



## Agenda

**Special Meeting of the  
Governing Body  
November 25, 2024 at 5:00 PM  
City Council Chambers, City  
Hall  
200 Lincoln Avenue**

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### Procedures for Governing Body Meeting

**Viewing:** Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the [City of Santa Fe's YouTube channel](#). The YouTube live stream can be accessed from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the [City's YouTube channel](#). Staff is available to help members of the public access pre-recorded Governing Body meetings online at any time during normal business hours. Please call 955-6521 for assistance.

**Radio Broadcast:** The meeting can be heard on radio station KSFR 101.1.

**Written Public Comment:** Members of the public may submit written comments on legislation here: <https://santafenm.gov/city-clerk-community-engagement/city-clerk-1/governing-body-public-comment>

**Live Public Comment:** Members of the public may provide public comment in person during Petitions from the Floor, Public Comment, Final Action on Legislation, or Public Hearings.

**Virtual Public Comment:** To provide public comment during Petitions from the Floor, Public Comment, Final Action on Legislation, or Public Hearings virtually, you must join the Zoom meeting by internet or phone, as follows:

- Internet: [Join the Zoom](#) meeting on the internet using a computer, laptop, smartphone, or tablet using the following link: <https://santafenm.gov.zoom.us/j/84466268706>
- Attendees should use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.
- Phone: To join the Zoom meeting using a phone, use the following phone numbers and Webinar ID: US: 1 (253) 205-0468 - Webinar ID: 844 6266 8706. Phone attendees should press \*9 to use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.

The agenda and packet for the meeting will be posted at

Governing Body  
November 25, 2024  
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https://santafenm.portal.civicclerk.com/

- 1. Call to Order
- 2. Pledge of Allegiance
  - a. Councilor Cassutt - ,
- 3. Salute to the New Mexico Flag
  - a. Councilor Chavez - ,
- 4. Invocation and Rememberances
  - a. Councilor Castro - ,
- 5. Roll Call
- 6. Approval of Agenda
- 7. Action Items: Discussion Agenda
  - a. CONSIDERATION OF RESOLUTION NO. 2024-\_\_\_\_. (Mayor Alan Webber)  
 Establishing the City of Santa Fe’s Priorities for Consideration by the New Mexico State Legislature During the 57th Legislature- State of New Mexico – First Session, 2025.  
 (Regina Wheeler, Public Works Director; [rawheeler@santafenm.gov](mailto:rawheeler@santafenm.gov), Marci Eannarino, Legislation and Policy Innovation Manager; [maeannarino@santafenm.gov](mailto:maeannarino@santafenm.gov), Christine M. Spiers, Legislative Assistant; [cmspiers@santafenm.gov](mailto:cmspiers@santafenm.gov))  
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**Committee Review:**

Finance Committee (Introduced): 11/12/2024  
 Governing Body: 11/13/2024 (Postponed to Quality of Life Committee on 11/18/2024 and Governing Body 11/25/2024)  
 Public Works and Utilities Committee: 11/18/2024  
 Quality of Life Committee: 11/20/2024  
 Governing Body (Special Meeting): 11/25/2024

- 8. Introduction of Legislation
  - a. CONSIDERATION OF RESOLUTION NO. 2024\_\_\_\_. (Mayor Alan Webber and Councilor Jamie Cassutt)  
 A Resolution Enabling the Santa Fe County Improvement Special Assessment Program in the City of Santa Fe. (Johanna Nelson, Office of Economic Development Director; [jcnelson@santafenm.gov](mailto:jcnelson@santafenm.gov) and Casey Dalbor, Economic Development Associate; [cjdalbor@santafenm.gov](mailto:cjdalbor@santafenm.gov))

**Committee Review:**

Governing Body (Introduced): 11/15/2024

Public Works and Utilities Committee: 12/02/2024  
Quality of Life Committee: 12/04/2024  
Governing Body: 12/11/2024

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- b. CONSIDERATION OF RESOLUTION NO. 2024\_\_\_\_. (Mayor Alan Webber)  
A Resolution Approving Budget Amendments for the Buckman Direct Diversion Board and Santa Fe Solid Waste Management Agency and Requesting that New Mexico Department of Finance and Administration Approve the City of Santa Fe's First Quarter Budget Amendments for Fiscal Year 2025. (Andy Hopkins, Budget Officer; [ajhopkins@santafenm.gov](mailto:ajhopkins@santafenm.gov))

**Committee Review:**

Governing Body Special Meeting (Introduced): 11/25/2024  
Public Works and Utilities Committee: 12/02/2024  
Quality of Life Committee: 12/04/2024  
Finance Committee: 12/09/2024  
Governing Body: 12/11/2024

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9. Adjourn

Closed captions are provided for this meeting. Persons with disabilities in need of additional accommodations, contact the City Clerk's office at 505-955-6521, five (5) working days prior to meeting date.



# CITY OF SANTA FE

## Memorandum

**Date:** October 22, 2024

**To:** Governing Body, Quality of Life Committee, Public Works and Utilities Committee, Finance Committee

**From:** Regina Wheeler, Public Works and Utilities Department Director  
Marci Eannarino, Legislation and Policy Innovation Manager  
Christine M. Spiers, Legislative Assistant

**Via:** Erin K. McSherry, City Attorney  
Randy Randall, Interim City Manager

**RE:** 2025 Legislative Priorities

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### **EXECUTIVE SUMMARY:**

The proposed resolution establishes the City's priorities for the 2025 Legislative Session. The resolution includes citywide capital outlay requests, district capital outlay requests, and policy priorities of the Governing Body.

The capital outlay requests this year are those adopted as the top five requests in the City's ICIP list. Specifically, they include the following items: 1) any statewide capital outlay initiatives associated with homelessness and housing, 2) replacement of the Paseo Real Wastewater Reclamation Facility, 3) the Arroyo De Los Chamisos/Richards Avenue projects, 4) the Santa Fe Regional Airport Terminal Expansion Phase II, and 5) Midtown Redevelopment Infrastructure improvements.

This resolution also includes district-specific capital outlay requests as follows: funding for the construction of a replacement of the Santa Fe River Pedestrian Bridge at Shelby St. in District 1, funding for the Ragle Park Baseball Field Upgrades in District 2, funding for the Municipal Recreation Complex Irrigation System Upgrades to conserve water and steward turf in District 3, and funding for the Rufina Street and Lopez Lane Intersection Improvements in District 4.

The policy priorities include, but are not limited to, the expansion of affordable housing availability; expansion of services for homeless families and individuals; support for the City and Santa Fe County partnership, "CONNECT"; support for economic mobility efforts related to community and economic development; support for violence intervention programs; support for addressing fentanyl as a community health crisis through meaningful partnerships between State, County and City agencies; support for water conservation, recycling, and other environmental



# CITY OF SANTA FE

## Memorandum

priorities; elimination of the three percent property tax increase on non-owner-occupied residences, and a statewide business licensing system.

### **BACKGROUND:**

Every year the Governing Body adopts capital outlay and policy priorities for the Legislature's consideration during the next legislative session. The City has successfully lobbied for numerous capital outlay projects and policy issues in the past. Some items included in the resolution have been policy priorities for multiple years and have either never been considered by the legislature, died in committee at some point in the process, or were vetoed by the Governor.

### **ATTACHMENTS:**

Resolution  
Fiscal Impact Report

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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2024-**

**INTRODUCED BY:**

Mayor Alan Webber

**A RESOLUTION**

**ESTABLISHING THE CITY OF SANTA FE’S PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 57<sup>TH</sup> LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2025.**

**WHEREAS**, the 60-day Legislative Session (“Legislative Session”) of the 2025 New Mexico State Legislature (“Legislature”) begins on January 21, 2025, and ends on March 22, 2025; and

**WHEREAS**, the Governing Body desires to establish City of Santa Fe (“City”) legislative priorities to be considered by the City’s legislative delegation and the Legislature; and

**WHEREAS**, the Governing Body’s legislative priorities include City-wide capital outlay priorities, statutory priorities, general fund priorities, City Council District capital outlay priorities, and other legislative priorities beneficial to the City to be pursued during the Legislative Session.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE** that the Governing Body hereby adopts priorities for the Legislative Session, consistent with Resolution No. 2024-28 (adopting the City’s Infrastructure Capital Improvements Plan for 2026-2030) and as specified below.

1           1.       From any statewide capital outlay initiative associated with homelessness and housing,  
2 the City requests funding in the amount of \$5,000,000 for permanent and transitional housing to end  
3 veteran, youth, and chronic homelessness;

4           2.       From any statewide capital outlay initiative associated with water and wastewater, the  
5 City requests funding in the amount of \$4,500,000 for the replacement Paseo Real Wastewater  
6 Reclamation Facility;

7           3.       From any statewide capital outlay initiative associated with roads and transportation,  
8 the City requests funding in the amount of \$2,500,000 for the Arroyo De Los Chamisos/Richards  
9 Avenue project.

10          4.       From any statewide capital outlay initiative associated with airports, regional  
11 transportation and economic development, the City requests funding in the amount of \$10,000,000 for  
12 the Santa Fe Regional Airport Terminal Expansion Phase II.

13          5.       From any statewide capital outlay initiative associated with economic development,  
14 affordable housing, and urban redevelopment, the City requests funding in the amount of \$5,000,000  
15 for the Midtown Redevelopment Infrastructure Improvements.

16               **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-12  
17 (establishing next steps for the Midtown Property), the Governing Body requests the Legislature enact  
18 a Joint Resolution ratifying and approving the transfer of one or more tracts of City-owned real property  
19 to the State of New Mexico Department of Public Safety in trade and exchange for the transfer of  
20 multiple tracts of State-owned real property to the City of Santa Fe, New Mexico for the Midtown  
21 Redevelopment Project.

22               **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that funds the  
23 New Mexico Department of Transportation for safety and multimodal improvements and pavement  
24 rehabilitation of New Mexico 475 (being Hyde Park Road) and Cerrillos Road Phase III Construction.

25               **BE IT FURTHER RESOLVED** that the Governing Body supports any legislation that

1 enhances the Downtown Improvement District of Santa Fe including such items as revised streetscapes,  
2 improved signage, placemaking, Americans with Disabilities Act considerations, and litter collection.

3 **BE IT FURTHER RESOLVED** that the Governing Body renews its request that the  
4 Legislature support legislation that promotes water reuse and water planning and other legislation  
5 designed to improve overall sustainability at the state and local level.

6 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
7 endorsement of any legislation that would support municipal recycling programs and other programs  
8 that support recycling market development.

9 **BE IT FURTHER RESOLVED** that the Governing Body hereby establishes the following  
10 City Council District capital outlay legislative funding priorities for improvements of citywide  
11 infrastructure for consideration by the Legislature during the Legislative Session:

12 1. For a capital outlay initiative located within **City Council District 1, \$1,000,000** to  
13 construct a replacement Santa Fe River Pedestrian Bridge at Shelby St.

14 2. For a capital outlay initiative located within **City Council District 2, \$1,000,000** for  
15 the Ragle Park Baseball Field Upgrades.

16 3. For a capital outlay initiative located within **City Council District 3, \$1,000,000** for  
17 the Municipal Recreation Complex Irrigation System Upgrades to conserve water and steward turf.

18 4. For a capital outlay initiative located within **City Council District 4, \$1,000,000** for  
19 Rufina Street & Lopez Lane Intersection Improvements.

20 **BE IT FURTHER RESOLVED** that, consistent with Resolution No. 2023-32, the Governing  
21 Body hereby establishes the following capital outlay legislative funding priority for any initiative  
22 associated with public safety: **\$1,150,000** to plan, design, and construct much needed renovations of  
23 the Municipal Court building including adding security measures.

24 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
25 legislation that expressly provides that legislative appropriations are not subject to extra-statutory

1 limitations.

2 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation to place a  
3 constitutional referendum on the ballot to permit municipalities and counties to restrict firearms to the  
4 extent constitutionally permissible, while continuing to disallow municipalities and counties from  
5 regulating firearms in a manner that is less restrictive than the State.

6 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses the  
7 following firearms legislation:

- 8 1. Creation of a New Mexico Office of Gun Violence Prevention;
- 9 2. Funding for regional and/or local collaboration to address youth gun violence;
- 10 3. Raising the age of purchase for certain rifles;
- 11 4. Placing a ban on assault-style weapons;
- 12 5. Creating mandatory minimum sentencing for illegal firearms trafficking; and
- 13 6. Enhancing the penalty for the illegal possession of a firearm during any crime, including  
14 during the illegal sale of drugs;
- 15 7. Updating the Extreme Risk Firearm Protection Order Act, or “Red Flag” statute, to allow  
16 law enforcement to act as a petitioner.

17 **BE IT FURTHER RESOLVED** that the Governing Body supports continued funding for the  
18 Violence Intervention Program fund, including money for operational capacity.

19 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses funding for  
20 interventions and responses to domestic violence, sexual assault, and human trafficking, including the  
21 expansion of a coordinated, comprehensive approach that benefits both the survivor and the perpetrator.

22 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
23 endorsement of the establishment of the Santa Fe County Detox Center that would serve the residents  
24 of Santa Fe and northern New Mexico.

25 **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-47

1 (supporting state and federal legislation protecting the right to a safe abortion), the Governing Body  
2 endorses any legislation that supports reproductive rights and that would codify the right to safe  
3 abortion into law.

4 **BE IT FURTHER RESOLVED** that, as is consistent with initiatives such as what is contained  
5 in Resolution No. 2024-29, the Governing Body supports the rights of the LGBTQIA+ population such  
6 that every individual, regardless of the individual’s reproductive choices, sexual orientation, or gender  
7 identity, can live, work, and pursue their dreams free from discrimination and prejudice and supports  
8 any legislation that preserves and protects the rights of the LGBTQIA+ community.

9 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
10 legislation and allocation of funding designed to interrupt intergenerational cycles of poverty, such as  
11 appropriations for operations of a state-wide pilot program that provides a monthly, guaranteed income.

12 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses funding  
13 mental health and behavioral health programs focused on addressing the needs of residents and  
14 individuals struggling with mental illness and/or substance abuse or addiction, including the expansion  
15 or augmentation of treatment opportunities and facilities to support that treatment.

16 **BE IT FURTHER RESOLVED** that the Governing Body endorses any legislation that  
17 supports meaningful partnerships between State, county, and municipal governmental agencies to  
18 address fentanyl as a health crisis by removing barriers to services for those struggling with addiction,  
19 and supporting the coordination of response efforts, and funding such initiatives.

20 **BE IT FURTHER RESOLVED** that, as is consistent MOA No. 2020-0629, the Governing  
21 Body supports any legislation dedicated to the City and Santa Fe County partnership program,  
22 “CONNECT,” defined by the City and County as “a network of navigators at clinics, community  
23 organizations, and city and county programs,” which has successfully connected approximately ten  
24 thousand (10,000) Santa Fe County residents with resources such as housing, food, transportation,  
25 childcare, and other essential needs.

1           **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that improves  
2 and affirms the City’s multicultural initiatives and programs, including but not limited to Mariachi  
3 Competitions, Spanish-Language Music Festivals, Powwow Grounds, Spanish-Language literary  
4 festivals, Sister City Student Exchange programs, , culture-specific TED Talks, and that uplifts the  
5 pride and acknowledgement of the City’s diverse history, specifically as it relates to associated  
6 community development.

7           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
8 endorsement of any legislation that supports the development and construction of affordable and  
9 workforce housing to decrease and/or subsidize the cost of housing for residents of Santa Fe and New  
10 Mexico.

11           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
12 legislation that increases housing availability, including transitional housing options tailored to the  
13 individual’s needs, and expands available social services for homeless families and individuals,  
14 including those who are chronically homeless, veterans experiencing homelessness, and young people  
15 experiencing homelessness, as well as those living in outdoor unsupervised encampments.

16           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
17 endorsement of any legislation that slows down the timeline for eviction, connects tenants to rental  
18 assistance resources, and improves opportunities for mediation between renters and landlords.

19           **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-52 (affirming  
20 the partnership of the City and Santa Fe County to develop strategies to end homelessness), the  
21 Governing Body supports and endorses appropriations for the expansion of program staff that supports  
22 the goals of housing preservation and homelessness prevention, emergency shelter, building housing  
23 units, individual housing vouchers, project-based housing vouchers, supportive services, and system  
24 infrastructure;

25           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses

1 appropriations for mental health and behavioral health programs, including the development of the  
2 Santa Fe County’s Youth Behavioral Health Center and the La Salla Center, focused on addressing the  
3 needs of residents and individuals struggling with mental illness and/or substance abuse or addiction,  
4 including the expansion or augmentation of treatment opportunities and facilities to support that  
5 treatment.

6 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
7 endorsement of any legislation that replenishes and seeks a recurring funding source to support New  
8 Mexico Mortgage Finance Authority’s Housing Trust Fund.

9 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
10 promoting the facilitation of community efforts to address the cleanup of trash, litter, and weeds which  
11 may include methods such as using compost and chipping, with a specific emphasis on elevating the  
12 quality of the City’s roadways, rights of way, medians, arroyos, open spaces, trails, and parks.

13 **BE IT FURTHER RESOLVED** that the Governing Body supports the creation of and funding  
14 for a state-wide litter prevention and reduction program through messaging, marketing, advertising,  
15 and communications, such as public service announcements or new campaigns that will encourage all  
16 New Mexicans, as well as Santa Feans, to stop putting trash, litter, or other throw-away items into the  
17 streets, roadways, highways, freeways, parks, and other public spaces across the state.

18 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
19 or appropriations to improve the environment, enhance the quality of the City’s public spaces, and  
20 achieve its sustainability goals, including but not limited to funding for projects and programs that  
21 support water conservation, erosion control, tree planting, biodiversity, outdoor recreation, and public  
22 art.

23 **BE IT FURTHER RESOLVED** that that Governing Body re-affirms its support for and  
24 endorsement of any legislation that establishes an “extended producer responsibility” program that  
25 requires manufacturers and retailers to be responsible for the costs associated with a product throughout

1 its life cycle, from creation to disposal, and/or re-use.

2 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
3 endorsement of any legislation that advances the environmental sustainability goals of the City,  
4 including renewable energy generation and storage, building electrification, public transportation and  
5 complete streets, carbon neutrality or net-zero greenhouse gas emissions, as well as continued support  
6 for implementation of the Community Solar Act and funding for watershed restoration and forest fire  
7 mitigation.

8 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
9 endorsement of any legislation that would expand the Air Quality Control Act, NMSA 1978, § 74-2-  
10 2(J), to include an express option for local governments to opt-in to an emissions inspections program.

11 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
12 legislation that funds the New Mexico Climate Investment Center to combat climate change that would  
13 increase green infrastructure development, energy conservation and sustainability measures, and access  
14 to funding for green energy investments for assisting lower-income individuals and families, rural  
15 communities, and pueblos.

16 **BE IT FURTHER RESOLVED** that the Governing body supports continued analysis and  
17 study of how to improve emergency response, preparation, and management strategies for addressing  
18 environmental and radiological emergencies, which could include climate change adaptation strategies  
19 and improvement to and development of emergency management infrastructure.

20 **BE IT FURTHER RESOLVED** that the Governing Body supports appropriations to New  
21 Mexico's Department of Cultural Affairs in support of the expansion of local library programming for  
22 local communities.

23 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
24 endorsement of any legislation that would improve and expand early childhood education, with an  
25 emphasis on the following initiatives: infant and toddler care; capital improvements for center-based

1 and in-home care; stipend-based training opportunities for the family, friends, and neighbor network  
2 (FFN); and investment in pre-apprentice and apprenticeship programs to develop the early childcare  
3 educator pipeline.

4 **BE IT FURTHER RESOLVED** that the Governing Body endorses any legislation that  
5 supports childcare as a guaranteed, basic right for families.

6 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation for early  
7 childcare apprenticeship and pre-apprenticeship programs, including expansion of the workforce to run  
8 such programs.

9 **BE IT FURTHER RESOLVED** that the City continues to support statewide paid sick leave  
10 legislation, as described in the City’s Resolution No. 2021-11, unanimously passed by the members of  
11 the Governing Body in 2021.

12 **BE IT FURTHER RESOLVED** that the Governing Body urges the legislature to address the  
13 underfunding of the Public Employees Retirement Association pension plans.

14 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
15 endorsement of any legislation that would increase funding for the New Mexico Tourism Department  
16 for use in advertising, a state-wide co-op grant program, and expansion of its advertising scope to  
17 include new markets with strong potential for travel to the state.

18 **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to oppose  
19 any legislation introduced during the Legislative Session deemed to be detrimental to the City.

20 **BE IT FURTHER RESOLVED** that the Governing Body renews its requests that the  
21 Legislature ensure that hold harmless payments to counties and municipalities are not eliminated or  
22 further reduced and returned to their original schedule; ensure that any tax reform continues to hold  
23 counties and municipalities harmless in lieu of the enactment of legislation reinstating the gross receipts  
24 tax on food and medical; and that protects local governments’ annual revenues if the Legislature enacts  
25 legislation modifying State gross receipts tax deductions and exemptions.

1           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
2 that expands the permitted uses of existing lodgers’ tax or creates an additional lodgers’ tax, to defray  
3 the cost of providing affordable housing, permanent supportive housing and addressing the needs of  
4 low-income people by providing wraparound services such as childcare and/or that leverages federal  
5 funding for affordable housing.

6           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
7 endorsement of any legislation that would eliminate the three percent (3%) cap on annual property tax  
8 increases on residences that are not owner-occupied as the owner’s principal place of residence.

9           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
10 endorsement of legislation during the Legislative Session that would allow for a New Mexico Public  
11 Bank owned by and for the people of New Mexico that would direct the State’s investment decisions  
12 to support and diversify the economy including achieving goals in education, eco-tourism, food  
13 security, solar energy installations, broadband expansion, health clinic upgrades, and clean energy  
14 infrastructure projects, by keeping New Mexico’s money in New Mexico.

