthew and son Zadok Miller, 5 Camino de Vecinos. Zadok Miller said, "And we're happy to get a new park and for more people to go big at a big transition. Thanks."

Mayor Gonzales asked what is a transition, and if it is like part of how it's designed.

Zadok said, "It's like bowls."

Mayor Gonzales thanked the youth for using their voices to advocate for something you think is important, "And you guys really did a good job."

Zadok Miller said being raised a skater and having sons that skateboard literally around the world, he fully supports this, but he supports a more progressive design that is more geared toward transition and a skater design company such as Dreamland or Grindline that really has an eye for a good flow and design. Just a couple of weeks ago, we traveled to California to see the opening of a skate park in a small town half the size of Santa Fe, and they put in a \$1.2 million skate park. And thousands of people showed up for the opening, and the design was beautiful. It was even esthetically pleasing to people that don't skateboard. I wish in the near future we could see something like that, that is deserving of the State Capitol and our beautiful City. Thank you."

Joe Lehm, skateboarder and member of POSAC representing skateboarders. He thanked Councilor Trujillo for his efforts to help put this together, the idea that we would cobble together the money from the different parks to get one really great park, and he strongly supports it being at the Chavez Center. He said it's going to be so great for that end of town, and all the people won't have to travel very far to get to enjoy a skate park. As you heard, the idea of having a park that has a little of everything, the new downtown park at DeVargas is very street oriented and very much what the community wanted at the time it

was built and they're enjoying the heck out of it, as you can see they're over there in force. He said it would be great if the next park had a lot of community park, that we could get a little bit of everything in there, the transition, the ledges and street features as well to make the most skaters happy with the new park, and thank you very much."

Peter Gardini, 1394 Santa Rosa Drive, thanked Councilor Trujillo. He said he is really psyched about the skate park being on that side of town, which he thinks is cool. He said, "I would like to push for more of versatile space. Everybody keeps saying transition. There are transitional skaters and street skaters and I would like to see a bit of both worlds and a lot of space for both worlds to meet. Thank you."

Philip Ging, 1056 Village Way, which is the River Corridor in Agua Fria, and he supports this location. He said downtown is a 15-20 minute trip, and something that is closer for people in that neighborhood would get a lot of use. He said, "I would also like to point out that you can't have too many skate parks, and each skate park can have its unique characteristics. If you have a car or you're taking a bus it is almost like a field trip to get to explore those feature. So I don't think we really need to worry about redundancy. We can definitely have something that's just a little bit different there, and then all of the other parks will still have their unique qualities that we'll all continue to enjoy. So thanks."

Damon Archuleta, 23 Questa Road, Eldorado, said he owns a skateboarding business in the Design Center. He said, "I grew up at 2355 Vereda Encantada which is kind of near that area, when I was a kid. And I would have loved to have something like this near me, because when I was growing, me and my brother, we basically annoyed the hell out of everyone at Rodeo Plaza, because that's what was close to us. So I'm excited it's going in that side of town. It means a lot to me. My parents still live over there, and I have kids and am sure we'll be there a lot as well. I'm sure it's going to be an amazing park if the community has its input and we can come up with a good balance. Thank you."

Anna Hansen, member of POSAC, said, "I highly support this transfer of money to the Genoveva Chavez. I also hope that, because we moving it to the Genoveva Chavez that it will encourage more girls to participate in the skate park. I know there are girls in this town who skate and have skateboards because I've seen them. And so I think that being in a recreational facility where their parents can drop them off, provides a safer environment for all of the children. And to answer Councilor Bushee's question about the park, most likely it will stay open until 10:00 p.m., because all parks stay open until 10:00 p.m. And we talked about making sure that the Night Sky Ordinance was followed, because we have neighbors we don't want to be affected by the bright lights. And of course, I support and love the idea of using solar to light this. Solar needs to be everywhere. I have solar on my house. I hope everyone else here does, and I wholeheartedly support this. And thank you Councilor Trujillo for taking the time to work with us to make this happen."

Bette Booth, 1317 Ferguson Lane, Chair of POSAC, said, "And on behalf of POSAC, I want to thank Councilor Trujillo for working with us and the skaters to make this change. I knew you really first wanted it at Ragle, and we really appreciate that you really listened to us. Thank you. I also want to thank Richard Thompson and Lida Suzanne. Poor Richard, I think it was his first meeting and we threw him in the deep end, and both of them have been very supportive of the idea, this decision-making process should be led by the constituents. That leads me to thanking the skaters. We started working together for the 2008 Bond and we got DeVargas. I just think you guys rock, and I'm really proud of you for showing up. You know, democracy's messy and you don't always win, but you can't win if you don't show up. And I look forward to day when one of you guys are sitting up there and you're going to remembering the first time you came to a City Council meeting was to stand up and ask for what you wanted for your sport. So you guys rock."

Ms. Booth continued, "I ask, on behalf of POSAC, for your vote. These monies were always dedicated to skate parks. The DeVargas and the Miles money was to do some little things make sure they were safe. That has been done, so all of the money was always to go to a skate feature. The big changes is moving it from Ragle to GCCC. As you can see, that was done at the request of the skaters. So I urge your vote yes, and I thank you very much."

Clint Soliz, 121 Moore Street, said, "I support the reallocation of these funds and I just wanted to touch on a couple of other reasons why this location is such a good choice. I've been searching recently to buy my first home, and I'm well above the median income in Santa Fe, and pretty much the only thing I can afford is that area of town. The Arroyo Chamiso Trail is a perfect route to South Capitol for work, so I plan to move over there soon, and I know of a lot of others that the place they can afford is that area of town. I had a couple of experiences at DeVargas where I've actually given younger kids a lift home who got stranded, who missed the last bus, are in the cold and didn't have a way to get home. If there was something on our end of town, we'd probably see a lot less of that. Thank you."

R.A. Gordon, 5 Dimas Road, said, "The point I wanted to make is that I've raised two children of my own, they're no longer teenagers. Of course I've been skating there since they were young children. And the thing I want you all to take away from this. Being a teenager in Santa Fe, I grew up here myself, it's hard. There's just no place for teenagers. And this really gives another place for kids to go to get out all their aggressive energy in a more productive manner. When you're out there huffing and puffing you have less tendency to want to go out and drink and do all the things teenagers do. So I just want to say that I think this is a really productive thing for our teenage community."

The Public Hearing was closed

MOTION: Councilor Trujillo moved, seconded by Councilor Bushee, to adopt Resolution 2015-27.

DISCUSSION: Councilor Bushee asked if we have enough money to do what everybody wants. Not \$1.2 million.

Mr. Thompson said, "The money will drive the design/build and we have produced a letter of determination that we satisfy the State Statute, to combine the design/build firm, and that will cut costs. Of course the monies allocated will determine the level of construction, but \$533,000 is quite a bit of money for a skate park. It's obviously not \$1.5 million, but I believe we will get our money's worth out of this project and it will be a benefit to the community."

Mayor Gonzales said, "I'm assuming there will be a process where you invite people to sit with ultimately whomever is selected on design/build to offer their points of view on what should be taken into account, a lot of public input."

Mr. Thompson said, "Yes, POSAC of course and the motivated skaters will be potential stakeholders at the meetings. There will be a series of neighborhood meetings as well to make sure everybody is at the table."

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None

Explaining her vote: Councilor Bushee said, "Yes. Add my name to the Resolution, please."

Explaining his vote: Councilor Dimas said, "Yes, and would you please add me as a cosponsor as well."

The Governing Body then resumed consideration of afternoon Agenda Items 15 through 18

15. MATTERS FROM THE CITY MANAGER

There were no matters from the City Manager.

**16. MATTERS FROM THE CITY ATTORNEY
EXECUTIVE SESSION**

IN ACCORDANCE WITH THE NEW MEXICO OPEN MEETINGS ACT, §10-15-1(H)(7) NMSA 1978, DISCUSSION REGARDING PENDING LITIGATION IN WHICH THE CITY OF SANTA FE IS A PARTICIPANT: HIGH SUMMIT CORP: SUMMIT SOUTH CO. AND RALPH BRUTSCHE V. CITY OF SANTA FE, CASE NO. D-101-CV-2009-0394, IN THE FIRST JUDICIAL DISTRICT COURT FOR THE STATE OF NEW MEXICO; QWEST CORPORATION V. CITY OF SANTA FE, CASE NO. 14-2008, IN THE U.S. COURT OF APPEALS FOR THE TENTH DISTRICT; AND 14-00332-UT, IN THE MATTER OF THE APPLICATION OF THE PUBLIC SERVICE COMPANY OF NEW MEXICO FOR REVISION OF ITS RETAIL ELECTRIC RATES PURSUANT TO ADVICE NOTICE NO. 507. (KELLEY BRENNAN)

MOTION: Councilor Rivera moved, seconded by Councilor Maestas, that the Council go into Executive Session in accordance with §10-15-1(H)(7) NMSA 1978, for discussion regarding pending litigation in which the City of Santa Fe is a participant: *Summit South Co. And Ralph Brutsche v. City of Santa Fe*, Case No. D-101-CV-2009-03914 in the First Judicial District Court for the State of New Mexico; *Qwest Corporation v. City of Santa Fe*, Case No. 14-2008, in the U.S. Court of Appeals for the Tenth District; and 14-00332-UT, *In the matter of the application of the Public Service Company of New Mexico for revision of its Retail Electric Rates*, pursuant to Advice Notice No. 507.

VOTE: The motion was approved on the following roll call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

The Council went into Executive Session at approximately 7:45 p.m.

Mayor Gonzales said we should return into regular session at about 8:10 p.m.

MOTION TO COME OUT OF EXECUTIVE SESSION

MOTION: At approximately 8:40 p.m., Councilor Rivera moved, seconded by Councilor Trujillo, that the City Council come out of Executive Session and stated that the only items which were discussed in executive session were those items which were on the agenda, and no action was taken.

VOTE: The motion was approved on the following roll call vote:

For: Mayor Gonzales, Councilor Dimas, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

Absent for the vote: Councilor Bushee and Councilor Dominguez.

17. **ACTION REGARDING HIGH SUMMIT CORP; SUMMIT SOUTH CO., AND RALPH BRUTSCHE V. CITY OF SANTA FE, CASE NO. D-101-CV-2009-03914, IN THE FIRST JUDICIAL DISTRICT COURT FOR THE STATE OF NEW MEXICO. (KELLEY BRENNAN)**

MOTION: Councilor Rivera moved, seconded by Councilor Trujillo, with respect to Items #17 and #18, to instruct the City Attorney to take action consistent with the discussion held during the Executive Session.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

18. **ACTION REGARDING QWEST CORPORATION V. CITY OF SANTA FE, CASE NO 14-2008 IN THE U.S. COURT OF APPEALS FOR THE TENTH DISTRICT. KELLEY BRENNAN.**

Please see action under Item #17 above.

The Governing Body then resumed consideration of Evening Agenda Items G, G(1) and G(3)

G. APPOINTMENT

Arts Commission

Mayor Gonzales made the following appointment to the Arts Commission:

Bernadette Ortiz Pena – to fill unexpired term ending 0/2015.

MOTION: Councilor Dominguez moved, seconded by Councilor Rivera, to approve this appointment.

VOTE: The motion was approved unanimously on a voice vote with Mayor Gonzales, and Councilors Bushee, Dimas, Dominguez, Ives, Lindell, Maestas, Rivera and Trujillo voting in favor of the motion and none against.

H. PUBLIC HEARINGS

- 1) REQUEST FROM THE NATIONAL DANCE INSTITUTE OF NEW MEXICO (NDI NEW MEXICO) FOR A WAIVER OF THE 300 FOOT LOCATION RESTRICTION AND APPROVAL TO ALLOW THE DISPENSING/CONSUMPTION OF ALCOHOLIC BEVERAGES AT THE NDI DANCE BARN, 1140 ALTO STREET, WHICH IS WITHIN 300 FEET OF ASPEN COMMUNITY MAGNET SCHOOL, 450 LA MADERA. THIS REQUEST IS FOR NDI'S ANNUAL GALA TO BE HELD ON SATURDAY, MAY 16, 2015, FROM 4:30 P.M. TO 11:00 P.M. (YOLANDA Y. VIGIL)**

The staff report was presented by Yolanda Vigil, City Clerk, from her Memorandum of March 2, 2015, with attachments, to Mayor Gonzales and City Councilors, which is in the Council packet. Ms. Vigil said there are letters in the packet from Principal Gerard M. Flores, Aspen Community Magnet School and Carl Gruenier, Santa Fe Public Schools, stating that they will refrain from issuing a decision regarding opposition or non-opposition to this report.

Public Hearing

Felicia Poncda was sworn. Ms. Poncda said she is the event coordinator and she is here to answer any questions.

The Public Hearing was closed

MOTION: Councilor Rivera moved, seconded by Councilor Ives, to grant the waiver of the 300 foot location restriction and approve the dispensing/consumption of alcoholic beverages at the NDI Dance Barns for the NDI's Annual Gala to be held on Saturday, May 16, 2015, from 4:30 p.m. to 11:00 p.m., with all conditions of approval as recommended by staff.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

- 3) **CONSIDERATION OF BILL NO. 2015-5: ADOPTION OF ORDINANCE NO. 2015-24 (COUNCILOR DOMINGUEZ AND COUNCILOR DIMAS). AN ORDINANCE RELATING TO YOUTH LEAGUE FEES FOR USE OF CITY SPORTS FIELDS; AMENDING SUBSECTION 23-4.13 AND 23-7.5 SFCC 1987, TO REQUIRE YOUTH LEAGUE REPRESENTATIVES TO PARTICIPATE IN THE KEEP SANTA FE BEAUTIFUL CLEANUP EVENTS IN EXCHANGE FOR THE REDUCED YOUTH LEAGUE FEES THE CITY OFFERS AND MAKING SUCH OTHER GRAMMATICAL AND TYPOGRAPHICAL CHANGES AS ARE NECESSARY.**

Councilor Dominguez gave a brief overview.

Public Hearing

There was no one speaking to this request.

The Public Hearing was closed

MOTION: Councilor Dominguez moved, seconded by Councilor Dimas, to adopt Ordinance No. 2015-24 (the Substitute Bill with the amendments incorporated).

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Gonzales, Councilor Bushee, Councilor Dimas, Councilor Dominguez, Councilor Ives, Councilor Lindell, Councilor Maestas, Councilor Rivera and Councilor Trujillo.

Against: None.

The Governing Body then resumed consideration of Afternoon Agenda Items #19 and #20

19. MATTERS FROM THE CITY CLERK

There were no matters from the City Clerk.

20. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body," for the Council meeting of March 11, 2015, is incorporated herewith to these minutes as Exhibit "6."

Councilor Dimas

Councilor Dimas had no communications.

Councilor Maestas

[Councilor Maestas's remarks here are inaudible because of noise overlay on the tape and on the official recording of the meeting]

Councilor Bushee

Councilor Bushee had no communications.

Councilor Ives

Councilor Ives introduced a Resolution directing staff to solicit alternative ways to permanently dispose of solid waste generated within the Santa Fe City limits. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "7."

Mayor Gonzales

Mayor Gonzales introduced a Resolution establishing a Green Community Program for the benefit of the residents of Santa Fe; directing staff to develop and draft a comprehensive 25-year Sustainability Plan to annually reduce Santa Fe's carbon emissions and energy consumption, and achieve the City's goal of becoming carbon neutral by 2040.

Councilor Dominguez

[Councilor Dominguez's remarks here are inaudible because of noise overlay on the tape and on the official recording of the meeting]

Councilor Dominguez said he won't be in attendance at the March 25, 2015 meeting of the Governing Body.

Councilor Lindell

Councilor Lindell had no communications.

Councilor Trujillo

Councilor Trujillo had no communications.

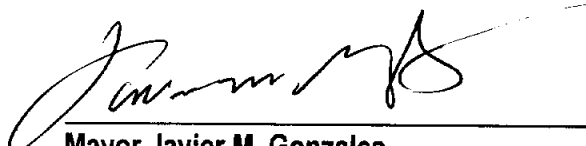
Councilor Rivera

[Councilor Rivera's remarks here are inaudible because of noise overlay on the tape and on the official recording of the meeting]

I. ADJOURN

There was no further business to come before the Governing Body, and upon completion of the Agenda, the meeting was adjourned at approximately 8:45 p.m.


Approved by:


Mayor Javier M. Gonzales

ATTESTED TO:


Yolanda Y. Vigil, City Clerk

Respectfully submitted:


Melessia Helberg, Council Stenographer

City of Santa Fe, New Mexico

memo

DATE: February 25, 2015

TO: Mayor Javier M. Gonzales
Councilor Patti Bushee
Councilor Signe Lindell
Councilor Joseph Maestas
Councilor Peter Ives
Councilor Carmichael Dominguez
Councilor Chris Rivera
Councilor Ron Trujillo
Councilor Bill Dimas

FROM: Santa Fe Climate Action Task Force

SUBJECT: Energy Efficiency and Renewable Energy Programs and Projects Recommendations

SUMMARY

On December 29, 2014, Mayor Javier Gonzales requested that the Climate Action Task Force submit a report with a list of recommendations that would help to scale-up the development and implementation of energy efficiency and renewable energy programs and projects in Santa Fe.

The City of Santa Fe is committed to protecting the long-term health and viability of the community through strategies designed to reduce greenhouse gas emissions and mitigate the effects of climate change, and as such, has passed resolutions calling for Santa Fe to attain carbon neutrality by 2040; reduce greenhouse gas emissions by 2030; and reduce the carbon footprint of City government on the environment by a total of 20 percent by 2013, which has been achieved.

Over 20 members of the Energy Efficiency & Renewable Energy (EERE) and Finance working groups of the task force, comprised of environment, energy and finance professionals have been meeting over the last several months and have developed the following recommendations to help assist in achieving those goals. Many of them can be undertaken within the next six months and fully implemented by the end of the year.

Exhibit "1"

In summary, the task force recommends that the City of Santa Fe:

1. Establish goals and benchmarks to reduce citywide energy consumption and greenhouse gas emissions.
2. Pursue energy savings performance contracting for city facilities with an Energy Service Company (ESCO).
3. Scale-up solar distributed generation projects on city facilities.
4. Strengthen and expand energy efficiency programs and solar energy projects in the commercial and residential sectors of our community.
5. Educate and inform the public about available programs.
6. Utilize creative financing options to pay for programs and projects.

It is the goal of the task force to identify the types of strategies and programs the City should consider undertaking to create a healthier, more resilient, adaptable, and vital community, in order to protect the environment and accelerate the advancement of its economy.

The Climate Action Task Force appreciates the opportunity to present the recommendations in this report.

RECOMMENDATIONS

I. ESTABLISH GOALS AND BENCHMARKS TO REDUCE ENERGY CONSUMPTION & GREENHOUSE GAS EMISSIONS

For the last several years, the energy use of all City facilities have been tracked, so baseline data from which to improve upon has been established. Additionally, the Sustainable Santa Fe Commission has been evaluating and quantifying a host of energy and environmental metrics, helping to establish baseline data for the entire city of Santa Fe which can also be used to track annual progress the city makes in those areas. Important next steps will be for City staff to develop a baseline of Greenhouse Gas (GHG) emissions from all sources (buildings, transportation, waste, land use, etc.) to gain greater insight into Santa Fe's sustainability indicators, work with the Climate Action Task Force and its working groups to establish energy and greenhouse gas reduction targets, and then identify the best opportunities to achieve them.

Two immediate opportunities for furthering the reductions of energy use, and by extension GHG emissions, are to:

- **Continue tracking and making energy improvements to city-owned buildings and facilities.** A goal of having at least 10 city buildings achieving Energy Star Certification by the end of 2015 should be established, continuing to demonstrate that the city is leading the community by example.
- **Institute a program of Building Energy Performance Reporting.** Portland, Oregon, Washington DC, New York State, and many cities in California have instituted local ordinances that require all owners of commercial buildings over a minimum size to track and report their building's energy use. Establishing this type of a program emphasizes the importance of energy efficiency in buildings, and demonstrates to owners proof that inefficient buildings waste energy and money,

reinforcing the notion that “energy hogs” may not retain their value and be undesirable for potential tenants to lease, thus encouraging them to invest in energy efficiency and renewable energy technologies.

Actionable Items and Timeline:

- 1. Evaluate all City Buildings through the use of the Energy Star Portfolio Manager and evaluate buildings against Energy Star Benchmarks: Current**
- 2. Conduct a GHG emissions inventory for Santa Fe and develop metrics to assist in prioritizing reduction opportunities: March**
- 3. Establish a goal of at least 10 City Buildings to achieve Energy Star Certification and get Energy Star Plaques for 2015: March**
- 4. Develop a Building Energy and Water Performance Reporting pilot project, starting with the hospitality industry (this sector is already familiar with green buildings through the Green Lodging Initiative), to track energy and water use. If this pilot is successful, then City Council can consider an ordinance requiring commercial buildings over a minimum size to report energy performance: April**

II. PURSUE ENERGY PERFORMANCE CONTRACTING

Energy performance contracting is a tried and proven approach in identifying cost savings associated with energy use and building performance. It has been widely used in federal, state and local government projects across the nation for the past three decades. By entering into an energy performance contract with an Energy Service Company (ESCO), the City would be able to identify and evaluate potential energy savings throughout its facilities, and then install a variety of highly efficient energy and water saving equipment, and other energy-saving measures such as renewable energy and geothermal technologies, smart energy controls and alternative fuels to achieve such savings. The resulting cost savings from the reduction of energy used by the facilities pays for the entire cost of the project over time. Projects are financed through alternative funding vehicles by a financing company over a period up to 25 years. The ESCO guarantees that annual cost savings will meet or exceed annual financing payments. If savings are not realized, the ESCO pays the difference, as prescribed in a measurement and verification protocol detailed in the contract.

