



PROPOSED
2021-2022
NEW
RESOLUTIONS

Presented To:
NMML Resolutions Committee
August 31, 2021
Albuquerque, NM

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PROPOSED

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2021-2022 RESOLUTIONS

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RESOLUTION 2021-A

CONCERNING MUNICIPAL AIRPORT IMPROVEMENT ICIP REQUESTS

Whereas, the current state of municipal airport infrastructure varies greatly across the state; and

Whereas, the 2022-2026 ICIP has 69 municipal airport improvement funding requests; and

Whereas, there is a surplus in both the General Fund and Capital Outlay funds.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports the full financing of all municipal airport improvement requests by the General Fund and Capital Outlay funds.

Passed, Approved and Adopted this 2nd day of September at the City of Albuquerque, New Mexico.

Submitted By: NM Municipal League

RESOLUTION 2021-B

CONCERNING THE CORRECTIVE ACTION FUND EXPENDITURES

Whereas, HB 19 was signed into law and became effective May 19, 2004; and

Whereas, the current practice of the Environment Department is to use fuel tax based Corrective Action Fund to fully fund the personnel costs of 150 FTE across the agency; and

Whereas, the Corrective Action Fund was created to finance the clean-up, remediation, and monitoring of leaks and spills from petroleum storage tanks across the state; and

Whereas, there are still 930 sites statewide that require corrective action; and

Whereas, the Corrective Action Fund no longer serves the sole purpose of protecting public health.

Now, Therefore, Be It Resolved that the New Mexico Municipal League supports the allocation of personnel costs to be taken from the General Fund, as opposed to fee-based funds such as the Corrective Action Fund.

Passed, Approved and Adopted this 2nd day of September at the City of Albuquerque, New Mexico.

Submitted By: NM Municipal League

RESOLUTION 2021-C

CONCERNING PARTNERING WITH STATE AND FEDERAL RECOVERY FUND EFFORTS

Whereas, New Mexico is attempting to recover in the wake of the global Covid-19 pandemic; and

Whereas, there are unprecedented federally funded recovery programs and state efforts to allocate and distribute money; and

Whereas, state and local governments are receiving once in a lifetime distributions of federal recovery funds, the League will work to maximize funding for infrastructure projects (water, wastewater, broadband).

Now, Therefore, Be It Resolved that the New Mexico Municipal League will identify and partner with state and local governments to work towards full funding for regional and statewide projects.

Passed, Approved and Adopted this 2nd day of September at the City of Albuquerque, New Mexico.

Submitted By: NM Municipal League

RESOLUTION 2021-D

CONCERNING ACKNOWLEDGING THE NEED TO DEVELOP SOLUTIONS TO THE HOUSING SHORTAGES SUFFERED BY MUNICIPALITIES ACROSS NEW MEXICO

Whereas, the cost of housing can be exorbitant in relation to the area median income for a four-person household in New Mexico; and

Whereas, rental rates across New Mexico have risen faster than incomes, resulting in fewer housing options for working-class families in New Mexico, as well as for prospective employees who might otherwise relocate to New Mexico; and

Whereas, the lack of housing options in New Mexico has a negative impact on the ability of local employers to attract and retain competent employees; and

Whereas, in addition to increased housing costs for working families, our municipalities have experienced reduced housing opportunities as a result of investors purchasing residential properties and converting them to short-term rental properties; and

Whereas, residential property owners that once offered their properties to long-term renters have recognized the opportunity to achieve a higher return on investment by converting their properties to short-term rentals, leading to further housing reductions across the state; and

Whereas, studies suggest that housing is not affordable for New Mexico families earning below 140% of the area median income; and

Whereas, under current law, municipalities are restricted in the amount of relief they can provide to alleviate the damage done to New Mexico's families by the housing shortage; and

Whereas, incomes of 120% to 140% of area median income in New Mexico would range somewhere around \$68,000 and \$90,000; and

Whereas, affordable rents for those income levels would range between approximately \$1,700 and \$2,200; and

Whereas, a survey of average nightly rental rate for homes in New Mexico listed on short-term rental platforms such as Airbnb could be up to \$220 per night. At that rate, the property owner can expect more than three times the income by renting the property on a nightly basis rather than on a monthly basis; and

Whereas, many residential rental-property owners have taken note of the income opportunities generated by Airbnb and have increased rates on long-term rental properties, exacerbating the housing crisis across the state; and

Whereas, the combination of low interest rates, high construction costs, and skyrocketing inflation has also contributed to the housing shortage in our State.

Whereas, rental rates in New Mexico under the \$2200 per month threshold for working families are typically too small to accommodate an entire family on a long-term basis; and

Whereas, housing-market conditions have evolved rapidly in recent years along with technology such as Airbnb; and

Whereas, many New Mexico municipalities are limited in the availability of land on which to develop housing to serve New Mexico families; and

Whereas, under the above-described conditions, the supply of rental housing for New Mexico families is practically non-existent; and

Whereas, our state-wide housing shortage has left working New Mexicans in fields as varied as teachers to tradesmen, nurses, firemen, police officers to film crew members and hospitality workers with few options but to live in hotels or spare bedrooms, or else to be out in the cold.