15           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
16 legislation that increases the likelihood of local governments recruiting, retaining, promoting, and  
17 housing first responders and Alternative Response Unit case workers and behavioral health employees  
18 in the communities in which they serve to improve public safety and enhance emergency response  
19 capacity.

20           **BE IT FURTHER RESOLVED** that the Governing Body renews its requests that the  
21 Legislature appropriate money from the general fund to support the City’s “Alternative Response Unit”,  
22 which allows law enforcement officers to work with the Santa Fe Fire Department and with case  
23 managers under the supervision of a licensed Clinical Social Worker to redirect persons who are  
24 experiencing non-violent mental health episodes, public intoxication, and/or who may be suspected of  
25 involvement in non-violent, low-level crimes, to alternative, community-based services in lieu of

1 prosecution or jail.

2 **BE IT FURTHER RESOLVED**, if the New Mexico Supreme Court adopts the proposed case  
3 management order for the First Judicial district, then the State will allocate funding to the impacted  
4 criminal justice agencies, including law enforcement, to ensure sufficient funding to allow them to  
5 comply with the order.

6 **BE IT FURTHER RESOLVED**, that the Legislature should adopt interpretive language  
7 regarding the terms “dangerousness” and “safety” with respect to Article II, Section 13 of the New  
8 Mexico State Constitution, disallowing a narrow reading of those terms.

9 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that creates a  
10 major entertainment venue in Santa Fe for sports, concerts, and music festivals throughout the state,  
11 specifically as it relates to associated economic development.

12 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
13 endorsement of any legislation that improves broadband infrastructure throughout the state, specifically  
14 as it relates to associated community and economic development.

15 **BE IT FURTHER RESOLVED** that the Governing Body renews its request that the  
16 Legislature adopt legislation that pertains to statewide business licensing to permit business owners to  
17 operate in all cities, counties, and municipalities, provided business owners comply with local land use  
18 and safety requirements.

19 **BE IT FURTHER RESOLVED** that the Governing Body supports any legislation that  
20 improves small business diversity throughout the state, specifically as it relates to increased tourism  
21 and associated economic development.

22 **BE IT FURTHER RESOLVED** that the Governing Body supports any legislation that  
23 supports mixed-use manufacturing with associated workforce housing, community convenience  
24 amenities, walkability, and sustainability, such as the El Lucero Development, specifically as small  
25 business manufacturing relates to associated community and economic development.



1 ATTEST:

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4 GERALYN F. CARDENAS, INTERIM CITY CLERK

5 APPROVED AS TO FORM:

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8 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2024/Resolutions/Legislative Priorities 2025*

FISCAL IMPACT REPORT

General Information:

(Check) Bill: \_\_\_\_\_ Resolution:  X

Short Title(s):  2025 Legislative Priorities


Sponsor(s):  Mayor Alan Webber

Reviewing Department(s):  Public Works Department and City Attorney's Office

Staff Completing FIR:  Marci Eannarino, Legislation and Policy Innovation Manager and

Christine Spiers, Legislative Assistant  Date:  10/23/2024  Phone:  (505) 955-6518; (505) 955-6692

Reviewed by City Attorney:    Date:  Nov 7, 2024

Reviewed by Finance Director:    Date:  Nov 7, 2024

Summary:

The proposed resolution establishes the City of Santa Fe's ("City's") legislative priorities for the 2025 Legislative Session. The resolution includes citywide capital outlay requests, district capital outlay requests, and policy priorities.

Departments Affected:

All departments.

Consequences of Not Enacting Legislation:

If this legislation is not adopted, the City will have limited capital outlay and policy priorities identified prior to the 2025 New Mexico Legislative Session.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

None identified.

Performance and Administrative Implications:

The resolution would direct the City Clerk to send the adopted resolution to the City's lobbyist, the City's legislative delegation, and the Governor of New Mexico.

Fiscal Implications:

None identified.

Fiscal Impact

X  Check here if no fiscal impact

**Expenditures**

<b>Expenditure Type</b>	<b>FYE 2025</b>	<b>FYE 2026</b>	<b>FYE 2027</b>	<b>Require BAR (Y/N)</b>	<b>Recurring (R) or Non-recurring (NR)</b>	<b>Fund</b>	<b>3-Year Total Cost</b>
<u>Personnel and Benefits*</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Contractual/</u>	\$ _____	\$ _____	\$ _____		_____	_____	
<u>Professional Services</u>							
<u>Operating</u>	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____				\$ _____

**Expenditure Narrative:**

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**Revenue**

<b>Revenue Type</b>	<b>FYE 2025</b>	<b>FYE 2026</b>	<b>FYE 2027</b>	<b>Recurring (R) or Non-recurring (NR)</b>	<b>Fund</b>
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

**Revenue Narrative:**

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**Signature:**

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**CITY OF SANTA FE, NEW MEXICO**  
**PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2024-\_\_**  
**2025 Legislative Priorities**

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**Mayor and Members of the City Council:**

**In relation to Resolution No. 2024-\_\_:**

**ESTABLISHING THE CITY OF SANTA FE'S PRIORITIES FOR CONSIDERATION BY  
THE NEW MEXICO STATE LEGISLATURE DURING THE 57<sup>TH</sup> LEGISLATURE –  
STATE OF NEW MEXICO – FIRST SESSION, 2025.**

**I intend to propose the following amendment(s)**

1. On page 2, line 25, *delete* “any”.
2. On page 3, line 7, *delete* “any”.
3. On page 3, line 24, *delete* “any”.
4. On page 5, line 2, *delete* “any”.
5. On page 5, line 8, *delete* “any”.
6. On page 5, line 9, *delete* “any”.
7. On page 5, line 16, *delete* “any”.
8. On page 5, line 21, *delete* “any”.
9. On page 6, line 8, *delete* “any”.
10. On page 6, line 11, *delete* “any”.
11. On page 6, line 17, *delete* “any”.
12. On page 7, line 7, *delete* “any”.
13. On page 7, line 24, *delete* “any”.
14. On page 8, line 3, *delete* “any”.
15. On page 8, line 9, *delete* “any”.
16. On page 8, line 11, *delete* “any”.
17. On page 8, line 24, *delete* “any”.
18. On page 9, line 4, *delete* “any”.
19. On page 9, line 15, *delete* “any”.
20. On page 9, line 19, *delete* “any”.
21. On page 10, line 7, *delete* “any”.
22. On page 10, line 15, *delete* “any”.
23. On page 11, lines 6 through 8, *delete* “BE IT FURTHER RESOLVED, that the Legislature should adopt interpretive language regarding the terms “dangerousness” and “safety” with respect to Article II, Section 13 of the New Mexico State Constitution, disallowing a narrow reading of those terms.
24. On page 11, line 13, *delete* “any”.
25. On page 11, line 19 *delete* “any”.
26. On page 11, line 22, *delete* “any”.
27. On page 12, line 8, *delete* “any”
28. On page 12, line 10 through 11, after the words “lobbyist to” *delete* “make any”.
29. On page 12, line 11, before the words “capital outlay” *insert* “prioritize”.
30. On page 12, line 11, *insert* the letter “s” at the end of the word “project”.

- 31. On page 12, line 11, after the word “project” *delete* the words “directly or indirectly”.
- 32. On page 12, line 11, after the words “Priority List” *delete* “a priority”.

**This amendment WILL change the caption. \_\_\_\_\_**


**This amendment WILL NOT change the caption.   x**

Respectfully submitted,



\_\_\_\_\_  
Carol Romero-Wirth, Councilor

Approved as to Form:



\_\_\_\_\_  
Erin K. McSherry, City Attorney

ADOPTED: \_\_\_\_\_

NOT ADOPTED: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
ANDRÉA SALAZAR, City Clerk

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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2024-**

**INTRODUCED BY:**

Mayor Alan Webber

**RED – Amendment A Romero-Wirth**

**A RESOLUTION**

**ESTABLISHING THE CITY OF SANTA FE’S PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 57<sup>TH</sup> LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2025.**

**WHEREAS**, the 60-day Legislative Session (“Legislative Session”) of the 2025 New Mexico State Legislature (“Legislature”) begins on January 21, 2025, and ends on March 22, 2025; and

**WHEREAS**, the Governing Body desires to establish City of Santa Fe (“City”) legislative priorities to be considered by the City’s legislative delegation and the Legislature; and

**WHEREAS**, the Governing Body’s legislative priorities include City-wide capital outlay priorities, statutory priorities, general fund priorities, City Council District capital outlay priorities, and other legislative priorities beneficial to the City to be pursued during the Legislative Session.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE** that the Governing Body hereby adopts priorities for the Legislative Session, consistent with Resolution No. 2024-28 (adopting the City’s Infrastructure Capital Improvements Plan for 2026-2030) and as specified below.

1           1.       From any statewide capital outlay initiative associated with homelessness and housing,  
2 the City requests funding in the amount of \$5,000,000 for permanent and transitional housing to end  
3 veteran, youth, and chronic homelessness;

4           2.       From any statewide capital outlay initiative associated with water and wastewater, the  
5 City requests funding in the amount of \$4,500,000 for the replacement Paseo Real Wastewater  
6 Reclamation Facility;

7           3.       From any statewide capital outlay initiative associated with roads and transportation,  
8 the City requests funding in the amount of \$2,500,000 for the Arroyo De Los Chamisos/Richards  
9 Avenue project.

10          4.       From any statewide capital outlay initiative associated with airports, regional  
11 transportation and economic development, the City requests funding in the amount of \$10,000,000 for  
12 the Santa Fe Regional Airport Terminal Expansion Phase II.

13          5.       From any statewide capital outlay initiative associated with economic development,  
14 affordable housing, and urban redevelopment, the City requests funding in the amount of \$5,000,000  
15 for the Midtown Redevelopment Infrastructure Improvements.

16               **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-12  
17 (establishing next steps for the Midtown Property), the Governing Body requests the Legislature enact  
18 a Joint Resolution ratifying and approving the transfer of one or more tracts of City-owned real property  
19 to the State of New Mexico Department of Public Safety in trade and exchange for the transfer of  
20 multiple tracts of State-owned real property to the City of Santa Fe, New Mexico for the Midtown  
21 Redevelopment Project.

22               **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that funds the  
23 New Mexico Department of Transportation for safety and multimodal improvements and pavement  
24 rehabilitation of New Mexico 475 (being Hyde Park Road) and Cerrillos Road Phase III Construction.

25               **BE IT FURTHER RESOLVED** that the Governing Body supports ~~any~~ legislation that

1 enhances the Downtown Improvement District of Santa Fe including such items as revised streetscapes,  
2 improved signage, placemaking, Americans with Disabilities Act considerations, and litter collection.

3 **BE IT FURTHER RESOLVED** that the Governing Body renews its request that the  
4 Legislature support legislation that promotes water reuse and water planning and other legislation  
5 designed to improve overall sustainability at the state and local level.

6 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
7 endorsement of ~~any~~ legislation that would support municipal recycling programs and other programs  
8 that support recycling market development.

9 **BE IT FURTHER RESOLVED** that the Governing Body hereby establishes the following  
10 City Council District capital outlay legislative funding priorities for improvements of citywide  
11 infrastructure for consideration by the Legislature during the Legislative Session:

12 1. For a capital outlay initiative located within **City Council District 1, \$1,000,000** to  
13 construct a replacement Santa Fe River Pedestrian Bridge at Shelby St.

14 2. For a capital outlay initiative located within **City Council District 2, \$1,000,000** for  
15 the Ragle Park Baseball Field Upgrades.

16 3. For a capital outlay initiative located within **City Council District 3, \$1,000,000** for  
17 the Municipal Recreation Complex Irrigation System Upgrades to conserve water and steward turf.

18 4. For a capital outlay initiative located within **City Council District 4, \$1,000,000** for  
19 Rufina Street & Lopez Lane Intersection Improvements.

20 **BE IT FURTHER RESOLVED** that, consistent with Resolution No. 2023-32, the Governing  
21 Body hereby establishes the following capital outlay legislative funding priority for any initiative  
22 associated with public safety: **\$1,150,000** to plan, design, and construct much needed renovations of  
23 the Municipal Court building including adding security measures.

24 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses ~~any~~  
25 legislation that expressly provides that legislative appropriations are not subject to extra-statutory

1 limitations.

2 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation to place a  
3 constitutional referendum on the ballot to permit municipalities and counties to restrict firearms to the  
4 extent constitutionally permissible, while continuing to disallow municipalities and counties from  
5 regulating firearms in a manner that is less restrictive than the State.

6 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses the  
7 following firearms legislation:

- 8 1. Creation of a New Mexico Office of Gun Violence Prevention;
- 9 2. Funding for regional and/or local collaboration to address youth gun violence;
- 10 3. Raising the age of purchase for certain rifles;
- 11 4. Placing a ban on assault-style weapons;
- 12 5. Creating mandatory minimum sentencing for illegal firearms trafficking; and
- 13 6. Enhancing the penalty for the illegal possession of a firearm during any crime, including  
14 during the illegal sale of drugs;
- 15 7. Updating the Extreme Risk Firearm Protection Order Act, or “Red Flag” statute, to allow  
16 law enforcement to act as a petitioner.

17 **BE IT FURTHER RESOLVED** that the Governing Body supports continued funding for the  
18 Violence Intervention Program fund, including money for operational capacity.

19 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses funding for  
20 interventions and responses to domestic violence, sexual assault, and human trafficking, including the  
21 expansion of a coordinated, comprehensive approach that benefits both the survivor and the perpetrator.

22 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
23 endorsement of the establishment of the Santa Fe County Detox Center that would serve the residents  
24 of Santa Fe and northern New Mexico.

25 **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-47

1 (supporting state and federal legislation protecting the right to a safe abortion), the Governing Body  
2 endorses ~~any~~ legislation that supports reproductive rights and that would codify the right to safe  
3 abortion into law.

4 **BE IT FURTHER RESOLVED** that, as is consistent with initiatives such as what is contained  
5 in Resolution No. 2024-29, the Governing Body supports the rights of the LGBTQIA+ population such  
6 that every individual, regardless of the individual’s reproductive choices, sexual orientation, or gender  
7 identity, can live, work, and pursue their dreams free from discrimination and prejudice and supports  
8 ~~any~~ legislation that preserves and protects the rights of the LGBTQIA+ community.

9 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses ~~any~~  
10 legislation and allocation of funding designed to interrupt intergenerational cycles of poverty, such as  
11 appropriations for operations of a state-wide pilot program that provides a monthly, guaranteed income.

12 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses funding  
13 mental health and behavioral health programs focused on addressing the needs of residents and  
14 individuals struggling with mental illness and/or substance abuse or addiction, including the expansion  
15 or augmentation of treatment opportunities and facilities to support that treatment.

16 **BE IT FURTHER RESOLVED** that the Governing Body endorses ~~any~~ legislation that  
17 supports meaningful partnerships between State, county, and municipal governmental agencies to  
18 address fentanyl as a health crisis by removing barriers to services for those struggling with addiction,  
19 and supporting the coordination of response efforts, and funding such initiatives.

20 **BE IT FURTHER RESOLVED** that, as is consistent MOA No. 2020-0629, the Governing  
21 Body supports ~~any~~ legislation dedicated to the City and Santa Fe County partnership program,  
22 “CONNECT,” defined by the City and County as “a network of navigators at clinics, community  
23 organizations, and city and county programs,” which has successfully connected approximately ten  
24 thousand (10,000) Santa Fe County residents with resources such as housing, food, transportation,  
25 childcare, and other essential needs.

1           **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that improves  
2 and affirms the City’s multicultural initiatives and programs, including but not limited to Mariachi  
3 Competitions, Spanish-Language Music Festivals, Powwow Grounds, Spanish-Language literary  
4 festivals, Sister City Student Exchange programs, , culture-specific TED Talks, and that uplifts the  
5 pride and acknowledgement of the City’s diverse history, specifically as it relates to associated  
6 community development.

7           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
8 endorsement of **any** legislation that supports the development and construction of affordable and  
9 workforce housing to decrease and/or subsidize the cost of housing for residents of Santa Fe and New  
10 Mexico.

11           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses **any**  
12 legislation that increases housing availability, including transitional housing options tailored to the  
13 individual’s needs, and expands available social services for homeless families and individuals,  
14 including those who are chronically homeless, veterans experiencing homelessness, and young people  
15 experiencing homelessness, as well as those living in outdoor unsupervised encampments.

16           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
17 endorsement of **any** legislation that slows down the timeline for eviction, connects tenants to rental  
18 assistance resources, and improves opportunities for mediation between renters and landlords.

19           **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-52 (affirming  
20 the partnership of the City and Santa Fe County to develop strategies to end homelessness), the  
21 Governing Body supports and endorses appropriations for the expansion of program staff that supports  
22 the goals of housing preservation and homelessness prevention, emergency shelter, building housing  
23 units, individual housing vouchers, project-based housing vouchers, supportive services, and system  
24 infrastructure;

25           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses

1 appropriations for mental health and behavioral health programs, including the development of the  
2 Santa Fe County’s Youth Behavioral Health Center and the La Salla Center, focused on addressing the  
3 needs of residents and individuals struggling with mental illness and/or substance abuse or addiction,  
4 including the expansion or augmentation of treatment opportunities and facilities to support that  
5 treatment.

6 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
7 endorsement of **any** legislation that replenishes and seeks a recurring funding source to support New  
8 Mexico Mortgage Finance Authority’s Housing Trust Fund.

9 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
10 promoting the facilitation of community efforts to address the cleanup of trash, litter, and weeds which  
11 may include methods such as using compost and chipping, with a specific emphasis on elevating the  
12 quality of the City’s roadways, rights of way, medians, arroyos, open spaces, trails, and parks.

13 **BE IT FURTHER RESOLVED** that the Governing Body supports the creation of and funding  
14 for a state-wide litter prevention and reduction program through messaging, marketing, advertising,  
15 and communications, such as public service announcements or new campaigns that will encourage all  
16 New Mexicans, as well as Santa Feans, to stop putting trash, litter, or other throw-away items into the  
17 streets, roadways, highways, freeways, parks, and other public spaces across the state.

18 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
19 or appropriations to improve the environment, enhance the quality of the City’s public spaces, and  
20 achieve its sustainability goals, including but not limited to funding for projects and programs that  
21 support water conservation, erosion control, tree planting, biodiversity, outdoor recreation, and public  
22 art.

23 **BE IT FURTHER RESOLVED** that that Governing Body re-affirms its support for and  
24 endorsement of **any** legislation that establishes an “extended producer responsibility” program that  
25 requires manufacturers and retailers to be responsible for the costs associated with a product throughout

1 its life cycle, from creation to disposal, and/or re-use.

2 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
3 endorsement of **any** legislation that advances the environmental sustainability goals of the City,  
4 including renewable energy generation and storage, building electrification, public transportation and  
5 complete streets, carbon neutrality or net-zero greenhouse gas emissions, as well as continued support  
6 for implementation of the Community Solar Act and funding for watershed restoration and forest fire  
7 mitigation.

8 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
9 endorsement of **any** legislation that would expand the Air Quality Control Act, NMSA 1978, § 74-2-  
10 2(J), to include an express option for local governments to opt-in to an emissions inspections program.

11 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses **any**  
12 legislation that funds the New Mexico Climate Investment Center to combat climate change that would  
13 increase green infrastructure development, energy conservation and sustainability measures, and access  
14 to funding for green energy investments for assisting lower-income individuals and families, rural  
15 communities, and pueblos.

16 **BE IT FURTHER RESOLVED** that the Governing body supports continued analysis and  
17 study of how to improve emergency response, preparation, and management strategies for addressing  
18 environmental and radiological emergencies, which could include climate change adaptation strategies  
19 and improvement to and development of emergency management infrastructure.

20 **BE IT FURTHER RESOLVED** that the Governing Body supports appropriations to New  
21 Mexico's Department of Cultural Affairs in support of the expansion of local library programming for  
22 local communities.

23 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
24 endorsement of **any** legislation that would improve and expand early childhood education, with an  
25 emphasis on the following initiatives: infant and toddler care; capital improvements for center-based

1 and in-home care; stipend-based training opportunities for the family, friends, and neighbor network  
2 (FFN); and investment in pre-apprentice and apprenticeship programs to develop the early childcare  
3 educator pipeline.

4 **BE IT FURTHER RESOLVED** that the Governing Body endorses **any** legislation that  
5 supports childcare as a guaranteed, basic right for families.

6 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation for early  
7 childcare apprenticeship and pre-apprenticeship programs, including expansion of the workforce to run  
8 such programs.

9 **BE IT FURTHER RESOLVED** that the City continues to support statewide paid sick leave  
10 legislation, as described in the City’s Resolution No. 2021-11, unanimously passed by the members of  
11 the Governing Body in 2021.

12 **BE IT FURTHER RESOLVED** that the Governing Body urges the legislature to address the  
13 underfunding of the Public Employees Retirement Association pension plans.

14 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
15 endorsement of **any** legislation that would increase funding for the New Mexico Tourism Department  
16 for use in advertising, a state-wide co-op grant program, and expansion of its advertising scope to  
17 include new markets with strong potential for travel to the state.

18 **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to oppose  
19 **any** legislation introduced during the Legislative Session deemed to be detrimental to the City.

20 **BE IT FURTHER RESOLVED** that the Governing Body renews its requests that the  
21 Legislature ensure that hold harmless payments to counties and municipalities are not eliminated or  
22 further reduced and returned to their original schedule; ensure that any tax reform continues to hold  
23 counties and municipalities harmless in lieu of the enactment of legislation reinstating the gross receipts  
24 tax on food and medical; and that protects local governments’ annual revenues if the Legislature enacts  
25 legislation modifying State gross receipts tax deductions and exemptions.

1           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
2 that expands the permitted uses of existing lodgers’ tax or creates an additional lodgers’ tax, to defray  
3 the cost of providing affordable housing, permanent supportive housing and addressing the needs of  
4 low-income people by providing wraparound services such as childcare and/or that leverages federal  
5 funding for affordable housing.