The City of Santa Fe has been invited by the New Mexico Department of Energy, Minerals and Natural Resources (EMNRD) to participate in its Local Energy Efficiency Performance (LEEP) process, using energy performance contracting to greatly increase City investments in energy efficiency and renewable energy measures at City-owned buildings, facilities and processes. The program 1) guides the City through the process, including initial energy audits with state-qualified ESCOs and subsequent contract negotiation; 2) benchmarks building energy use; and 3) provides a State certified third-party reviewer for energy audits and measurement and verification for any implemented clean energy measures.

A memorandum of agreement (MOU) outlining the program and the assistance provided by the State has been drafted by EMNRD for the City’s review. The State is also in the process of pre-qualifying up to seven ESCOs that would be able to provide services. Should the City decide to pursue performance contracting with assistance from the State, the MOU must be entered into, and an ESCO would then be selected by the City, based on a variety of criteria.

The ESCO is responsible for performing an investment grade energy and water audit to identify potential energy savings from facility and mechanical improvements, in addition to identifying any renewable energy technologies that could also be implemented to help improve energy cost savings. Based on the results of the energy audit, the ESCO then develops the project and guarantees both the energy and cost savings of the project. If acceptable, the City would then enter into a fixed price contract with the ESCO, who would finance the energy improvements, typically over a 20 to 25-year period; the cost savings of the project pay for the energy improvements. Qualified Energy Conservation Bonds (QECBs, discussed in more detail under Section VI) can be utilized by the City to buy down the interest rate on the financing.

Successful implementation of this project could save Santa Fe taxpayers over \$600,000 in natural gas and electricity bills from the energy efficient and/or renewable energy investments used to power its buildings, facilities and processes. Such investments will also help to reduce carbon emissions through the reduced consumption of fossil fuel-based electricity, create local jobs, and improve the indoor environments of public buildings utilized by the public and City employees.

Actionable Items and Timeline:

1. City Council request staff to pursue performance contract project, execute State MOU for assistance from EMNRD: February
2. City staff to identify city facilities as potential candidates for program participation, including, but not limited to, the Genoveva Chavez Community Center and the Santa Fe Wastewater Treatment Facility: March
3. City staff to engage ESCO and start performance contracting process: April
4. Consider adding energy control smart devices to City buildings and provide incentives for their use in the private sector to provide real time feedback on energy use (long-term): TBD
5. Require city building operators and facility managers take the Building Operator Certification; through its existing BOC program, PNM pays a majority of the costs involved for qualifying participants: TBD

III. SCALE-UP SOLAR DISTRIBUTED GENERATION PROJECTS ON CITY FACILITIES

The City has made great strides in installing solar energy systems on its facilities. It should continue to pursue the installation of solar systems, particularly if the City chooses to pursue performance contracting, as solar arrays can be designed and implemented as part of the performance contract itself.

The City should pursue the goal of adding 2 megawatts (MW) of solar energy to its inventory by 2016, delivered through the installation of systems:

- That are 100 kilowatts (kW) in size, when possible and feasible.
- On leased facilities, such as the Santa Fe University of Art and Design, which are master-metered and have great potential to be solarized;
- For moderate to low-income multi-family residential units and on affordable housing, through a community solar program; and,
- In collaboration with other entities such as the Santa Fe Public Schools.

Actionable Items and Timeline:

1. **Identify potential locations/facilities for new solar systems: Currently**
2. **Develop community solar program: February**
3. **Create a database of potential land sites for solar systems of 100 kW, including potential locations in City, County and State, and community colleges and on private land: March**
4. **Identify financing mechanisms, such as Clean Energy Revenue Bonds (CERBs) or QECBs, to fund solar at schools for school consumption: April**

IV. STRENGTHEN AND EXPAND ENERGY EFFICIENCY PROGRAMS AND SOLAR ENERGY PROJECTS IN THE COMMUNITY

Although the City of Santa Fe has been successful at implementing solar energy systems on its facilities and should continue to do so, and although it may stand to benefit from garnering additional energy savings from its facilities by entering into a performance contract with an ESCO, it should also focus on identifying ways to create an appetite in the commercial and residential sectors for energy efficiency and renewable energy programs and projects. Keys to making this a success are:

1. The establishment of public-private partnerships to either strengthen and expand existing programs, projects and financing mechanisms, or develop new ones that all Santa Feans may equally benefit from;
2. The development of an aggressive public education, outreach and marketing campaign (as discussed in Section V); and,
3. Continuing to advocate for and/or against local and state policies, programs, and regulations that have a positive and/or negative impact on the growth of the energy efficiency and renewable energy industries.

The current rate case that PNM has filed with the Public Regulation Commission (PRC) includes a distributed generation access fee and elimination of the solar banking option. Based upon that filing, the market size for the solar market has been projected by PNM to be 21 megawatts (MW) installed in the system for 2014, 2015, and 2016, or 7 MW per year. Further, PNM projects for years 2017-2021, only 1 MW per year of new solar would be installed (ref: 14-00332-UT rate case schedule P-11, pages 1 and 2, PRC rate case hearing). According to the U.S. DOE Lawrence Berkeley Labs document titled, "Tracking the Sun Report," published in September 2014, the average cost for a solar installation of less than 10 kilowatts (kW) is \$4.70 per kW. If the market size were to drop from 7 MW per year to 1 MW per year, the economic impact will be a \$28.2 million reduction in the size of the solar industry within PNM's service territory. The EERE and Finance Working Groups of the CATF believe that the City should oppose any policy that would have such a negative impact on the local economy, the renewable energy industry, and the environment.

Additionally, the CATF recommends the city oppose the PNM rate increase.

Energy efficiency programs can help all citizens, particularly moderate to low-income individuals and families, lower their energy use, save money on their electricity bills, and become more environmentally

responsible. Access to existing and new programs is critical to achieving Santa Fe's energy and sustainability goals.

Specific to solar energy, Table 1 located in the appendix reflects figures that support the notion that solar electricity can create significant economic development opportunities in Santa Fe, as it has achieved grid parity with fossil fuel-based electricity. As such, bold goals for solar on residential rooftops should be established by the City, in addition to the types of incentives and/or programs that can help increase the number of systems installed in the community.

Actionable Items and Timeline:

- 1. Develop a program to provide increased funding to Homewise and other qualified entities (via tapping \$6M of the City's Water Utility Reserve Fund, bonds, QECBs, or other mechanisms) to increase energy efficiency programs and the installation of solar systems in the community: February**
- 2. Explore ways to support cost effective options for solar energy purchasing and leasing, and making residential solar more affordable: March**
- 3. Explore solar leasing programs with no money down for low-income families, and ways to mitigate risk for extreme low income populations: March**
- 4. Identify opportunities to streamline solar installation permitting within the city: March**
- 5. Create incentives for the use of smart energy control devices to provide real time energy information: March**
- 6. Research the existing studies about how effective energy efficiency programs, such as the Federal Low Income Weatherization Program and the Low-income Home Energy Assistance Program (LIHEAP), have been in meeting the needs of low-income families, and determine how to augment such resources for fixed income Santa Feans: March**
- 7. Provide energy efficiency assistance to low-income families through partnerships with New Mexico Gas Company, PNM and nonprofit providers such as International Center for Sustainable and Appropriate Technology: March**
- 8. Identify programs administered by the Mortgage Finance Authority to assist low-income families with energy efficiency measures: April**
- 9. Hold a Summit for banks and solar companies to look for cost effective leasing/financing option for solar DG: April**
- 10. Work with solar companies to find out how to increase installations: April**
- 11. Research existing rebate programs, such as the City water rebate program, to emulate when creating ways to incentivize and encourage the purchase of energy efficiency appliances (Energy Star): May**
- 12. Initiate discussion with Historic Review Panel to take advantage of energy efficiency and renewable energy opportunities: June**
- 13. Consider measures to discourage large households' excessive use of water and energy: June**
- 14. Marketing: City of Santa Fe to support solar and energy efficiency marketing efforts (also included in Section V Education, below): July**
- 15. Advocate for the extension of state tax and federal solar income tax credits, set to expire at the end of 2016: Ongoing**

V. EDUCATE AND INFORM THE PUBLIC ABOUT AVAILABLE PROGRAMS AND THE COST-EFFECTIVENESS OF SOLAR AND ENERGY EFFICIENCY MEASURES

To help ensure the success of the programs and projects recommended in this document, it will be important to inform and educate the public and commercial building owners about the benefits of embracing and implementing energy efficiency measures and installing solar energy systems on their homes or buildings. Moderate to low-income populations should be a specific focus of any education campaign undertaken, as the benefits of such energy programs have a tremendous impact on their household's bottom line.

An aggressive, well-funded advertising, marketing and technical assistance campaign would help make homeowners and business owners aware of the types of energy efficiency programs available to them, in addition to better understanding the cost-effectiveness and benefits of installing a solar energy system.

Educating and informing the public about the cost-effectiveness and benefits of solar power is especially important over the next fiscal year, as the 30% federal income tax credit and the 10% state tax credit for solar system installations expire at the end of 2016. Those tax credits, when combined with favorable financing, can make a solar system cash neutral, or even cash positive, from the first month of system ownership.

In 2014, the City Council adopted Resolution No. 2014-48 and the County Commission adopted Resolution 2014-49, establishing a cooperative "Solarize Santa Fe!" public outreach, marketing and technical assistance initiative (Attachment A in the appendix), however, funds were not allocated by the City to the effort in FY14-15.

Much like the City's Water Conservation Program which received \$60,000 in FY14-15 to implement its marketing campaign, consideration should be given to allocate \$30,000 in FY15-16 towards establishing a joint City-County public information campaign focused on "Solarize Santa Fe!" and energy efficiency programs. With an equal amount of funding contributed by Santa Fe County, a sufficient amount of resources will be achieved, providing for a visible, persistent campaign over the course of a year.

Lastly, developing a partnership with Santa Fe Public Schools to explore how to best integrate energy and environment education into the schools should be taken into special consideration. Such a program can be a resource and channel for not only educating children, but also their parents about the advantages of energy efficiency and renewable energy programs.

Actionable Items and Timeline:

1. In partnership with the County, allocate \$30,000 in FY15-16 to create a public information campaign focused on energy efficiency programs, "Solarize Santa Fe!," the benefits and affordability of solar energy, and the financing mechanisms that can increase number of solar installations: May-June
2. Work with solar companies to identify what they need from the City beyond an ad/marketing campaign to increase installations dramatically: April
3. Partner with Santa Fe Public Schools to explore educational programs in schools: May

VI. UTILIZE CREATIVE FINANCING OPTIONS

Funding any and/or all of the programs and projects recommended is critical to making them a reality. In particular, identifying unique sources of funding can help broaden the pool of resources the city can leverage when developing any of its programs. From crowd-sourcing to federal grants to unique bond offerings, all financing mechanisms should be explored. A matrix of such solutions is located at the end of this section; however, two specific sources of funding are highlighted and summarized here.

Qualified Energy Conservation Bonds (QECB)

QECBs: Local governments can seek approval of the State Board of Finance for interest-rate buy downs on bonds floated through the bond market to provide low cost financing to pay for either 1) reducing energy consumption in publicly owned buildings by at least 20 percent; 2) implementing green community programs; or, 3) backing rural renewable electricity projects.

Traditional bonds may be used by state, local and tribal governments to finance certain types of energy projects. CHP systems that use municipal solid waste or biomass as feedstock appear to be eligible, in addition to fuel cells and micro-turbines. However, QECBs can be used for a variety of purposes, including community energy conservation programs. A maximum of 30% of QECB allocations may be used for private activity purposes. There is no expiration date for QECBs and they can be issued as long as there is an available allocation.

Currently, there is \$20M allocated to the State from Federal subsidies for use with QECBs; the State Board of Finance approves applications for QECBs.

Property Assisted Clean Energy (PACE)

PACE programs help business owners pay for the upfront costs of energy efficiency retrofits or the use of renewable energy technologies, which the property owner then pays back by agreeing to increase their property taxes by a set rate over about 20 years. This allows property owners to begin saving on energy costs while they are paying for their energy improvements. This usually means that property owners have net gains even with increased property tax. A challenge with PACE funding is lien priority; PACE loans are subordinate to the primary mortgage, however, the loans can be taken over at the time of sale. It is recommended that the use of PACE funds be focused on commercial owner-occupied projects.

Santa Fe County has already created a Special Assessment District for PACE. By State statute, only renewable energy projects are covered under this financing mechanism; energy efficiency measures cannot.

Actionable Items and Timeline:

- 1. Identify approximately \$4-5M in energy efficiency and renewable energy projects that can utilize QECBs, such as performance contracting with an ESCO: February/March**
- 2. Create a pilot project with Homewise or other qualified financing institutions to design and implement an energy efficiency and/or renewable energy program for homeowners, leveraging QECBs: March**
- 3. Partner with Santa Fe Public Schools to identify potential use of QECBs to fund solar and efficiency projects at schools: April**

4. Once a project has been identified and developed, work with the City Council to pursue the use of QECBs via resolution: April
5. Investigate the development of commercial PACE program with the County, which would include the possibility of using QECBs as a source of funding: May
6. Meet with solar companies to help identify additional finance mechanisms that would be attractive to commercial entities: May
7. Educate commercial property owners as to the benefits of adding energy efficiency and renewable energy to their properties: TBD
8. Initiate a joint resolution with the County to support the use of PACE funding for energy efficiency and renewable energy projects: TBD

[illegible]

APPENDIX

Table 1: Potential Economic Stimulus Impact of Achieving a Goal of 10,000 Residential Solar Energy Systems in Santa Fe

Number of current customers	762
Total kW installed	3,250
Avg. size per customer current	4.265091864
Households	
Penetration	2%
Goal	
Goal households	10,000
Avg. system size (kW)	4.265091864
Avg. cost per system (kW)	
Total cost	\$21,325.46
Tax credits	40%
Net cost	\$12,795.28
Local value to community	
Per system local value	\$10,662.73
Local value total	\$106,627,297
Multiplier	
Total value to Santa Fe	\$22,509,336
Total installations (goal)	
Persons per installation	3
Installations per year, per team	
No. of years	3
No. of installations needed per year	
No. of teams	93
No. of new jobs per year (93x3)	278
Multiplier	
Total new jobs	834
Tax	1.31%
Tax benefit to Santa Fe	5,595,801

Solarize Santa Fe!



Free Solar Power!!
(Just Add: 1 Very Affordable Solar System)



"Solarize Santa Fe!" is a 2015 County and City cooperative campaign to educate the public about how incredibly cost-effective solar power is these days.

Today there is a "perfect storm" of solar electric systems costing 60% less than they did just 5 years ago combined with substantial financial incentives. A solar system will reduce or eliminate your energy utility bills and add significant resale value to your home or business. There are some excellent low interest, longer term financing options available that can make your monthly loan payments about or even lower than the reduction to your monthly electric, natural gas or propane expenses – meaning that a solar system can be close to "cash neutral" or even, in some circumstances, "cash positive" from the moment it is installed. Many solar system owners receive monthly checks from their electric utility! Unlike coal or natural gas-derived electric generation, the "fuel" used by a solar system, the Sun, is free and will remain free (i.e. you're immune from future utility rate increases.) Guaranteed!!

Two Types of Solar Systems

- A solar photovoltaic ("PV") electric system uses panels placed on your roof, ground-mounted, or as a "solar carport" to convert the sun's *light* (not heat) into electricity. Energy you don't use is credited to you as it passes through your utility meter and out onto the utility grid. In addition to your meter spinning "backwards" (called "net metering", PNM will currently pay customers an additional 3.5 cents per kilowatt-hour (kWh) of solar electricity produced. But that incentive is decreasing over time.
- A solar thermal system generally uses roof mounted collectors for water heating or space heating (adaptable to radiant floor, baseboard and forced-air systems) → saving natural gas, propane or electricity depending on your current heating source.

Choosing the size of a solar PV system depends on what percent of your electricity use you want to generate from solar and/or your ability or desire to pay for the system outright or finance it via a loan. A 3 kilowatt (kW) photovoltaic system can generate about 440 kilowatt-hours of electricity during an average month, enough to completely meet the power requirements of an average-size home. Obtain a 12 month usage history from your utility to determine your average per month electric usage.

For a solar thermal water heating system, one 4'X10' collector can satisfy 75-85% of a typical home's hot water needs. Solar space heating requirements are specific to each home. If you're using electricity or propane (both being much more expensive than natural gas) for water or space heating, solar thermal systems can be particularly attractive.

Costs

As with most home improvements, it's best to obtain bids from three different contractors. Note that both solar PV and solar thermal systems can take advantage of 30% federal and 10% state income tax credits and are also exempt from paying the state's 8+% sales tax. Better hurry,

though, as the tax credits are in effect only through the end of 2016! Many PV solar companies also offer 10 year “worry free” warranties covering the entire solar system.

- **A solar PV system costs (installed) generally around \$3500 to \$4500 per kilowatt of capacity – most 3 kW systems will cost about \$10,500-13,500. The after-tax-credit net cost of a \$12,000 system is just \$7,200. Ground-mounted and carport systems are generally somewhat more expensive than roof-mounted systems.**
- **A typical solar water heating system for a family of four costs from \$7,000 to \$10,000 including installation. The after tax credit net cost is \$4,200-6,000.**

Financing Your Solar System

Some solar PV companies offer a one year interest free loan for the amount of the anticipated income tax credits. Using a 3 kW, \$12,000 PV roof-mounted system example, such a loan would cover the \$4,800 of anticipated tax credits. You never make monthly payments on this loan; you just pay it off once you receive your refunds. Also, Homewise (983-9473, www.Homewise.org), a non-profit lending organization offers 4% loans to City of Santa Fe residents, for up to 20 years, for homeowners that have a gross annual income of less than \$104,000 per year. Citizens in the unincorporated areas of Santa Fe County can obtain a 6% loan. Interest expense on Homewise loans can be “Schedule A” deducted from your income taxes! If you don't qualify for a Homewise loan, check with your existing lender, a local credit union, or a solar installation company.

PV System Financing Examples (\$12,000 gross cost, 3 kW PV system, approximately \$60/month reduction to a PNM utility bill) Note: Similar savings can be realized for a solar hot water system.

- 1) \$4800 anticipated tax credit amount covered by a 1 year, interest free loan offer from solar company (no payments), \$7,200 financed at 6.5% for 15 years using a loan available from many of the solar companies. Monthly loan payment: \$63. **With a \$60 monthly utility bill reduction, your solar system ends up as a net cost of just \$3/month!**
- 2) \$12,000 loan from Homewise:
 - City Residents: 4%, 20 year loan = \$73/month payments. \$13/month net cost.
 - County Residents: 6%, 20 year loan = \$86/month payments. \$26/month additional cost.

However, you have a \$4800 income tax refund coming to you in the next year!! You can use that \$4800 to take a great vacation, or, if you would like, Homewise will apply your \$4800 tax refund to your loan (at no cost) to reduce your loan payments. The City resident 4% loan payment would drop to \$44/month (for a \$16/month net cash benefit) and the County resident 6% loan drops to \$52/month (\$8/month net benefit).

Since your monthly loan payments are fixed, your net monthly financial benefit increases as electric, natural gas and/or propane costs increase over time. In short, you won't be affected by future utility rate increases. Also, keep in mind that solar increases the resale value of your home!

For Free Advice: Call Craig O'Hare, Energy Programs Specialist (505) 992-3044
cohare@santafecountynm.gov See: www.santafecountynm.gov and click on “Solar Power” under “Services” for a list of solar companies.