Now, Therefore, Be It Resolved that the New Mexico Municipal League shall coordinate with the Office of the Governor of New Mexico, the New Mexico Legislature, the New Mexico Finance Authority and all other relevant agencies to develop solutions to the housing shortage in New Mexico, including, but not limited to, amendments to the New Mexico Housing Law (NMSA 3-45-1 et. seq.) to provide relief from the anguish to New Mexico families in the 120% to 140% area median income directly created by the housing shortage in our State.

Passed, Approved and Adopted this 2nd day of September at the City of Albuquerque, New Mexico.

Submitted By: Village of Ruidoso

RESOLUTION 2021-E

CONCERNING STATE CAPITAL OUTLAY PROCEDURES

Whereas, the Local Government Division of the Department of Finance Administration (LGD) provides oversight to local governments to assist in the funding of equipment and infrastructure projects to meet the needs of all New Mexicans through appropriations of capital outlay; and

Whereas, capital outlay is often times the last funding source available to fund projects for some local governments who provide services to underserved New Mexicans; and

Whereas, it is foreseeable that the State of New Mexico will experience an increase in future capital outlay funding and federal funding dedicated to local government projects; and

Whereas, it is also foreseeable that New Mexico will experience an increase in the amount of unspent appropriations due to factors such as increasing cost of materials, lack of work force, lack of readiness of projects, improper planning, and underfunded projects; and

Whereas, many municipalities lack resources and technical capacity to administer projects effectively and efficiently; and

Whereas, the New Mexico EDGE training program provides certified procurement officer (CPO) and Certified Project Management (CMO) training for local Governments; and

Whereas, LGD recognizes the value added to local governments who have participated in the New Mexico EDGE training program, through the effective and efficient administration of funds; and

Whereas, the New Mexico Municipal League recognizes the ongoing need to develop and improve programs to provide assistance to its members in the administration of capital outlay.

Now, Therefore, Be It Resolved that the New Mexico Municipal League endorses the passage of legislation which will allow a qualifying municipality to receive from the New Mexico Department of Finance and Administration Local Government Division an amount up to one percent (1%) of all state capital appropriations in a given year for a procurement or grant management program to build capacity within local governments to assist in the administration of appropriations of capital outlay.

Passed, Approved and Adopted this 2nd day of September at the City of Albuquerque, New Mexico.

Submitted By: Village of Ruidoso

RESOLUTION 2021-F

**CONCERNING AMENDING NMSA PROVIDING FOR
A STREETS RECAPTURE AGREEMENT**

Whereas, NMSA 3-26-2 provides for Developer Sewage collection system construction Costs Recapture agreements; and

Whereas, NMSA 3-27-4 provides for Developer Water distribution system construction Costs Recapture agreements; and

Whereas, New Mexico State did not specifically articulate any provision for a recapture method for Street paving as provided for Sewer and Water; and

Whereas, Developers are consistently required to construct roadways which also benefit other adjacent non-contributing land owners.

Now, Therefore, Be it Resolved that the New Mexico Municipal League supports providing specific authorization language with a separate statute for street construction recapture agreements as provided for Sewer and Water.

Passed, Approved and Adopted this 2nd day of September at the City of Albuquerque, New Mexico.

Submitted By: City of Farmington

RESOLUTION 2021-G

**CONCERNING AMENDING NMSA 3-1-2(H) INCLUDING STORMWATER
AS UTILITY DEFINITION**

Whereas, in the past stormwater was and is not identified as a utility under NMSA;
and

Whereas, Stormwater has numerous unfunded regulations as a utility which have become a requirement through Federal MS4 permitting with severe penalty for failure to comply; and

Whereas, non-home ruled Cities can not consider funding stormwater as an utility under New Mexico state law; and

Whereas, funding options are desperately needed to fund compliance activities required by the Federal regulations.

Now, Therefore, Be it Resolved that the New Mexico Municipal League supports amending NMSA 3-1-2(H) by adding "Stormwater" to the existing definitions listed as Utility.

Passed, Approved and Adopted this 2nd day of September at the City of Albuquerque, New Mexico.

Submitted By: City of Farmington

RESOLUTION 2021-H

CONCERNING THE INVESTMENT OF CERTAIN PUBLIC MONIES BY MUNICIPALITIES WITH FEWER THAN SIXTY-FIVE THOUSAND PERSONS

Whereas, Section 6-10-10 NMSA 1978 provides for deposit and investment of certain municipal funds; and

Whereas, the current iteration of Section 6-10-10 (G) has an arbitrary population threshold of “more than sixty-five thousand” that prevents cities with fewer persons from taking advantage of certain investment opportunities; and

Whereas, that arbitrary population threshold prevents equitable application of the statute, thereby harming the investment interests of smaller municipalities; and

Whereas, risk with regard to investment is a proportional exercise and financial officials in smaller population municipalities should be trusted with the same responsibilities as their larger municipality peers; and

Whereas, the statute can be amended in such a way that remains protective of poor financial policy.

Now, Therefore, Be it Resolved that the New Mexico Municipal League supports legislation that allows municipalities under the threshold to participate in investment opportunities at a reasonable share of their actual investment portfolios.

Passed, Approved and Adopted this 2nd day of September at the City of Albuquerque, New Mexico.

Submitted By: City of Farmington