6           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
7 endorsement of ~~any~~ legislation that would eliminate the three percent (3%) cap on annual property tax  
8 increases on residences that are not owner-occupied as the owner’s principal place of residence.

9           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
10 endorsement of legislation during the Legislative Session that would allow for a New Mexico Public  
11 Bank owned by and for the people of New Mexico that would direct the State’s investment decisions  
12 to support and diversify the economy including achieving goals in education, eco-tourism, food  
13 security, solar energy installations, broadband expansion, health clinic upgrades, and clean energy  
14 infrastructure projects, by keeping New Mexico’s money in New Mexico.

15           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses ~~any~~  
16 legislation that increases the likelihood of local governments recruiting, retaining, promoting, and  
17 housing first responders and Alternative Response Unit case workers and behavioral health employees  
18 in the communities in which they serve to improve public safety and enhance emergency response  
19 capacity.

20           **BE IT FURTHER RESOLVED** that the Governing Body renews its requests that the  
21 Legislature appropriate money from the general fund to support the City’s “Alternative Response Unit”,  
22 which allows law enforcement officers to work with the Santa Fe Fire Department and with case  
23 managers under the supervision of a licensed Clinical Social Worker to redirect persons who are  
24 experiencing non-violent mental health episodes, public intoxication, and/or who may be suspected of  
25 involvement in non-violent, low-level crimes, to alternative, community-based services in lieu of

1 prosecution or jail.

2 **BE IT FURTHER RESOLVED**, if the New Mexico Supreme Court adopts the proposed case  
3 management order for the First Judicial district, then the State will allocate funding to the impacted  
4 criminal justice agencies, including law enforcement, to ensure sufficient funding to allow them to  
5 comply with the order.

6 ~~**BE IT FURTHER RESOLVED**, that the Legislature should adopt interpretive language  
7 regarding the terms “dangerousness” and “safety” with respect to Article II, Section 13 of the New  
8 Mexico State Constitution, disallowing a narrow reading of those terms.~~

9 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that creates a  
10 major entertainment venue in Santa Fe for sports, concerts, and music festivals throughout the state,  
11 specifically as it relates to associated economic development.

12 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
13 endorsement of ~~any~~ legislation that improves broadband infrastructure throughout the state, specifically  
14 as it relates to associated community and economic development.

15 **BE IT FURTHER RESOLVED** that the Governing Body renews its request that the  
16 Legislature adopt legislation that pertains to statewide business licensing to permit business owners to  
17 operate in all cities, counties, and municipalities, provided business owners comply with local land use  
18 and safety requirements.

19 **BE IT FURTHER RESOLVED** that the Governing Body supports ~~any~~ legislation that  
20 improves small business diversity throughout the state, specifically as it relates to increased tourism  
21 and associated economic development.

22 **BE IT FURTHER RESOLVED** that the Governing Body supports ~~any~~ legislation that  
23 supports mixed-use manufacturing with associated workforce housing, community convenience  
24 amenities, walkability, and sustainability, such as the El Lucero Development, specifically as small  
25 business manufacturing relates to associated community and economic development.

1           **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that increases  
2 economic mobility efforts, specifically as these efforts relate to community and economic development.

3           **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that promotes  
4 equity and entrepreneurship for the City’s Hispanic Spanish-language speaking and immigrant  
5 entrepreneur communities and provides increased diversity in the City’s efforts for resilient economic  
6 development.

7           **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to work  
8 with the New Mexico Municipal League in support of ~~any~~ Municipal League 2025 Legislative Priority  
9 from which the City would benefit from the passage of such initiative.

10           **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to ~~make~~  
11 ~~any~~ prioritize capital outlay projects ~~directly or indirectly~~ included in the City ICIP Priority List ~~a~~  
12 ~~priority~~.

13           **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to work  
14 to advance any legislation introduced during the Legislative Session deemed to be beneficial to the  
15 City.

16           **BE IT FURTHER RESOLVED** that while this Resolution represents a majority of the intent  
17 of the Governing Body as to 2025 legislative priorities, other timely priorities may be approved by the  
18 Governing Body, incorporated into the City’s legislative agenda, and forwarded to the City’s lobbying  
19 team for action.

20           **BE IT FURTHER RESOLVED** that the City Clerk be directed to forward a copy of this  
21 Resolution to the City’s lobbyist, the City’s legislative delegation, and the Governor of New Mexico.

22                           PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_, 2024.  
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ALAN WEBBER, MAYOR

ATTEST:

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GERALYN F. CARDENAS SALAZAR, INTERIM CITY CLERK

APPROVED AS TO FORM:

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ERIN K. McSHERRY, CITY ATTORNEY

*Legislation/2024/Resolutions/Legislative Priorities 2025*

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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2024-**

**INTRODUCED BY:**

Mayor Alan Webber

GREEN – Amendment B M. Garcia

**A RESOLUTION**

**ESTABLISHING THE CITY OF SANTA FE’S PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 57<sup>TH</sup> LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2025.**

**WHEREAS**, the 60-day Legislative Session (“Legislative Session”) of the 2025 New Mexico State Legislature (“Legislature”) begins on January 21, 2025, and ends on March 22, 2025; and

**WHEREAS**, the Governing Body desires to establish City of Santa Fe (“City”) legislative priorities to be considered by the City’s legislative delegation and the Legislature; and

**WHEREAS**, the Governing Body’s legislative priorities include City-wide capital outlay priorities, statutory priorities, general fund priorities, City Council District capital outlay priorities, and other legislative priorities beneficial to the City to be pursued during the Legislative Session.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE** that the Governing Body hereby adopts priorities for the Legislative Session, consistent with Resolution No. 2024-28 (adopting the City’s Infrastructure Capital Improvements Plan for 2026-2030) and as specified below.

1           1.       From any statewide capital outlay initiative associated with homelessness and housing,  
2 the City requests funding in the amount of \$5,000,000 for permanent and transitional housing to end  
3 veteran, youth, and chronic homelessness;

4           2.       From any statewide capital outlay initiative associated with water and wastewater, the  
5 City requests funding in the amount of \$4,500,000 for the replacement Paseo Real Wastewater  
6 Reclamation Facility;

7           3.       From any statewide capital outlay initiative associated with roads and transportation,  
8 the City requests funding in the amount of \$2,500,000 for the Arroyo De Los Chamisos/Richards  
9 Avenue project.

10          4.       From any statewide capital outlay initiative associated with airports, regional  
11 transportation and economic development, the City requests funding in the amount of \$10,000,000 for  
12 the Santa Fe Regional Airport Terminal Expansion Phase II.

13          5.       From any statewide capital outlay initiative associated with economic development,  
14 affordable housing, and urban redevelopment, the City requests funding in the amount of \$5,000,000  
15 for the Midtown Redevelopment Infrastructure Improvements.

16           **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-12  
17 (establishing next steps for the Midtown Property), the Governing Body requests the Legislature enact  
18 a Joint Resolution ratifying and approving the transfer of one or more tracts of City-owned real property  
19 to the State of New Mexico Department of Public Safety in trade and exchange for the transfer of  
20 multiple tracts of State-owned real property to the City of Santa Fe, New Mexico for the Midtown  
21 Redevelopment Project.

22           **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that funds the  
23 New Mexico Department of Transportation for safety and multimodal improvements and pavement  
24 rehabilitation of New Mexico 475 (being Hyde Park Road) and Cerrillos Road Phase III Construction.

25           **BE IT FURTHER RESOLVED** that the Governing Body supports any legislation that

1 enhances the Downtown Improvement District of Santa Fe including such items as revised streetscapes,  
2 improved signage, placemaking, Americans with Disabilities Act considerations, and litter collection.

3 **BE IT FURTHER RESOLVED** that the Governing Body renews its request that the  
4 Legislature support legislation that promotes water reuse and water planning and other legislation  
5 designed to improve overall sustainability at the state and local level.

6 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
7 endorsement of any legislation that would support municipal recycling programs and other programs  
8 that support recycling market development.

9 **BE IT FURTHER RESOLVED** that the Governing Body hereby establishes the following  
10 City Council District capital outlay legislative funding priorities for improvements of citywide  
11 infrastructure for consideration by the Legislature during the Legislative Session:

12 1. For a capital outlay initiative located within **City Council District 1, \$1,000,000** to  
13 construct a replacement Santa Fe River Pedestrian Bridge at Shelby St.

14 2. For a capital outlay initiative located within **City Council District 2, \$1,000,000** for  
15 the Ragle Park Baseball Field Upgrades.

16 3. For a capital outlay initiative located within **City Council District 3, \$1,000,000** for  
17 the Municipal Recreation Complex Irrigation System Upgrades to conserve water and steward turf.

18 4. For a capital outlay initiative located within **City Council District 4, \$1,000,000** for  
19 Rufina Street & Lopez Lane Intersection Improvements.

20 **BE IT FURTHER RESOLVED** that, consistent with Resolution No. 2023-32, the Governing  
21 Body hereby establishes the following capital outlay legislative funding priority for any initiative  
22 associated with public safety: **\$1,150,000** to plan, design, and construct much needed renovations of  
23 the Municipal Court building including adding security measures.

24 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
25 legislation that expressly provides that legislative appropriations are not subject to extra-statutory

1 limitations.

2 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation to place a  
3 constitutional referendum on the ballot to permit municipalities and counties to restrict firearms to the  
4 extent constitutionally permissible, while continuing to disallow municipalities and counties from  
5 regulating firearms in a manner that is less restrictive than the State.

6 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses the  
7 following firearms legislation:

- 8 1. Creation of a New Mexico Office of Gun Violence Prevention;
- 9 2. Funding for regional and/or local collaboration to address youth gun violence;
- 10 3. Raising the age of purchase for certain rifles;
- 11 4. Placing a ban on assault-style weapons;
- 12 5. Creating mandatory minimum sentencing for illegal firearms trafficking; and
- 13 6. Enhancing the penalty for the illegal possession of a firearm during any crime, including  
14 during the illegal sale of drugs;
- 15 7. Updating the Extreme Risk Firearm Protection Order Act, or “Red Flag” statute, to allow  
16 law enforcement to act as a petitioner.

17 **BE IT FURTHER RESOLVED** that the Governing Body supports continued funding for the  
18 Violence Intervention Program fund, including money for operational capacity.

19 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses funding for  
20 interventions and responses to domestic violence, sexual assault, and human trafficking, including the  
21 expansion of a coordinated, comprehensive approach that benefits both the survivor and the perpetrator.

22 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
23 endorsement of the establishment of the Santa Fe County Detox Center that would serve the residents  
24 of Santa Fe and northern New Mexico.

25 **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-47

1 (supporting state and federal legislation protecting the right to a safe abortion), the Governing Body  
2 endorses any legislation that supports reproductive rights and that would codify the right to safe  
3 abortion into law.

4 **BE IT FURTHER RESOLVED** that, as is consistent with initiatives such as what is contained  
5 in Resolution No. 2024-29, the Governing Body supports the rights of the LGBTQIA+ population such  
6 that every individual, regardless of the individual’s reproductive choices, sexual orientation, or gender  
7 identity, can live, work, and pursue their dreams free from discrimination and prejudice and supports  
8 any legislation that preserves and protects the rights of the LGBTQIA+ community.

9 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
10 legislation and allocation of funding designed to interrupt intergenerational cycles of poverty, such as  
11 appropriations for operations of a state-wide pilot program that provides a monthly, guaranteed income.

12 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses funding  
13 mental health and behavioral health programs focused on addressing the needs of residents and  
14 individuals struggling with mental illness and/or substance abuse or addiction, including the expansion  
15 or augmentation of treatment opportunities and facilities to support that treatment.

16 **BE IT FURTHER RESOLVED** that the Governing Body endorses any legislation that  
17 supports meaningful partnerships between State, county, and municipal governmental agencies to  
18 address fentanyl as a health crisis by removing barriers to services for those struggling with addiction,  
19 and supporting the coordination of response efforts, and funding such initiatives.

20 **BE IT FURTHER RESOLVED** that, as is consistent MOA No. 2020-0629, the Governing  
21 Body supports any legislation dedicated to the City and Santa Fe County partnership program,  
22 “CONNECT,” defined by the City and County as “a network of navigators at clinics, community  
23 organizations, and city and county programs,” which has successfully connected approximately ten  
24 thousand (10,000) Santa Fe County residents with resources such as housing, food, transportation,  
25 childcare, and other essential needs.

1 **BE IT FURTHER RESOLVED** that the Governing Body endorses legislation and funding  
2 that supports the rights of the disability community, that advances disability access in public spaces,  
3 and that allows for individuals to live, work, and pursue their dreams free from discrimination and  
4 prejudice.

5 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that improves  
6 and affirms the City’s multicultural initiatives and programs, including but not limited to Mariachi  
7 Competitions, Spanish-Language Music Festivals, Powwow Grounds, Spanish-Language literary  
8 festivals, Sister City Student Exchange programs, , culture-specific TED Talks, and that uplifts the  
9 pride and acknowledgement of the City’s diverse history, specifically as it relates to associated  
10 community development.

11 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
12 endorsement of any legislation that supports the development and construction of affordable and  
13 workforce housing to decrease and/or subsidize the cost of housing for residents of Santa Fe and New  
14 Mexico.

15 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
16 legislation that increases housing availability, including transitional housing options tailored to the  
17 individual’s needs, and expands available social services for homeless families and individuals,  
18 including those who are chronically homeless, veterans experiencing homelessness, and young people  
19 experiencing homelessness, as well as those living in outdoor unsupervised encampments.

20 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
21 endorsement of any legislation that slows down the timeline for eviction, connects tenants to rental  
22 assistance resources, and improves opportunities for mediation between renters and landlords.

23 **BE IT FURTHER RESOLVED** that, as is consistent with Resolution No. 2022-52 (affirming  
24 the partnership of the City and Santa Fe County to develop strategies to end homelessness), the  
25 Governing Body supports and endorses appropriations for the expansion of program staff that supports

1 the goals of housing preservation and homelessness prevention, emergency shelter, building housing  
2 units, individual housing vouchers, project-based housing vouchers, supportive services, and system  
3 infrastructure;

4 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses  
5 appropriations for mental health and behavioral health programs, including the development of the  
6 Santa Fe County's Youth Behavioral Health Center and the La Salla Center, focused on addressing the  
7 needs of residents and individuals struggling with mental illness and/or substance abuse or addiction,  
8 including the expansion or augmentation of treatment opportunities and facilities to support that  
9 treatment.

10 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
11 endorsement of any legislation that replenishes and seeks a recurring funding source to support New  
12 Mexico Mortgage Finance Authority's Housing Trust Fund.

13 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
14 promoting the facilitation of community efforts to address the cleanup of trash, litter, and weeds which  
15 may include methods such as using compost and chipping, with a specific emphasis on elevating the  
16 quality of the City's roadways, rights of way, medians, arroyos, open spaces, trails, and parks.

17 **BE IT FURTHER RESOLVED** that the Governing Body supports the creation of and funding  
18 for a state-wide litter prevention and reduction program through messaging, marketing, advertising,  
19 and communications, such as public service announcements or new campaigns that will encourage all  
20 New Mexicans, as well as Santa Feans, to stop putting trash, litter, or other throw-away items into the  
21 streets, roadways, highways, freeways, parks, and other public spaces across the state.

22 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
23 or appropriations to improve the environment, enhance the quality of the City's public spaces, and  
24 achieve its sustainability goals, including but not limited to funding for projects and programs that  
25 support water conservation, erosion control, tree planting, biodiversity, outdoor recreation, and public

1 art.

2 **BE IT FURTHER RESOLVED** that that Governing Body re-affirms its support for and  
3 endorsement of any legislation that establishes an “extended producer responsibility” program that  
4 requires manufacturers and retailers to be responsible for the costs associated with a product throughout  
5 its life cycle, from creation to disposal, and/or re-use.

6 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
7 endorsement of any legislation that advances the environmental sustainability goals of the City,  
8 including renewable energy generation and storage, building electrification, public transportation and  
9 complete streets, carbon neutrality or net-zero greenhouse gas emissions, as well as continued support  
10 for implementation of the Community Solar Act and funding for watershed restoration and forest fire  
11 mitigation.

12 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
13 endorsement of any legislation that would expand the Air Quality Control Act, NMSA 1978, § 74-2-  
14 2(J), to include an express option for local governments to opt-in to an emissions inspections program.

15 **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
16 legislation that funds the New Mexico Climate Investment Center to combat climate change that would  
17 increase green infrastructure development, energy conservation and sustainability measures, and access  
18 to funding for green energy investments for assisting lower-income individuals and families, rural  
19 communities, and pueblos.

20 **BE IT FURTHER RESOLVED** that the Governing body supports continued analysis and  
21 study of how to improve emergency response, preparation, and management strategies for addressing  
22 environmental and radiological emergencies, which could include climate change adaptation strategies  
23 and improvement to and development of emergency management infrastructure.

24 **BE IT FURTHER RESOLVED** that the Governing Body supports appropriations to New  
25 Mexico’s Department of Cultural Affairs in support of the expansion of local library programming for

1 local communities.

2 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
3 endorsement of any legislation that would improve and expand early childhood education, with an  
4 emphasis on the following initiatives: infant and toddler care; capital improvements for center-based  
5 and in-home care; stipend-based training opportunities for the family, friends, and neighbor network  
6 (FFN); and investment in pre-apprentice and apprenticeship programs to develop the early childcare  
7 educator pipeline.

8 **BE IT FURTHER RESOLVED** that the Governing Body endorses any legislation that  
9 supports childcare as a guaranteed, basic right for families.

10 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation for early  
11 childcare apprenticeship and pre-apprenticeship programs, including expansion of the workforce to run  
12 such programs.

13 **BE IT FURTHER RESOLVED** that the City continues to support statewide paid sick leave  
14 legislation, as described in the City’s Resolution No. 2021-11, unanimously passed by the members of  
15 the Governing Body in 2021.

16 **BE IT FURTHER RESOLVED** that the Governing Body endorses legislation for Paid  
17 Family and Medical Leave in support of providing care for new children and/or ill family members.

18 **BE IT FURTHER RESOLVED** that the Governing Body urges the legislature to address the  
19 underfunding of the Public Employees Retirement Association pension plans.

20 **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
21 endorsement of any legislation that would increase funding for the New Mexico Tourism Department  
22 for use in advertising, a state-wide co-op grant program, and expansion of its advertising scope to  
23 include new markets with strong potential for travel to the state.

24 **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to oppose  
25 any legislation introduced during the Legislative Session deemed to be detrimental to the City.

1           **BE IT FURTHER RESOLVED** that the Governing Body renews its requests that the  
2 Legislature ensure that hold harmless payments to counties and municipalities are not eliminated or  
3 further reduced and returned to their original schedule; ensure that any tax reform continues to hold  
4 counties and municipalities harmless in lieu of the enactment of legislation reinstating the gross receipts  
5 tax on food and medical; and that protects local governments' annual revenues if the Legislature enacts  
6 legislation modifying State gross receipts tax deductions and exemptions.

7           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses legislation  
8 that expands the permitted uses of existing lodgers' tax or creates an additional lodgers' tax, to defray  
9 the cost of providing affordable housing, permanent supportive housing and addressing the needs of  
10 low-income people by providing wraparound services such as childcare and/or that leverages federal  
11 funding for affordable housing.

12           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
13 endorsement of any legislation that would eliminate the three percent (3%) cap on annual property tax  
14 increases on residences that are not owner-occupied as the owner's principal place of residence.

15           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
16 endorsement of legislation during the Legislative Session that would allow for a New Mexico Public  
17 Bank owned by and for the people of New Mexico that would direct the State's investment decisions  
18 to support and diversify the economy including achieving goals in education, eco-tourism, food  
19 security, solar energy installations, broadband expansion, health clinic upgrades, and clean energy  
20 infrastructure projects, by keeping New Mexico's money in New Mexico.

21           **BE IT FURTHER RESOLVED** that the Governing Body supports and endorses any  
22 legislation that increases the likelihood of local governments recruiting, retaining, promoting, and  
23 housing first responders and Alternative Response Unit case workers and behavioral health employees  
24 in the communities in which they serve to improve public safety and enhance emergency response  
25 capacity.

1           **BE IT FURTHER RESOLVED** that the Governing Body renews its requests that the  
2 Legislature appropriate money from the general fund to support the City’s “Alternative Response Unit”,  
3 which allows law enforcement officers to work with the Santa Fe Fire Department and with case  
4 managers under the supervision of a licensed Clinical Social Worker to redirect persons who are  
5 experiencing non-violent mental health episodes, public intoxication, and/or who may be suspected of  
6 involvement in non-violent, low-level crimes, to alternative, community-based services in lieu of  
7 prosecution or jail.

8           **BE IT FURTHER RESOLVED**, if the New Mexico Supreme Court adopts the proposed case  
9 management order for the First Judicial district, then the State will allocate funding to the impacted  
10 criminal justice agencies, including law enforcement, to ensure sufficient funding to allow them to  
11 comply with the order.

12           **BE IT FURTHER RESOLVED**, that the Legislature should adopt interpretive language  
13 regarding the terms “dangerousness” and “safety” with respect to Article II, Section 13 of the New  
14 Mexico State Constitution, disallowing a narrow reading of those terms.

15           **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that creates a  
16 major entertainment venue in Santa Fe for sports, concerts, and music festivals throughout the state,  
17 specifically as it relates to associated economic development.

18           **BE IT FURTHER RESOLVED** that the Governing Body re-affirms its support for and  
19 endorsement of any legislation that improves broadband infrastructure throughout the state, specifically  
20 as it relates to associated community and economic development.

21           **BE IT FURTHER RESOLVED** that the Governing Body renews its request that the  
22 Legislature adopt legislation that pertains to statewide business licensing to permit business owners to  
23 operate in all cities, counties, and municipalities, provided business owners comply with local land use  
24 and safety requirements.

25           **BE IT FURTHER RESOLVED** that the Governing Body supports any legislation that

1 improves small business diversity throughout the state, specifically as it relates to increased tourism  
2 and associated economic development.