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, MARCH 9, 2015**

ITEM 9

REQUEST FOR APPROVAL OF A RESOLUTION SUPPORTING THE NEXT PHASE OF PROJECT PLANNING FOR THE SANTA FE "ARTS + CREATIVITY CENTER" WHICH IS INTENDED TO PROVIDE AFFORDABLE LIVE, WORK, CREATION, PERFORMANCE AND RETAIL SPACE FOR ARTISTS AND CREATIVE BUSINESSES IN SANTA FE (COUNCILOR RIVERA) (ALEXANDRA LADD)

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	Not Present at this time		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR RIVERA	X		

Exhibit 2"

Celebrating the First Five Years of Life

FIESTA PARA BEBÉS

FREE
EVENT

2 MAY, 2015
10:00 - 3:00

SWEENEY ELEMENTARY

**South Meadows Rd
at Airport Rd**

RAFFLE PRIZES

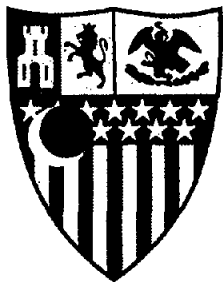
Rifa de Premios

FAMILY ACTIVITIES

Actividades Familiares

santafeyearofthebaby.com

Exhibit '31'



City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Javier M. Gonzales, Mayor

Councilors:

Peter N. Ives, Mayor Pro Tem, Dist. 2
Patti J. Bushee, Dist. 1
Signe I. Lindell, Dist. 1
Joseph M. Maestas, Dist. 2
Carmichael A. Dominguez, Dist. 3
Christopher M. Rivera, Dist. 3
Ronald S. Trujillo, Dist. 4
Bill Dimas, Dist. 4

Memorandum

To: Members of the Governing Body

From: Zachary Shandler *38*
Assistant City Attorney

Via: Kelley Brennan *KAB*
City Attorney

Re: Appeal by the Cellular Phone Task Force, Arthur Firstenberg and fifty-one citizens from the October 30, 2013 Decision of the Land Use Department to Issue a Building Permit #13-2097 to John Malone and Verizon Wireless regarding replacement of telecommunications antennas at 1402 Agua Fria.
Land Use Case No. 2013-116

Appeal by the Cellular Phone Task Force, Arthur Firstenberg and twenty-one citizens from the July 15, 2014 Decision of the Land Use Department to Issue a Building Permit #14-813 to John Malone and Verizon Wireless regarding replacement of telecommunications antennas at 1402 Agua Fria.
Land Use Case No. 2014-82

Date: January 30, 2015 for the February 11, 2015 Meeting of the Governing Body

The Appeal

On November 14, 2013, the Cellular Phone Task Force (CPTF or Appellant) filed a Verified Appeal Petition (2013 Petition) appealing the October 30, 2013 issuance by the Land Use

Exhibit "Q"

Department (LUD) of Building Permit No. 13-2097 (BP 13-2097) to Verizon Wireless (Verizon) for the replacement of existing telecommunications antennas (Project) on property owned by John Malone at 1402 Agua Fria (Property). Identical Verified Appeal Petition forms signed Arthur Firstenberg and fifty-one other individuals were submitted with the Petition, but without the required fifty-one separate fees. As a result, these additional submittals do not constitute valid appeals, but instead we consider the signatories as joining in CPTF's appeal. (2013 Petition attached as **Exhibit A**; BP 13-2097 attached as **Exhibit B**). On August 8, 2014, CPFT filed another Verified Appeal Petition (2014 Petition) appealing the July 15, 2014 issuance by the LUD of Building Permit No. 14-0813 (BP 14-0813) to Verizon for the installation of telecommunications antennas at the Property. As with the 2013 Petition, Arthur Firstenberg and twenty-one other individuals joined in the 2014 Petition. (2014 Petition attached as **Exhibit C**; BP 14-0813 attached as **Exhibit D**).

As the 2013 Petition and the 2014 Petition (collectively, Petitions) address the same subject matter, we consider them together.

The Property

The Property is zoned C-2 (General Commercial) and is improved with a one-story structure (Building) occupied by a business called "Absolute Flooring and Materials". Verizon rents space on the Building roof. The Building is near the intersection of Hickox Street and Agua Fria and is across the street from the "Critters and Me" pet feed store.

History of the Case

In 2005, the City of Santa Fe issued Building Permit No. 05-0553 (2005 BP) to Verizon for the construction of electronic equipment shelters (Equipment Shelters) located on the Building roof. The 2005 Permit stated: "The permit is for the equipment shelter only—the antennas are not approved at this time—Separate permit is required." Verizon constructed the Equipment Shelters, box-like structures that are a few feet high, on the south (rear) portion of the Building roof. Verizon did not apply for or receive a separate permit for the installation of the antennas. Nevertheless, Verizon placed six antennas within the two Equipment Shelters, presumably close to the time the Equipment Shelters were constructed.

In 2013, Verizon applied for a building permit to replace the original six antennas and the LUD issued BP 13-2097. Shortly thereafter CPTF advised the City that Verizon had not applied for or been issued a building permit for the installation of the original six antennas. On November 14, 2013, CPTF filed the 2013 Petition, asserting that the installation of the original six antennas was done without a permit and without notice to the public. The filing of the 2013 Petition stayed the work under BP 13-2097.

Generally, the City seeks through its process to procure compliance with applicable Code, rather than to punish, although it also imposes penalties for violations of Code. Code § 14-11.4 establishes a variety of possible penalties when a party does unpermitted work. (Attached as

Exhibit E) Typically, the LUD requires people who have performed unpermitted work to apply for and obtain a permit for that work and to pay a double application fee.

City Code (Code) establishes three levels of review for a request to install telecommunications antennas, depending upon a number of factors, such as zoning and facility type and design: (1) a simple building permit application; (2) administrative review, which includes written notice to the public and specific submittals; and (3) Planning Commission or Historic Districts Review Board review, which includes Early Neighborhood Notification meetings and specific submittals.

Code § 14-6.2(E)(3)(iii) provides that that “new towers or antennas in C-2, I-1 and I-2 districts” trigger administrative review. As noted above, the Property is zoned C-2.

On December 2, 2013, City staff wrote to Verizon stating that it needed to submit a new application for a building permit to provide for the unpermitted installation of the original six antennas and that the new application was subject to “administrative review.” In accordance with standard practice, the LUD required Verizon to pay a double application fee. Verizon re-applied and paid the double fee.

The new application, when submitted was numbered 14-813 and it incorporated the prior application numbered 13-2097 (collectively, the Application).

In February and March 2014, Verizon provided the required submittals to City staff. On March 26, 2014, City staff deemed the submittals to be complete. On April 25, 2014, an application was logged into the system. (Attached as **Exhibit F**) Verizon posted a sign at the property and on May 12, 2014, sent certified mail written notice (Notice) to property owners, tenants and registered neighborhood associations within 200 feet of the Property. The Notice included a site map. (Notice attached as **Exhibit G**). During this time, citizens were able to call and meet with City staff regarding the Application.

On July 15, 2014, the City issued BP 14-813, which incorporated the approvals included under BP 13-2097.

On July 26, 2014, Verizon posted BP 14-813 on the Property, providing notice to interested parties of its issuance. On August 8, 2014, CPTF filed the 2014 Petition.

Basis of Appeal

CPTF makes two general claims under the 2013 Petition (numbered LUD Case No. 2013-116): (1) unpermitted activity and (2) lack of public notice. Both these claims, however, were addressed when Verizon, in late 2013, was required by the City to obtain a building permit and provide notice to the public in accordance with Code requirements.

CPTF makes two general claims under the 2014 Petition (numbered LUD Case No. 2014-82): (1) violation of maximum height standards and (2) lack of public notice.

Because the claims under the 2013 Petition have been addressed, this memorandum will focus on the claims made under the 2014 Petition, but the Governing Body should make a motion that includes both LUD cases for the record.

CPTF cites the following specific bases for appeal:

Height Issues:

- 1A.BP 14-813 for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(5)(b) (the shelters and antennas exceed the height of the structure) (Claim 1A).
- 1B.BP 14-813 for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(8) (failure to have a height waiver) (Claim 1B).

Public Notice Issues:

- 2A.BP 14-813 for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(10) (failure to provide notice) (Claim 2A).
- 2B. BP 14-813 for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(10)(b) (failure to have an Early Neighborhood Notification meeting) (Claim 2B).
- 2C. BP 14-813 for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(4) (failure to have a public hearing before the Planning Commission) (Claim 2C).
- 2D. BP 14-813 for antennas within the electronic equipment shelters was issued in violation of Section 14-11.4(A) (failure to remove illegal structures) (Claim 2D).

Discussion

Code §14-3.17(A)(2) provides that an appeal can only be filed if:

- (1) the final action appealed from does not comply with Code Chapter 14 or §§3-21-1 through 3-21-14 NMSA¹ (the Statute);
- (2) Code Chapter 14 has not been applied properly; or
- (3) the decision appealed from is not supported by substantial evidence.

¹ Section 3-21-8 B. NMSA 1978 provides in pertinent part: "Any aggrieved person...affected by a decision of an administrative...commission or committee in the enforcement of Sections 3-21-1 through 3-21-14 NMSA 1978 or ordinance, resolution, rule or regulation adopted pursuant to these sections may appeal to the zoning authority. ..."

Pursuant to Code §14-3.17(D)(6)(a) the City Attorney's Office (CAO) has reviewed the Petition and for the reasons set forth below concurs with the determination of the LUD Director that it does not conform to the requirements of Code §14-3.17 in that it does not state a valid basis for appeal under any of the foregoing provisions.

General Claims. With respect to CPTF's claim on height issues, rules of statutory and ordinance construction explain why placing antennas within the electronic equipment shelters did not violate maximum height requirements. With respect to CPTF's claims on public notice, Verizon provided notice during the 2014 review process and paid a double fee for its prior non-compliance. As explained below, the LUD's actions have been consistent with Chapter 14 and CPTF's general claims do not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 1A. *The 2014 building permit for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(5)(b)*

CPTF asserts that Code under the "Maximum Height" subsection provides that: "Telecommunications facilities located on existing structures shall not exceed the height of the structure upon which the facility is located." SFCC 1987, § 14-6.2(E)(5)(b) The term "telecommunications facilities" is defined as "[t]he plant, equipment and property, including but not limited to, fiber optic lines, cables, wires, conduits, ducts, pedestals, towers, antennas, electronics and other appurtenances used or to be used to transmit, receive, distribute, provide or offer telecommunication services." SFCC 1987, § 14-12.1. The term "structure" means "[a]nything that is considered or erected with a fixed location on the ground or attached to something having a fixed location on the ground, including buildings...walls...." SFCC 1987, § 14-12.1. .

One rule of statutory construction is "[i]n discerning legislative intent, we look first to the language used and the **plain meaning** of that language." State v. Trujillo, 2009-NMSC-012, § 11, 146 N.M. 14, 18. The plain language of the definition of "telecommunications facilities" covers things like the technical equipment, the wires, the electronics that are used to transmit and receive the cell phone signals. The plain language of the definition of "structures" covers the classic bricks and mortar of a built item.

In 2005, Verizon obtained the 2005 Permit and constructed two Equipment Shelters on the Building roof. These structures, which are similar in appearance to a roof parapet or screening wall, increased the overall height of the Building within the limits permitted by the Code. Therefore, the plain reading of the Code is that the Equipment Shelters are part of the overall structure. The Equipment Shelters are not part of the "telecommunications facilities" because they are mortar walls and are incapable of transmitting and receiving cell phone signals.

This begs the question: “does City Code allow a cell phone company to build a new 50 foot tower on top of a one-story existing building?”² The answer is “yes, if that tower is surrounded by a type of brick and mortar structure and as long as the antennas do not exceed the height of the structure.” The concept of screening telecommunication electronics is consistent with the City Code’s focus and emphasis on “landscape screening and innovative camouflaging techniques.” SFCC 1987, § 14-6.2(E)(1)(d)(iii). This begs another question: “won’t a 50 foot brick and mortar screen wall on top of a one-story existing building be an eyesore?” The answer is that the “Aesthetic Requirements” subsection of the Code provides a check and balance on the process. The “Aesthetic Requirements” subsection states “telecommunications facilities shall be designed, installed and maintained in such a manner as to minimize the visual impact upon adjacent lands, public rights of way and residentially zoned property.” SFCC 1987, § 14-6.2(E)(5)(c)(ii). This means it is possible that a 50-foot brick and mortar tower could be permitted under the “Maximum Height” subsection, but it is not guaranteed to be approved if it does not comply with the “Aesthetic Requirements” subsection.

In summary, the antennas at 1402 Agua Fria are not taller than the structure. The equipment shelters are “structures” that raise the permissible height of the overall structure. They do not cause a visual impact on the adjacent lands. The telecommunications antennas do not extend above over these shelters. In fact, citizens and city officials have driven past the Building for years unaware of the existence of the antennas.

In addition, another rule of statutory construction is that related items should be read together to ascertain the legislative intent. The State Supreme Court has stated: “In ascertaining legislative intent, the provisions of a statute must be read together with other statutes *in pari materia* under the presumption that the legislature acted with full knowledge of relevant statutory and common law.” State ex rel. Quintana v. Schnedar, 1993-NMSC-033, ¶ 4, 115 N.M. 573, 575.

Code reads: “Telecommunications facilities located on existing structures shall not exceed the height of the structure upon which the facility is located *unless otherwise allowed under this section*.” SFCC 1987, § 14-6.2(E)(5)(b) (emphasis added). The next sentence of the subsection reads: “Telecommunications facilities located on new structures shall not exceed the maximum height for buildings otherwise allowed as set forth in Chapter 14 with the *exception* that in C-2, I-1 and I-2 districts the height limit of telecommunications facilities shall be one hundred feet.” Code § 14-6.2(E)(5)(b) (emphasis added). Reading the two sentences together, the “Exception” language means that towers within the C-2, I-1 and I-2 districts can have a maximum height of 100 feet. One could also read the “Exception” language to mean this tower could be built on a new structure provided in the first sentence or an existing structure provided in the second sentence.

Therefore, CPTF has failed to state a valid basis for appeal under the “Maximum Height” subsection regarding BP 14-813 under Chapter 14.

² The “50 foot” number is chosen as a random numeric example, the maximum actual height may also depend on permissible building height based on the commercial zoning requirements.

Claim 1A does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 1B. *The 2014 building permit for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(8).*

If Claim 1A is denied, then there is no need to analyze whether a variance from the height requirements was required. Therefore, Appellant has failed to state a valid basis for appeal regarding BP 14-813 under Chapter 14.

Claim 1B does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 2A. *The 2014 building permits for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(10).*

Code § 14-6.2(E)(10) provides the three steps for public notice under the “administrative review” process. It requires certified mail written notice to property owners, tenants and registered neighbor associations within 200 feet of the proposed project site. It requires putting up a sign. It requires the sign to generally describe the project site and proposal. In 2014, Verizon completed all these steps. Therefore, CPTF has failed to state a valid basis for appeal regarding BP 14-813 under Chapter 14.

Claim 2A does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 2B. *The 2014 building permits for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(10)(b).*

Code § 14-6.2(E)(10)(a) provides the three steps for public notice under the “administrative review” process. It does not require an Early Neighborhood Notification (“ENN”) meeting. This is only a requirement if the Application had to go the Planning Commission under Code § 14-6.2(E)(10)(b). Therefore, CPTF has failed to state a valid basis for appeal regarding BP 14-813 under Chapter 14.

Claim 2B does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 2C. *The 2014 building permits for antennas within the electronic equipment shelters was issued in violation of Section 14-6.2(E)(4).*

Code § 14-6.2(E)(10) provides the three steps for public notice under the “administrative review” process. It does not require a public hearing before the Planning Commission. Therefore, CPTF has failed to state a valid basis for appeal regarding Building Permit #14-813 under Chapter 14.

Claim 2C does not fall within any of the three bases for appeal cited above and should be dismissed.

Claim 2D. *The 2014 building permit for antennas within the electronic equipment shelters was issued in violation of Section 14-11.4(A).*

The 2014 Petition states: “The facility has operated illegally for nine years.” The 2014 Petition requests “requiring the removal of illegal structures.” First, the Equipment Shelters were legally permitted structures. The structures should not be removed. Second, the LUD has a variety of penalties it can impose for non-compliance and the most common is a double fee. Verizon had to pay a double application fee. This is a discretionary decision by the LUD. Therefore, CPTF has failed to state a valid basis for appeal regarding BP 14-813 under Chapter 14.

Claim 2D does not fall within any of the three bases for appeal cited above and should be dismissed.

Conclusion

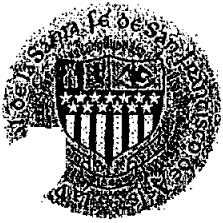
CPTF has not effectively alleged that the BP 14-813 does not comply with applicable Code or the Statute; that the Code has been improperly applied; or is not supported by substantial evidence. As a result, CPTF has failed to state a valid basis for appeal under Code §14-3.17(A)(2).

Option #1: The CAO recommends that the Governing Body dismiss CPTF’s appeals under both the 2013 Petition and the 2014 Petition.

[MOTION: I move that the Governing Body accept the recommendation of the City Attorney and dismiss the appeals in Case No. 2013-116 and Case No. 2014-82.]

Option #2: If the Governing Body does not wish to dismiss CPTF’s appeal(s), the appeals will be set for a de novo hearing (with testimony, exhibits and witnesses) before the Board of Adjustment. Section 14-2.4(C) states the Board of Adjustment sits as the administrative adjudicator of de novo appeals of decisions made by the LUD.

[MOTION: I move that the Governing Body not accept the recommendation of the City Attorney to dismiss the appeals in Case No. 2013-116 and Case No. 2014-82 and that the appeals be consolidated for hearing by the Board of Adjustment.]



LUD Use Only

Time Filed: 1:30
Fee paid: \$ 100
Receipt attached: ☒

(date stamp)

RECEIVED

NOV 14 2013

LAND USE DEPARTMENT

Case # 2013-116

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Cellular Phone Task Force
Last First M.I.
Address: P.O. Box 6216
Street Address Suite/Unit #
Santa Fe, NM 87502
City State ZIP Code
Phone: (505) 471-0129 E-mail Address: info@cellphonetaskforce.org
Additional Appellant Names: Arthur Firshtenberg, President

Correspondence Directed to: ☒ Appellant ☒ Agent ☐ Both
Q.F. 11/14/13

Agent/Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:
☒ Issuance of Building Permit

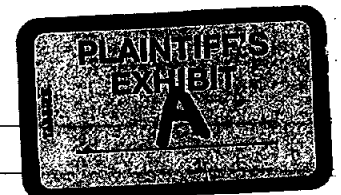
Basis of Standing (see Section 14-3.17(B) SFCC 2001):
Section 14-3.17(B)(3) (organization alleging injury to its economic, environmental and aesthetic interests)

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.



Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) Our organization's president and some of its members live in the vicinity of this facility. The facility has operated for nine years without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of their neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Emotional distress. (4) Violation of any other rights we may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Arthur Firstenberg, President Date: Nov. 13, 2013
ent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Arthur Firstenberg, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Arthur Firstenberg
Signature

Signature

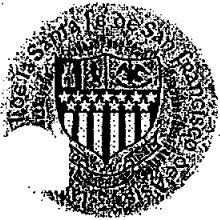
Arthur Firstenberg
Print Name

Print Name

Subscribed and sworn to before me this 13th day of November, 2013.

Shirley A. Riggs
NOTARY PUBLIC

My commission expires:
05/29/2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: Firstenberg, Arthur
Last First M.I.
Address: 247 Barela Street
Street Address Suite/Unit #
Santa Fe, NM 87501
City State ZIP Code
Phone: (505) 471-0129 E-mail Address: bearstar@fastmail.fm
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years in my neighborhood without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Emotional distress. (4) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Arthur Firstenberg Date: Nov. 13, 2013
Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Arthur Firstenberg, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Arthur Firstenberg
Signature

Signature

Arthur Firstenberg
Print Name

Print Name

Subscribed and sworn to before me this 13th day of November, 2013.

Shirley A. Riggins
NOTARY PUBLIC

My commission expires:
05/29/2016

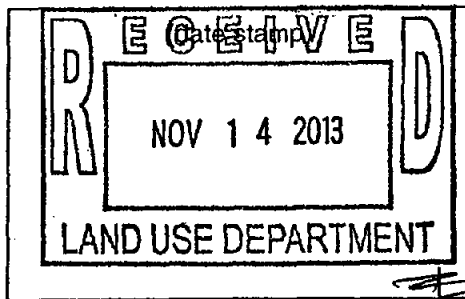


LUD Use Only

Time Filed: 1:30

Fee paid: \$100

Receipt attached:



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Delain Melissa
Last First M.I.
Address: 1408 Agua Fria
Street Address Suite/Unit #
Santa Fe, NM 87505
City State ZIP Code
Phone: (505) 699-9949 E-mail Address: melissadav144@gmail.com
Additional Appellant Names:

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We:
authorize to act as my/our agent to execute this application.
Signed: Date:
Signed: Date:

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

sis for
peal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Petitioner Signature:

M. Adair

Date:

11-12-13

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We Melissa Adair, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

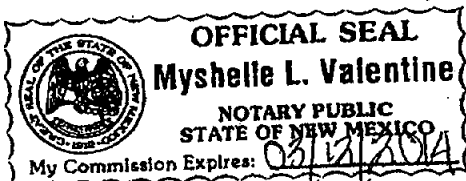
M. Adair
Signature

Signature

Melissa Adair
Print Name

Print Name

Subscribed and sworn to before me this 12 day of November, 2013.



Myshelle L. Valentine
NOTARY PUBLIC
(for Melissa Adair)
My commission expires:
03/12/2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Garcia Cecilia M
Last First M.I.
Address: 710 Camino Parvenir
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: 505 983 6878 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)

Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)

Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505

Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for

Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Petitioner Signature: Cecilia M Garcia Date: NOV-9-2012

Agent Signature: _____ Date: _____

State of New Mexico)
) ss.

County of Santa Fe)

I/We Cecilia Garcia, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

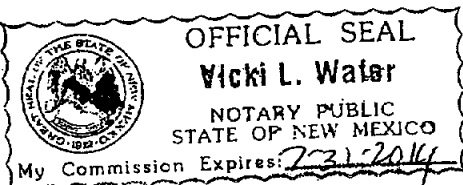
Cecilia M Garcia
Signature

Signature

Cecilia Garcia
Print Name

Print Name

scribed and sworn to before me this 11th day of November, 2013.



