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**IN THE COURT OF APPEALS OF THE STATE OF NEW MEXICO**

**No. A-1-CA-38717**

**SOUTHWEST ORGANIZING PROJECT,  
PAJARITO VILLAGE ASSOCIATION,  
SOUTH VALLEY COALITION OF  
NEIGHBORHOOD ASSOCIATIONS,  
CENTER FOR SOCIAL SUSTAINABLE  
SYSTEMS, SOUTH VALLEY REGIONAL  
ASSOCIATIONS OF ACEQUIAS, DANIEL  
RICHARD “RIP” ANDERSON, MARCIA  
BEAUREGARD FERNANDEZ, SANTIAGO  
JAMES MAESTAS, ROD MAHONEY, and  
ROBERTO ROIBAL,**

Appellants-Petitioners,

and

**DR. VIRGINIA NECOCHEA,**

Appellant,

v.

**BERNALILLO BOARD OF COUNTY  
COMMISSIONERS, and Individual  
Members of the County Commission,  
DEBBIE O’MALLEY, MAGGIE HART  
STEBBINS, STEPHEN MICHAEL  
QUEZADA, LONNIE C. TALBERT, and  
JAMES E. SMITH,**

and

**WESTERN ALBUQUERQUE LAND  
HOLDINGS, LLC and CONSENSUS  
PLANNING, INC.,**

Appellees-Respondents.

**APPEAL FROM THE DISTRICT COURT OF BERNALILLO COUNTY**  
**Beatrice J. Brickhouse, District Judge**

New Mexico Environmental Law Center  
Gail Evans  
Douglas Meiklejohn  
Charles de Saillan  
Eric Jantz  
Maslyn Locke  
Santa Fe, NM

for Petitioners and Appellant

Robles, Rael & Anaya, P.C.  
Robert M. White  
Daniel J. Grunow  
Albuquerque, NM

for Respondents Bernalillo County Board of County Commissioners, O'Malley,  
Stebbins, Quezada, Talbert, and Smith

Rodey, Dickason, Sloan, Akin & Robb, P.A.  
John P. Salazar  
Edward Ricco  
Jenica Jacobi  
Jocelyn Drennan  
Albuquerque, NM

for Respondents Consensus Planning & Western Albuquerque Land Holdings, LLC

**DECISION**

**HANISEE, Chief Judge.**

{1} In these consolidated appeals, Petitioners<sup>1</sup> seek further appellate review following the district court's rejections of Petitioners' challenges to the Bernalillo County Board of County Commissioners' (the Board) approval of the Level B master plan and Level B development agreement related to the development of the proposed Santolina planned community in Bernalillo County. Petitioners raise the following arguments: (1) the district court erred in affirming the Board's approval of the Level B master plan and Level B development agreement because the proper prerequisites—namely the zone map amendment, the Level A master plan, and the Level A development agreement—were not in place at the time such approval occurred; and (2) the district court erred in

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<sup>1</sup>Petitioners in this case are, collectively, SouthWest Organizing Project, Pajarito Village Association, South Valley Coalition of Neighborhood Associations, Center for Social Sustainable Systems, South Valley Regional Association of Acequias, Daniel Richard "Rip" Anderson, Marcia Beauregard Fernandez, Santiago James Maestas, Rod Mahoney, Roberto Roibal.

finding that the Board's approval of the Level B master plan was a legislative act requiring legislative, rather than administrative, review on appeal.

**{2}** In any appeal before this Court, "it is the appellant's burden to demonstrate, by providing well-supported and clear arguments, that the district court has erred." *Premier Tr. of Nevada, Inc. v. City of Albuquerque*, 2021-NMCA-004, ¶ 10, 482 P.3d 1261. Here, the district court issued thorough, well-reasoned, and explanatory orders resolving each of the issues presented in this appeal. Having scrutinously reviewed the district court orders at issue, and after thorough and careful review of the briefing, the authorities cited therein, and the record, we perceive there to be no error upon which reversal could be premised. See *Farmers, Inc. v. Dal Mach. & Fabricating, Inc.*, 1990-NMSC-100, ¶ 8, 111 N.M. 6, 800 P.2d 1063 ("The presumption upon review favors the correctness of the [district] court's actions. [An a]ppellant must affirmatively demonstrate its assertion of error."). Accordingly, we affirm the district court's orders affirming the Board's approval of the Level B master plan and the Level B development agreement for substantially the same reasons as within each respective order.

**{3} IT IS SO ORDERED.**

**J. MILES HANISEE, Chief Judge**

**WE CONCUR:**

**JACQUELINE R. MEDINA, Judge**

**GERALD E. BACA, Judge**