3 **BE IT FURTHER RESOLVED** that the Governing Body supports any legislation that  
4 supports mixed-use manufacturing with associated workforce housing, community convenience  
5 amenities, walkability, and sustainability, such as the El Lucero Development, specifically as small  
6 business manufacturing relates to associated community and economic development.

7 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that increases  
8 economic mobility efforts, specifically as these efforts relate to community and economic development.

9 **BE IT FURTHER RESOLVED** that the Governing Body supports legislation that promotes  
10 equity and entrepreneurship for the City’s Hispanic Spanish-language speaking and immigrant  
11 entrepreneur communities and provides increased diversity in the City’s efforts for resilient economic  
12 development.

13 **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to work  
14 with the New Mexico Municipal League in support of any Municipal League 2025 Legislative Priority  
15 from which the City would benefit from the passage of such initiative.

16 **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to make  
17 any capital outlay project directly or indirectly included in the City ICIP Priority List a priority.

18 **BE IT FURTHER RESOLVED** that the Governing Body directs the City’s lobbyist to work  
19 to advance any legislation introduced during the Legislative Session deemed to be beneficial to the  
20 City.

21 **BE IT FURTHER RESOLVED** that while this Resolution represents a majority of the intent  
22 of the Governing Body as to 2025 legislative priorities, other timely priorities may be approved by the  
23 Governing Body, incorporated into the City’s legislative agenda, and forwarded to the City’s lobbying  
24 team for action.

25 **BE IT FURTHER RESOLVED** that the City Clerk be directed to forward a copy of this

1 Resolution to the City’s lobbyist, the City’s legislative delegation, and the Governor of New Mexico.

2 PASSED, APPROVED, and ADOPTED this \_\_\_\_ day of \_\_\_\_, 2024.

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\_\_\_\_\_  
ALAN WEBBER, MAYOR

7 ATTEST:

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\_\_\_\_\_

10 GERALYN F. CARDENAS SALAZAR, INTERIM CITY CLERK

11 APPROVED AS TO FORM:

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\_\_\_\_\_

14 ERIN K. McSHERRY, CITY ATTORNEY

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6 *Legislation/2024/Resolutions/Legislative Priorities 2025*

**CITY OF SANTA FE, NEW MEXICO**  
**PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2024-\_\_**  
**2025 Legislative Priorities**

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**Mayor and Members of the City Council:**

**In relation to Resolution No. 2024-\_\_:**

**ESTABLISHING THE CITY OF SANTA FE'S PRIORITIES FOR CONSIDERATION BY  
THE NEW MEXICO STATE LEGISLATURE DURING THE 57<sup>TH</sup> LEGISLATURE –  
STATE OF THE NEW MEXICO – FIRST SESSION, 2025.**

**I intend to propose the following amendment(s)**

1. On page 6, line 1, *insert* the following paragraph:

**BE IT FURTHER RESOLVED** that the Governing Body endorses legislation and funding that supports the rights of the disability community, that advances disability access in public spaces, and that allows for individuals to live, work, and pursue their dreams free from discrimination and prejudice.

2. On page 9, line 12, insert the following paragraph:

**BE IT FURTHER RESOLVED** that the Governing Body endorses legislation for Paid Family and Medical Leave in support of providing care for new children and/or ill family members.

**This amendment WILL change the caption. \_\_\_\_\_**

**This amendment WILL NOT change the caption.  X**

Respectfully submitted,



\_\_\_\_\_  
Michael Garcia, Councilor

Approved as to Form:



\_\_\_\_\_  
Erin K. McSherry, City Attorney

10626.1(B)

ADOPTED: Public Works and Utilities Committee  
NOT ADOPTED: \_\_\_\_\_  
DATE: 11/18/2024

ANDRÉA SALAZAR, City Clerk



# CITY OF SANTA FE

## Memorandum

**Date:** September 17, 2024

**To:** Governing Body, Finance Committee, and Quality of Life

**From:** Casey Dalbor, Economic Development Associate *CJD*

**Via:** Johanna Nelson, Office of Economic Development Director *JN*

**RE:** Enabling the Santa Fe County Improvement Special Assessment Program in the City of Santa Fe

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### EXECUTIVE SUMMARY:

The proposed Resolution would allow for the Santa Fe County Improvement Special Assessment Program to operate within city of Santa Fe, pursuant to the New Mexico Improvement Special Assessment Act, codified as NMSA 1978, Sections 4-55D-1 to –10, and as Santa Fe County Ordinance 2024-8.

### BACKGROUND:

“Commercial Property Assessed Clean Energy” (“C-PACE”) programs are a type of financing structure enabled by state statute and local ordinance. As such, in 2023, the New Mexico Legislature passed the Improvement Special Assessment Act (“Act”), via House Bill 228, which authorized the Improvement Special Assessment Program. The Act provides an alternative source of financing for improvements to privately-owned commercial, agricultural, industrial property (including buildings on those properties) or any multi-family property of five or more dwelling units. The Act, Sections 4-55D-1 through 4-55D-10, NMSA 1978, allows counties to establish Improvement Special Assessment Programs (“Programs”) via ordinance. Santa Fe County established an Improvement Special Assessment Program on September 13, 2024, in Ordinance Number 2024-8 (“Ordinance”). The Act and Ordinance allow owners of eligible properties to obtain long-term financing from private capital providers for eligible energy efficiency, renewable energy, water conservation, and resiliency improvements for qualifying properties. C-PACE programs established by a county may apply within the boundaries of a municipality if the municipality adopts a resolution approving the administration of that county’s ordinance within the municipality.

### ATTACHMENTS:

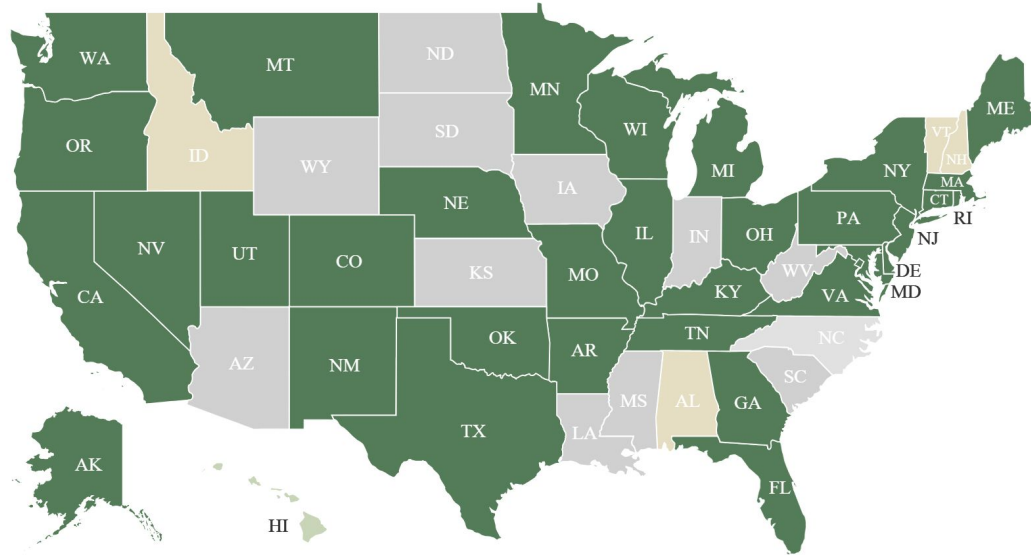
Resolution  
FIR  
Memo Attachment – New Mexico C-PACE Program

# NM C-PACE Program

## What is C-PACE?

- Commercial Property Assessed Clean Energy (C-PACE) is an alternative source of financing for improvements to commercial properties.
- Eligible properties include: any privately-owned commercial, agricultural, industrial, or multi-family property of five or more dwelling units. This includes properties owned by a not-for-profit organization.
- Covers the direct and indirect costs related to reducing energy or water consumption, generating renewable energy, or building resiliency.
- Over 90 C-PACE lenders and \$6.3 billion funded on over 3,200 commercial properties across the US.

# Active C-PACE Programs



## Map key



Active program(s)



Program in development



PACE-enabled

## How to establish the program?

- States authorize C-PACE programs by statute. This was done in New Mexico through the Improvement Special Assessment Act enacted in 2023 via House Bill 228.
- Counties and Municipalities need to opt in to the program via ordinance (or resolution for Municipalities) so that projects within their jurisdiction can use it.
- Adelante Consulting has been contracted by NM EDD to serve as statewide program administrator for the C-PACE Program.
- C-PACE Capital providers provide funds without any public dollars or subsidy.

# C-PACE Financing Process

1. Define the project and the portion eligible for C-PACE financing
2. The property owner and capital provider negotiate financial terms
3. Obtain a technical analysis of the project's utility savings
4. Obtain the consent of other lienholders on the property
5. The property owner/capital provider submits their application to the program administrator
6. The County signs and records 3 closing documents once a project application is approved
7. Payments are billed and collected by the capital provider but enforced like property taxes

# Typical Measures Funded by C-PACE



## General C-PACE Benefits

- Financing for 100% of direct and indirect costs;
- Fixed interest rates;
- Up to 30 years to repay;
- Secured by a property lien (not a personal guarantee); and
- Non-accelerable in the event of default.

# Benefits for Property Owners/Developers



- Overcome the up-front costs of a potential project
- Increase property value
- Lower operating costs through energy efficiency
- Special assessment is transferable upon sale

# Benefits for County/Municipal Governments



- More jobs are created
- Local building stock value is enhanced
- Carbon footprint of buildings is reduced
- Resiliency of buildings is improved
- Higher property tax payments

# Benefits for Capital Providers

- Stronger security for investors due to repayment via property tax bill
- Increased collateral value
- Increased cash flow

# Benefits for Existing Lienholders



- Enhance property value
- Improve building's longevity
- See collateral improved without increase in credit risk
- Financing only permitted with consent of all existing lienholders

# Frequently Asked Questions

- Q: Seniority of lienholders?
- A: From the statute - Written consent from any holder of a lien, mortgage or security interest in the real property that the property may participate in the program and that the special assessment lien shall have priority superior to all liens, claims and titles except a lien for general ad valorem property taxes or an improvement district lien that is coequal to property taxes.
- Q: Liability for local government?
- A: From the statute - A county is not liable in any way for the debt of the property owner, is not a third-party obligor and is not pledging or lending its credit to the property owner or the capital provider.

# Frequently Asked Questions

- Q: Who is responsible for the billing and collection of loans?
- A: From the guidebook - Billing, collection, and enforcement of delinquent Improvement Special Assessment Liens or Improvement Special Assessment financing installment payments, including foreclosure, are the responsibility of the Capital Provider.
- Q: How are interest rates determined?
- A: From the guidebook - Interest rates are negotiated in a Special Assessment Financing Agreement between the Property Owner and the Capital Provider.

# Frequently Asked Questions

- Q: What are the administrative fees associated with C-PACE?
- A: The Program Administrator's fees are outlined in the program guidebook and are paid at closing along with any required fees by the County for signing and recording the closing documents.
- Q: What is the responsibility of the program administrator?
- A: Responsibilities include:
  - Supporting interested Counties/Municipalities to opt in
  - Processing all project applications
  - Providing educational outreach and answering C-PACE questions for any interested stakeholders
  - Providing semi-annual reports on the C-PACE financing loan portfolio

# Updates for New Mexico

- Counties connected with: Bernalillo, Doña Ana, Santa Fe, Sandoval, Valencia, McKinley, Curry, Taos, and Los Alamos.
- Bernalillo County introduced their C-PACE ordinance on April 9th, 2024 and final adoption is expected on May 28th.
- Albuquerque to introduce their resolution on May 20th, 2024.
- The NM C-PACE website is launched: [www.nmcpace.com](http://www.nmcpace.com)
- Connected to 9 out-of-state capital providers with C-PACE financing experience
- Reaching out to credit unions & other local financial institutions

## Contact Information

- Email: [info@nmcpace.com](mailto:info@nmcpace.com) or [echristensen@adelanteconsulting.com](mailto:echristensen@adelanteconsulting.com)
- Phone: (505) 788-7117
- Website: [www.nmcpace.com](http://www.nmcpace.com)

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2024-\_\_**

3 **INTRODUCED BY:**

4  
5 Mayor Alan Webber

6 Councilor Jamie Cassutt

7  
8  
9  
10 **A RESOLUTION**

11 **ENABLING THE SANTA FE COUNTY IMPROVEMENT SPECIAL ASSESSMENT**  
12 **PROGRAM IN THE CITY OF SANTA FE.**

13  
14 **WHEREAS**, in 2023, the New Mexico legislature passed the “Improvement Special  
15 Assessment Act,” codified as NMSA 1978, Sections 4-55D-1 to -10 (“Act”), which allows counties  
16 to establish “Improvement Special Assessment” programs; and

17 **WHEREAS**, Section 4-55D-3 of the Act states that a county may establish a program by  
18 county ordinance and that the county ordinance may apply within the boundaries of a municipality,  
19 if the municipality adopts a resolution or ordinance approving the use of the county’s ordinance  
20 within that municipality; and

21 **WHEREAS**, Santa Fe County (“County”) adopted its Improvement Special Assessment  
22 Program (“Program”) through County Ordinance No. 2024-8, attached as Exhibit A; and

23 **WHEREAS**, the Act and Program allow owners of certain properties (“Eligible  
24 Properties”) to obtain long-term financing from private capital providers for certain property  
25 improvements for energy efficiency, renewable energy, water conservation, and resiliency; and

1           **WHEREAS**, the private capital providers cover the direct and indirect costs for reducing  
2 Eligible Properties’ energy and water consumption; and

3           **WHEREAS**, under the Program, Eligible Properties include any privately-owned  
4 commercial, agricultural, or industrial properties (including buildings on those properties), and  
5 multi-family properties with five or more dwelling units, including properties owned by not-for-  
6 profit organizations; and

7           **WHEREAS**, the Program requires that qualifying improvements for Eligible Properties  
8 are permanent improvements, affixed to the real property and that they meet at least one of the  
9 following improvement types (“Qualifying Improvements”):

- 10           1) Measures, equipment, or devices that result in a decrease in consumption of or demand  
11           for electricity or natural gas;
- 12           2) Energy systems that generate energy by use of low-or-zero-emissions generation  
13           technology with substantial long-term production, including solar, wind, and  
14           geothermal resources, fuel cell equipment using an electrochemical process to generate  
15           electricity and heat, and/or biomass resources;
- 16           3) Measures, equipment, or devices that decrease the consumption of or demand for  
17           water, that address safe drinking water, or that eliminate lead from water used for  
18           drinking or cooking;
- 19           4) Improvements that increase the resilience of a property, including air quality, flood  
20           mitigation, storm water management, energy storage and microgrids, alternative  
21           vehicle charging stations, or fire or wind resistance or inundation adaptation; and

22           **WHEREAS**, the Program requires that the record owner of title of an Eligible Property  
23 work with a capital provider to submit an application to the County’s approved program  
24 administrator; and

25           **WHEREAS**, after the owner completes the application submission, the program

1 administrator determines whether the application meets the guidelines of the Program, and, if the  
2 application meets the guidelines, then the property owner enters into a special assessment financing  
3 agreement with the capital provider; and

4 **WHEREAS**, once the property owner and capital provider enter into a special assessment  
5 financing agreement, the Program requires that the County sign the final closing documents; and

6 **WHEREAS**, the Governing Body would like the Program to be available for properties in  
7 the city of Santa Fe.

8 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
9 **CITY OF SANTA FE** that the City of Santa Fe (“City”) accepts the Program, thus enabling it to  
10 apply within the city.

11 **BE IT FURTHER RESOLVED** that the City shall impose no restrictions on Qualifying  
12 Improvements or Eligible Properties, other than those imposed by Santa Fe County or the State of  
13 New Mexico.

14 **BE IT FURTHER RESOLVED** that the Program is effective upon adoption of this  
15 Resolution.

16 PASSED, APPROVED, and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

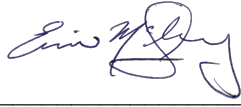
17  
18 \_\_\_\_\_  
19 ALAN WEBBER, MAYOR

20  
21 ATTEST:

22  
23 \_\_\_\_\_  
24 ANDRÉA SALAZAR, CITY CLERK  
25

1 APPROVED AS TO FORM:

2



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4 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2024/Resolutions/Commercial Property Assessed Clean Energy*

**SANTA FE COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**ORDINANCE NO. 2024-08**

---

**AN ORDINANCE  
ENACTING AN IMPROVEMENT SPECIAL ASSESSMENT PROGRAM  
WITHIN SANTA FE COUNTY; DESIGNATING OFFICIAL OR  
OFFICIALS TO ADMINISTER THE PROGRAM AND EXECUTE  
NECESSARY DOCUMENTS TO ENABLE SPECIAL ASSESSMENT  
FINANCING WITHIN SANTA FE COUNTY; APPROVING THE  
PROGRAM GUIDEBOOK AND RELATED DOCUMENTS REQUIRED  
TO IMPLEMENT THE PROGRAM; AND PROVIDING FOR OTHER  
MATTERS PROPERLY RELATING THERETO.**

---

**SECTION 1. SHORT TITLE.**

This Ordinance shall be cited as “Improvement Special Assessment Program Ordinance,” hereinafter referred to as the “Ordinance.”

**SECTION 2. PURPOSE.**

The purpose of this Ordinance is to implement Santa Fe County’s Improvement Special Assessment Program (the “Program”).

**SECTION 3. FINDINGS.**

A. The Improvement Special Assessment Act, NMSA 1978, Sections 4-55D-1 through 4-55D-10 (the “Act”) allows owners of eligible commercial property to obtain long-term financing from private Capital Providers (defined below) for qualifying energy efficiency, renewable energy, water conservation, and resiliency improvements for qualifying buildings; and

B. The Act allows individual counties to create Improvement Special Assessment programs to allow buildings to become more efficient and resilient; and

C. The New Mexico Economic Development Department has made available a program guidebook in conformance with the requirements of the Act; and

D. Voluntary Special Assessment Financing (defined below) is secured by a senior lien on the property recorded by the County and repaid to the Capital Provider through the levy of a voluntary assessment collected by the Capital Provider; and

E. Property taxes assessed by the County on eligible property benefited by improvements remain superior to the Special Assessment Lien (defined below); and

F. Assessments for Special Assessment Financing is non-accelerating, meaning only current or past due payments can be collected, while future payments are the responsibility of whomever owns the property at the time; and

G. The Improvement Special Assessment repayment obligation transfers automatically to the next owner if the property is sold, spreading the cost of qualifying improvements over the useful life of the measures; and

H. The financing of Eligible Improvements (defined below), repaid by special assessments on eligible property benefited by such improvements, is in the interest of public health, safety and welfare; and

I. The County's adoption of the Program is necessary and advisable to meet the needs of the County and its residents; and

J. The Program is designed to have no impact on County liabilities or finances.

#### **SECTION 4. AUTHORITY.**

The Act allows counties to establish Improvement Special Assessment programs.

#### **SECTION 5. DEFINITIONS.**

The definitions in this section apply throughout this Ordinance unless the context clearly requires otherwise.

- (1) "Application Checklist" means the list of items in a Project Application required by the Act, this Ordinance, and the Program Guidebook, and the corresponding documentation that the County accepts in order to show the application requirements are met.
- (2) "Capital Provider" means a private entity or its designee, successor or assigns that finances or refinances an Eligible Improvement pursuant to the Act;
- (3) "County" means Santa Fe County;
- (4) "Eligible Improvement" means a permanently affixed Energy Efficiency Improvement, Renewable Energy Improvement, Water Conservation Improvement or Resiliency Improvement installed on Eligible Property as part of the construction or renovation of the property;

- (5) "Eligible Property" means privately owned commercial, industrial, or agricultural or nonprofit real property or multifamily residential real property with five or more dwelling units, including real property owned by an entity formally recognized as tax exempt pursuant to the Internal Revenue Code of 1986, as amended. Eligible Property may include ground leases on Eligible Property;
- (6) "Energy Efficiency Improvement" means measures, equipment or devices that result in a decrease in consumption of or demand for electricity or natural gas;
- (7) "local government" means a municipality, county or other general function governmental unit established by state law;
- (8) "municipal" or "municipality" means any incorporated city, town or village, whether incorporated under general act, special act or special charter, incorporated counties and H class counties;
- (9) "Ordinance" means this ordinance adopted by the County pursuant to the Act to establish a program within the Region;
- (10) "Program" means the Special Assessment program established under this Ordinance;
- (11) "Program Administrator" means Adelante Consulting Inc., which has a contract with the State to administer the Program at no cost to the County and which is hereby designated by the County to administer the program in Santa Fe County;
- (12) "Program Guidebook" means the comprehensive document that is adopted under this Ordinance and is substantively in the form of Program Guidebook made available by the New Mexico Department of Economic Development.
- (13) "Project Application" means an application submitted to the Program Administrator to demonstrate that a proposed project qualifies for Special Assessment Financing pursuant to the Program;
- (14) "Property Owner" means the owner of the eligible property for eligible improvements.
- (15) "Region" means the geographical area designated pursuant to Section 2 of this Ordinance for the Program;
- (16) "Renewable Energy Improvement" means an energy system that generates energy by use of low- or zero-emissions generation technology with substantial long-term

production, including solar, wind and geothermal resources, fuel cell equipment using an electrochemical process to generate electricity and heat or biomass resources;

- (17) “Resiliency Improvement” means improvements that increase the resilience of a property, including air quality, flood mitigation, storm water management, energy storage and microgrids, alternative vehicle charging infrastructure, fire or wind resistance or inundation adaptation;
- (18) “Special Assessment” means a voluntary assessment imposed on a property pursuant to the Act for the total amount of Special Assessment Financing together with interest, penalties, fees and charges related thereto;
- (19) “Special Assessment Agreement” means a voluntary agreement between the County and the property owner to allow a County to place an assessment on the property owner’s property to repay Special Assessment Financing pursuant to the Act;
- (20) “Special Assessment Assignable Certificate” means a document assigning a Special Assessment Lien from the County to a Capital Provider in an amount not to exceed the amount of the Special Assessment Financing for the term of the Special Assessment Lien;
- (21) “Special Assessment Financing” means the total amount of financing provided by a Capital Provider pursuant to a Special Assessment Financing Agreement, including accrual of interest and penalties, charges, fees, and cost of enforcement of a Special Assessment Lien; The Special Assessment Financing for a Eligible Improvement may authorize the Property Owner to (a) purchase directly the related equipment and materials for the installation or modification of an Eligible Improvement; and (b) contract directly, including through lease, power purchase agreement, or other service contract, for the installation or modification of a Eligible Improvement.
- (22) “Special Assessment Financing Agreement” means a contract pursuant to which a property owner agrees to repay a Capital Provider for Special Assessment Financing and to the terms of the Special Assessment Financing, including the

treatment of prepayment and partial payment of a Special Assessment, details of any finance charges, fees, debt servicing, and accrual of interest and penalties;

(23) "Special Assessment Lien" means a lien recorded in the County to secure the Special Assessment, which assessment remains on the property until paid in full;

(24) "Water Conservation Improvement" means measures, equipment or devices that decrease the consumption of or demand for water, address safe drinking water or eliminate lead from water used for drinking or cooking.