Vicki L Water
NOTARY PUBLIC

My commission expires:

July 31, 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: GARCIA Julio R
Last First M.I.
Address: 710 CAMINO PORVENIR
Street Address Suite/Unit #
SANTA FE, NEW MEXICO
City State ZIP Code 87505
Phone: (505) 983 6878 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for

Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

ellant Signature: Julio R. Garcia

Date: 9-NOV-2013

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Julio GARCIA, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Julio R. Garcia
Signature

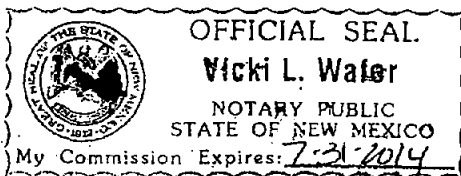
Signature

Julio R. GARCIA

Print Name

Print Name

scribed and sworn to before me this 11th day of November, 2013.



Vicki L. Water
NOTARY PUBLIC
My commission expires: July 31 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Calderson Lucia
Last First M.I.
Address: 1408 Agua Fria
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 577-2291 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

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Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

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Signature and Verification

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Pellant Signature: _____

Date: _____

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Lucia Calderon, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Lucia Calderon
Signature

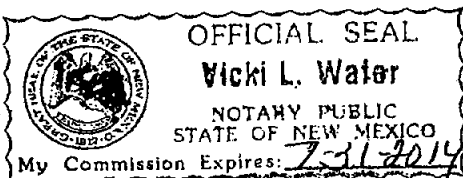
Signature

Lucia Calderon

Print Name

Print Name

scribed and sworn to before me this 10th day of November, 2013.



Vicki L. Water
NOTARY PUBLIC

My commission expires:

July 31, 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: GALINDO MAZATL
Last First M.I.
Address: 1408 AGUA FRIA
Street Address Suite/Unit #
SANTA FE NM 87505
City State ZIP Code
Phone: (505) 5772290 E-mail Address: mazatlgalindo@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented
Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

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Signature and Verification

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^pellant Signature:

Date:

Agent Signature:

Date:

State of New Mexico)

1) \$5.

County of Santa Fe)

I/We MAZATL GALINDO, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

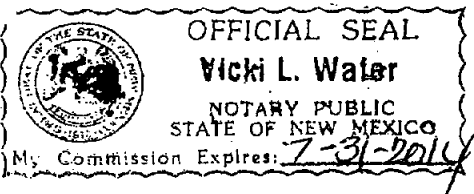
Signature _____

Signature

MAZATL GALINDO

Print Name

scribed and sworn to before me this 10 day of November, 2013



Walter L. Wager
NOTARY PUBLIC
My commission expires: *July 31, 2014*

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: MARTINEZ JOSE C
Last First M.I.
Address: 1404 AGUA ST.
Street Address Suite/Unit #
SANTA FE NM 87505
City State ZIP Code
Phone: (505) 983-4437 E-mail Address: _____
Additional Appellant Names: THERESA T. MARTINEZ

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Pellant Signature: _____

Date: 11/11/13

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We JOSE C. MARTINEZ THERESA T. MARTINEZ, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

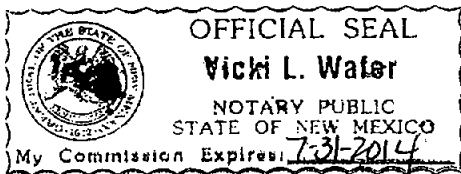
Jose C. Martinez
Signature

Theresa T. Martinez
Signature

Jose C. Martinez
Print Name

Theresa T. Martinez
Print Name

scribed and sworn to before me this 11th day of November, 2013.



Vicki L. Water
NOTARY PUBLIC
My commission expires:
11.31.2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Chavez Melvin C.
Last First M.I.
Address: 1707 Lena St.
Street Address Suite/Unit #
Santa Fe N.M. 87505
City State ZIP Code
Phone: (505) 466-7543 E-mail Address: Mtoni Chavez @msn.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____
_____ authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests)

Basis for
Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Signature and Verification

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Pellant Signature: _____

Date: 11-11-13

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Melvin Chavez, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

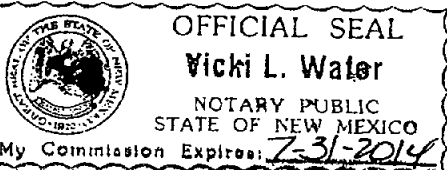
Melvin Chavez
Signature

Signature

Melvin C. Chavez
Print Name

Print Name

scribed and sworn to before me this 11th day of November, 2013.



Vicki L. Water
NOTARY PUBLIC

My commission expires:

July 31, 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Chavez Chris M.
Last First M.I.
Address: 208 Valle Romero
Street Address Suite/Unit #
Santa Fe NM 87506
City State ZIP Code
Phone: (505) 470-0000 E-mail Address: cmchavez28@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests)

Basis for
Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Petitioner Signature:



Date: 11.11.2013

Agent Signature:



Date:

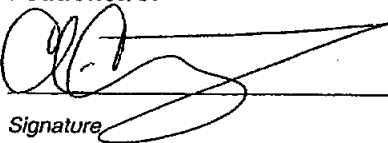
State of New Mexico)

) ss.

County of Santa Fe)

I/We _____, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:


Signature

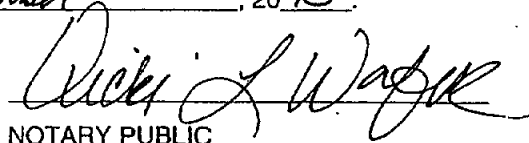
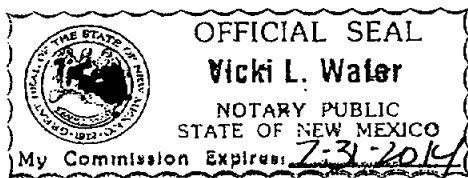
Signature

11.11.2013

Print Name

Print Name

scribed and sworn to before me this 11th day of November, 20 13.


NOTARY PUBLIC

My commission expires:

11/31/2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

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Appellant Information

Name: Anaya Victor
Last First M.I.
Address: 7030 Cam. Puenir
Street Address
Santa Fe NM 87505
City State ZIP Code
Phone: () E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Signature and Verification

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Petitioner Signature: Victor Anaya Date: 11-11-2013

Agent Signature: _____ Date: _____

State of New Mexico)
) ss.

County of Santa Fe)

I/We Victor Anaya, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

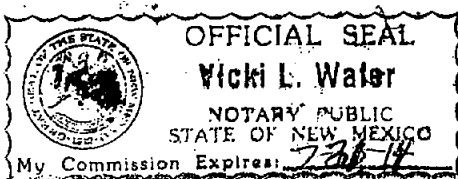
Victor Anaya
Signature

Signature

Victor Anaya
Print Name

Print Name

scribed and sworn to before me this 11th day of November, 2013.



Vicki L. Water
NOTARY PUBLIC

My commission expires:
July 31 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Johnson Connie L
Last First M.I.
Address: 1200 Bandolin Rd
Street Address Suite/Unit #
Santa Fe NM 87501
City State ZIP Code
Phone: (505) 629-7017 E-mail Address: Conniejohnson52@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
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Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests)

Basis for

Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without zoning permission. Expansion of an already illegal facility further violates the rights of Santa Feans who have an interest in the character and environment of their city. (2) Violation of Due Process. (3) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Petitioner Signature: _____

Date: 11/7/13

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Connie Johnson, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

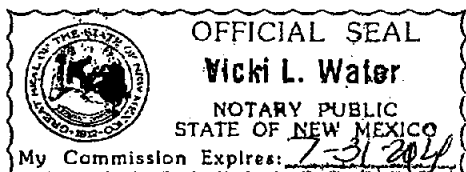
Signature _____

Signature _____

Print Name Connie Johnson

Print Name _____

scribed and sworn to before me this 7th day of November, 2013.



Signature Vicki L. Water
NOTARY PUBLIC

My commission expires: July 31, 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Romero Bernadette L
Address: Last P.O. Box 28243 First M.I.
Street Address Santa Fe, N.M. 87592 Suite/Unit #
Phone: 505 204-8480 City State ZIP Code 87592
E-mail Address: bernadette.romer658@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests)

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Description of the final action appealed from, and date on which final action was taken:

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☒ Check here if you have attached a copy of the final action that is being appealed.

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Signature and Verification

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Petitioner Signature:

X Bernadette Romero

Date:

11-6-13

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We X Bernadette Romero, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

X Bernadette Romero

Signature

Signature

X Bernadette Romero

Print Name

Print Name

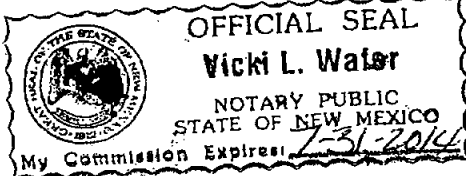
scribed and sworn to before me this

7th

day of

November

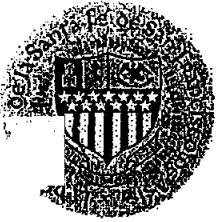
, 20 13.



Vicki L. Water
NOTARY PUBLIC

My commission expires:

Sub 131 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter in the and time of receipt and initial both originals. See Section 14-3.17(B) SFCC 2001 for the procedure.**

Appellant Information

Name: Schilling Brad K
Last First M.I.
Address: 519 Silva St.
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 795-1705 E-mail Address: bschilling@adelanteconsulting.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

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Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Brad Schilling

Date: 11/11/13

Int Signature: Brad Schilling

Date: 11/11/13

State of New Mexico)
) ss.
County of Santa Fe)

I/We Brad Schilling, being first
duly sworn, depose and say I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Brad Schilling
Signature

11/11/13
Signature

Brad Schilling
Print Name

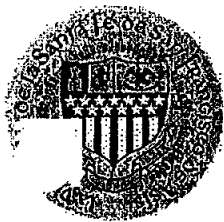
Print Name

Subscribed and sworn to before me this 11 day of November, 20 13.

Daniel V. G.
NOTARY PUBLIC

My commission expires:

7/9/2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(B) SFCC 2001 for the procedure.**

Appellant Information

Name: Schilling Kelly B.
Last First M.I.
Address: 919 Silva St.
Street Address
Santa Fe NM 87505
City State ZIP Code
Phone: 505 795-1486 E-mail Address: kellybennett2@comcast.net
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

**Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)**

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature:

Kelly B Schilling

Date:

11/11/2013

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We Kelly Schilling, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Kelly B Schilling
Signature

Signature

Kelly Schilling
Print Name

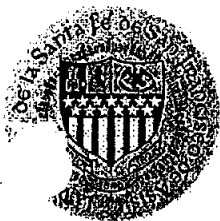
Print Name

Subscribed and sworn to before me this 11 day of November, 2013.

Daniel V. [Signature]
NOTARY PUBLIC

My commission expires:

7/9/2015

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: Shapiro Deborah H
Last First M.I.
Address: 619 Camino Santa Ana
Street Address Santa Fe NM 87505
City State ZIP Code
Phone: 505 690 9663 E-mail Address: dhs201@aol.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Final Action Appealed:

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Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Signature and Verification

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Appellant Signature:

Deborah H Shapiro

Date:

11/12/13

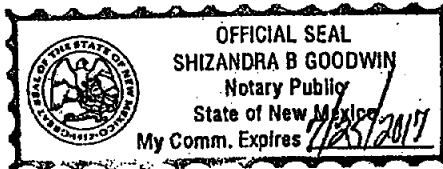
It Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)



I/We Deborah H Shapiro, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Deborah H Shapiro

Signature

Signature

Deborah H Shapiro

Print Name

Print Name

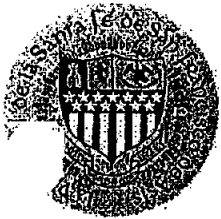
Subscribed and sworn to before me this 12th day of November, 2013.

Shizandra B. Goodwin

NOTARY PUBLIC

My commission expires:

July 25, 2017

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: Stromberg Danne
Last First M.I.
Address: 1427 Agua Fria St. Front
Street Address Suite/Unit #
Santa Fe NM 87501
City State ZIP Code
Phone: 505 982-8315 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
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Final Action Appealed:

☒ Issuance of Building Permit

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Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

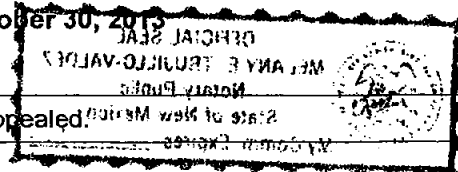
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Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

description of the final action appealed from, and date on which final action was taken:

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Signature and Verification

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Appellant Signature: *Chiaune Stromberg* Date: 11/12/2013
nt Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We *Diane Stromberg*, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Chiaune Stromberg
Signature

Signature

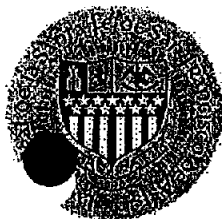
Diane Stromberg
Print Name

Print Name

Subscribed and sworn to before me this 12th day of November, 2013



Melany E. Trujillo-Valdez
NOTARY PUBLIC
My commission expires:
4/26/2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed: one Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(B) SFCC 2001 for the procedure.**

Appellant Information

Name: Vigil Katherine L
Last First M.I.
Address: 503 Silva St Santa Fe New Mexico 87505
Street Address City State ZIP Code
Phone: () E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
ned: _____ Date: _____
Signed: _____ Date: _____

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Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
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Signature and Verification

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Appellant Signature:

Katherine L. Vigil

Date:

11/11/13

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We Katherine L. Vigil, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Katherine L. Vigil

Signature

11/11/13

Signature

Katherine L. Vigil

Print Name

Print Name

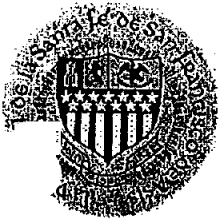
Subscribed and sworn to before me this 11 day of November, 20 13

Daniel Vigil

NOTARY PUBLIC

My commission expires:

7/9/2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:) _____

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: REED EBEN C.
Last First M.I.
Address: 514 SILVA
Street Address
SANTA FE Suite/Unit # N.M. 87505
City State ZIP Code
Phone: (505) 995-8872 E-mail Address: N/A
Additional Appellant Names: N/A

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeals

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for

Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

escription of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

✓ Appellant Signature: EBEN C. REED Date: 11/8/13
ent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We EBEN C. REED, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

✓ EBEN C. REED

Signature

Signature

EBEN C. REED

Print Name

Print Name

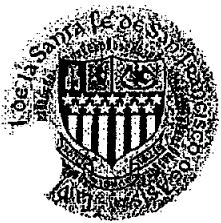
Subscribed and sworn to before me this 12 day of NOVEMBER, 2013.

Justly Adams

NOTARY PUBLIC

My commission expires:

12-22-2017

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: REED M. FORREST
Last First M.#
Address: 514 SILVA
Street Address
SANTA FE Suite/Unit # N.M. 87502
City State ZIP Code
Phone: 505 995-8872 E-mail Address: N/A
Additional Appellant Names: N/A

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law).

Basis for

Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature:

M. Forrest Reed

Date:

11/8/13

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We M. FORREST REED, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

M. FORREST REED

Signature

Signature

M. FORREST REED

Print Name

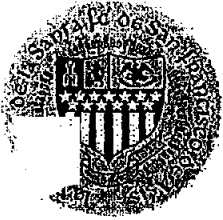
Print Name

Subscribed and sworn to before me this 12 day of NOVEMBER, 20 13

Lesley Adams
NOTARY PUBLIC

My commission expires:

6-22-2017

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: Baen Arthur D.
Last First M.I.
Address: 1418 Agua Fria ST.
Street Address Suite/Unit #
Santa Fe N.M. 87505
City State ZIP Code
Phone: (505) 501-3221 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
ned: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

**Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)**

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

scription of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

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Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

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Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Arthur D. Baca Date: 11-8-13

Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Arthur D. Baca, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

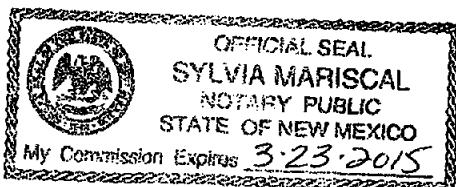
Arthur D. Baca
Signature

Signature

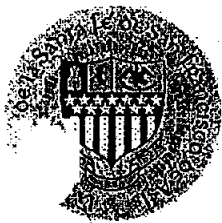
Arthur D. Baca
Print Name

Print Name

Subscribed and sworn to before me this 8 day of November, 2013.



Sylvia Mariscal
NOTARY PUBLIC
My commission expires:
March 23, 2015

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.

Appellant Information

Name: Boca Sophia Grace
Last First M.I.
Address: 1418 Agua Fria
Street Address
Santa Fe
City Suite/Unit #
State ZIP Code
Phone: 505 946-8327 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

scription of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

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Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

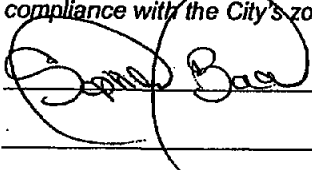
Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature:



Date:

Nov 8, 2013

Agent Signature:

Date:

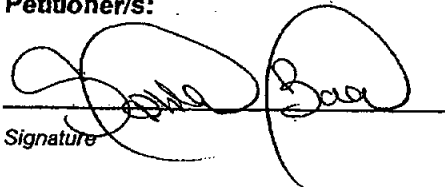
State of New Mexico)

) ss.

County of Santa Fe)

I/We Sophia Baca being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:


Signature

Signature

Sophia Baca
Print Name

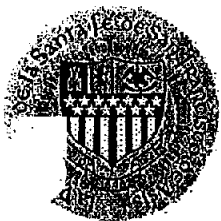
Print Name

Subscribed and sworn to before me this 8 day of November, 2013


NOTARY PUBLIC

My commission expires:

7/9/2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: Elliott Charlie F
Last First M.I.
Address: 6151 Airport Rd. #135
Street Address Suite/Unit #
Santa Fe NM 87507
City State ZIP Code
Phone: (505) 470-1965 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)

Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)

Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505

Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for

Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

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Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____

Date: 11-8-13

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Charlie Elliott being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Charlie Elliott

Signature

Signature

Charlie Elliott

Print Name

Print Name

Subscribed and sworn to before me this 8 day of NOVEMBER, 2013

Daniel Viga
NOTARY PUBLIC

My commission expires:

7/9/2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:) _____

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Vigil Deborah L.
Last First M.I.
Address: 513 Silva St Santa Fe NM 87505
Street Address City State ZIP Code
Phone: (505) 986-1144 E-mail Address: deborah.vigil057@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

**Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
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Issuance of a building permit on October 30, 2013

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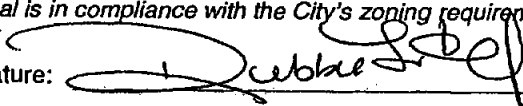
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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature:  Date: 11-7-13

ent Signature: _____ Date: _____

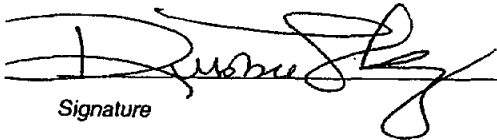
State of New Mexico)

) ss.

County of Santa Fe)

I/We Debbie Vigil, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:


Signature

Signature

DEBBIE C. VIGIL
Print Name

Print Name

bscribed and sworn to before me this 7 day of November, 2013.



NOTARY PUBLIC

My commission expires:

7/9/2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Vigil Cristal M
Last First M.I.
Address: 513 SILVER ST.
Street Address
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 986-1144 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☒ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

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Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

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Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
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Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Issuance of a building permit on October 30, 2013

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Signature and Verification

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Appellant Signature: _____

Date: _____

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Cristal Vigil, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Cristal Vigil
Signature

Signature

Cristal Vigil
Print Name

Print Name

scribed and sworn to before me this 7 day of November, 2013.

Daniel V. S.
NOTARY PUBLIC

My commission expires:

7/9/2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:) _____

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: VIGIL Daniel T.
Last First M.I.
Address: 513 Silva St
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 986-1144 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for
Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Daniel Vigil Date: 11/7/2013
Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Daniel Vigil, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Daniel Vigil
Signature

Signature

Daniel Vigil
Print Name

Print Name

scribed and sworn to before me this 7 day of November, 2013.

Daniel Vigil
NOTARY PUBLIC

My commission expires:
7/9/2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Varela Darelene J
Last First M.I.
Address: 5854 Colour de Lila
Street Address Suite/Unit #
Santa Fe NM 87507
City State ZIP Code
Phone: (505) 424-2788 E-mail Address: N/A
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without zoning permission. Expansion of an already illegal facility further violates the rights of Santa Feans who have an interest in the character and environment of their city. (2) Violation of Due Process. (3) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Pellant Signature:

Darelene J. Varela

Date:

11/7/2013

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We Darelene J. Varela, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Darelene J. Varela
Signature

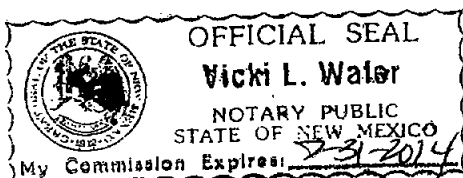
Signature

Darelene J. Varela

Print Name

Print Name

Subscribed and sworn to before me this 7th day of November, 2013.