#### **SECTION 6: ESTABLISHMENT; REGION.**

There is hereby established within the boundaries of the "County" the Program. The Program shall allow financing for the full range of Eligible Improvements on all Eligible Properties, as authorized by the Act, and shall abide by and operate according to the Act.

#### **SECTION 7: RATIFICATION.**

All actions heretofore taken and not inconsistent with the provisions of this Ordinance by the Board of County Commissioners and officers of the County directed toward adoption of the Program, be, and the same hereby are, ratified, approved, and confirmed.

#### **SECTION 8: TERRITORY.**

The Program shall be available to all Eligible Property within the boundaries of the County but outside the limits of any municipality. In accordance with the Act, the Program may be available within the limits on a municipality if the municipality adopts a resolution or an ordinance approving the application of the County's ordinance within the municipality.

#### **SECTION 9: PROGRAM ADMINISTRATION**

A. Pursuant to the Act, the County hereby designates, authorizes and directs the Santa Fe County Manager to enter into Special Assessment Agreements with property owners and Capital Providers and issue Special Assessment Assignable Certificates on behalf of the County to impose Special Assessments and assign Special Assessment Liens for assessments approved by the Program Administrator.

B. Pursuant to the Act, the County designates Adelante Consulting Inc. as the Program Administrator. The Program Administrator shall review and approve the Project Applications

submitted in accordance with the Program Guidebook, collect any fees, and record the documents requested by a Property Owner and the Capital Provider.

C. No services, including but not limited to energy audits, project development, or other activities associated or related to the development of a Project Application or installation of Eligible Improvements shall be offered through the Improvement Special Assessment Program unless priced separately and open to purchase by the property owner from third parties.

#### **SECTION 10: IMPROVEMENT SPECIAL ASSESSMENT FINANCING**

A. Pursuant to the Act, the County authorizes Special Assessment Financings to be provided by Capital Providers through a Special Assessment Financing Agreement entered directly into with the owner of an Eligible Property to fund Eligible Improvements. The rate of interest, delinquent interest, penalties, terms of prepayment and other terms of Special Assessment Financing shall be established by a Capital Provider in the related Special Assessment Financing Agreement for such assessment;

B. The Special Assessment Financing through a Program established under this Ordinance may include:

- (1) The cost of materials and labor necessary for installation or modification of an Eligible Improvement;
- (2) Permit fees;
- (3) Inspection fees;
- (4) Financing or origination fees;
- (5) Project Application and administrative fees;
- (6) Project development and engineering fees;
- (7) Third-party review fees, including verification review fees;
- (8) Capitalized interest;
- (9) Interest reserves;
- (10) Escrow for prepaid property taxes and insurance; or
- (11) Any other fees or costs that may be incurred by the property owner incident to the installation, modification, or improvement on a specific or pro rata basis.
- (12) Any other costs or fees as outlined in the Program Guidebook.

C. Prior to entering into a Special Assessment Financing Agreement, the Capital Provider must receive written consent from every holder of a lien, mortgage, or security interest in the real property that will be subject to the Special Assessment and Special Assessment Lien agreeing that the property may participate in the Program and that the Special Assessment Lien shall have priority superior to all liens, claims and titles except a lien for general ad valorem property taxes or an improvement district lien that is coequal to property taxes.

D. The proposed Special Assessment Financing for a qualified project may authorize the property owner to:

- (1) Purchase directly the related equipment and materials for the installation or modification of an Eligible Improvement; and
- (2) Contract directly, including through lease, power purchase agreement, or other service contract, for the installation or modification of an Eligible Improvement.

#### **SECTION 11: SPECIAL ASSESSMENT LIEN**

A. Upon entering into a Special Assessment Agreement, the County shall record a Special Assessment Lien on the subject property in the real property records of the County in which the property is located.

B. The recording of the Special Assessment Lien pursuant to Subsection A of this section shall include:

- (1) the legal description of the property;
- (2) the County Assessor's parcel number of the property;
- (3) the grantor's name, which shall be the same as the property owner on the Special Assessment Agreement;
- (4) the grantee's name, which shall be the county in which the property is located;
- (5) the date on which the Special Assessment Lien was created;
- (6) the principal amount of the Special Assessment Lien;
- (7) the terms and length of the Special Assessment Lien; and
- (8) a copy of the Special Assessment Agreement.

C. A Special Assessment Lien shall be effective during the period in which the Special Assessment is imposed and shall have priority superior to all liens, claims and titles except a lien

for general ad valorem property taxes or an improvement district lien that is coequal to property taxes.

D. A Special Assessment Lien runs with the land, and that portion of the Special Assessment Lien that has not yet become due is not accelerated or eliminated by foreclosure of the Special Assessment Lien or any lien for taxes or assessments imposed by the state, a local government or taxing district against the property on which the Special Assessment Lien is imposed.

E. Upon entering into a Special Assessment Agreement, the County shall execute and record a Special Assessment Assignable Certificate from the County to the appropriate Capital Provider. The Special Assessment Assignable Certificate shall convey the Special Assessment Lien including all the characteristics described in Section 8(C) and (D).

F. When the underlying Special Assessment Financing has been satisfied, the Special Assessment shall be removed from the property and the County shall record a release of the Special Assessment Lien.

## **SECTION 12: APPLICATION AND REVIEW**

A. Property Owner and Capital Provider shall complete a Project Application and submit it to the Program Administrator for review.

B. The Project Application shall require:

(1) for an existing Eligible Property:

(a) where Energy Efficiency Improvements, Water Conservation Improvements or Renewable Energy Improvements are proposed, certification by a licensed professional engineer or other professional listed in the Program Guidebook stating the proposed Eligible Improvements will either result in more efficient use or conservation of energy or water, the reduction of greenhouse gas emissions, the reduction in demand for electricity or natural gas, or the addition of renewable sources of energy or water; or

(b) where Resiliency Improvements are proposed, certification by a licensed professional engineer stating the qualified improvements will result in improved resilience;

- (2) for construction of a new Eligible Property, certification by a licensed professional engineer stating that the proposed Eligible Improvements will enable the property to exceed the energy efficiency, water conservation, renewable energy, renewable water or resilience requirements of the applicable building code, or the proposed Eligible Improvements will enable the property to reduce demand for electricity or natural gas compared to the requirements of the applicable building code;
- (3) certification that the Property Owner requesting the proposed Eligible Improvements is the owner of record of the property on which the Special Assessment will be imposed and that there are no delinquent taxes or assessments on the property;
- (4) the name of the Capital Provider providing the Special Assessment Financing and the proposed terms of the Special Assessment Financing Agreement, including:
  - (a) the Special Assessment Financing amount;
  - (b) the interest rate;
  - (c) administrative fees paid to the County and the Program Administrator;
  - (d) a schedule of the installments of the Special Assessment;
  - (e) the number of years the Special Assessment shall be imposed on the property;
  - (f) delinquent interest or penalties; and
  - (g) the conditions by which the property owner may prepay and permanently satisfy the debt owed pursuant to the Special Assessment Financing Agreement and remove the Special Assessment Lien from the property; and
- (5) written consent from any holder of a lien, mortgage, or security interest in the real property that the property may participate in the Program and that the Special Assessment Lien shall have priority superior to all liens, claims and titles except a lien for general ad valorem property taxes or an improvement district lien that is coequal to property taxes.

C. The Program Administrator shall review the Project Application according to the Application Checklist solely to determine whether it is complete, proposes an Eligible Improvement, contains no errors on its face, and that all information is provided in the substance

and form required by the Application Checklist. If so, the Program Administrator shall sign the Application Checklist indicating that the Project Application is deemed approved. If a Project Application is incomplete and/or does not conform to the requirements of the Application Checklist, the Program Administrator shall inform the applicant as soon as practicable that the Project Application is denied, the reasons for the denial, and any corrections that could make the application acceptable. If feasible, the applicant shall have an opportunity to correct the Project Application.

D. Upon approval of a Project Application, a property owner or Capital Provider shall provide the following completed forms to the Santa Fe County Economic Development Office for execution at least five days prior to close of the Improvement Special Assessment transaction, along with a requested date for recordation of the Special Assessment Agreement, Notice of Special Assessment Lien, and Special Assessment Assignable Certificate. Expedited service may be available for a fee to be determined by the Santa Fe County Economic Development Office.

E. For a property owner and Capital Provider whose Project Application is denied by the Program Administrator, either party, or both, may request an adjudicative proceeding before the County's adjudicative body, consistent with the County's rules and subject to the applicable provisions of the New Mexico Administrative Procedures Act, NMSA 1978, Sections 12-8-1, *et seq.*

### **SECTION 13: PROGRAM GUIDEBOOK.**

A. The Improvement Special Assessment Program shall be administered in accordance with the requirements contained in the Program Guidebook, adopted and incorporated herein as Exhibit A. The Program Guidebook shall include:

- (1) A Project Application form, to be used by the property owner and Capital Provider.
- (2) A form Special Assessment Agreement.
- (3) A form of Special Assessment Lien.
- (4) A form Special Assessment Assignable Certificate.
- (5) A statement that the period of the Special Assessment Financing Agreement will not exceed 30 years.
- (6) A description of the application and review process established under Section 9 of this Ordinance.

- (7) A statement explaining the lender consent requirement under Section 9 of this Ordinance.
- (8) A statement explaining the engineer certification requirement under Section 9 of this Ordinance.
- (9) A statement that neither the County, its governing body, executives, or employees are personally liable as a result of exercising any rights or responsibilities granted under this Ordinance, especially and including all actions related to, or arising from, administering the Program.

B. The Program Guidebook and forms may be updated by the Program Administrator without approval by the Board of Commissioners, so long as it complies with this Ordinance and the Act.

#### **SECTION 14: BILLING, COLLECTION AND ENFORCEMENT**

A. The holder of the Special Assessment Assignable Certificate shall be solely responsible for the billing and collection of the related Special Assessment and for the enforcement of the Special Assessment Lien.

B. The holder of the Special Assessment Assignable Certificate shall bill a Special Assessment imposed pursuant to a Special Assessment Agreement through a stand-alone bill for the property subject to the Special Assessment and shall collect the Special Assessment at the times described in the Special Assessment Agreement and as provided for in this Ordinance.

C. Delinquent payments due on a Special Assessment incur interest and penalties as specified in the Special Assessment Agreement.

D. Delinquent payments due on a Special Assessment shall be enforced in the event of a nonpayment of the Special Assessment installment thereto. Delinquent payments due on a Special Assessment have the effect of a mortgage and shall be foreclosed and sold in the manner provided by law for the foreclosure of mortgages on real estate. The holder of a Special Assessment Assignable Certificate may institute proceedings to foreclose the Special Assessment Lien against the property that is delinquent in the payment of the Special Assessment or installment of a Special Assessment for a period of more than one year.

E. The Capital Provider may sell or assign, for consideration, any and all Special Assessment Liens received from the County. The Capital Provider or its assignee shall have and

possess the same powers and rights at law or in equity to enforce the Special Assessment Lien in the same manner as described in paragraph D of this section.

**SECTION 15: FEES.**

Subject to approval of an application by a Property Owner and a Capital Provider, and upon recordation of documents for an Improvement Special Assessment transaction, the Property Owner or the Capital Provider, as agreed upon between them, shall pay a fee (as outlined in the Program Guidebook) directly to the Program Administrator to reflect the reasonable costs of the Program Administrator to provide administrative services for the Program and to make the costs of the Program cost-neutral.

**SECTION 16: ENACTMENT.**

The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity or enforceability of the remainder of the sections, phrases and provisions hereof. All Ordinances, orders, resolutions, and parts thereof in conflict herewith are to the extent of such conflict hereby repealed upon the effectiveness of this Ordinance. No provision of the Santa Fe County ordinances or violation of any provision of such ordinances shall be deemed to impair the validity of this Ordinance or the instruments authorized by this Ordinance or to impair the security for or payment of the instruments authorized by this Ordinance; provided further, however, that the foregoing shall not be deemed to affect the availability of any other remedy or penalty for any violation of any provision of Santa Fe County ordinances in the event and to the extent of a conflict between this Ordinance and the Act, the Act shall govern.

**SECTION 17: NO LIABILITY. NO PUBLIC FUNDS.**

A. Notwithstanding anything contained in this Ordinance, neither the County's property, its full faith and credit nor its taxing power shall be pledged to the payment of any obligation or indebtedness under this Program. The amount and structure of debt of under this Program shall not have any direct negative material impact on the County's debt ratings with Standard & Poor's Corporation, Moody's Investors Services, Inc., Fitch Investor Services, Inc. or

any other nationally recognized bond-rating agency service then rating the County's outstanding bonds.

B. This Ordinance does not confer any right of action nor property interest upon any party to an Improvement Special Assessment transaction against the County, and the County shall incur no liability for enacting this Program, nor shall the County, its governing body, executives, or employees be personally liable as a result of exercising any rights or responsibilities granted under this Ordinance.

C. The Special Assessment Agreement shall specify that the County: (1) is not liable in any way for the debt of the property owner; (2) is not a third-party obligor; (3) is not pledging or lending its credit to the property owner or the Capital Provider within the meaning of any provision or limitation of the New Mexico Constitution, statutes of the State of New Mexico or any County ordinance; and shall require the Property Owner to indemnify the County and their agents and employees and hold harmless the County and their agents, officers and for, from and against any and all liabilities, claims, costs, and expenses, including attorneys' fees, demands, losses and liabilities to or by third parties, arising from or related to the processing of the Project Application, administration of this program, or the levying of any tax, assessment, or special levy or charge related to the Program.

#### **SECTION 18: REPEAL.**

Resolution No. 2009-127, Authorizing and Requesting the County Treasurer and County Assessor to Take Necessary Action in Connection with Requests By Owner of Real Property Within the County for the Imposition, Administration and Disbursement Of Solar Energy Improvement Special Assessments Pursuant to the Solar Energy Improvement Special Assessment Act, is hereby repealed in its entirety.

#### **SECTION 19: EFFECTIVE DATE.**

In accordance with NMSA 1978, Section 4-37-9(C), the Board of County Commissioners hereby declares that is necessary for the public peace, health, and safety that this Ordinance take effect immediately; therefore, this Ordinance shall take effect immediately when the Ordinance is authenticated and recorded by the County Clerk.

PASSED, APPROVED AND ADOPTED ON THIS 13<sup>th</sup> DAY OF Sept, 2024.

SANTA FE COUNTY  
THE BOARD OF COUNTY COMMISSIONERS

By: Hank Hughes  
Hank Hughes, Chair

ATTEST:

Katharine E. Clark

Katharine E. Clark  
Santa Fe County Clerk



Approved as to Form:

Michael Nunez for  
Jeff Young  
Santa Fe County Attorney

COUNTY OF SANTA FE )  
STATE OF NEW MEXICO ) ss

BCC ORDINANCE  
PAGES: 28

I Hereby Certify That This Instrument Was Filed for  
Record On The 13TH Day Of September, 2024 at 01:59:06 PM  
And Was Duly Recorded as Instrument # 2041775  
Of The Records Of Santa Fe County



Witness My Hand And Seal Of Office  
Katharine E. Clark  
Deputy [Signature] County Clerk, Santa Fe, NM

**PROGRAM GUIDEBOOK:  
IMPROVEMENT SPECIAL ASSESSMENT  
PROGRAM**

**Santa Fe County, New Mexico**

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## **I. Introduction**

### **1. About Improvement Special Assessments**

Adelante Consulting, Inc. (the “Program Administrator”) administers an Improvement Special Assessment program (the “Improvement Special Assessment Program” or the “Program”) under Section 4-55D of the New Mexico Statutes Annotated (“NMSA”) (the “Improvement Special Assessment Act”). The Improvement Special Assessment Program allows owners of eligible commercial property to obtain long-term financing from private capital providers for certain eligible improvements. While the financing is repaid to the Capital Provider, the Improvement Special Assessment Act directs the County to place a voluntary special assessment and record a special assessment lien (the “Improvement Special Assessment Lien”) on the property. This approach to financing has been used by programs like the Improvement Special Assessment Program on thousands of properties in more than 31 states and the District of Columbia.

The New Mexico Legislature passed the Improvement Special Assessment Act enabling legislation, HB 228, in March 2023. This legislation allows counties to establish Improvement Special Assessment Programs. Improvement Special Assessments allow property owners to access financing for eligible energy efficiency, renewable energy, water conservation, and resiliency improvements for qualifying buildings. Improvements made to reduce lead in drinking water also qualify as eligible improvements.

Individual counties may now take action to opt into the statewide program. Creating a county Improvement Special Assessment Program is simple: One, a county adopts an ordinance and guidebook that govern how its Improvement Special Assessment Program works; and two, Adelante Consulting, Inc. (the Program Administrator) reviews the special assessment lien application for compliance with the Improvement Special Assessment state law, and then records the agreement that acknowledges the special assessment by the county.

In New Mexico, Improvement Special Assessment financing is available in four categories: energy efficiency, renewable energy, water conservation, and resiliency improvements. Improvements that reduce greenhouse gas emissions qualify, provided that the improvements also conserve energy or result in renewable energy improvements. A voluntary Improvement Special Assessment is secured by a special assessment lien on the property and paid back over time; tax liens and other government assessments remain superior to the Improvement Special Assessment lien. Like other assessments, Improvement Special Assessment financing is non-accelerating, which means only current or past due payments can be collected, while future payments are the responsibility of whomever owns the property at the time. The Improvement Special Assessment obligation transfers automatically to the next owner if the property is sold. In the event of default, only the payments in arrears are due. This arrangement spreads the cost of eligible improvements over the useful life of the measures.

The Program exists as a function of New Mexico’s Improvement Special Assessment legislation and the rules established by the County. No change in the Program or in New Mexico’s Improvement Special Assessment legislation will affect a property owner’s obligations to pay Improvement Special Assessments incurred under the Program prior to such changes.

### **2. NM Improvement Special Assessment Program Guidebook**

This Guidebook was developed to help counties launch Improvement Special Assessment programs. The Guidebook and form documents are available at no cost to counties to use and adopt. A major benefit to using a ready-made and legally reviewed program is that it allows counties, property owners, contractors, and capital

providers to follow a standard set of rules. This is critical in attracting the broadest capital investment to Improvement Special Assessment projects.

In this document you can find information about:

- Statutory and programmatic eligibility requirements for eligible properties and projects in New Mexico and Santa Fe County
- Process for applying for Improvement Special Assessment project approval

## II. Benefits of Improvement Special Assessments

Improvement Special Assessments offer benefits to building owners, developers, municipalities, mortgage holders, and building professionals.

**For Building Owners and Developers:** One of the biggest barriers to converting potential projects to completed projects for efficiency and resiliency upgrades are the up-front cost of the types of measures identified in the statute as eligible improvements. Improvement Special Assessment financing typically requires little up-front investment, and eligible improvements may also increase property value. Energy efficiency measures also lower operating costs. In addition, Improvement Special Assessment financing has the following benefits:

- **Up to 100% long-term financing.** Many owners lack the capital to complete efficiency and resiliency improvements. All direct and indirect costs incidental to the eligible improvements can be wrapped into Improvement Special Assessment financing.
- **Transferrable upon sale.** Some owners may want to sell the building before the special assessment is repaid. The special assessment lien and special assessment are attached to the property and transfer to the new owner.
- **Cash flow benefits.** Improvement Special Assessment financing may be repaid over the useful life of the improvements.
- **Triple-net and Full-net leases may allow pass-through of assessment installments to tenants.** Under triple/full net leases, special assessment payments can be passed along to tenants, who also typically derive benefit from any energy savings through reduced operating costs.

**For Energy Auditors, Architects, Building Engineers, and Contractors:** More substantial efficiency and resiliency improvements are now more affordable with Improvement Special Assessment. Energy auditors, architects, engineers, and contractors can suggest special assessment financing as a way for their clients to implement needed energy or resiliency upgrades that might otherwise be unaffordable. Improvement Special Assessments are a powerful business growth catalyst for building professionals like energy auditors and contractors.

**For Counties:** Improvement Special Assessments are an economic development tool. By making it more affordable for building owners to make major improvements to their buildings, local building stock value is enhanced, and more jobs are created. Energy and resiliency upgrades create a more competitive environment for retaining and attracting new businesses by lowering energy costs and improving the structural soundness of buildings. Upgraded buildings can generate higher property tax payments for the county. Energy upgrades also typically reduce greenhouse gases and other pollutants, which facilitates adherence to county or state climate action plans or goals.

**For Existing Lien Holders:** Eligible improvements can enhance property value and improve a building's longevity. In addition, special assessment financing is non-accelerating, meaning only current or past due annual payments can be collected. Existing mortgage holders may see their collateral improved without substantial increase in credit risk. Improvement Special Assessment financing is not permitted without the consent of all existing lien holders on the property.

### **III. Improvement Special Assessment Financing Program Rules**

The purpose of this Program Guidebook is to provide standard guidelines for counties to use in establishing efficient and effective Improvement Special Assessment programs that are consistent from county-to-county across New Mexico.

This Program Guidebook (the "Guidebook") is prepared at the direction of the County, as required by the Improvement Special Assessment Act. The Guidebook is approved in connection with, and as an attachment to, the enabling ordinance for this program (the "Improvement Special Assessment Ordinance") dated \_\_\_\_\_. Capitalized terms used herein, but not defined herein, have the meaning given to such terms in the Improvement Special Assessment Ordinance.

The Guidebook establishes guidelines, eligibility, approval criteria, and an application form for the administration of the Improvement Special Assessment Program. The Improvement Special Assessment Program enables special assessment financing for commercial property owners ("Property Owners") to make certain energy efficiency, renewable energy, water conservation, and resiliency improvements (each, a "Qualified Improvement") as described in the Improvement Special Assessment Act and further clarified in this Guidebook.

Eligible Improvements, including all eligible costs that are to be financed as described in a project application (the "Project Application") approved by the Program, constitute an "Eligible Improvement." Property Owners may receive funding for their Eligible Improvements only from qualified private investors ("Capital Providers") pursuant to a separate special assessment financing agreement negotiated between the Property Owner and Capital Provider (a "Special Assessment Financing Agreement").

In these guidelines, a reader can find information about:

- Statutory and programmatic eligibility requirements for Improvement Special Assessment project financing in New Mexico, and
- The appropriate steps and forms needed for a County or Program Administrator to receive and process an Improvement Special Assessment project application.

#### **1. Establishment of Improvement Special Assessment Program Boundaries**

The County adopted Ordinance number \_\_\_\_\_ on \_\_\_\_\_, establishing the Improvement Special Assessment Program for all eligible properties within the boundaries of the County, but outside the limits of any municipality (the "Region"). In accordance with the Act, the Program may be available within the limits of a municipality if the municipality adopts a resolution or ordinance approving the application of the County's ordinance within the municipality.

#### **2. Administration of Program; Authorized Officials**

Adelante Consulting, Inc. is designated and authorized to review each Project Application to confirm that it is complete and contains no errors on its face. Adelante Consulting, Inc. will support the County to execute the Assessment Agreement, Notice of Special Assessment Lien, and Assignment of Notice of Special Assessment Lien documents. The County will record them with the real property records.

As part of Program operation, Adelante Consulting, Inc. (the Program Administrator) will:

- Accept Project Applications (refer to the Project Application Form) from Property Owners and Capital Providers for prospective Improvement Special Assessment projects.
- Review the Project Application to determine conformance with the Application Form (refer to the

Project Application Form).

- Approve/conditionally approve/deny the Project Application and communicate to the applicant.
- Support the County to execute the Assessment Agreement, Notice of Special Assessment Interest and Lien (“Notice of Assessment Interest”), and Assignment of Notice of Special Assessment Interest and Assessment Agreement (“Assignment”).
- Provide the County and involved Municipalities with semi-annual reports on projects in their jurisdiction.

### 3. Eligibility Requirements

Eligible Property means any privately-owned commercial, agricultural, industrial, or multi-family real property of five (5) or more dwelling units located within the boundaries of the Region (including properties owned by a not-for-profit organization).

Ground leases on Eligible Property are permitted, so long as all requirements of the Improvement Special Assessment Ordinance are met, including requiring the Property Owner to enter into an Assessment Agreement. On ground-leased property, therefore, the special assessment and Special Assessment Lien encumber the fee interest in the property, not the ground leasehold.

Property Owner means an owner of eligible property, which is the record owner of title to the Eligible Property. The Property Owner may be any type of business, corporation, individual, or non-profit organization.

Eligible Improvements means a permanent improvement affixed to the real property that must meet at least one of these criteria:

- Decrease energy consumption or demand through the use of efficiency technologies, products, or activities that reduce or support the reduction of energy consumption or allow for the reduction in demand or reduce greenhouse gas emissions (“Energy Efficiency Improvement”);
- Support the production of clean, renewable energy, including but not limited to a product, device, or interacting group of products or devices on the customer’s side of the meter that generates electricity, provides thermal energy, or regulates temperature (“Renewable Energy Improvement”);
- Decrease water consumption or demand and address safe drinking water through the use of efficiency technologies, products, or activities that reduce or support the reduction of water consumption, allow for the reduction in demand, or reduce or eliminate lead from water which may be used for drinking or cooking (“Water Conservation Improvement”); or
- Increase resilience, including but not limited to flood mitigation, stormwater management, wildfire and wind resistance, energy storage, and microgrids (“Resiliency Improvement”).

Eligible Improvements include the following:

- The acquisition, construction (including new construction), lease, installation, or modification of a Qualified Improvement permanently affixed to an Eligible Property.
- For Renewable Energy Improvements, “permanently affixed” includes Eligible Improvements that are subject to a power purchase agreement or lease between the Property Owner/applicant and the owner of the subject renewable energy system, if the power purchase agreement or lease contains all of the following provisions:

- a) The Renewable Energy Improvement relates to a Renewable Resource, defined as follows: (a) water; (b) wind; (c) solar energy; (d) geothermal energy; (e) renewable natural gas; (f) renewable hydrogen; (g) wave, ocean, or tidal power; (h) biodiesel fuel that is not derived from crops raised on land cleared from old growth or first-growth forests; or (i) biomass energy.
  - b) The term of the power purchase agreement or lease is at least as long as the term of the related Assessment Agreement.
  - c) The owner of the Renewable Energy Improvement agrees to install, maintain, and monitor the system for the entire term of the Assessment Agreement.
  - d) Neither the owner of the Renewable Energy Improvement, nor the Property Owner, nor any successors in interest are permitted to remove the system prior to completion of the full repayment of the Special Assessment and Special Assessment Lien.
  - e) After installation, the power purchase agreement or lease is paid, either partially or in full, using the funds from the Special Assessment financing.
  - f) The power purchase agreement or lease specifies the holder of the Special Assessment Lien is a third-party beneficiary of the power purchase agreement or lease until the Special Assessment Lien has been fully repaid.
- Eligible Improvements include the refinancing of existing properties that have had Eligible Improvements installed and completed for no more than three (3) years or thirty-six (36) months prior to the date of Project Application.
  - Examples of Eligible Improvements include, but are not limited to:
    - A like-for-like roof associated with installing a roof-mounted solar photovoltaic array;
    - Asbestos abatement associated with a boiler retrofit;
    - New pads to support new plant equipment, such as a new chiller;
    - Replacement of ductwork and terminal boxes related to a packaged rooftop unit replacement;
    - Relocation of equipment associated with the installation of energy-saving measures, such as relocating a packaged rooftop unit to serve redistributed loads within a building better;
    - Rerouting of a fire sprinkler system to accommodate a new HVAC system upgrade;
    - Electrical upgrades associated with a new solar photovoltaic system, energy efficiency, or suitable measures, and electric vehicle charging;
    - Any utility infrastructure cost associated with electrical upgrades;
    - Existing Carport structures that support a solar photovoltaic array;
    - Demolition of an existing parking lot and installation of a new parking lot to allow for the installation of a bore field associated with a new ground source heat pump system;
    - Resurface or repaving of parking lots if solar photovoltaic carports are specified for new builds or installed on retrofits;
    - General construction costs required for the suitable measure;
    - Renewable energy improvements that are part of a community solar garden;
    - High efficiency electric appliances such as heat pumps and heat pump water heaters.

**Capital Provider** may be any of the following:

- a corporation, partnership, or other legal entity that provides proof that it is currently registered as a Improvement Special Assessment Capital Provider in two different states with C-PACE programs;
- a federal or state-chartered bank or credit union; or

- a private entity, whose principal place of business is located in New Mexico, provided it is licensed or permitted to do business within the state and can produce its most recent audited financial statement or regulatory business filing.

**Qualifying costs** that can be Improvement Special Assessment financed include:

- Materials and labor necessary for installation or modification of a Qualified Improvement;
- Permit fees;
- Inspection fees;
- Financing or origination fees;
- Program application and administrative fees;
- Project development, architectural and engineering fees;
- Third-party review fees, including verification review fees;
- Capitalized interest;
- Interest reserves;
- Escrow for prepaid property taxes and insurance;
- Any other fees or costs that may be incurred by the Property Owner incident to the installation, modification, or improvement on a specific or pro rata basis.

#### 4. Application Process

The New Mexico Improvement Special Assessment Act reduces the administrative burden on participating counties as much as possible. Thus, Adelante Consulting, Inc. will review the Project Application for proof of compliance with the requirements of the statute. All applicants are encouraged to review the Project Application Form to ensure that the information the Program Administrator will rely upon to verify compliance with the statute are present in the completed Application.

The process of obtaining financing under the Program starts when a Property Owner approaches a Capital Provider. The Capital Provider will work with the Property Owner to collect due diligence items. Once all the items have been received, reviewed, and approved by the Capital Provider, the parties should settle on the Special Assessment Financing terms.

The general flow of the Improvement Special Assessment application process will be as follows:

- (1) The Property Owner and the Capital Provider prepare the Project Application, consisting of the Project Application Form and all supporting documents. Applicants are encouraged to review the Project Application Form to confirm that the types of information that the Program Administrator will rely upon to verify compliance with the Improvement Special Assessment Act and Improvement Special Assessment Ordinance are present in the completed Project Application.
- (2) Adelante Consulting, Inc. (the Program Administrator) will have 10 business days to review and approve the Project Application. If the Program Administrator has received an unusually high number of applications, or if review is delayed because of a *force majeure* event, the Program Administrator may notify the applicant that the application review and approval will be delayed by no more than 10 additional business days.
- (3) The application review process is confined to confirming that the Project Application is complete, and all attachments conform to these guidelines. ***Program Administrator approval does not constitute endorsement of any representations that may be made with regard to the operation and any savings associated with the Eligible Improvements.*** Adelante Consulting, Inc. (the Program Administrator) will review the Project Application for proof of compliance with the requirements of the Improvement Special Assessment Act and Improvement Special

Assessment Ordinance. Incomplete Project Applications will be returned to the applicant, and the Program Administrator will notify the applicant about which items were not provided or are insufficient or inaccurate on their face. If the Project Application and supporting documents comply with the Project Application Form, the Project Application will be approved, and the approval communicated in writing to the applicant.

- (4) The Project Application may be conditionally approved if the application is complete but the attachment regarding consent of all lienholders on the property is not yet available. Conditional approval will be treated the same as an approval, with exceptions noted below.
- (5) Once the application is approved, the Capital Provider will draft the following Closing Documents: The Assessment Agreement, the Notice of Special Assessment Interest and Special Assessment Lien, and the Assignment of the Notice of Special Assessment and Assessment Agreement. At or before closing, at the request of the applicant, the designated and authorized official will execute the Closing Documents.
- (6) If the Project Application received conditional approval, the Closing Documents executed by the Program Administrator may not be released from escrow unless and until all lien holder consents have been received and executed in accordance with the Improvement Special Assessment Act and Improvement Special Assessment Ordinance.
- (7) At closing, the County will record the Assessment Agreement, the Notice of Special Assessment Interest and Special Assessment Lien, and the Assignment of the Notice of Special Assessment Interest and Special Assessment Lien. At the election of the applicant, the County may delegate the recording of the Closing Documents to the applicant or their designee(s).
- (8) Upon confirmation of recordation, the Capital Provider will disburse funds in accordance with the Special Assessment Financing Agreement.
- (9) The Capital Provider will send the Property Owner a separate bill to collect the Special Assessment installment amounts, as outlined in the Assessment Agreement and in accordance with the Special Assessment Financing Agreement.
- (10) The Property Owner begins making assessment payments per the Assessment Agreement and in accordance with the Special Assessment Financing Agreement

## 5. Application Documents

The Project Application must be submitted with the following documents appended:

- Project Application Form
- Lienholder(s) Consent
- Certificate of Eligible Improvements

- (1) For Renewable Energy Improvements or Energy Efficiency Improvements on an existing building: A certification stating that (a) the proposed Eligible Improvements will result either in more efficient use or conservation of energy or water, the reduction of greenhouse gas emissions, or the addition of renewable sources of energy or water; or (b) the subject property as a whole prior to the installation of the Eligible Improvements does not conform to the meeting the current

building energy or water code for the County, but will do so after the Eligible Improvements are installed.

The certification must be performed by a licensed professional engineer or an individual or firm accredited by one of the following:

- American Society of Heating, Refrigeration, and Air-Conditioning Engineers (ASHRAE)
  - Building Energy Assessment Professional (BEAP)
  - Building Energy Modeling Professional (BEMP)
  - Operations & Performance Management Professional Certification (OPMP)
  - High-Performance Building Design Professional Certification (HBDP)
- North American Board of Certified Energy Practitioners (NABCEP)
  - PV Installation Professional (PVIP)
  - PV Design Specialist (PVDS)
- Association of Energy Engineers (AEE)
  - Certified Energy Manager (CEM)
  - Certified Measurement and Verification Professional (CMVP)
  - Certified Energy Auditor (CEA)
- Building Performance Institute
  - Energy Auditor
- Investor Confidence Project
  - ICP Quality Assurance Assessor

Other professional qualifications may be accepted by the Program Administrator at its discretion.

- (2) For Renewable Energy Improvements that are solar photovoltaics, a North American Board of Certified Energy Practitioners (NABCEP) PV Installation Professional (PVIP), or PV design specialist (PVDS) certification is acceptable, or a licensed Electrical Engineer, Building Energy Assessment Professional (BEAP), Building Energy Modeling Professional (BEMP), Certified Energy Manager (CEM), Certified Measurement and Verification Professional (CMVP), or Certified Energy Auditor (CEA). Other professional qualifications may be accepted by the Program Administrator at its discretion.
- (3) For lead reduction in water improvements, a Water Quality Association Professional Certification.
- (4) For Resilience Improvements on an existing building: Certification by a licensed professional engineer, or a North American Board of Certified Energy Practitioners (NABCEP) PVIP Installation Professional stating that the Qualified Improvements will result in improved resilience, including but not limited to flood mitigation, stormwater management, wildfire and wind resistance, energy storage, and microgrids.
- (5) For new construction:
  - (A) Relating to energy or water efficiency, certification by a North American Board of Certified Energy Practitioners (NABCEP) PVIP Installation Professional, or a licensed professional engineer stating that each proposed Eligible Improvement will enable the subject property to exceed the energy efficiency, water efficiency, or renewable energy code requirements.

(B) Relating to resilience, certification by a licensed professional Civil Engineer that the proposed Eligible Improvements will enable the subject property to exceed the resiliency requirements of the current building code.

- (6) For all Eligible Improvements, the licensed engineer, individual or firm providing the certification of eligibility of the Eligible Improvements must attest that the proposed term of the financing does not exceed the weighted average effective useful life of the proposed Eligible Improvements and that the Eligible Improvements are permanently affixed, as described in this Guidebook.

The application shall also include:

- (7) the name of the capital provider providing the special assessment financing and the proposed terms of the special assessment financing agreement, including:
- (a) the special assessment financing amount;
  - (b) the interest rate;
  - (c) administrative fees paid to the Program Administrator (Adelante Consulting, Inc);
  - (d) a schedule of the installments of the special assessment;
  - (e) the number of years the special assessment shall be imposed on the property;
  - (f) delinquent interest or penalties; and
  - (g) the conditions by which the property owner may prepay and permanently satisfy the debt owed pursuant to the special assessment financing agreement and remove the special assessment lien from the property; and

Prior to the County entering into a special assessment agreement, it shall receive the Program Administrator's certification that the proposed eligible improvements, eligible property and property owner qualify for financing pursuant to the program.

## 6. Closing Documents

The following documents require the signature of the County and shall be part of the closing of any Improvement Special Assessment transaction. Each document must be substantially similar in substance to the forms provided, although it is expected that Property Owners and Capital Providers will negotiate variations tailored to their specific projects.

- Assessment Agreement (form on the program website)
- Notice of Special Assessment Interest and Improvement Special Assessment Lien (form on the program website)
- Certificate of Assignment of Notice of Special Assessment Lien (form on the program website)

## 7. Interest Rates

Interest rates are negotiated in a Special Assessment Financing Agreement between the Property Owner and the Capital Provider. A County or a Program Administrator has no role in reviewing, setting, or opining on such interest rates or other aspects of the Special Assessment Financing Agreement. Market forces – such as competition, the intended use of the property, potential risk – will affect the terms negotiated by the Property Owners and Capital Providers.

## 8. Billing and Collection of Assessments

Billing, collection, and enforcement of delinquent Improvement Special Assessment Liens or Improvement Special Assessment financing installment payments, including foreclosure, are the responsibility of the Capital Provider.

## 9. Enforcement of Improvement Special Assessment Lien

The Improvement Special Assessment Special Assessment Lien may be enforced by the Capital Provider one year from the date of delinquency in the same manner as the collection of real estate mortgages, by prosecution of foreclosure proceedings under New Mexico common law and sale under foreclosure under NMSA 1978, Sections 39-5-1 *et seq.* Prior to the enforcement of any delinquency, the Capital Provider must provide written notification to all lien holders on the property.

By accepting Special Assessment Lien, the Capital Provider, or its assignee, as applicable, agrees to assume responsibility for prosecution of said action of foreclosure pursuant to New Mexico law, independent of and without assistance or consent from the prosecuting attorney, in accordance with the terms of the Special Assessment Financing Agreement.

## 10. Program Fee

Adelante Consulting, Inc. (the Program Administrator), as compensation for time and costs incurred in the establishment of the Improvement Special Assessment Program, including the Improvement Special Assessment Ordinance, this Guidebook, the draft documents, as well as for reviewing a Project Application for completeness and executing the Assessment Agreement, Special Assessment Lien, and Assignment, is entitled to a fee as outlined in the table below. The Property Owner must pay this fee directly to Adelante Consulting, Inc. (the Program Administrator) at the closing of the transaction between the Property Owner and the Capital Provider, and such payment is a condition precedent to recording by the County.

Based on the above description, Adelante Consulting Inc. (the Program Administrator) will be entitled to the following administrative fee, dependent on the total project costs.

Total Project Costs	Fee Structure	Adelante Fee
\$2,499,999 and under	Percentage	1%
\$2,500,000 and above	Flat fee	\$25,000

## 11. Term of a Special Assessment; Calculation of Useful Life of Eligible Improvements

The term of a Special Assessment may not exceed the useful life of the Eligible Improvement or if more than one Eligible Improvement is included in the Qualified Project, weighted average life of all Eligible Improvements. In no case shall the term of the financing exceed thirty years.

## **12. Form of Closing Documents**

The Program has adopted form Closing Documents: The Assessment Agreements, Notice of Special Assessment Interest and Special Assessment Lien, and Assignment of Notice of Special Assessments Interest and Assessment Agreement. A Property Owner and Capital Provider may adapt the forms to the needs of their particular transaction but must not modify or omit any material substantive terms contained in the forms.

## **13. Written Consent from Lienholder(s) Required**

Before entering into an Assessment Agreement with the County, the Capital Provider must obtain, and the Project Applications must show proof of, written consent for the placement of the special assessment and Special Assessment Lien from any holder of a lien, mortgage, or security interest in the real property.

For qualifying multifamily projects (residential projects of five or more dwelling units), the Capital Provider must obtain written consent from any holder of affordable housing covenants, restrictions, or regulatory agreements encumbering the real property as a condition precedent to the participation in the Program by the property.

If the consents are executed at closing, the signatures of the County to the Closing Documents will be held in escrow and will not be released until the consents are obtained. After closing, at the election of the Program Administrator, an amended Project Application with the consents attached must be sent to the Program Administrator. Capital Providers are responsible for providing their own form of consent that conforms to the Improvement Special Assessment Ordinance and Improvement Special Assessment Act.

## **14. County Has No Liability or Financial Responsibility**

Neither the County, its governing body, executives, or employees are personally liable as a result of exercising any rights or responsibilities granted under this Program. The County shall not pledge, offer, or encumber its full faith and credit for any lien amount under the Improvement Special Assessment program. No public funds may be used to repay any Improvement Special Assessment financing obligation.

## **15. Program Reporting**

Adelante Consulting, Inc. (the Program Administrator) will prepare a report for the County no less than semi-annually with the following information regarding the loan portfolio of C-PACE financings completed within the County:

- 1) Types and amounts of eligible improvements financed;
- 2) Locations of projects;
- 3) Number of loans outstanding;
- 4) Overall aggregate dollar amount outstanding under such loans;
- 5) Average initial Loan Amount;
- 6) Number of loans with delinquent assessment payments; and
- 7) Number of loans foreclosed upon to date and the number of pending foreclosures

**FISCAL IMPACT REPORT**

**General Information:**

(Check) **Bill:** \_\_\_\_\_ **Resolution:**  X

**Short Title(s):** Enabling the Improvement Special Assessment Program to Operate in the City

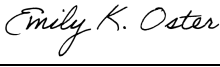
**Sponsor(s):** Mayor Alan Webber and Councilor Jamie Cassutt

**Reviewing Department(s):** Community Development Department (Economic Development)

**Staff Completing FIR:** Johanna Nelson, Economic Development Director; Casey Dalbor, Economic Development Associate **Date:** 9/20/2024

**Phone:** Johanna Nelson: (505) 699-7003 Casey Dalbor: (505) 955-6912

**Reviewed by City Attorney:**  **Date:** Nov 19, 2024

**Reviewed by Finance Director:**  **Date:** Nov 20, 2024

**Summary:**

The proposed Resolution would allow Santa Fe County’s Improvement Special Assessment Program” (“Program”) to operate within the city as part of New Mexico’s Improvement Special Assessment Act. Santa Fe County recently adopted the Program in Ordinance Number 2024-8, pursuant to State statute NMSA 1987, Sections 4-55D-1 to -10. The Program provides an alternative source of financing for improvements to privately-owned commercial, agricultural, industrial property (and the buildings that exist on those properties) or any multi-family property of five or more dwelling units. The Program provides a mechanism for long-term financing provided by private capital providers for the direct and indirect costs related to reducing energy or water consumption, generating renewable energy, or building resiliency.