Vicki L. Water
NOTARY PUBLIC

My commission expires:

July 31 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Romero Georgette
Last First M.I.
Address: 1414 1/2 Agua Fria, # A
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 603-1494 E-mail Address: GeoRom11@aol.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

sis for
peal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC.2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Petitioner Signature:

Georgette Romero

Date:

10/7/13

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We *Georgette Romero*, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

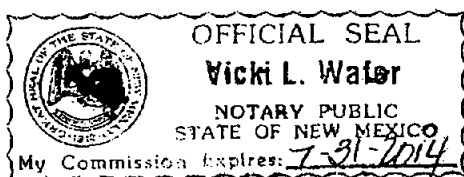
Signature

Signature

Print Name

Print Name

scribed and sworn to before me this *7th* day of *November*, 20*13*.



NOTARY PUBLIC

My commission expires:

July 31, 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: Lopez Doane A
Last First M.I.
Address: 507 Silva Street
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 350-0570 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

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Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Duane A Lopez Date: Nov 12, 2013
Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Duane Lopez, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

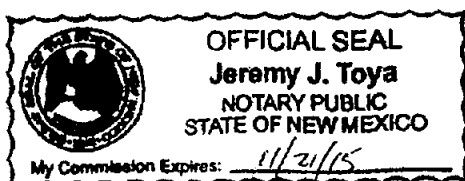
Duane A Lopez
Signature

Signature

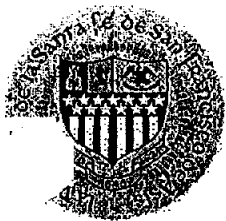
Duane A Lopez
Print Name

Print Name

scribed and sworn to before me this 12 day of NOV, 20 13.



Jeremy J Toya
NOTARY PUBLIC
My commission expires:
11/21/15

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

***Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(B) SACC 2001 for the procedure.**

Appellant Information

Name: Copeland Catherine
Last First M.I.
Address: 522 Silva St.
Street Address
Santa Fe Suite/Unit # NM 87505
City State ZIP Code
Phone: (505) 460-8321 E-mail Address: cat@kainsantaenm.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests;
Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years near my house without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____

Date: 11/12/13

nt Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We CATHERINE COPOLAND, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Catherine Copeland
Signature

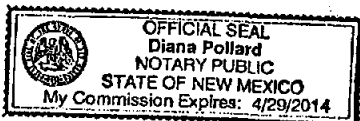
Signature

CATHERINE COPOLAND
Print Name

Print Name

Subscribed and sworn to before me this 13 day of

Nov, 2013



NOTARY PUBLIC

My commission expires: _____

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(B) SFCC 2001 for the procedure.**

Appellant Information

Name: ALARIO AGNES M
Last First M.I.
Address: 1410 AGUA FRIA
Street Address Suite/Unit #
SANTA FE, NEW MEXICO 87505
City State ZIP Code
Phone: (505) 930-0194 E-mail Address: N/A
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

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Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

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Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Agnes Alarid Date: _____

nt Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Agnes Alarid, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Agnes Alarid
Signature

Signature

AGNES ALARID
Print Name

Print Name

Subscribed and sworn to before me this 13th day of November, 2013.

(Hugo Cordova)
NOTARY PUBLIC
My commission expires:
February 13, 2017

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: KOSH GRANT A
Last First M.I.
Address: 469 Vista Loya
Street Address
Santa Fe Suite/Unit # 87505
City State ZIP Code
Phone: 505 310 0649 E-mail Address: GKOSH@aol.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

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Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____

Date: _____

11-11-13

Notary Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We GRANT KOSHA, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

[Signature]
Signature

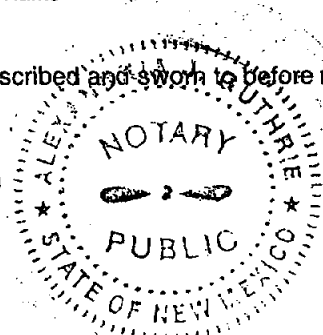
Signature

GRANT KOSHA

Print Name

Print Name

scribed and sworn to before me this 13th day of November, 20 13.



Alexandria for Selva
NOTARY PUBLIC
My commission expires:
June 30, 2017

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Gallejos Grace V.
Last First M.I.
Address: 61842 Jiron ST.
Street Address Suite/Unit #
Santa Fe, New Mex. 87505
City State ZIP Code
Phone: (505) 983-9253 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
dated: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

cription of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): THE ILLEGAL FACILITY SHOULD BE REMOVED.

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC, 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____ Date: _____

nt Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Grace V. Gallegos, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

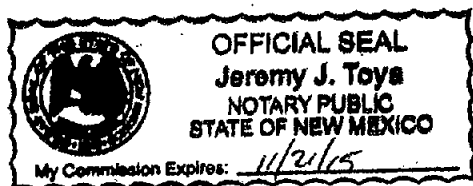
Grace V. Gallegos
Signature

Grace V. Gallegos
Signature

Grace V. Gallegos
Print Name

Grace V. Gallegos
Print Name

Subscribed and sworn to before me this 12 day of Nov, 2013.



Jeremy J. Toya
NOTARY PUBLIC
My commission expires:
11/21/15

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: George Trujillo
Last First M.I.
Address: 620 BACA St.
Street Address
SANTA FE N.M. Suite/Unit # 87505
City State ZIP Code
Phone: () E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Final Action Appealed:

☒ Issuance of Building Permit

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Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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X Appellant Signature: George Trujillo Date: 11-08-13
Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We George Trujillo, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

X George Trujillo
Signature

Signature

X George Trujillo
Print Name

Print Name

Subscribed and sworn to before me this 8th day of Novemb., 2013.

Danette Martinez
NOTARY PUBLIC
My commission expires:
Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Muller John J
Last First M.I.
Address: 1542 Hickox St
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: 505 470-9007 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
ned: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
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I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature:

John Muller

Date: Nov 13 2013

Signature:

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We John Muller, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

John Muller
Signature

Signature

John Muller
Print Name

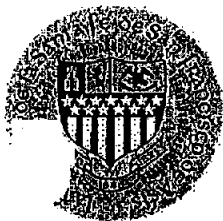
Print Name

Subscribed and sworn to before me this 13 day of November, 2013.

Sanette J. Martin
NOTARY PUBLIC

My commission expires:

Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

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Appellant Information

Name: Trujillo Mary
Last First M.I.
Address: 620 BACA St.
Street Address Suite/Unit #
Santa Fe N.M. 87505
City State ZIP Code
Phone: () E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
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X Appellant Signature: Mary Trujillo Date: 11-08-13
Agent Signature: _____ Date: _____

State of New Mexico)
) ss:
County of Santa Fe)

I/We Mary Trujillo being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

X Mary Trujillo
Signature

Signature

X Mary Trujillo
Print Name

Print Name

Subscribed and sworn to before me this 8th day of Novemb., 2013.

Danette J. Martinez
NOTARY PUBLIC
My commission expires:
Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

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Appellant Information

Name: Trujillo Patricia
Last First M.I.
Address: 620 BACA Street
Street Address
Santa Fe New Mexico 87505
City State ZIP Code
Phone: (505) 982-1315 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

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Appellant Signature:

Patricia Trujillo

Date:

11-8-13

It Signature:

Date:

State of New Mexico

)

) ss:

County of Santa Fe

)

I/We PATRICIA TRUJILLO, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Patricia Trujillo
Signature

Signature

Patricia Trujillo
Print Name

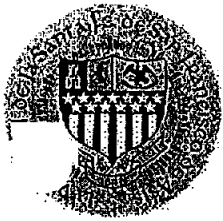
Print Name

Subscribed and sworn to before me this 8th day of November, 2013.

Danette J. Martin
NOTARY PUBLIC

My commission expires:

Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. One and Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: Martinez Margarita M.I.
Last First
Address: 612 Baca St.
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 982-0602 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
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Appellant Signature: Margarita Martinez Date: 11-9-2013
Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Margarita Martinez, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

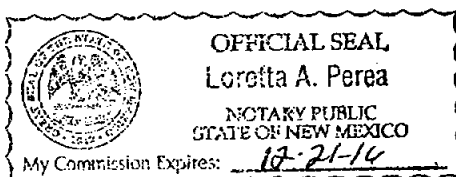
Signature

Signature

Print Name

Print Name

Subscribed and sworn to before me this 7 day of November, 20 13.



Loretta A. Perea
NOTARY PUBLIC
My commission expires:
12-21-16

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

VERIFIED APPEAL**PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Martinez Danette Juliete
Last First M.I.
Address: 612 Baca St
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 982 0602 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____
_____ orize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

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Is for
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Signature and Verification

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Petitioner Signature:

Sanette Juliette Martinez

Date:

11-8-13

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We *Sanette Juliette Martinez*, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

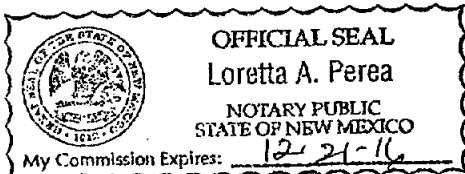
Sanette Juliette Martinez
Signature

Signature

Sanette Juliette Martinez
Print Name

Print Name

Subscribed and sworn to before me this *7th* day of *November*, 20*13*.



Donette A. Perea

NOTARY PUBLIC

My commission expires:

12-21-16



LUD Use Only

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Anaya Benjamin J
Last First M.I.

Address: 608 Baca Santa Fe NM 87505
Street Address City State ZIP Code

Phone: (505) 795-4713 E-mail Address: _____

Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____

_____ orize _____ to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)

Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)

Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505

Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

is for
eal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

cription of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Benjamin J. Anaya

Date: 11-8-13

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Benjamin J. Anaya, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s: _____

Signature

Signature

Print Name

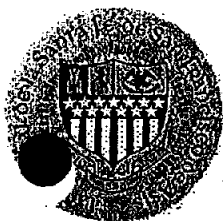
Print Name

Subscribed and sworn to before me this 8th day of November, 2013.

NOTARY PUBLIC

My commission expires:

Sept. 21 2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(B) SFCC 2001 for the procedure.

Appellant Information

Name: ANAYA Carmen C
Last First M.I.
Address: 608 Baca ST
Street Address Suite/Unit #
Santa Fe New Mexico 87505
City State ZIP Code
Phone: 505 9837972 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

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Signature and Verification

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Appellant Signature: Carmen C Anaya Date: Nov 8-2013
Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Carmen C Anaya, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Signature

Signature

Print Name

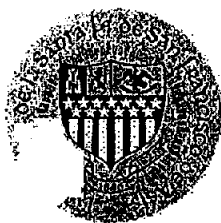
Print Name

Subscribed and sworn to before me this 8th day of November, 20 13.

Danette G. Martinez
NOTARY PUBLIC

My commission expires:

Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.

Appellant Information

Name: AWAYA Benjamin C.
Last First M.I.
Address: 608 Baca St
Street Address Suite/Unit #
Santa Fe N.Mex 87505
City State ZIP Code
Phone: (505) 983-7972 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
ned: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Benjamin C Araya Date: 11-8-13

it Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Benjamin C Araya, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Signature

Signature

Print Name

Print Name

Subscribed and sworn to before me this 8th day of November, 2013.

Danette J. Martinez
NOTARY PUBLIC

My commission expires:

Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: METoyer, Elizabeth J.
Last First M.I.
Address: 618 1/2 Jiron St.
Street Address Suite/Unit #
Santa Fe, N. Mex. 87505
City State ZIP Code
Phone: (505) 983-9253 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
ed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC, 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____ Date: _____

Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We ELIZABETH METOYER, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

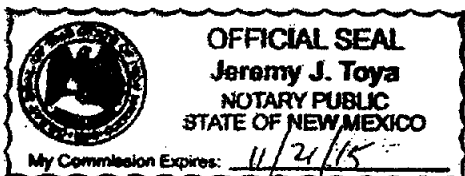
Elizabeth J. Metoyer
Signature

Elizabeth J. Metoyer
Signature

ELIZABETH J. METOYER
Print Name

ELIZABETH J. METOYER
Print Name

Subscribed and sworn to before me this 12 day of NOV, 2013.



Jeremy J. Toya
NOTARY PUBLIC
My commission expires:
11/24/15

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: SANCHEZ TOMACITA G
Last First M.I.
Address: 905 DON JUAN ST.
Street Address Suite/Unit #
SANTA FE New Mexico 87501
City State ZIP Code
Phone: (505) 984-2064 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

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Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED. Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for

Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Signature and Verification

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Appellant Signature: _____

Date: 11-13-13

Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Tomacita Sanchez, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Signature

Signature

Print Name

Print Name

cribed and sworn to before me this 13 day of November, 20 13.

NOTARY PUBLIC

My commission expires:

Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: MULLER DANIEL J
Last First M.I.
Address: 1542 HICKOX ST
Street Address Suite/Unit #
SANTA FE NM 87505
City State ZIP Code
Phone: (605) 690-5281 E-mail Address: sm1542@MSN.COM
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☒ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
ned: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
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Signature and Verification

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Appellant Signature: Daniel Muller Date: NOV 11 2013

Attorney Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We DANIEL MULLER, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Daniel Muller
Signature

Signature

DANIEL MULLER
Print Name

Print Name

Subscribed and sworn to before me this 11 day of NOVEMBER, 2013.

Danette J. Markle
NOTARY PUBLIC

My commission expires:

Sept. 21 2014



LUD Use Only

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

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Appellant Information

Name: Muller Shirley R
Last First M.I.
Address: 1542 Hickox St.
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 670-8370 E-mail Address: sm1542@msm.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☒ Agent ☒ Both

Agent Authorization (If applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
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Signature and Verification

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Appellant Signature:

Shirley Muller

Date:

Nov 11 2013

it Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We *Shirley Muller*, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Shirley Muller
Signature

Signature

Shirley Muller
Print Name

Print Name

Subscribed and sworn to before me this 11th day of November, 2013.

Janette J. Martinez
NOTARY PUBLIC

My commission expires:

Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Lucero José F
Last First M.I.
Address: 1274 Senda del Valle
Street Address Suite/Unit #
Santa Fe NM 87507
City State ZIP Code
Phone: 505 471-0575 E-mail Address: mapjfl@q.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
ned: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED. Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

scription of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated for nine years without my knowledge and without zoning permission. Expansion of an already illegal facility further violates the rights of neighbors who have an interest in the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of Due Process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

(1) Violation of SFCC, Chapter 14, Section 6.2(E) (operation of a telecommunications facility without a zoning permit). (2) Violation of Chapter 14, Section 3.11(A)(3) (issuance of a building permit for an unauthorized use). (3) Violation of Chapter 14, Section 3.11(B)(5) (failure to post the building permit on the property). (3) Violation of any other laws of New Mexico or the United States that expansion of this illegal facility may implicate.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

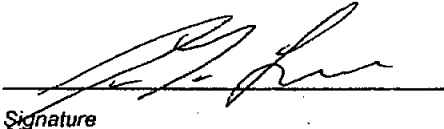
Appellant Signature: _____ Date: _____

nt Signature: _____ Date: _____

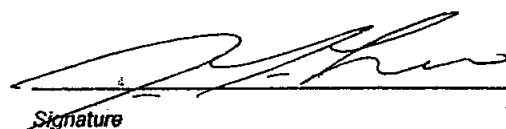
State of New Mexico)
) ss.
County of Santa Fe)

I/We Jose F Lucero, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

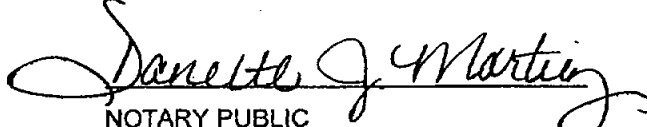

Signature

Jose F Lucero
Print Name

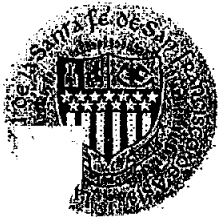

Signature

Jose F Lucero
Print Name

Subscribed and sworn to before me this 13 day of November, 2013


NOTARY PUBLIC

My commission expires:
Sept. 21 2016



LUD Use Only

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed with the Land Use Department Director or his/her designee, will enter the time and time of receipt, and initial both originals. See Section 14-3-17(D) SFCC 2001 for the procedure.**

Appellant Information

Name: Padilla Mary A
Last First M.I.
Address: 1274 Senda del Valle
Street Address
Santa Fe NM 87507
City State ZIP Code
Phone: 505 471-0575 E-mail Address: mapjfl@aol.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
ned: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

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Basis of Standing (see Section 14-3.17(B) SFCC 2001): Section 14-3.17(B)(2) (person who was required to be mailed notice for the application giving rise to the final action being appealed. ALL PERSONS WITHIN 200 FEET WERE REQUIRED TO BE MAILED NOTICE OF THE ZONING APPLICATION THAT SHOULD HAVE BEEN, BUT WAS NOT, FILED; Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Section 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☒ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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☒ Check here if you have attached a copy of the final action that is being appealed.

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Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific): **THE ILLEGAL FACILITY SHOULD BE REMOVED.**

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____ Date: _____

Int Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We Mary A. Padilla, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Mary A Padilla
Signature

Mary A Padilla
Signature

Mary A. Padilla
Print Name

Mary A. Padilla
Print Name

Subscribed and sworn to before me this 13 day of November, 20 13.

Danette J. Martinez
NOTARY PUBLIC

My commission expires:

Sept. 21 2016

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and Initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Valentine Myshelle L.
Last First M.I.
Address: 1000 Paseo de Perla
Street Address
Santa Fe NM 87501
City State ZIP Code
Phone: 505 982-4466 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless – NM4 Silva – AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Case Number: _____ Permit Number (if applicable): 13-2097

Final Action Appealed:

☒ Issuance of Building Permit

Basis of Standing (see Section 14-3.17(B) SFCC 2001):

Section 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit on October 30, 2013

☒ Check here if you have attached a copy of the final action that is being appealed.

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(1) The facility has operated for nine years without zoning permission. Expansion of an already illegal facility further violates the rights of Santa Feans who have an interest in the character and environment of their city. (2) Violation of Due Process. (3) Violation of any other rights I may have under New Mexico or federal law.

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Petitioner Signature: _____

Date: _____

Agent Signature: _____

Date: _____

State of New Mexico)
) ss.

County of Santa Fe)

I/We X Miguel C. Valentine, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

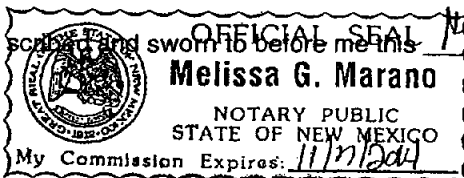
Petitioner/s:

Signature

Signature

Print Name

Print Name



Subscribed and sworn to before me this 14th day of November, 2013.

NOTARY PUBLIC

My commission expires:

11/17/2014

**LUD Use Only**

Time Filed: _____
Fee paid: \$ _____
Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: WINKLER TODD M
Last First M.I.
Address: 1414 AGUA FRIA ST.
Street Address Suite/Unit #
SANTA FE N.M 87505
City State ZIP Code
Phone: (505) 231-8375 E-mail Address: TODD.WINKLER@ROCKETMAIL.COM
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 13-2097

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is for
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Petitioner Signature: _____

Date: 11.14.13

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We TODD WINKLER, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Signature

Signature

Print Name

Print Name

scribed and sworn to before me this 14th day of November, 2013.



Melissa G. Marano
NOTARY PUBLIC
STATE OF NEW MEXICO
My Commission Expires: 11/17/2014

NOTARY PUBLIC

My commission expires:

11/17/2014

**LUD Use Only**

Time Filed: _____

Fee paid: \$ _____

Receipt attached:)

(date stamp)

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant InformationName: Winkler Anne m
Last First M.I.Address: 1414 Agua Fria St.
Street Address City State ZIP Code
Santa Fe NM 87505Phone: (505) 231-8374 E-mail Address: westonwink@yahoo.com

Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both**Agent Authorization (if applicable)**

I/We: _____

_____ authorize _____ to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Subject of AppealProject Name: Verizon Wireless - NM4 Silva - AWS Project (addition of antennas to a telecommunications facility)Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505Case Number: _____ Permit Number (if applicable): 13-2097**Final Action Appealed:**☒ Issuance of Building Permit

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Petitioner Signature:

Anne M. Winkler

Date:

11-14-2013

Agent Signature:

Date:

State of New Mexico)

) ss.

County of Santa Fe)

I/We Anne M. Winkler, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

Anne M. Winkler

Signature

Signature

Anne M. Winkler

Print Name

Print Name

scribed and sworn to before me this 12th day of November, 20 13.