**Departments Affected:**

None.

**Consequences of Not Enacting Legislation:**

If this legislation is not adopted, then property owners within the city would not be able to benefit from the County’s Program and will miss opportunities to grow and expand energy efficiency.

**Conflict, Duplication, Companionship, or Relationship to Other Legislation:**

Santa Fe County Ordinance No. 2024-8 established the County’s Improvement Special Assessment Program on September 13, 2024.

**Performance and Administrative Implications:**

The County’s Improvement Special Assessment Program could potentially decrease water consumption and improve energy efficiency for commercial properties in the city.

**Fiscal Implications:**

None.

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**Fiscal Impact**

    X     Check here if no fiscal impact

**Expenditures**

<b>Expenditure Type</b>	<b>FYE __</b>	<b>FYE __</b>	<b>FYE __</b>	<b>Require BAR (Y/N)</b>	<b>Recurring (R) or Non-recurring (NR)</b>	<b>Fund</b>	<b>3-Year Total Cost</b>
<u>Personnel and Benefits*</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Contractual/</u>	\$ _____	\$ _____	\$ _____		_____	_____	
<u>Professional Services</u>							
<u>Operating</u>	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____				\$ _____

\* This includes all staff time associated with executing the job functions of the proposed legislation.

**Expenditure Narrative:**

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**Revenue**

<b>Revenue Type</b>	<b>FYE __</b>	<b>FYE __</b>	<b>FYE __</b>	<b>Recurring (R) or Non-recurring (NR)</b>	<b>Fund</b>
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

**Revenue Narrative:**

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**Signature:**   
Johanna Nelson (Nov 20, 2024 13:31 MST)

**Email:** jcnelson@santafenm.gov

**Signature:** Casey Dalbor

**Email:** cjdalbor@santafenm.gov



# CITY OF SANTA FE FINANCE

**DATE:** November 15, 2024

**TO:** Governing Body, Finance Committee, Public Works and Utilities Committee, and Quality of Life Committee

**FROM:** Andy Hopkins, Budget Officer *AJH*  
Christina Martinez, Senior Budget Analyst *CFM*

**VIA:** Emily K. Oster, Finance Director *EKO*

## **ITEM AND ISSUE:**

The resolution approves budget amendments for the Buckman Direct Diversion and Santa Fe Solid Waste Management Agency and requests Department of Finance and Administration approval of City of Santa Fe (“City”) budget amendments for the fiscal year quarter ending September 30, 2024 (First Quarter).

## **BACKGROUND AND SUMMARY:**

Attached is a resolution listing increases/decreases to the Fiscal Year 2024-2025 (FY2024/25) operating and capital projects budget. These amendments are included in this resolution because they result in a net increase or decrease to the various funds affected, and thus require approval from the New Mexico Department of Finance/Local Government Division (DFA/LGD) as part of the quarterly budget resolution. The schedule of detail supporting these increases/decreases is presented as Exhibit A of the proposed resolution in four sections:

- A. Sub-Section A: Amendments to FY 2024/25 Budget That Have Previously Been Approved by the Governing Body: these budget amendments have been previously approved by the Governing Body and reflect amendments that exceed \$60,000 and result in a net increase or decrease to any funds (and do not represent re-appropriations of unspent budget amounts from the prior year); per City ordinance, such amendments require Governing Body approval. They are included in this resolution for the purpose of summarizing all quarterly budget amendments on a single resolution to provide to DFA/LGD for its review and approval. Presentation of these amendments in a single resolution in this way is much more efficient than the alternative of presenting a revised resolution to DFA/LGD for each individual budget amendment approved by the Governing Body.
- B. Sub-Section B: Amendments to FY 2024/25 Budget Previously Approved by other City Actors pursuant to SFCC 1987, Section 11-4 (A) and (B): these amendments were approved by and executed under the authority of the Finance Director (if the net budgetary change to any fund was under \$5,000) or the City Manager (if the net budgetary change was between \$5,000 and \$60,000), per City ordinance. Also included are purely technical corrections and re-appropriations of unspent prior year budget amounts (including amounts over \$60,000), which,

per City ordinance, the Finance Director may approve based on the prior year’s Governing Body-approved budget authority.

- C. Sub-Section C: Joint Operations (Buckman Direct Diversion & Santa Fe Solid Waste Management Agency) – Board-Approved Amendments to FY 2024/25 Budget: as the title of this section states, these amendments reflect net changes to the Buckman Direct Diversion and Santa Fe Solid Waste Management Agency joint operations budgets, approved and entered under the authority of the governing boards of those entities, contingent upon City approval. Like the amendments outlined above, these budgetary changes are included in this resolution for the purpose of presenting all quarterly net budgetary fund changes to DFA/LGD for its approval as required by New Mexico state statute.
- D. Sub-Section D: Summary of All Quarterly Amendments to FY 2024/25 Budget by Fund: this section summarizes the net changes to all City funds detailed in the previous three sections (A-C). As shown at the bottom of this section, these amendments result in a net increase to the City’s overall expenditure budget of \$210,011,067 and a net increase to the overall revenue budget of \$95,979,482. The resulting net expenditure increase of \$114,031,585 (over and above additional revenue) is supported by current budgeted revenues and/or available fund balances.

Pursuant to SFCC 1987, Section 11-4 (D), the Budget Office summarizes all amendments resulting in net budgetary fund changes in a Resolution on a quarterly basis for Finance Committee consideration and Governing Body approval of the Resolution and subsequently submits said amendments to DFA/LGD for its approval.

**ACTION RECOMMENDED:**

Finance staff recommend that the Governing Body approve the resolution. Upon approval, the Resolution will be forwarded to DFA/LGD for its approval as is required by New Mexico state statute.

**ATTACHMENTS**

Resolution  
Fiscal Impact Report

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**CITY OF SANTA FE, NEW MEXICO**

**RESOLUTION NO. 2024-\_\_**

**INTRODUCED BY:**

Mayor Alan Webber

**A RESOLUTION**

**APPROVING BUDGET AMENDMENTS FOR THE BUCKMAN DIRECT DIVERSION BOARD AND SANTA FE SOLID WASTE MANAGEMENT AGENCY AND REQUESTING THAT NEW MEXICO DEPARTMENT OF FINANCE AND ADMINISTRATION APPROVE THE CITY OF SANTA FE’S FIRST QUARTER BUDGET AMENDMENTS FOR FISCAL YEAR 2025.**

**WHEREAS**, SFCC 1987, Section 11-4(D), provides that budget adjustments approved by the City of Santa Fe’s (“City’s”) Finance Director, City Manager, and the Governing Body shall be included by fund in a quarterly budget resolution approved by the Governing Body; and

**WHEREAS**, NMSA 1978, Section 6-6-2, provides that the Local Government Division of the New Mexico Department of Finance and Administration has the power and duty to authorize local public bodies to transfer funds from one budget item to another when the Secretary of the Department approves and a need exists meriting the transfer and the transfer is not prohibited by law; and

**WHEREAS**, Articles 3 and 4 of the Project Management and Fiscal Services Agreement

1 for the Buckman Direct Diversion Project requires that the Buckman Direct Diversion Project  
2 Board (“the BDD Board”) establish and submit a budget to the City, Santa Fe County, and Las  
3 Campanas and to condition the BDD Board’s approval of the budget on “appropriation by the City  
4 and/or [Santa Fe] County in an appropriate budget or budget amendment”; and

5 **WHEREAS**, the Joint Powers Agreement for the Santa Fe Solid Waste Management  
6 Agency (“the Waste Management Agency”) requires that the Waste Management Agency  
7 recommend an annual budget, which “shall not be formally adopted or implemented unless and  
8 until it is approved by each of the City and [Santa Fe County]”; and

9 **WHEREAS**, the BDD Board and the Waste Management Agency have approved First  
10 Quarter adjustments for their respective budgets and these adjustments have been incorporated into  
11 the City’s proposed First Quarter Budget amendments; and

12 **WHEREAS**, a First Quarter Review of the Fiscal Year 2025 Budget shows a need to  
13 address significant priorities through adoption of net budget amendments that the Governing Body,  
14 City Manager or Finance Director, Buckman Direct Diversion Board or the Santa Fe Solid Waste  
15 Management Agency’s Board have authorized.

16 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY**  
17 **OF THE CITY OF SANTA FE** that it approves the budget amendments for the BDD Board and  
18 the Waste Management Agency; and

19 **BE IT FURTHER RESOLVED** that the Governing Body respectfully requests that the  
20 Secretary of the New Mexico Department of Finance and Administration approve the First Quarter  
21 Budget Amendments, as detailed on the attached Exhibit A, and that the Local Government  
22 Division then authorize the amendments.

23 PASSED, APPROVED, and ADOPTED the \_\_\_ day of \_\_\_\_\_, 2024.  
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ALAN WEBBER, MAYOR

ATTEST:

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ANDRÉA SALAZAR, CITY CLERK

APPROVED AS TO FORM:



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ERIN K. MCSHERRY, CITY ATTORNEY

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LOCAL GOVERNMENT DIVISION  
N.M. DEPARTMENT OF FINANCE  
AND ADMINISTRATION

**EXHIBIT A**

**CITY OF SANTA FE**

**1<sup>st</sup> QUARTER FY 2024/25**

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**SUB-SECTION [A]**

**AMENDMENTS TO FY 2024/25 BUDGET  
THAT HAVE PREVIOUSLY BEEN  
APPROVED BY THE GOVERNING BODY**

**CITY OF SANTA FE - FIRST QUARTER FY 2024/2025**  
**SUB-SECTION [A]: BUDGET AMENDMENTS PREVIOUSLY APPROVED BY THE GOVERNING BODY**

<i>Fund</i>	<i>Fund Title</i>	<i>Amendment Description</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
100	General Fund	Appropriation from available balance to fund deferred maintenance projects citywide [CC apvd. 8/14/24, #9-w]	\$ 3,400,000	\$ -	\$ (3,400,000)
100	General Fund	Appropriation from available balance for Affordable Housing Trust Fund housing assistance subsidy payments [CC apvd. 8/14/24 #9-n]	3,000,000	-	(3,000,000)
100	General Fund	Transfer to Streets to fund street and road improvement projects city-wide [CC apvd. 8/14/24 #9-ad]	2,000,000	-	(2,000,000)
100	General Fund	Appropriation from available balance to support the MRC CIP for the irrigation ponds [CC apvd. 8/14/24, #9-y]	1,500,000	-	(1,500,000)
100	General Fund	Transfer to Facilities CIP to fund relocation of Planning & Land Use department staff from City Hall to Market Staton [CC appvd. 8/28/24, #10-b]	1,500,000	-	(1,500,000)
100	General Fund	Appropriation from available balance to fund resurfacing of Ragle Park baseball field #1 [CC apvd. 8/14/24, #9-t]	1,300,000	-	(1,300,000)
100	General Fund	Transfer to Economic Development Fund for the Work Based Learning program with Santa Fe Public Schools [CC apvd. 8/14/24, #9-ak]	1,200,000	-	(1,200,000)
100	General Fund	Appropriation from available balance to purchase two armored Bearcat vehicles and an Explosive Ordinance Disposal (EOD) vehicle [CC apvd. 8/14/24, #10-a]	1,107,000	1,107,000	-
100	General Fund	Appropriation from available balance to fund sidewalk projects citywide [CC apvd. 8/14/24, #9-z]	1,000,000	-	(1,000,000)
100	General Fund	Appropriation from available balance to replace Self-Contained Breathing Apparatus (SCBA) equipment [CC apvd. 8/14/24, #9-ap]	750,000	-	(750,000)
100	General Fund	Appropriation from available balance to fund contracted security services for the downtown area [CC apvd. 8/14/24, #9-ag]	750,000	-	(750,000)
100	General Fund	Appropriation from available balance reserves to fund LiveView mobile technologies camera trailers to enhance City events security [CC apvd. 8/14/24, #9-r]	570,000	-	(570,000)
100	General Fund	Appropriation from available balance to fund the ITT Disaster Recovery Site project [CC apvd. 8/14/24, #9-o]	500,000	-	(500,000)
100	General Fund	Appropriation from available balance to purchase a Type 3 wildland fire truck apparatus [CC apvd. 8/14/24 #9-ao]	450,000	450,000	-
100	General Fund	Appropriation from available balance to fund intersection markings projects citywide [CC apvd. 9/18/24, #9-u]	350,000	-	(350,000)
100	General Fund	Transfer to Economic Development Fund to implement objectives in the Community Development Plan for activities at Midtown [CC apvd. 8/14/24, #9-aj]	250,000	-	(250,000)
100	General Fund	Transfer to Parks CIP to fund demolition of partially collapsed bridge at Closson St. [CC appvd. 8/28/24, #10-c]	219,753	-	(219,753)
100	General Fund	Appropriations from available balance to fund deferred maintenance and repairs for the Police headquarters building [CC apvd. 8/14/24, #9-an]	200,000	200,000	-
100	General Fund	Appropriation from available balance to fund consultant for EnerGov modernization [CC apvd. 8/14/24, #9-aj]	120,000	-	(120,000)
100	General Fund	Appropriation from available balance to fund the ITT Disaster Recovery Site project [CC apvd. 8/14/24, #9-p]	117,000	-	(117,000)
100	General Fund	Appropriation from available General Fund reserves to fund general plan and land development code software update [CC apvd. 8/14/24, #9-af]	115,000	-	(115,000)

<i>Fund</i>	<i>Fund Title</i>	<i>Amendment Description</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
212	Economic Development	Appropriation from from available balance to fund development of infrastructure at Midtown [CC apvd. 8/14/24, #9-ah]	3,000,000	3,000,000	-
212	Economic Development	Appropriation from available General Fund reserves to Economic Development to fund the Work Based Learning program with Santa Fe Public Schools [CC apvd. 8/14/24, #9-ak]	1,200,000	1,200,000	-
212	Economic Development	Appropriation from available General Fund reserves to implement objectives in the Community Development Plan for activities at Midtown [CC apvd. 8/14/24, #9-ai]	250,000	250,000	-
213	Lodgers' Tax Fund	Appropriation from available General Fund reserves to fund contracted security services for the downtown area [CC apvd. 8/14/24, #9-ag]	750,000	750,000	-
213	Lodgers' Tax Fund	Appropriation of NM Tourism Department Cooperative Marketing and Advertising Program grant [CC apvd. 6/26/24, #9-h]	67,960	67,960	-
216	Gross Receipts Tax Fund	Appropriation of funding for ongoing costs related to the Enterprise Resource Planning (ERP) implementation and updates [CC apvd. 8/14/24, #9-q]	2,542,700	-	(2,542,700)
240	Community Development	Appropriation of DFA SLFRF grant to renovation and construction of the Country Club Apartments [CC appvd. 9/25/24, #9-e]	2,000,000	2,000,000	-
240	Community Development	Re-appropriation of remaining FY24 balance to fund Affordable Housing Trust Fund contracts in FY25 [CC appvd. 9/11/24, #9-c]	1,944,962	-	(1,944,962)
240	Community Development	Appropriation from General Fund available balance for housing assistance subsidy payments in the Affordable Housing Trust Fund [CC apvd. 8/14/24 #9-n]	969,389	3,000,000	2,030,611
240	Community Development	Appropriation from available balance to fund pallet shelters and hygiene/office units [CC apvd. 8/14/24, #9-a]	812,325	812,325	-
240	Community Development	Appropriation from available General Fund reserves for fiscal oversight and sponsorship of Consuelo's Place shelter [CC apvd. 08/14/24, #9-m]	150,000	150,000	-
240	Community Development	Appropriation of NM CVRC grant award for domestic violence services [CC appvd. 9/25/24, #9-g]	63,938	63,938	-
241	Senior Citizen Grants/Programs	Appropriation of NM ALTD Grown FY25 grant award to support nutrition congregate and home delivered meals for seniors [CC appvd. 8/28/24, #9g]	68,000	68,000	-
320	CIP Facilities	Appropriation from available general fund balance for citywide deferred maintenance projects [CC apvd. 8/14/24, #9-w]	3,400,000	3,400,000	-
320	CIP Facilities	Transfer from General Fund to allow relocation of Planning & Land Use department staff from City Hall to Market Staton [CC appvd. 8/28/24, #10-b]	1,500,000	1,500,000	-
320	CIP Facilities	Appropriation FY24 GRT earned in excess of budgeted estimates to fund the Sandoval Garage renovation project [CC apvd. 8/14/24, #9-ae]	1,120,000	1,120,000	-
320	CIP Facilities	Appropriation from available balance to fund additional apparatus storage for the Fire department [CC apvd. 8/14/24, #9-x]	750,000	750,000	-
325	CIP Special Projects	Appropriation from available GRT reserves for ongoing costs related to the Enterprise Resource Planning (ERP) implementation and updates [CC apvd. 8/14/24, #9-q]	3,042,700	3,042,700	-
330	CIP Streets & Roadways	Appropriation of NM DOT grant to support the Pacheco Street improvements project [CC apvd. 8/14/24, #9-h]	350,000	350,000	-
330	CIP Streets & Roadways	Appropriation of NM DOT grant for the Governor Miles Road improvements project [CC apvd. 8/14/24, #9-i]	210,000	210,000	-

<i>Fund</i>	<i>Fund Title</i>	<i>Amendment Description</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
330	CIP Streets & Roadways	Appropriation of NM DFA grant funding for the Harrison Rd. improvements project [CC apvd. 8/28/24, #9-m]	100,000	100,000	-
345	CIP Community Development	Appropriation from available balance to fund the construction of a replacement roof for the Mary Esther Gonzales Senior Center [CC apvd. 8/14/24, #9-am]	800,000	800,000	-
355	CIP Parks and Trails	Allocation of DFA grant to fund phase II of improvements to SWAN Park [CC apvd. 8/14/24, #9-j]	2,400,000	2,400,000	-
355	CIP Parks and Trails	Appropriation of available CIP funding for resurfacing of Ragle Park baseball field #1 [CC apvd. 8/14/24, #9-t]	1,300,000	1,300,000	-
355	CIP Parks and Trails	Appropriation of donations from the SF Pickleball Club to support the Ft. Marcy Pickleball Courts CIP project [CC apvd. 7/31/24, #9-g]	650,000	650,000	-
355	CIP Parks and Trails	Appropriation from NM DFA grant funding for parks improvements at Water History Park [CC apvd. 7/31/24 #9-f]	350,000	350,000	-
355	CIP Parks and Trails	Allocation of funding for demolition of partially collapsed bridge at Closson St. [CC appvd. 8/28/24, #10-c]	219,753	219,753	-
365	½% GRT Income Fund	Appropriation from available balance to fund development of infrastructure at Midtown [CC apvd. 8/14/24, #9-ah]	3,000,000	-	(3,000,000)
365	½% GRT Income Fund	Appropriation from FY23 GRT earned in excess of budgeted estimates to fund pavement rehabilitation and maintenance projects city-wide [CC apvd. 8/14/24, #9-ab]	3,000,000	-	(3,000,000)
365	½% GRT Income Fund	Appropriation from available balance for replacement plows, patching truck, and multi terrain loader for Complete Streets [CC apvd. 8/14/24, #9-aa]	2,700,000	-	(2,700,000)
365	½% GRT Income Fund	Appropriations from available balance to fund street and road improvement projects city-wide [CC apvd. 8/14/24, #9-ad]	1,600,000	1,600,000	-
365	½% GRT Income Fund	Appropriation from available GRT reserves to support the MRC Soccer Valley Improvements CIP project [CC apvd. 8/14/24, #9-v]	1,400,000	-	(1,400,000)
365	½% GRT Income Fund	Allocation of funding for the Sandoval Garage renovation project [CC apvd. 8/14/24, #9-ae]	1,120,000	-	(1,120,000)
365	½% GRT Income Fund	Appropriation from available balance to purchase two armored Bearcat vehicles and an Explosive Ordinance Disposal (EOD) vehicle [CC apvd. 8/14/24, #10-a]	1,107,000	-	(1,107,000)
365	½% GRT Income Fund	Appropriation from available balance to fund pallet shelters and hygiene/office units [CC apvd. 8/14/24, #9-al]	812,325	-	(812,325)
365	½% GRT Income Fund	Appropriation from available balance to fund the construction of a replacement roof for the Mary Esther Gonzales Senior Center [CC apvd. 8/14/24, #9-am]	800,000	-	(800,000)
365	½% GRT Income Fund	Appropriation from available balance to build additional apparatus storage for the Fire department [CC apvd. 8/14/24, #9-x]	750,000	-	(750,000)
365	½% GRT Income Fund	Appropriation from available balance for ongoing costs related to the Enterprise Resource Planning (ERP) implementation and updates [CC apvd. 8/14/24, #9-q]	500,000	-	(500,000)
365	½% GRT Income Fund	Appropriation from available balance to purchase a Type 3 wildland fire truck apparatus [CC apvd. 8/14/24, #9-ao]	450,000	-	(450,000)
365	½% GRT Income Fund	Appropriation from available balance to fund signal re-wiring projects at two key intersections [CC apvd. 8/14/24, #9-ac]	300,000	-	(300,000)
365	½% GRT Income Fund	Appropriation from available balance to fund deferred maintenance and repairs for the Police headquarters building [CC apvd. 8/14/24, #9-an]	200,000	-	(200,000)