OFFICIAL SEAL
Melissa G. Marano

NOTARY PUBLIC
STATE OF NEW MEXICO

My Commission Expires: 11/11/2014

Melissa G. Marano

NOTARY PUBLIC

My commission expires:

11/11/14

CITY OF SANTA FE, NEW MEXICO
P.O. BOX 909
SANTA FE, NEW MEXICO 87504-0909

* * * * * B U I L D I N G P E R M I T * * * * *

Application Number 13-00002097 Date 10/30/13
Property Address 1402 AGUA FRIA ST
Application type description TELECOMMUNICATION TOWER
Subdivision Name DORIS LUNA LOT LINE
Property Zoning GENERAL COMMERCIAL
Application valuation 30000

Owner

MALONE, JOHN
1402 AGUA FRIA RD.
SANTA FE NM 87505
(505) 232-4884

Contractor

TSI TOWER SERVICES INC
515 WHEELER AVE SE
ALBUQUERQUE NM 871102
(505) 247-6480

--- Structure Information 000.0000 TELE COMMUNICATIONS RR HEADS
Construction Type UPDATE
Occupancy Type (OLD CODE) UPDATE
Flood Zone MIN. FLOODING/OUTSIDE 500
Other struct info HEIGHT ROOF MOUNT ANTE

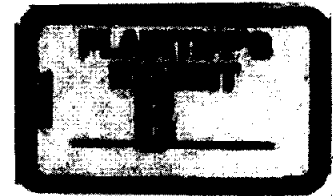
Permit

Additional desc BUILDING PERMIT COMMERCIAL
Phone Access Code 111.0879
Permit Fee 282.25 Plan Check Fee 331.69
Issue Date 10/30/13 Valuation 30000
Expiration Date 10/28/15

Special Notes and Comments

I, THE OWNER OR AGENT FOR THE OWNER HAVE
RECEIVED THE FOLLOWING REVIEW SHEETS. I
UNDERSTAND I AM TO COMPLY WITH ALL
CONDITIONS INDICATED ON THE REVIEW
SHEETS. INITIALS JKP

Other Fees ARCHEOLOGICAL FEE 10.00



For permits issued AFTER 08/01/2009, you MUST use VIPS
for scheduling inspections! Call in by 3:00 PM for a next-
day inspection (based on availability) 955-6110

APPROVED BY

DATE 10-30-13

APPLICANT JKP

DATE 10/30

By signature above I hereby agree to abide with all the laws of the City of Santa Fe as well as with all the conditions stated above. I further state that I understand that this is
n permit to construct anything in violation of the codes adopted by the State of New Mexico. Further, I understand that this permit may be appealed within fifteen (15) days of
its issuance (the "appeal period") pursuant to 14-3.17 SFCC (1987) and in the event an appeal is upheld this permit may be revoked. I hereby agree that any grading, building,
alteration, repairing or any other construction done pursuant to this permit during this appeal period is done at my own risk and without reliance on the issuance of this permit. I
also agree that in the event an appeal is upheld and this permit is revoked I may be required to remove any building, grading, altering, repairing or any other construction done
during the appeal period. I hereby certify that I have read the foregoing and understand the same and by my signature assent to the terms stated herein.

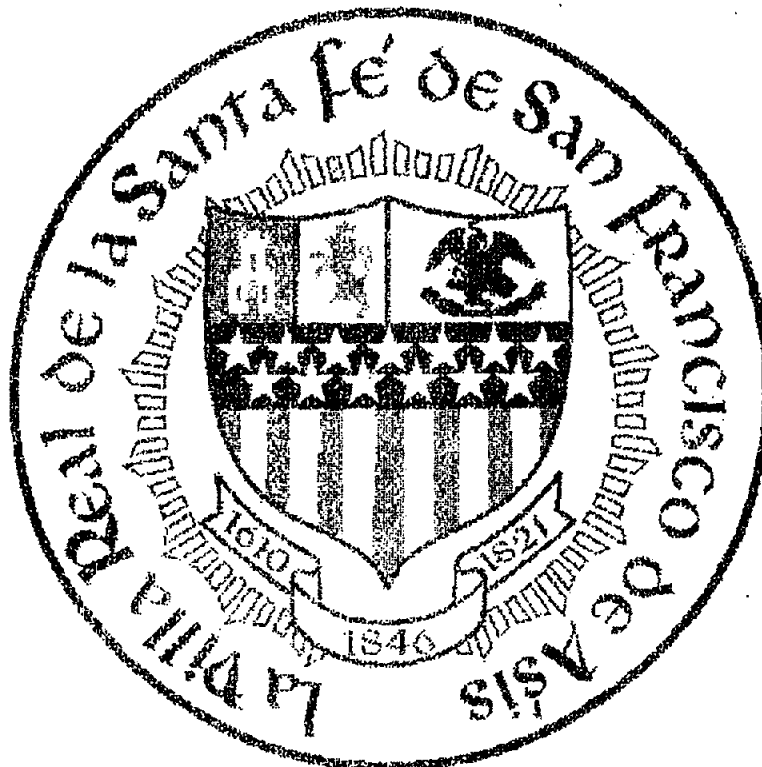
CITY OF SANTA FE, NEW MEXICO
P.O. BOX 909
SANTA FE, NEW MEXICO 87504-0909

* * * * * B U I L D I N G P E R M I T * * * * *

Application Number 13-00002097

Page 2
Date 10/30/13

Fee summary	Charged	Paid	Credited	Due
Permit Fee Total	482.25	482.25	.00	.00
Plan Check Total	331.69	331.69	.00	.00
Other Fee Total	10.00	10.00	.00	.00
Grand Total	823.94	823.94	.00	.00



For permits issued AFTER 08/01/2009, you MUST use VIPS
for scheduling inspections! Call in by 3:00 PM for a next-
day inspection (based on availability) 955-6110

APPROVED BY

APPLICANT

DATE

DATE

My signature above I hereby agree to abide with all the laws of the City of Santa Fe as well as with all the conditions stated above. I further state that I understand that this is not a permit to construct anything in violation of the codes adopted by the State of New Mexico. Further, I understand that this permit may be appealed within fifteen (15) days of its issuance (the "appeal period") pursuant to 14-3.17 SFCC (1987) and in the event an appeal is upheld this permit may be revoked. I hereby agree that any grading, building, alteration, repairing or any other construction done pursuant to this permit during this appeal period is done at my own risk and without reliance on the issuance of this permit. I also agree that in the event an appeal is upheld and this permit is revoked I may be required to remove any building, grading, altering, repairing or any other construction done during the appeal period. I hereby certify that I have read the foregoing and understand the same and by my signature assent to the terms stated herein.

* * * * * B U I L D I N G P E R M I T * * * * *

Application Number 13-00002097
Property Address 1402 AGUA FRIA ST
Application description TELECOMMUNICATION TOWER
Subdivision Name DORIS LUNA LOT LINE
Property Zoning GENERAL COMMERCIAL

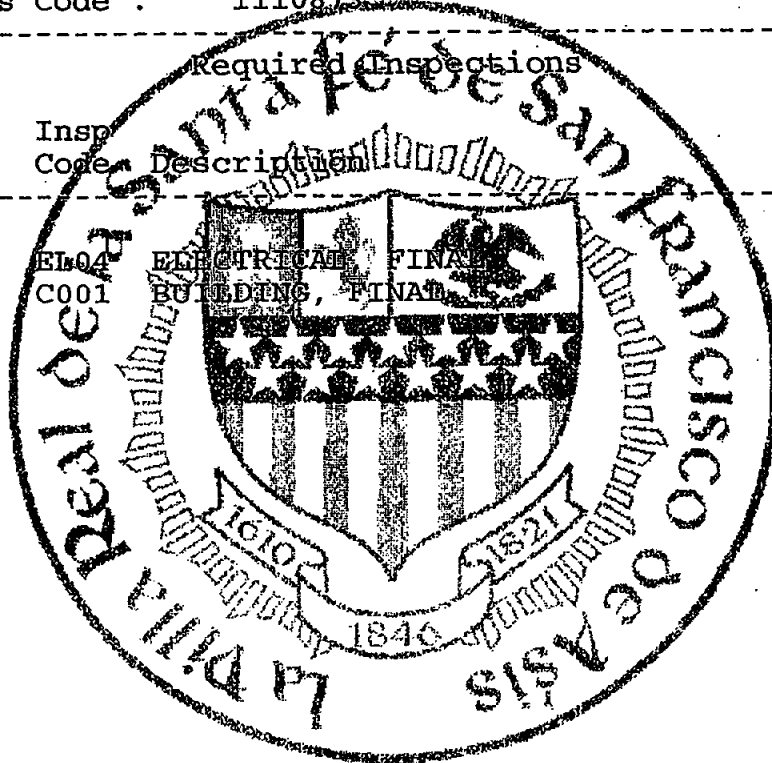
Page 3
Date 10/30/13

Permit BUILDING PERMIT COMMERCIAL

Additional desc . .
Phone Access Code . 1110873

Required Inspections

Seq	Phone Insp#	Insp Code	Description	Initials	Date
10	499	EL-04	ELECTRICAL, FINAL		
1000	199	C001	BUILDING, FINAL		

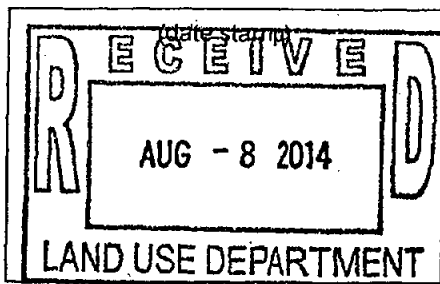


I, the undersigned, hereby agree to abide with all the laws of the City of Santa Fe as well as with all the conditions stated above. I further state that I understand that this is a permit to construct anything in violation of the codes adopted by the State of New Mexico. Further, I understand that this permit may be appealed within fifteen (15) days of its issuance (the "appeal period") pursuant to 14-3.17 SFCC (1987) and in the event an appeal is upheld this permit may be revoked. I hereby agree that any grading, building, alteration, repairing or any other construction done pursuant to this permit during this appeal period is done at my own risk and without reliance on the issuance of this permit. I also agree that in the event an appeal is upheld and this permit is revoked I may be required to remove any building, grading, altering, repairing or any other construction done during the appeal period. I hereby certify that I have read the foregoing and understand the same and by my signature assent to the terms stated herein.



LUD Use Only

Time Filed: 1:35 PM
 Fee paid: \$ 100.00
 Receipt attached: ☒



Case# 2014-82

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: CELLULAR PHONE TASK FORCE
 Last First M.I.
 Address: P.O. BOX 6216
 Street Address Suite/Unit #
SANTA FE, NM 87502
 City State ZIP Code
 Phone: (505) 471-0129 E-mail Address: info@cellphonetaskforce.org
 Additional Appellant Names: Arthur Firstenberg, President ✓

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____
 authorize _____ to act as my/our agent to execute this application.
 Signed: _____ Date: _____
 Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
 Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
 Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
 Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☒ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(3) (organization its person alleging injury to its economic, environmental and aesthetic interests; ~~Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law).~~)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit. Building permit was posted on the property on July 25, 2014.



☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated illegally for nine years. Issuance of a building permit for an illegal, industrial-type facility violates the rights of neighbors who have an interest in preserving the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of due process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

HARM TO OUR MEMBERS WHO LIVE NEARBY, AS ABOVE.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

(1) Violation of Sec. 14-6.2(E)(5)(b) ("Telecommunications facilities located on existing structures shall not exceed the height of the structure upon which the facility is located"); (2) Violation of Sec. 14-6.2(E)(8), requiring a height waiver; (3) Violation of Sec. 14-6.2(E)(10) (failure to provide notice); (4) Violation of Sec. 14-6.2(E)(10)(b), requiring an ENN meeting; (4) Violation of Sec. 14-6.2(E)(4), requiring a public hearing before the Planning Commission. (5) Violation of Sec. 14-11.4(A), requiring the removal of illegal structures.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: Arthur Firstenberg, President Date: Aug. 8, 2014

Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We _____, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Arthur Firstenberg
Signature

Signature

ARTHUR FIRSTENBERG
Print Name

Print Name

Subscribed and sworn to before me this 8 day of AUGUST, 2014.

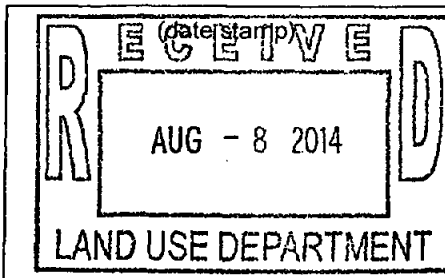
Daniel V. S.
NOTARY PUBLIC

My commission expires:
7/9/2016



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$ 100.00
Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Adair Melissa
Last First M.I.
Address: 1408 Agua Fria
Street Address City State ZIP Code
Santa Fe NM 87505
Phone: (505) 1299-9949 E-mail Address: melissaadair44@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☒ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests);
Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for

Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit. Building permit was posted on the property on July 25, 2014.

☒ Check here if you have attached a copy of the final action that is being appealed.

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Please detail the basis for Appeal here (be specific):

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature:  Date: 8-7-14

Agent Signature: _____ Date: _____

[illegible]

I/We Melissa Adair, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

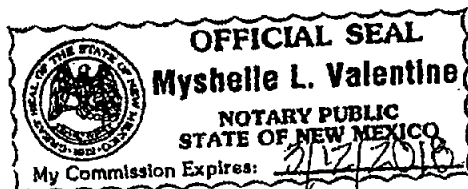
M. Gell
Signature

Signature

Melissa Adair
Print Name

Print Name _____

Subscribed and sworn to before me this 7th day of August, 2014

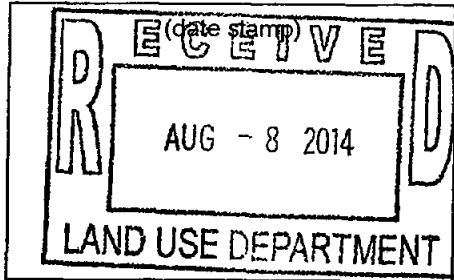


Neynelle L. Valentine
NOTARY PUBLIC
My commission expires:
3/12/2018



LUD Use Only

Time Filed: 1:35 PM
 Fee paid: \$100.00
 Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: GALINDO MAZATL
Last First M.I.
 Address: 1408 AGUA FRÍA
Street Address Suite/Unit #
SANTA FE NM 87505
City State ZIP Code
 Phone: (505) 577-2290 E-mail Address: MAZATLGALINDO@GMAIL.COM
 Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
 authorize _____ to act as my/our agent to execute this application.
 Signed: _____ Date: _____
 Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
 Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
 Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
 Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
 Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests);
 Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

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Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

(1) Violation of Sec. 14-6.2(E)(5)(b) ("Telecommunications facilities located on existing structures shall not exceed the height of the structure upon which the facility is located"); (2) Violation of Sec. 14-6.2(E)(8), requiring a height waiver; (3) Violation of Sec. 14-6.2(E)(10) (failure to provide notice); (4) Violation of Sec. 14-6.2(E)(10)(b), requiring an ENN meeting; (4) Violation of Sec. 14-6.2(E)(4), requiring a public hearing before the Planning Commission. (5) Violation of Sec. 14-11.4(A), requiring the removal of illegal structures.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____

Date: 8-7-14

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We MAZATL GALINDO, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

[Signature]
Signature

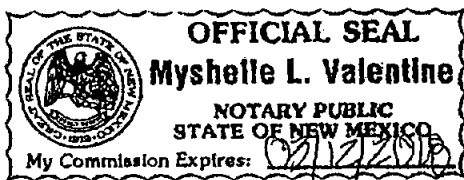
Signature

MAZATL GALINDO

Print Name

Print Name

Subscribed and sworn to before me this 7th day of August, 20 14.



Myshelle L. Valentine
NOTARY PUBLIC

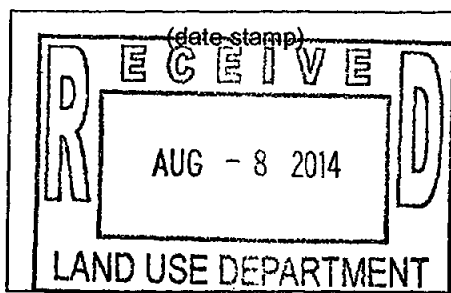
My commission expires:

03/12/2018



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$ 100.00
Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Vigil DEBBIE L.
Last First M.I.
Address: 513 Silva Street
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 986-1144 E-mail Address: deborah.vigil057@gmail.com
Additional Appellant Names: DANIEL VIGIL

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or
Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law).

Basis for
Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____

Date: _____

8-3-14

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

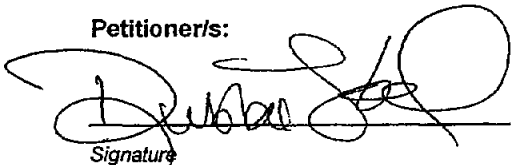
County of Santa Fe)

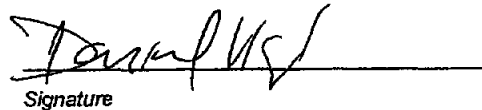
I/We

Debbie L. Vigil + Daniel Vigil

, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:


Signature


Signature

DEBBIE L. VIGIL
Print Name

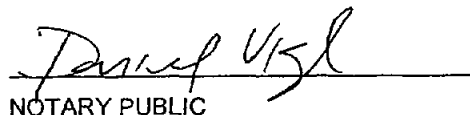
DANIEL VIGIL
Print Name

Subscribed and sworn to before me this

3

day of

August, 2014.

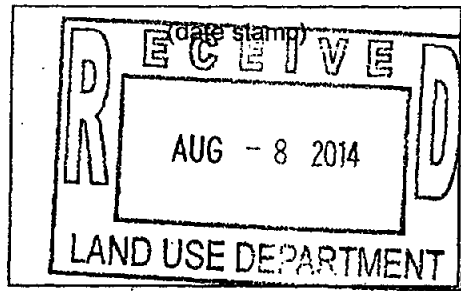

NOTARY PUBLIC

My commission expires:

7/9/2016

**LUD Use Only**

Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Martinez Joseph E
Last First M.I.
Address: 602 Velarde Street
Street Address Suite/Unit #
Santa Fe New Mexico 87505
City State ZIP Code
Phone: (505) 988-4172 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law).

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit. Building permit was posted on the property on July 25, 2014.

☒ Check here if you have attached a copy of the final action that is being appealed:

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated illegally for nine years. Issuance of a building permit for an illegal, industrial-type facility violates the rights of neighbors who have an interest in preserving the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of due process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: X [Signature] Date: 8/5/2014

Agent Signature: _____ Date: _____

[illegible]

I/We John E. Mark, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Signature V. J. E. M. S.

Signature

xx Joseph Martinez
Print Name

Print Name _____

Subscribed and sworn to before me this 3 day of August, 2014

Donna V. G.
NOTARY PUBLIC

My commission expires:

7/9/2012



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒

(date stamp)

RECEIVED

AUG - 8 2014

LAND USE DEPARTMENT

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Wenger Tuscany P
Last First M.I.
Address: 516 Silva St.
Street Address Suite/Unit #
Santa Fe New Mexico 87505
City State ZIP Code
Phone: 505 591-0541 E-mail Address: monsterfactory@comcast.net
Additional Appellant Names: Geoff Banzhaf

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or
Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law).

Basis for
Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Appellant Signature: _____

Date: _____

7/29/14

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Tuscany Wenger, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Tuscany Wenger
Signature

My Zenghof
Signature

Tuscany Wenger
Print Name

Geoff Banchof
Print Name

Subscribed and sworn to before me this 29 day of July, 20 14.

Daniel VBS
NOTARY PUBLIC

My commission expires:

7/19/2016

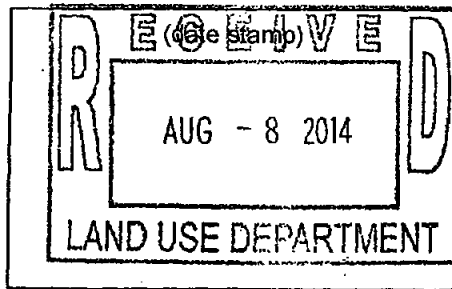


LUD Use Only

Time Filed: 1:35 PM

Fee paid: \$100.00

Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Chavez Michael

Last First M.I.

Address: 515 Silva St

Street Address Suite/Unit #

Santa Fe NM 87505

City State ZIP Code

Phone: (505) 501-5703 E-mail Address: _____

Additional Appellant Names: Evaristo I. Chavez

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____

authorize _____ to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva

Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)

Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505

Case Number: _____ Permit Number (if applicable): 14-813

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☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

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Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated illegally for nine years. Issuance of a building permit for an illegal, industrial-type facility violates the rights of neighbors who have an interest in preserving the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of due process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

(1) Violation of Sec. 14-6.2(E)(5)(b) ("Telecommunications facilities located on existing structures shall not exceed the height of the structure upon which the facility is located"); (2) Violation of Sec. 14-6.2(E)(8), requiring a height waiver; (3) Violation of Sec. 14-6.2(E)(10) (failure to provide notice); (4) Violation of Sec. 14-6.2(E)(10)(b), requiring an ENN meeting; (4) Violation of Sec. 14-6.2(E)(4), requiring a public hearing before the Planning Commission. (5) Violation of Sec. 14-11.4(A), requiring the removal of illegal structures.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____

Date: 8/13/14

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Michael Chavez & Evaristo J. Chavez, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioners:

Signature

Signature

Print Name

Print Name

Subscribed and sworn to before me this 3 day of August, 2014.

NOTARY PUBLIC

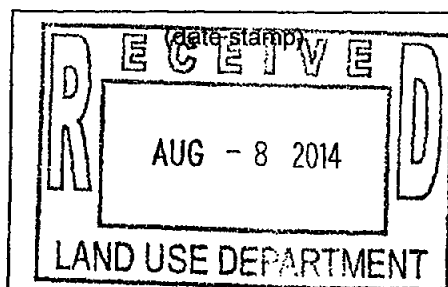
My commission expires:

7/9/2016



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: REED M. FORREST
Last First M.I.
Address: 514 SILVA
Street Address Suite/Unit #
SANTA FE N.M. 87505
City State ZIP Code
Phone: (505) 995-8872 E-mail Address: N/A
Additional Appellant Names: EBERHARD C. REED

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests; Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law).

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit. Building permit was posted on the property on July 25, 2014.

☒ Check here if you have attached a copy of the final action that is being appealed.

Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated illegally for nine years. Issuance of a building permit for an illegal, industrial-type facility violates the rights of neighbors who have an interest in preserving the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of due process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____

Date: _____

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We M. FORREST REED & EBEN C. REED, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

M. Forrest Reed
Signature

EBEN C. REED
Signature

M. FORREST REED
Print Name

EBEN C. REED
Print Name

Subscribed and sworn to before me this 24 day of July, 2014.

Daniel H. Hyl
NOTARY PUBLIC

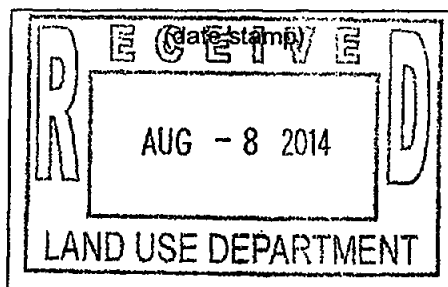
My commission expires:

7/9/2016



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Hurtado Orlando R
Last First M.I.
Address: 1403 Agua Fria (WORKS at THE CRITTERS & ME)
Street Address Suite/Unit #
Santa Fe NM 87507
City State ZIP Code
Phone: 505 920-0190 E-mail Address: Orlando.hurtado23@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests);
Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Issuance of a building permit. Building permit was posted on the property on July 25, 2014.

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Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

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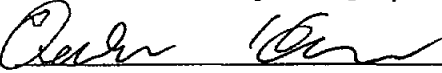
Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

(1) Violation of Sec. 14-6.2(E)(5)(b) ("Telecommunications facilities located on existing structures shall not exceed the height of the structure upon which the facility is located"); (2) Violation of Sec. 14-6.2(E)(8), requiring a height waiver; (3) Violation of Sec. 14-6.2(E)(10) (failure to provide notice); (4) Violation of Sec. 14-6.2(E)(10)(b), requiring an ENN meeting; (4) Violation of Sec. 14-6.2(E)(4), requiring a public hearing before the Planning Commission. (5) Violation of Sec. 14-11.4(A), requiring the removal of illegal structures.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.


Appellant Signature:  Date: 8-8-19

Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We _____, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:


Signature

Signature

Orlando Huelado
Print Name

Print Name

Subscribed and sworn to before me this 8 day of August, 2019.


NOTARY PUBLIC

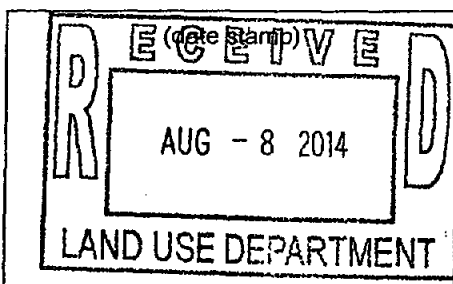
My commission expires:

7/9/2016



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Zenon Stacy Zenon C
Last First M.I.
Address: 1679 Camino McMillin
Street Address Suite/Unit #
Santa Fe NEW MEXICO 87507
City State ZIP Code
Phone: (505) 270 2967 E-mail Address: ZENONSTACY@GMAIL.COM
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests);
Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

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Issuance of a building permit. Building permit was posted on the property on July 25, 2014.

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Signature and Verification

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Appellant Signature: _____

Date: 8/8/14

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We _____, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s: _____

Signature

Signature

Print Name

Print Name

Subscribed and sworn to before me this 8TH day of August, 2014.

NOTARY PUBLIC

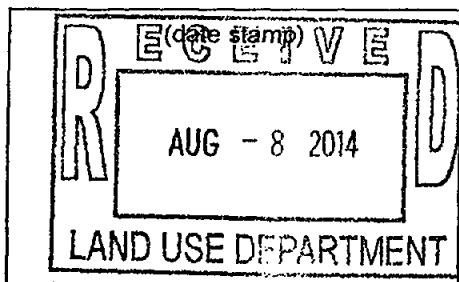
My commission expires:

7/9/2016



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$100.00
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**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: DEWING GENEVIÈVE R
Last First M.I.
Address: 1403 AGUA FRIA ST (WORKS AT CRITTERS & ME)
Street Address Suite/Unit #
SANTA FE NM 87505
City State ZIP Code
Phone: (505) 982-5040 E-mail Address: genevieve.dewing@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or
Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests);
Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for
Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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☒ Check here if you have attached a copy of the final action that is being appealed.



LUD Use Only

Time Filed: 1:25 PM
Fee paid: \$100.00
Receipt attached: ☒

(date stamp)

RECEIVED

AUG - 8 2014

LAND USE DEPARTMENT

**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Soens-Blon Ingrid W
Last First M.I.
Address: 1403 Agua Fria (works at the Center for the Arts)
Street Address Suite/Unit #
Santa Fe NM 87505
City State ZIP Code
Phone: (505) 982-5040 E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
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Description of the final action appealed from, and date on which final action was taken:

Issuance of a building permit. Building permit was posted on the property on July 25, 2014.

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Description of Harm

Describe the harm that would result to you from the action appealed from (attach additional pages if necessary):

(1) The facility has operated illegally for nine years. Issuance of a building permit for an illegal, industrial-type facility violates the rights of neighbors who have an interest in preserving the character of our neighborhood, which otherwise consists of residences and small businesses. (2) Violation of due process. (3) Harm to the value of my property. (4) Emotional distress. (5) Violation of any other rights I may have under New Mexico or federal law.

Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

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Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: L.W. Sues-Tolan Date: 8/8/14

Agent Signature: _____ Date: _____

State of New Mexico)
) ss.

County of Santa Fe)

I/We _____, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

L. W. Fries-Thomas
Signature

Signature

1. W. Soens-Dolan

Print Name _____

Subscribed and sworn to before me this 8 day of August, 2014

Daniel G
NOTARY PUBLIC

My commission expires: _____

7/19/16



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒

RECEIVED

AUG - 8 2014

LAND USE DEPARTMENT

VERIFIED APPEAL
PETITION

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: SIMONS John G
Address: Last 35 BLACK CANYON Rd (works at The Cutters and me)
First M.I.
Street Address Suite/Unit #
Santa Fe NM 87508
City State ZIP Code
Phone: 505 670-7299 E-mail Address: John.Simons@q.com
Additional Appellant Names:

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests);
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Signature and Verification

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Appellant Signature: _____

Date: 8-8-14

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We _____, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

John M. Simon
Signature

Signature

JOHN G SIMONS
Print Name

Print Name

Subscribed and sworn to before me this 8 day of August, 2014.

NOTARY PUBLIC

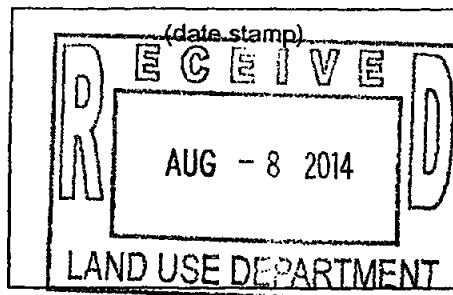
My commission expires:

7/9/2016



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒



VERIFIED APPEAL
PETITION

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: MOORE LAURA J.
Last First M.I.
Address: 1403 AGUA FRIA ST
Street Address Suite/Unit #
SANTA FE NM 87505
City State ZIP Code
Phone: (505) 982-8040 E-mail Address: Laura@Cnittersandme.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
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Explain the Basis for Appeal

Please detail the basis for Appeal here (be specific):

(1) Violation of Sec. 14-6.2(E)(5)(b) ("Telecommunications facilities located on existing structures shall not exceed the height of the structure upon which the facility is located"); (2) Violation of Sec. 14-6.2(E)(8), requiring a height waiver; (3) Violation of Sec. 14-6.2(E)(10) (failure to provide notice); (4) Violation of Sec. 14-6.2(E)(10)(b), requiring an ENN meeting; (4) Violation of Sec. 14-6.2(E)(4), requiring a public hearing before the Planning Commission. (5) Violation of Sec. 14-11.4(A), requiring the removal of illegal structures.

Signature and Verification

I hereby certify that the documents submitted for review and consideration by the City of Santa Fe have been prepared to meet the minimum standards outlined in the Land Development Code, Chapter 14 SFCC 2001. Failure to meet these standards may result in the rejection or postponement of my application. I also certify that I have met with the City's Current Planning staff to verify that the attached proposal is in compliance with the City's zoning requirements.

Appellant Signature: _____

Laura Moore

Date: _____

8/8/16

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We _____, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Laura Moore

Signature

Signature

Laura Moore

Print Name

Print Name

Subscribed and sworn to before me this 8 day of August, 2016.

David V. G

NOTARY PUBLIC

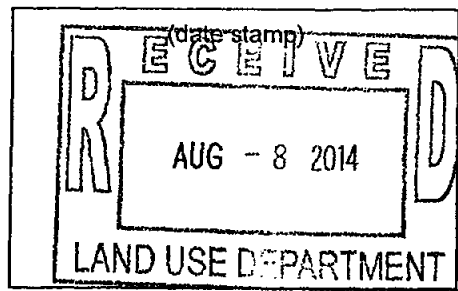
My commission expires:

7/19/2016



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$ 100.00
Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

****Two originals of this form must be filed. The Land Use Department Director or his/her designee will enter the date and time of receipt and initial both originals. See Section 14-3.17(D) SFCC 2001 for the procedure.****

Appellant Information

Name: Urban Span
Last First M.I.
Address: 3002 Calle Queta (WORKS at Critics and me)
Street Address Suite/Unit #
Santa Fe N Mex 87507
City State ZIP Code
Phone: () E-mail Address: _____
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
Location of Subject Site: 1402 Agua Fria Street, Santa Fe, NM 87505
Case Number: _____ Permit Number (if applicable): 14-813

Final Action Appealed:

☒ Issuance of Building Permit ☐ Other Final Determination of LUD Director

Final Action of Board or Commission (specify): ☐ Planning Commission ☐ Board of Adjustment ☐ BCD-DRC ☐ HDRB

Basis of Standing (see Section 14-3.17(B) SFCC 2001): Sec. 14-3.17(B)(2) (person who was required to be mailed notice);
Sec. 14-3.17(B)(3) (person alleging injury to my economic, environmental and aesthetic interests);
Sec. 14-3.17(B)(5) (person who has a recognized interest under New Mexico law)

Basis for Appeal: ☐ The facts were incorrectly determined ☒ Ordinances/laws were violated and/or misrepresented

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Issuance of a building permit. Building permit was posted on the property on July 25, 2014.

☒ Check here if you have attached a copy of the final action that is being appealed.

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Appellant Signature: _____

Date: _____

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We _____, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Signature

Signature

Print Name

Print Name

Subscribed and sworn to before me this 8 day of August, 2014.

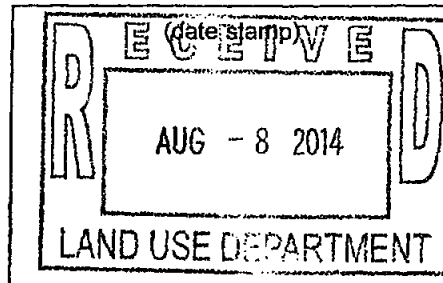
NOTARY PUBLIC

My commission expires:

7/9/2016

**LUD Use Only**

Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒

**VERIFIED APPEAL
PETITION**

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Appellant Information

Name: McGuire James M
Address: 1206 Agua Fria St. (works a Critters + Me) 1463 Agua Fria
Street Address Suite/Unit #
Santa Fe NM 87501
City State ZIP Code
Phone: (505) 966-6511 E-mail Address: ledgesskate@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.

Signed: _____ Date: _____

Signed: _____ Date: _____

Subject of Appeal

Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Appellant Signature: _____

Date: 8/8/14

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We _____, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

[Signature]

Signature

8/8/14

Signature

James McGuire

Print Name

Print Name

Subscribed and sworn to before me this 8 day of August, 2014.

[Signature]
NOTARY PUBLIC

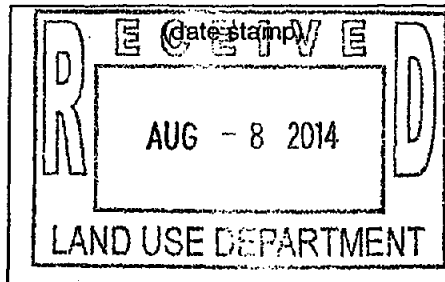
My commission expires:

7/9/2016



LUD Use Only

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Fee paid: \$100.00
Receipt attached: ☒



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PETITION**

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Appellant Information

Name: Lester Adam
Address: 321 Tesque Dr (Works at the Interstate me)
City: Santa Fe NM State: NM ZIP Code: 87505
Phone: (315) 491-0184 E-mail Address: ajester23@gmail.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

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Project Name: Verizon Wireless - NM4 Silva
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Appellant Signature: _____

Date: _____

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We _____, being first
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that the same are true to my/our own knowledge.

Petitioner/s:

Adam J. Lester
Signature

Signature

Adam J. Lester
Print Name

Print Name

Subscribed and sworn to before me this 8 day of August, 2016.

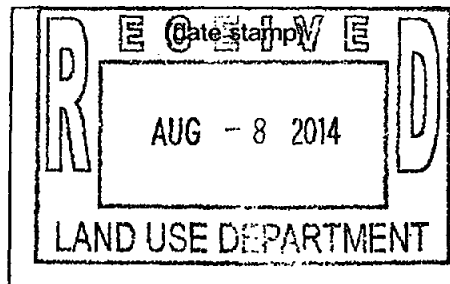
Daniel V. [Signature]
NOTARY PUBLIC

My commission expires:

7/9/2016



LUD Use Only
Time Filed: 1:35 PM
Fee paid: \$100.00
Receipt attached: ☒



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Appellant Information

Name: Romero Georgette
Address: Last 1414 1/2 First Agua Fria, #A M.I.
Street Address Santa Fe NM 87505 Building # 51505
City Santa Fe State NM ZIP Code 87505
Phone: 505, 603-1494 E-mail Address: GeORom11@aol.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

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Appellant Signature: _____

Date: _____

Agent Signature: _____

Date: _____

State of New Mexico)

) ss.

County of Santa Fe)

I/We Georgette Romero, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

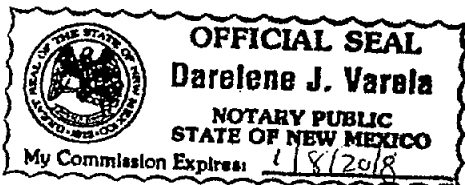
Signature

Signature

Print Name

Print Name

Subscribed and sworn to before me this 8th day of August, 2014.



NOTARY PUBLIC

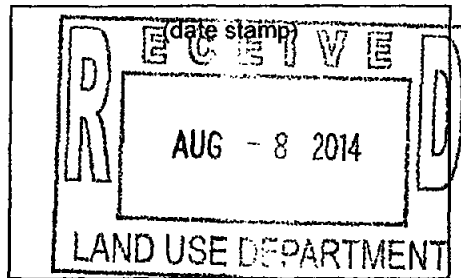
My commission expires:

Jan. 8, 2018



LUD Use Only

Time Filed: 1:35 PM
Fee paid: \$ 100.00
Receipt attached: ☒



**VERIFIED APPEAL
PETITION**

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Appellant Information

Name: FIRSTENBERG ARTHUR
Last First M.I.
Address: 247 BARELA STREET
Street Address Suite/Unit #
SANTA FE, NM 87501
City State ZIP Code
Phone: (505) 471-0129 E-mail Address: bearstar@fastmail.fm
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (If applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

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Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Signature and Verification

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Appellant Signature: Arthur Firstenberg Date: Aug. 8, 2014

Agent Signature: _____ Date: _____

State of New Mexico)
) ss.
County of Santa Fe)

I/We ARTHUR FIRSTENBERG, being first
duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and
that the same are true to my/our own knowledge.

Petitioner/s:

Arthur Firstenberg
Signature

Signature

ARTHUR FIRSTENBERG
Print Name

Print Name

Subscribed and sworn to before me this 8 day of August, 2014.

Fennel VJ
NOTARY PUBLIC

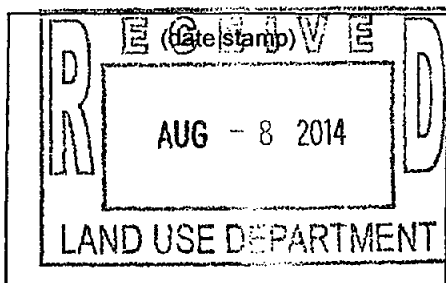
My commission expires:

7/9/2016



LUD Use Only

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**VERIFIED APPEAL
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Appellant Information

Name: Shapiro Deborah H
Last First M.I.
Address: 619 Camino Santa Ana
Street Address Suite/Unit #
Santa Fe, NM. 87505
City State ZIP Code
Phone: (505) 690-9663 E-mail Address: dhs201@AOL.com
Additional Appellant Names: _____

Correspondence Directed to: ☒ Appellant ☐ Agent ☐ Both

Agent Authorization (if applicable)

I/We: _____
authorize _____ to act as my/our agent to execute this application.
Signed: _____ Date: _____
Signed: _____ Date: _____

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Project Name: Verizon Wireless - NM4 Silva
Applicant or Owner Name: Verizon Wireless (applicant); John Malone (owner)
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Appellant Signature: Debra H Shapiro Date: 8/7/14

Agent Signature: _____ Date: _____

[illegible]

I/We Deborah H Shapiro, being first duly sworn, depose and say: I/We have read the foregoing appeal petition and know the contents thereof and that the same are true to my/our own knowledge.

Petitioner/s:

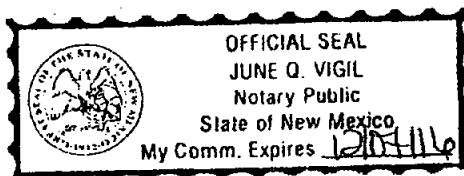
Deborah H Shapiro
Signature

Signature

Print Name

Print Name

Subscribed and sworn to before me this 7th day of August, 2010



NOTARY PUBLIC

My commission expires:

***** BUILDING PERMIT *****

Application Number 14-00000813 Date 7/15/14
Property Address 1402 AGUA FRIA ST
Application type description TELECOMMUNICATION TOWER
Subdivision Name DORIS LUNA LOT LINE
Property Zoning GENERAL COMMERCIAL
Application valuation 30000

Owner

MALONE, JOHN
1402 AGUA FRIA
SF NM
SANTA FE
(505) 480-2822

NM 87505

Contractor

BROKEN ARROW COMMUNICATIONS IN
8316 CORENA LOOP
ALBUQUERQUE NM 87113
(505) 877-2100

Structure Information 000 000

Construction Type UPDATE
Occupancy Type (OLD CODE) UPDATE
Flood Zone UPDATE

Permit BUILDING PERMIT COMMERCIAL
Additional desc
Phone Access Code 1137264
Permit Fee 532.75
Issue Date 7/15/14
Expiration Date 7/12/16

Plan Check Fee 331.69
Valuation 30000

Special Notes and Comments

I, THE OWNER OR AGENT FOR THE OWNER HAVE
RECEIVED THE FOLLOWING REVIEW SHEETS. I
UNDERSTAND I AM TO COMPLY WITH ALL
CONDITIONS INDICATED ON THE REVIEW
SHEETS. INITIALS *JB*

Fee summary charged Paid Credited Due

For permits issued AFTER 08/01/2009, you MUST use VIPS
for scheduling inspections! Call in by 3:00 PM for a next-
day inspection (based on availability). 955-6110

APPROVED BY *[Signature]*

APPLICANT *[Signature]*

DATE *7/15/14*

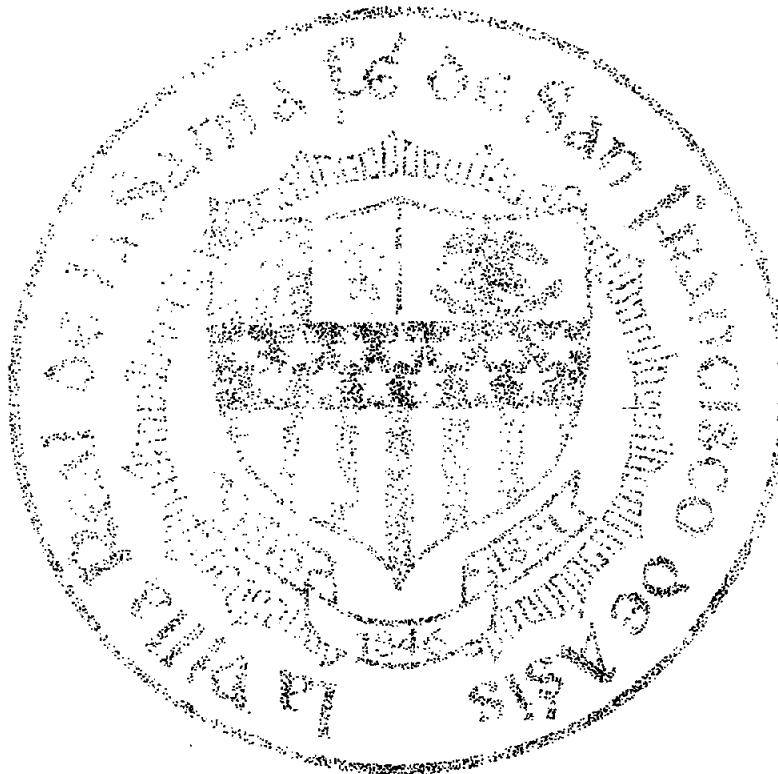
DATE *7-19-14*

I, the undersigned, hereby agree to abide with all the laws of the City of Santa Fe as well as with all the conditions stated above. I further state that I understand that this is not a permit to construct anything in violation of the codes adopted by the State of New Mexico. Further, I understand that this permit may be appealed within fifteen (15) days of its issuance (the "appeal period") pursuant to 14-3.17 SFCC (1987) and in the event an appeal is upheld this permit may be revoked. I hereby agree that any grading, building, alteration, repairing or any other construction done pursuant to this permit during this appeal period is done at my own risk and without reliance on the issuance of this permit. I also agree that in the event an appeal is upheld and this permit is revoked I may be required to remove any building, grading, altering, repairing or any other construction done during the appeal period. I hereby certify that I have read the foregoing and understand the same and by my signature assent to the terms stated herein.