<i>Fund</i>	<i>Fund Title</i>	<i>Amendment Description</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
365	½% GRT Income Fund	Appropriation from available balance to fund phase II of the traffic calming project on Calle Atajo [CC apvd. 8/14/24, #9-s]	85,000	-	(85,000)
500	Waste Water Management	Appropriation from available balance for on-call sludge hauling services [CC appvd. 9/25/24, #9-c, 9-d]	1,000,000	-	(1,000,000)
500	Waste Water Management	Appropriation from available balance to fund on-call construction services [CC apvd. 8/14/24 #9-h]	500,000	-	(500,000)
500	Waste Water Management	Appropriation from available balance for the purchase of cationic polymer chemicals used continuously at the Paseo Real Wastewater Treatment facility [CC appvd. 9/11/24, #9-d]	350,000	-	(350,000)
500	Waste Water Management	Appropriation from available balance for the Paseo Rael Master Plan engineering services contract [CC appvd. 9/11/24, #9-e]	73,550	-	(73,550)
505	Water Management	Re-allocation of funding to complete FY24 contracted services in FY25 [CC appvd. 9/11/24, #9-a]	1,166,127	-	(1,166,127)
505	Water Management	Allocation of available balance to fund city-wide water utility construction and repair projects [CC appvd. 9/11/24, #9-b]	540,938	-	(540,938)
505	Water Management	Appropriation from available balance to fund the City's share of the final BDD FY25 Budget [CC apvd. 7/31/24, #9-m]	114,369	-	(114,369)
505	Water Management	Appropriation from available balance for modifications to the Public Utilities Division building [CC apvd. 7/31/24, #9-n]	95,000	-	(95,000)
525	Midtown Property	Appropriation of NM DFA FY23 grant funding for Midtown campus redevelopment [CC apvd. 8/28/24, #9-h, 9-i]	5,940,000	5,940,000	-
530	Municipal Recreation Complex	Appropriation from available balance to fund the MRC irrigation ponds CIP project [CC apvd. 8/14/24, #9-y]	1,500,000	1,500,000	-
530	Municipal Recreation Complex	Appropriation from available balance to support the MRC Soccer Valley Improvements CIP project [CC apvd. 8/14/24, #9-v]	1,400,000	1,400,000	-
530	Municipal Recreation Complex	Appropriation of DFA grant for the MRC Soccer Valley Improvements project [CC apvd. 7/31/24, #9-h]	50,000	50,000	-
545	Airport	Appropriation of US DOT/FAA grant for the Airport Master Plan project [CC apvd. 08/14/24, #10-c]	1,021,700	1,021,700	-
545	Airport	Appropriation NM DOT/US FAA grant for the design of the Airport Terminal North Apron Reconstruction CIP project [CC apvd. 8/14/24, #10-d]	191,215	191,215	-
545	Airport	Appropriation of NM DOT grant for the Airport Master Plan project [CC apvd. 08/14/24, #9-k]	68,051	61,246	(6,805)
545	Airport	Appropriation of NM DOT grant for the Airport Lighting Vault project [CC apvd. 08/14/24, #9-l]	62,500	56,200	(6,300)
620	Services to Other Departments	Allocation of funding for LiveView mobile technologies camera trailers to enhance City events security [CC apvd. 8/14/24, #9-r]	570,000	570,000	-
620	Services to Other Departments	Allocation of funding for the ITT Disaster Recovery Site project [CC apvd. 8/14/24, #9-o]	500,000	500,000	-
620	Services to Other Departments	Allocation of funding for implementation of security hardware tokens [CC apvd. 8/14/24, #9-p]	117,000	117,000	-
<b>TOTAL - Budget Amendments Previously Approved by the Governing Body</b>			<b>\$ 83,495,255</b>	<b>\$ 42,319,037</b>	<b>\$ (41,176,218)</b>

**CITY OF SANTA FE**

**1<sup>st</sup> QUARTER FY 2024/25**

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**SUB-SECTION [B]**

**AMENDMENTS TO FY 2024/25 BUDGET  
PREVIOUSLY APPROVED BY OTHER CITY  
ACTORS PURSUANT TO SFCC 1987,  
SECTION 11-4 (A) AND (B)**

**CITY OF SANTA FE - FIRST QUARTER FY 2024/2025**  
**SUB-SECTION [B]: BUDGET AMENDMENTS PREVIOUSLY APPROVED BY OTHER CITY ACTORS**

<i>Fund</i>	<i>Fund Title</i>	<i>Amendment Description</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
100	General Fund	Re-appropriation of unspent prior year budget to fund police vehicle and equipment purchases	\$ 941,103	\$ -	\$ (941,103)
100	General Fund	Re-appropriation of unspent prior year budget for Senior Services and GCCC Capital Projects	227,160	-	(227,160)
100	General Fund	Re-appropriation of unspent prior year budget for ongoing citywide streets projects	198,717	-	(198,717)
100	General Fund	Re-appropriation of unspent prior year budget for ongoing facilities repair/improvements projects	100,083	-	(100,083)
100	General Fund	Appropriation from available reserve for contracted assistance in facilitating increased citizen involvement and engagement with the City's budgeting process	50,000	-	(50,000)
100	General Fund	Appropriation from General Fund to cover Municipal Court budget items omitted in error for FY25	27,777	-	(27,777)
100	General Fund	Transfer to Parks CIP to replace the pergola at Amelia White park	25,000	-	(25,000)
100	General Fund	Re-appropriation of funds for the library from a service contract overpayment made in FY24	13,119	-	(13,119)
212	Economic Development	Re-appropriation of unspent prior year budget for the ongoing LEDA Earth Traveler project	250,000	-	(250,000)
213	Lodgers' Tax Fund	Allocation of NM Tourism grant for a feasibility study to facilitate the creation of the Open Air Performing Arts Center	40,000	40,000	-
221	Emergency Services	Adjustment to re-budget remaining portion of US DHS Homeland Security FY24 grant	127,720	127,720	-
223	Law Enforcement	Re-appropriation of unspent prior year budget to fund police vehicle and equipment purchases	987,889	-	(987,889)
231	City Drainage Fund	Re-appropriation of unspent prior year budget for ongoing storm water drainage maintenance projects	1,312,490	-	(1,312,490)
231	City Drainage Fund	Re-appropriation of unspent prior year budget for vehicle purchases and the ongoing Arroyo Chamiso CIP project	73,350	510,771	437,421
231	City Drainage Fund	Re-appropriation of unspent prior year budget for software purchases	4,030	-	(4,030)
233	Transportation Grants	Re-appropriation of prior year NM DOT grant/local match for downtown intersection safety analysis	125,114	100,091	(25,023)
240	Community Development	Adjustment to re-budget remaining portion of prior year US Treasury ARPA grant for small business support, job training services, youth services, and public wifi	3,704,948	3,704,948	-
240	Community Development	Adjustment to re-budget remaining portion of prior year US Treasury ARPA grant for Ragle Park field improvements	210,376	210,376	-
240	Community Development	Adjustment to re-budget remaining portion of prior year US HUD CDBG grant to support the ECRA Trail project	49,156	-	(49,156)
241	Senior Citizen Grants/Programs	Adjustment to re-budget remaining portion of prior year NM DFA grant for purchase of Senior Services vehicles	717,159	717,159	-
251	Library Fund	Re-appropriation of remaining NM GO Bond funding for purchase of Library materials and equipment	337,186	337,186	-
251	Library Fund	Re-appropriation of funds from a service contract overpayment made in FY24	6,305	-	(6,305)
255	Quality of Life Fund	Re-appropriation of unspent prior year budget for software purchases	51,622	-	(51,622)
315	CIP Resource Conservation	Re-appropriation of unspent prior year budget for the ongoing citywide solarization project	13,696	-	(13,696)

<i>Fund</i>	<i>Fund Title</i>	<i>Amendment Description</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
320	CIP Facilities	Re-appropriation of unspent prior year budget for ongoing municipal facilities CIP projects	4,833,838	1,813,950	(3,019,888)
325	CIP Special Projects	Re-appropriation of unspent prior year budget for the ongoing ERP System Software CIP project	1,090,213	-	(1,090,213)
325	CIP Special Projects	Re-appropriation of unspent prior year budget to fund Questica Software and ongoing ERP system services	944,883	-	(944,883)
330	CIP Streets & Roadways	Re-appropriation of unspent prior year budget for ongoing citywide streets CIP projects	18,127,193	10,900,407	(7,226,786)
335	CIP Bond Acquisition	Re-appropriation of unspent prior year budget for ongoing facilities improvement/renovation CIP projects	1,380,946	-	(1,380,946)
335	CIP Bond Acquisition	Re-appropriation of unspent prior year budget for ongoing citywide streets CIP projects	172,648	-	(172,648)
345	CIP Community Development	Re-appropriation of unspent prior year budget for ongoing municipal facilities CIP projects	2,442,719	247,500	(2,195,219)
355	CIP Parks and Trails	Appropriation of available balance to replace the pergola at Amelia White park	25,000	25,000	-
365	½% GRT Income Fund	Re-appropriation of unspent prior year budget for ongoing municipal facilities CIP projects	530,444	-	(530,444)
365	½% GRT Income Fund	Re-appropriation of unspent prior year budget for ongoing citywide streets CIP projects	268,299	-	(268,299)
365	½% GRT Income Fund	Appropriation from available balance to address drainage issues at Alameda and Calle Nopal	30,000	-	(30,000)
365	½% GRT Income Fund	Appropriation from available balance to address drainage issues at Otowi and Vitalia	30,000	-	(30,000)
365	½% GRT Income Fund	Appropriation from available balance to address drainage issues at Rio Vista	25,000	-	(25,000)
365	½% GRT Income Fund	Appropriation from available balance to fund Cerro Gordo bridge engineering and repair	22,000	-	(22,000)
500	Waste Water Management	Re-appropriation of unspent prior year budget for ongoing Wastewater CIP projects	11,329,385	-	(11,329,385)
505	Water Management	Re-appropriation of unspent prior year budget for the ongoing Nichols Dam CIP project	15,116,563	-	(15,116,563)
505	Water Management	Re-appropriation of unspent prior year budget for ongoing priority water line replacement projects	12,211,132	-	(12,211,132)
505	Water Management	Appropriation from available balance to fund reclassification of various Water division positions	20,224	-	(20,224)
505	Water Management	Appropriation from available balance to cover remaining renovations to PUD building	20,000	-	(20,000)
505	Water Management	Appropriation from available balance to fund Public Utilities employee tuition, training, and travel	10,000	-	(10,000)
505	Water Management	Appropriation from available balance to fund reclassification of the Custodian Lead worker position	6,975	-	(6,975)
510	Environmental Services	Re-appropriation of unspent prior year budget for ESD vehicle purchases	2,218,870	-	(2,218,870)
510	Environmental Services	Re-appropriation of unspent prior year budget for CIP project design of administrative offices and maintenance facility	247,899	-	(247,899)
515	Railyard Properties	Re-appropriation of unspent prior year budget for ongoing facilities improvement/renovation CIP projects	709,899	-	(709,899)
525	Midtown Property	Re-appropriation of unspent prior year budget for ongoing facilities improvement/renovation CIP projects	1,521,557	963,439	(558,118)

<i>Fund</i>	<i>Fund Title</i>	<i>Amendment Description</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
530	Municipal Recreation Complex	Re-appropriation of unspent prior year budget for ongoing MRC improvement projects	549,554	-	(549,554)
530	Municipal Recreation Complex	Re-appropriation of unspent prior year budget for MRC sports fields equipment purchases	263,281	-	(263,281)
535	Parking	Re-appropriation of unspent prior year budget for ongoing parking garage CIP projects	29,709	-	(29,709)
540	Transit Bus System	Re-appropriation of unspent prior year budget for ongoing facilities improvement/renovation CIP projects	5,617,831	-	(5,617,831)
540	Transit Bus System	Re-appropriation of unspent prior year budget to purchase transit vans and buses	749,093	601,423	(147,670)
540	Transit Bus System	Allocation of funding to cover FY25 natural gas and electricity costs	60,000	-	(60,000)
545	Airport	Adjustment to re-budget remaining portion of prior year NM DOT/US FAA grant for Airport expansion construction	7,332,376	6,175,338	(1,157,038)
545	Airport	Re-appropriation of unspent prior year budget for Airport equipment/vehicles purchases	2,153,173	-	(2,153,173)
550	Genoveva Chavez Community Ctr	Transfer from General Fund/Community Services to fund GCCC mechanical repairs	50,000	50,000	-
<b>TOTAL - Budget Amendments Previously Approved by Other City Actors</b>			<b>\$ 99,734,704</b>	<b>\$ 26,525,308</b>	<b>\$ (73,209,396)</b>

**CITY OF SANTA FE**

**1<sup>st</sup> QUARTER FY 2024/25**

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**SUB-SECTION [C]**

**JOINT OPERATIONS  
(BUCKMAN DIRECT DIVERSION & SF SOLID  
WASTE MANAGEMENT AGENCY) –  
BOARD-APPROVED AMENDMENTS TO  
FY 2024/25 BUDGET**

**CITY OF SANTA FE - FIRST QUARTER FY 2024/2025**  
**SUB-SECTION [C]: JOINT OPERATIONS - BOARD-APPROVED BUDGET AMENDMENTS**

<i>Fund</i>	<i>Fund Title</i>	<i>Amendment Description</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
800	Buckman Direct Diversion	Adjustments reflecting final BDD Board-approved budget	\$ 10,447,366	\$ 10,447,366	\$ -
810	SF Solid Waste Mgmt Agency	Adjustments reflecting final SFSWMA Board-approved budget	12,029,851	12,527,771	497,920
810	SF Solid Waste Mgmt Agency	Appropriation from SWMA Equipment Replacement Fund for purchase of a Landfill Compactor	1,560,000	1,560,000	-
810	SF Solid Waste Mgmt Agency	Re-appropriation of unspent prior year budget for contracted audit, maintenance and compliance services	1,096,402	-	(1,096,402)
810	SF Solid Waste Mgmt Agency	Appropriation from available balance to increase compliance services for the landfill and BuRRT	60,000	-	(60,000)
810	SF Solid Waste Mgmt Agency	Appropriation from available balance to replace HVAC unit at the Caja Del Rio administration building	14,865	-	(14,865)
810	SF Solid Waste Mgmt Agency	Re-appropriation of unspent prior year budget for purchase of equipment/machinery	12,624	-	(12,624)
811	SWMA Equip Replacement Fund	Appropriation from SWMA CIP Fund for the Caja del Rio Landfill Gas Collection System	1,560,000	-	(1,560,000)
811	SWMA Equip Replacement Fund	Adjustment reflecting final SFSWMA Board-approved budget	-	1,300,000	1,300,000
812	SWMA Gas Collection Reserve	Adjustment reflecting final SFSWMA Board-approved budget	-	325,000	325,000
813	SWMA Cell Developmt Reserve	Adjustment reflecting final SFSWMA Board-approved budget	-	300,000	300,000
815	SWMA Closure/Post-Closure Reserve	Adjustment reflecting final SFSWMA Board-approved budget	-	175,000	175,000
816	SWMA CIP Fund	Adjustment reflecting final SFSWMA Board-approved budget	-	500,000	500,000
<b>TOTAL - Joint Operations - Board Approved Budget Amendments</b>			<b>\$ 26,781,108</b>	<b>\$ 27,135,137</b>	<b>\$ 354,029</b>

**CITY OF SANTA FE**

**1<sup>st</sup> QUARTER FY 2024/25**

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**SUB-SECTION [D]**

**SUMMARY OF ALL QUARTERLY  
AMENDMENTS TO FY 2024/25 BUDGET BY  
FUND**

**CITY OF SANTA FE - FIRST QUARTER FY 2024/2025**  
**SUB-SECTION [D]: TOTAL QUARTERLY AMENDMENTS BY FUND**

<i>Fund</i>	<i>Fund Title</i>	<i>Expenditure Increase (Decrease)</i>	<i>Revenue Increase (Decrease)</i>	<i>Budgeted Net Fund Increase (Decrease)</i>
100	General Fund	\$ 21,981,712	\$ 1,757,000	\$ (20,224,712)
212	Economic Development	4,700,000	4,450,000	(250,000)
213	Lodgers' Tax Fund	857,960	857,960	-
216	Gross Receipts Tax Fund	2,542,700	-	(2,542,700)
221	Emergency Services	127,720	127,720	-
223	Law Enforcement	987,889	-	(987,889)
231	City Drainage Fund	1,389,870	510,771	(879,099)
233	Transportation Grants	125,114	100,091	(25,023)
240	Community Development	9,905,094	9,941,587	36,493
241	Senior Citizen Grants/Programs	785,159	785,159	-
251	Library Fund	343,491	337,186	(6,305)
255	Quality of Life Fund	51,622	-	(51,622)
315	CIP Resource Conservation	13,696	-	(13,696)
320	CIP Facilities	11,603,838	8,583,950	(3,019,888)
325	CIP Special Projects	5,077,796	3,042,700	(2,035,096)
330	CIP Streets & Roadways	18,787,193	11,560,407	(7,226,786)
335	CIP Bond Acquisition	1,553,594	-	(1,553,594)
345	CIP Community Development	3,242,719	1,047,500	(2,195,219)
355	CIP Parks and Trails	4,944,753	4,944,753	-
365	½% GRT Income Fund	18,730,068	1,600,000	(17,130,068)
500	Waste Water Management	13,252,935	-	(13,252,935)
505	Water Management	29,301,328	-	(29,301,328)
510	Environmental Services	2,466,769	-	(2,466,769)
515	Railyard Properties	709,899	-	(709,899)
525	Midtown Property	7,461,557	6,903,439	(558,118)
530	Municipal Recreation Complex	3,762,835	2,950,000	(812,835)
535	Parking	29,709	-	(29,709)
540	Transit Bus System	6,426,924	601,423	(5,825,501)
545	Airport	10,829,015	7,505,699	(3,323,316)
550	Genoveva Chavez Community Ctr	50,000	50,000	-
620	Services to Other Departments	1,187,000	1,187,000	-
800	Buckman Direct Diversion	10,447,366	10,447,366	-
810	SF Solid Waste Mgmt Agency	14,773,742	14,087,771	(685,971)
811	SWMA Equip Replacement Fund	1,560,000	1,300,000	(260,000)
812	SWMA Gas Collection Reserve	-	325,000	325,000
813	SWMA Cell Developmt Reserve	-	300,000	300,000
815	SWMA Closure/Post-Closure Reserve	-	175,000	175,000
816	SWMA CIP Fund	-	500,000	500,000
<b>QUARTERLY TOTAL - ALL FUNDS</b>		<b>\$ 210,011,067</b>	<b>\$ 95,979,482</b>	<b>\$ (114,031,585)</b>

FISCAL IMPACT REPORT

General Information:

(Check) Bill: \_\_\_\_\_ Resolution:  X

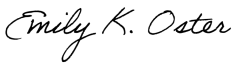
Short Title(s):  First Quarter Budget Amendments, Fiscal Year 2024/2025

Sponsor(s):  Mayor Alan Webber

Reviewing Department(s):  Finance Department

Staff Completing FIR:  Andy Hopkins  Date:  11/15/2024  Phone:  (505) 955-6177

Reviewed by City Attorney:    Date:  Nov 22, 2024

Reviewed by Finance Director:    Date:  Nov 22, 2024

Summary:

The purpose of the Resolution is to approve Buckman Direct Diversion and Santa Fe Solid Waste Management Agency budget adjustments and request Department of Finance Authority to approve First Quarter FY 2025 budget amendments in the form of increases and decreases to various funds, which include adjustments for department priorities, grant adjustments, prior year encumbrances, and increases supported by available revenue.

Departments Affected:

Various.

Consequences of Not Enacting Legislation:

If this legislation is not adopted, the City's budget will not sufficiently reflect the City's actual revenues and expenditures. Adjustments would not be submitted to the New Mexico Department of Finance Administration's approval, as is required by New Mexico State law, NMSA 1978, Section 6-6-2(H).

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

None.

Performance and Administrative Implications:

None. Staff have already performed the necessary actions to comport with the purpose of the proposed budget amendments.

Fiscal Implications:

See Resolution, Exhibit A -City of Santa Fe 1<sup>st</sup> Quarter FY 2024-25 Budget Amendments.

Fiscal Impact

Check here if no fiscal impact

**Expenditures**

<b>Expenditure Type</b>	<b>FYE 25</b>	<b>FYE 26</b>	<b>FYE 27</b>	<b>Require BAR (Y/N)</b>	<b>Recurring (R) or Non-recurring (NR)</b>	<b>Fund</b>	<b>3-Year Total Cost</b>
Personnel and	\$ †	\$ 0	\$ 0	N	NR	†	
<u>Benefits*</u>							
Capital Outlay	\$ †	\$ 0	\$ 0	N	NR	†	
Contractual/	\$ †	\$ 0	\$ 0			†	
<u>Professional Services</u>							
Operating	\$ †	\$ 0	\$ 0			†	
<b>Total:</b>	\$ †	\$ 0	\$ 0			†	\$ †

\* This includes all staff time associated with executing the job functions of the proposed legislation.

**Expenditure Narrative:**

Governing Body approval is required for all of the previous quarter's changes to budgeted expenditures and transfers out.

**Revenue**

<b>Revenue Type</b>	<b>FYE 25</b>	<b>FYE 26</b>	<b>FYE 27</b>	<b>Recurring (R) or Non-recurring (NR)</b>	<b>Fund</b>
General Fund	\$ †	\$ 0	\$ 0	NR	†
Special Revenue	\$ †	\$ 0	\$ 0	NR	†
CIP	\$ †	\$ 0	\$ 0	NR	†
Enterprise	\$ †	\$ 0	\$ 0	NR	†
Internal Service	\$ †	\$ 0	\$ 0	NR	†
Trust & Agency	\$ †	\$ 0	\$ 0	NR	†
Federal	\$ †	\$ 0	\$ 0	NR	†
Other	\$ †	\$ 0	\$ 0	NR	†
<b>Total</b>	\$ †	\$ 0	\$ 0		

**Revenue Narrative:**

Governing Body approval is required for all of the previous quarter's changes to budgeted revenues and transfers in.

† See Exhibit A – Resolution Detail by Fund

**Signature:** *Andy Hopkins*

**Email:** ajhopkins@santafenm.gov

**Signature:** *Clinton Martinez*

**Email:** cfmartinez@santafenm.gov