CITY OF SANTA FE, NEW MEXICO
P.O. BOX 909
SANTA FE, NEW MEXICO 87504-0909

* * * * * B U I L D I N G P E R M I T * * * * *

Application Number	14-00000813	Page	2
		Date	7/15/14
Permit Fee Total	532.75	532.75	.00
Plan Check Total	331.69	331.69	.00
Grand Total	864.44	864.44	.00



For permits issued AFTER 08/01/2009, you MUST use VIPS for scheduling inspections! Call in by 3:00 PM for a next-day inspection (based on availability). 955-6110

APPROVED BY

DATE

APPLICANT

DATE

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14-11.4 REMEDIES AND PENALTIES

(A) Remedies

(1) If a *structure* is erected, constructed, reconstructed, *altered*, repaired, converted or maintained; or a *structure* or *property* is used in violation of Chapter 14; or if any other violation of this chapter occurs, the *governing body*, *city* attorney, enforcement officer or other proper *city* official may institute appropriate actions or proceedings to prevent, restrain, correct or abate such violation or to mandate compliance.

(2) The *land use director* may:

- (a) withhold or revoke construction *permits*;
- (b) withhold or revoke *certificates of occupancy*;
- (c) withhold the recording of *plats* or *development* plans;
- (d) order discontinuance of illegal use of land or *structures*;
- (e) order discontinuance of any illegal work being done;
- (f) order removal of illegal *structures* or *alterations*; and
- (g) order that any land or *structure* modified in violation of this Chapter be restored to compliance.

(3) The *land use director* may use one or more of the remedies and penalties provided in this Article 14-11 without limiting the authority of the *land use director* or other officials to take other enforcement actions provided in this Code, including the suspension or revocation of a *permit* by the *building official* pursuant to Chapter 7 Building and Housing.

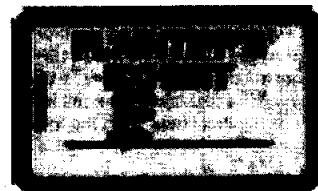
(B) Fines, Imprisonment

Violations of Chapter 14 or of terms of approvals made pursuant to this chapter may be punished as provided in Article 1-3 (General Penalty) of the Santa Fe City Code.

(C) Civil Penalties

In addition to other penalties or remedies, a penalty fee may be assessed for construction without proper *permit* approvals in accordance with a schedule adopted by resolution of the *governing body*.

(D) Revocation of Approvals



Land use and *development* approvals such as special use *permits*, *development* plan approvals, variances, design approvals by the HDRB or BCDDRC and construction *permits* may be revoked by whichever body or official approved them, upon determining that there exists a substantial, continuing or recurring violation of any of the conditions of approval or other provisions of this Code and that revocation is an appropriate remedy given the nature of the violation.

(1) The procedure to revoke an approval shall be similar to the procedure for its issuance.

(a) For an approval that was granted by a *land use board* or the *governing body*, a public hearing shall be required at the same body to consider revocation. The *land use director* shall provide public notice of the revocation hearing by publication of the meeting agenda and/or a public hearing notice and by posting the *property* as required for the approval hearing. The *land use director* shall also provide notice fifteen days prior to the hearing by certified mail with return receipt requested to the permittee and to any *person* who has filed a written complaint concerning the violation.

(b) The *land use director* or other administrative official may revoke an approval that he or she has granted upon written notice delivered to the permittee by hand, by posting a notice on the *property* where the violation occurs, or by certified mail with return receipt requested.

(2) Vacation of recorded subdivision *plats* shall be as provided in Section 3-20-12 NMSA 1978. Revocation of approved amendments to the *general plan* future land use map or the official zoning map shall be as provided for *city*-initiated amendments to those maps. (Ord. No. 2014-31 § 49)



CONSTRUCTION PERMIT FEES

City of Santa Fe – Land Use Department - Building Permit Division

PRIMARY PERMIT FEES

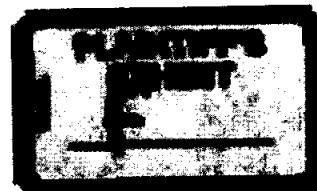
TOTAL VALUATION	FEE
Administrative Fee	\$40
\$1 to \$500	\$25
\$501 to \$2,000	\$25.35 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	\$69.25 for the first \$2,000 plus \$14 for each additional \$1,000, or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	\$391.75 for the first \$25,000, plus \$10.10 for each additional \$1,000, or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	\$643.75 for the first \$50,000, plus \$7 for each additional \$1,000, or fraction thereof, to and including \$100,000
\$100,001 to \$275,000	\$993.75 for the first \$100,000 plus \$5.93 for each additional \$1,000, or fraction thereof, to and including \$275,000
\$275,001 to \$500,000	\$1,830 for the first \$275,000, plus \$7.90 for each additional \$1,000, or fraction thereof, to and including \$500,000
\$501,000 to \$1,000,000	\$3,518.37 for the first \$500,000, plus \$6.60 for each additional \$1,000, or fraction thereof, to and including \$1,000,000
\$1,000,000 and up	\$5,893.37 for the first \$1,000,000 plus \$4.40 for each additional \$1,000, or fraction thereof
<i>The valuations above shall be assessed using the most recent building valuation data established by the International Code Council in the publication Building Safety Journal or its successor's trade publication. Regional multipliers shall not be utilized.</i>	
Other Inspections and Fees:	
Residential Plan Review	50% of Permit Fee
Commercial Plan Review	75% of Permit Fee
Revision Review Fee	\$60 (minimum charge - 2 hours)
Re-Inspection Fee	\$60 (minimum charge - 2 hours)
Additional Inspection Fee	\$60 (minimum charge - 2 hours)
After-Hours Inspection Fee	\$85 per hour
Demolition Permit Fee	\$40 - Residential \$60 - Commercial (per unit)
Move Unit Through Town	\$30 (per unit)
Building Without a Permit Fee	Double the Permit Fee



Application Tracking #

City of Santa Fe

BUILDING PERMIT APPLICATION



PLEASE USE A BALL POINT PEN (PRESS FIRMLY)

Type _____	Class _____	Accepted by _____	Date Accepted _____
Amount Paid: Plan Check Fee \$ _____	Water Budget Fee \$ _____	Balance Due Permit Fee \$ _____	
Land Use Classification: _____	<input type="checkbox"/> Escarpment	<input type="checkbox"/> Floodplain	<input type="checkbox"/> Historical
Type of Construction: _____	Occupancy Group: _____		Division: _____
Zone District: _____	Occupant Load: _____		

TO BE COMPLETED BY APPLICANT

SITE ADDRESS 1402 Agua Fria Street Santa Fe NM 87505 Suite or Space # _____
 Subdivision _____ Lot _____ Block _____

Lot Square Footage Total _____

PROPOSED WORK: (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Walls/Fences | <input type="checkbox"/> Signs: |
| <input checked="" type="checkbox"/> Additions | <input type="checkbox"/> Grading/Utilities/Landscaping | <input type="checkbox"/> Free Standing <input type="checkbox"/> Wall Mounted |
| <input type="checkbox"/> Exterior Alterations/Repairs | <input type="checkbox"/> Pools/Sheds | Existing # _____ sq. ft. _____ |
| <input type="checkbox"/> Interior Remodel | <input type="checkbox"/> Other _____ | Proposed # _____ sq. ft. _____ |
| | | Total _____ |

DESCRIPTION OF WORK: i.e. Bathroom addition, new 4 room residential addition, new 8 room residence, new commercial building, etc. (Note: Work listed herein must be depicted on accompanying plans and/or information if consideration of review requested)

6 new antenna installations

PROPOSED USE: describe what facility is to be used for i.e. new single family residence, new fast food restaurant, new time share residence, new grocery store, etc. Telecommunications

Construction Valuation \$ <u>30,000</u>	SQUARE FOOTAGE <table border="1"> <thead> <tr> <th></th> <th>Existing</th> <th>Proposed</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>Heated</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Garage</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Patio /Porch</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Total Roofed</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Total Square Footage</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>		Existing	Proposed	Total	Heated	_____	_____	_____	Garage	_____	_____	_____	Patio /Porch	_____	_____	_____	Total Roofed	_____	_____	_____	Total Square Footage	_____	_____	_____	Type of Sewage Disposal <input type="checkbox"/> Public Sewer <input type="checkbox"/> Private System No. of buildings _____ No. of stories _____ Will the proposed construction result in an increase in the number of residential units? <input type="checkbox"/> Yes <input type="checkbox"/> No How many? _____ Will the proposed construction result in an increase in water use? <input type="checkbox"/> Yes <input type="checkbox"/> No Urinals _____ Water Fountains _____ Other _____
	Existing	Proposed	Total																							
Heated	_____	_____	_____																							
Garage	_____	_____	_____																							
Patio /Porch	_____	_____	_____																							
Total Roofed	_____	_____	_____																							
Total Square Footage	_____	_____	_____																							
Number of Plumbing Fixtures Proposed Sinks _____ Showers _____ Tubs _____ Toilets _____	Property Owner <u>John Malone</u> Mailing Address <u>1402 Agua Fria Road</u> <u>Santa Fe NM 87505</u> OWNER/BUILDER <input checked="" type="checkbox"/> CONTRACTOR <input type="checkbox"/> Daytime Telephone # <u>505 480 2822</u>																									
Contractor <u>To be determined</u> Mailing Address _____ State License # _____ City License # _____ Daytime Telephone # _____																										

I hereby certify that I am the duly appointed agent authorized to act on behalf of the property owner. I also certify that the information provided in this application is true and correct and it represents the current and proposed status of the subject property; that the plans submitted with this application are complete and in compliance with the building standards set forth in the Santa Fe City Code; and that the plans illustrate all public and private easements located on the property. I also certify that plans and submittals have been prepared in accordance with the submittal checklist. I further understand that failure to follow submittal checklist will result in the delay or rejection of my application.

Contact Name Sherry Peshlakai **Address** 4520 Montgomery #5 APO NM 87109
Daytime Telephone 505 282 4804 **Signature Applicant/Agent** Kay Fulpert **Date** 4/25/14 **159**



CITY OF SANTA FE - LAND USE DEPARTMENT

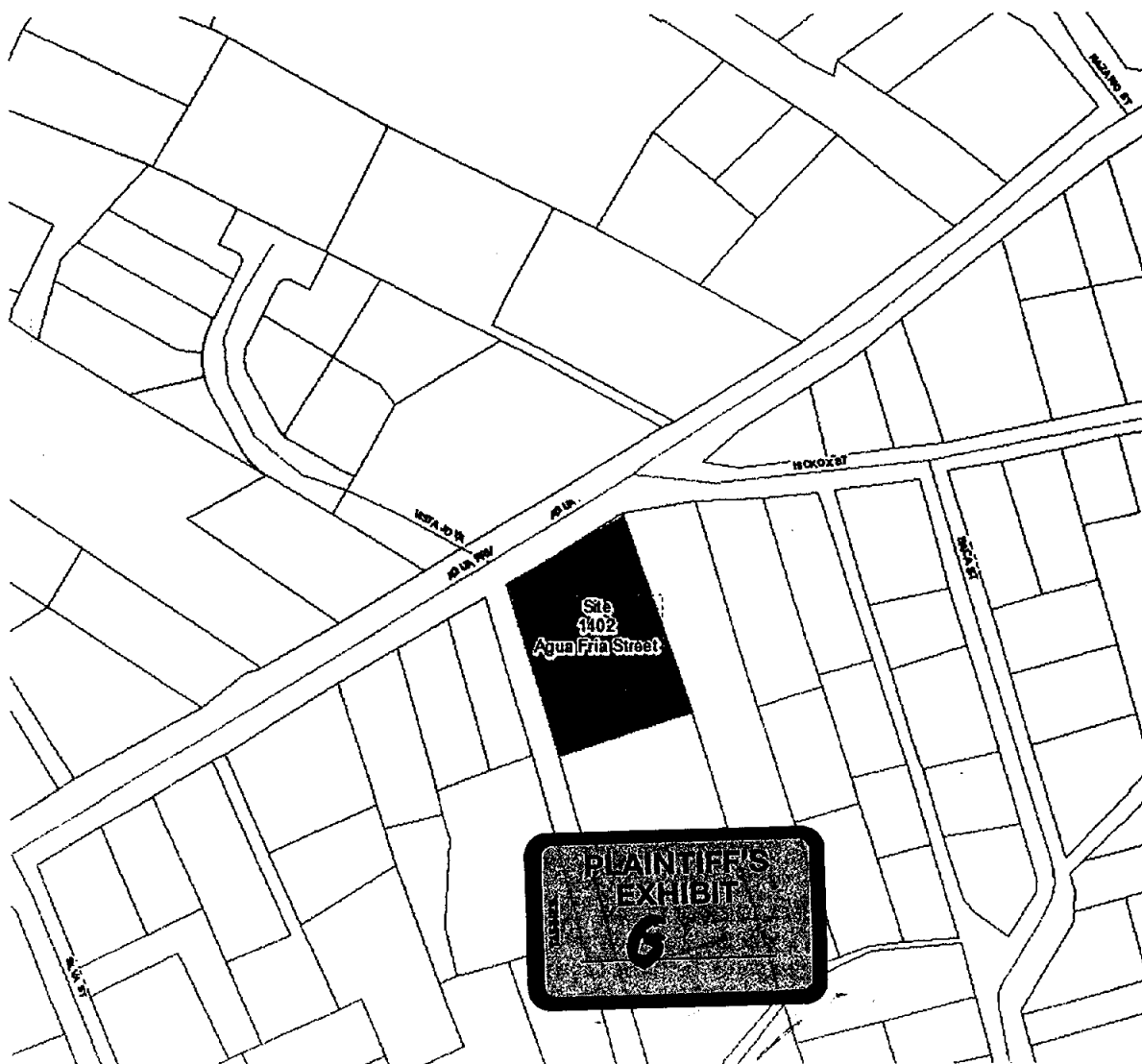
Current Planning Division
200 Lincoln Avenue, Box 909
Santa Fe, NM 87504-0909

NOTICE OF ADMINISTRATIVE REVIEW

Date: May 9, 2014

Notice is hereby given that the City of Santa Fe Land Use Department has received an application for administrative review for the installation of telecommunication antennas and related equipment by Verizon Wireless at 1402 Agua Fria Street. A construction permit is expected to be issued following the successful completion of the administrative review of the application.

Questions may be directed to the City of Santa Fe Current Planning Division staff at (505) 955-6587.



BULTHUIS, JON R.

om: Benny Abruzzo <babruzzo@skisantafe.com>
ent: Wednesday, March 11, 2015 1:38 PM
To: BULTHUIS, JON R.
Subject: Re: Ski Santa Fe

Hello Jon,

Yes, you have my permission to distribute my comments as you like.

We hope your efforts are successful,

Benny

On 3/11/15 11:51 AM, "BULTHUIS, JON R." <jrbulthuis@ci.santa-fe.nm.us> wrote:

Benny –

Thank you for this clarification and commitment to the proposed project. With your permission, I will distribute your email (below) as part of the materials being provided to the City Council for consideration at the meeting scheduled to occur today at 5:00PM.

anks again,

Jon

From: Benny Abruzzo [<mailto:babruzzo@skisantafe.com>]
Sent: Wednesday, March 11, 2015 11:23 AM
To: Stacey McGuire; RANDALL, RANDY; BULTHUIS, JON R.; George Brooks
Subject: RE: Ski Santa Fe

To:

Stacey McGuire
Randy Randall
Jon R. Bulthuis
George Brooks

Hello All,

Thanks for all of the information you have provided us regarding the proposed shuttle service to Ski Santa Fe. After review of the minutes from the NCRTD Board meeting of February 6, 2015 and the City of Santa Fe Finance Committee Meeting of February 16, 2015 it appears to me that Ski Santa Fe's position on the proposed vice is either misrepresented or more likely not fully understood.

I would like to clarify a few issues and provide a current statement of our position regarding the proposed shuttle service.

Exhibit "5"

- Ski Santa Fe is supportive of the idea that a shuttle service from the City of Santa Fe to the Santa Fe Ski Area would provide a positive opportunity for the community of Santa Fe.
- Ski Santa Fe is not interested or capable of developing a shuttle service from the City of Santa Fe to the Ski Area as, we are in the ski and snowboard business, not public transportation.
- Ski Santa Fe views this as an effort to enhance access to the mountain for those in our community who might otherwise not have an opportunity to enjoy their local mountain area.
- Ski Santa Fe has offered to contribute a discounted lift ticket to the shuttle riders, both young and old, in an effort to show support of the service and make the use of the service attractive to the participants.

Hopefully, this will help to clarify our past position regarding the proposed service.

In addition we would like to offer the following for consideration:

- Ski Santa Fe would be interested in contributing up to \$15,000 in cash as a community donation for the proposed shuttle service to the mountain as requested by Commissioner Chavez and Jon Bulthuis, with an acceptable agreement between all parties. (After speaking with RTD Attorney Peter Dwyer, today we are hopeful that an acceptable agreement could be reached).
- Ski Santa Fe would also extend the previous offer of a \$5.00 discount off a lift ticket for shuttle riders (with an acceptable agreement between all parties).

Please feel free to contact me with any questions or comments. We hope you are successful in your efforts to bring a shuttle service to the community of Santa Fe.

Sincerely,

Benny Abruzzo

President
Ski Santa Fe



CITY COUNCIL MEETING OF
March 11, 2015
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Ives	A RESOLUTION ESTABLISHING A GREEN COMMUNITY PROGRAM FOR THE BENEFIT OF THE RESIDENTS OF SANTA FE; DIRECTING STAFF TO DEVELOP AND DRAFT A COMPREHENSIVE 25-YEAR SUSTAINABILITY PLAN TO ANNUALLY REDUCE SANTA FE'S CARBON EMISSIONS AND ENERGY CONSUMPTION, AND ACHIEVE THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2040.	Finance Committee - 3/30/15 Public Utilities Committee - 4/1/15 City Business Quality of Life Committee - 4/8/15 City Council - 4/8/15
Councilor Patti Bushee		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Bill Dimas		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Peter Ives		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION DIRECTING STAFF TO SOLICIT ALTERNATIVE WAYS TO PERMANENTLY DISPOSE OF SOLID WASTE GENERATED WITHIN THE SANTA FE CITY LIMITS.	Public Utilities Committee - 4/1/15 Finance Committee - 4/13/15 City Council - 4/29/15
Councilor Signe Lindell		
Co-Sponsors	Title	Tentative Committee Schedule

Councilor Joseph Maestas		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Melissa Byers, (505)955-6518, mdbyers@santafenm.gov or Rebecca Seligman at (505)955-6501, rxseligman@santafenm.gov .

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2015-____**

3 **INTRODUCED BY:**

4
5 Councilor Peter Ives

6
7
8
9
10 **A RESOLUTION**

11 **DIRECTING STAFF TO SOLICIT ALTERNATIVE WAYS TO PERMANENTLY DISPOSE**
12 **OF SOLID WASTE GENERATED WITHIN THE SANTA FE CITY LIMITS.**

13
14 **WHEREAS**, Section 21-1 SFCC 1987, the Solid Waste Management Ordinance, was
15 adopted for the purpose of defining complementary practices for an integrated solid waste
16 management system for the city of Santa Fe including but not limited to disposal of solid waste; and

17 **WHEREAS**, solid waste disposal systems and practices are set forth to protect the
18 environment, health, safety and general welfare of the citizens of Santa Fe; and

19 **WHEREAS**, the Governing Body desires for staff to solicit alternative ways to permanently
20 dispose of solid waste that is generated within the Santa Fe city limits.

21 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
22 **CITY OF SANTA FE** that Environmental Services staff is directed to solicit proven concepts for
23 solid waste disposal through a Request for Proposal (RFP) process that shall include the following:

- 24 1. The RFP shall clearly state that only proven technologies will be considered;
25 2. All processes considered shall be at a cost that is lower than or equal to the City's

Exhibit "7"

1 current pricing for disposal of solid waste;

2 3. Priority should be given to those technologies which simplify or enhance the City's
3 recycling program; and

4 4. Priority should also be given to those technologies which would allow the City to
5 remediate any of its closed landfills.

6 PASSED, APPROVED and ADOPTED this ____ day of _____, 2015.

7

8

9

JAVIER M. GONZALES, MAYOR

10 ATTEST:

11

12

13 _____
YOLANDA Y. VIGIL, CITY CLERK

14 APPROVED AS TO FORM:

15

16

17 _____
KELLEY A. BRENNAN, CITY ATTORNEY

18

19

20

21

22

23

24

25 *M/Legislation/Resolutions 2015/Solid Waste Disposal*