

Town of Edgewood

Agenda

Special Meeting

Tuesday, June 2, 2026 at 6:00 PM

Edgewood Town Hall Commission Chambers, 171A NM 344

Edgewood, NM 87015

This meeting is held in-person. As a convenience, a meeting live-stream may be available but could be impacted by technology or internet signal. Click link for YouTube live-stream:

<https://www.youtube.com/@thetownofedgewoodnm/streams>

If you are an individual with a disability who needs a reader; amplifier; qualified sign language interpreter; or any other form of auxiliary aid or service to attend or participate in the hearing or meeting; please contact the Clerk at the Town Offices located at 171 NM Rd. 344 at least three (3) days prior to the meeting or as soon as possible. Public documents, including the agenda and minutes can be provided in various accessible formats. Please contact the Town Clerk at (505) 286-4518 or by e-mail at clerk@edgewood-nm.gov if a summary or other type of accessible format is needed. The complete Commission packet may be viewed on the web; visit <https://edgewoodnm.portal.civicclerk.com/> to find Agenda materials.

A. WELCOME AND CALL TO ORDER

1. Roll Call (by Town Clerk or designee)
2. Invocation
3. Pledge of Allegiance
4. NM Flag Salute
"I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."

B. APPROVAL OF AGENDA

C. MATTERS FROM THE COMMISSIONERS

D. ORDINANCES, RESOLUTIONS, AND ZONING

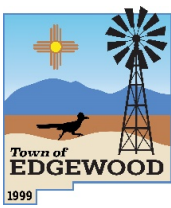
1. Ordinance 2026-00C discussion and possible action on concerns identified by Santa Fe County

E. FUTURE MEETINGS

1.
 - a. June 9, 2026 Regular Commission Meeting
 - b. June 16, 2026 Special Commission Meeting
 - c. June 23, 2026 Regular Commission Meeting

F. FINAL COMMENTS BY COMMISSIONERS

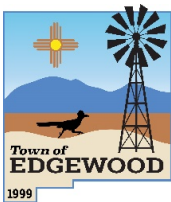
G. ADJOURNMENT



Town of Edgewood AGENDA REQUEST FORM

| | |
|--|---|
| Submitted by: | Commissioner Rariden |
| Commission Meeting Date: | 2 Jun 2026 |
| Agenda Item Title: | Fire/EMS Ordinance Concerns Identified by SFC. |
| Action Requested of Commission: | Hold a Special Session to discuss Fire/EMS JPA Ordinance concerns identified by SFC on 29 May 2026. |
| Background and Rationale: | <p>A letter from the SFC Attorney Walker Boyd was received at approximately 4:21 PM on 29 May 2026 outlining concerns on the revised Fire/EMS JPA Ordinance that was voted on during a Regular Town Meeting on 26 May 2026 to be posted for public view.</p> <p>The letter specifically stated he was writing to detail several concerns with the proposed ordinance. “As published, I am unable to approve the form of this ordinance, because it does not comply with the JPA or state law. Without such approval, the JPA will not go into effect, as a condition precedent was the adoption by the Town Commission of an ordinance approved by the Santa Fe County (“County”) Attorney”.</p> <p>After review of the ordinance I identified there is in fact discrepancies that conflict w/the JPA, specifically page 5 para 1 states the ordinance must be approved by the county attorney, and on page 5 para h2 funding must be distributed by the town fiscal agent bank directly versus by the town.</p> <p>A copy of the letter submitted by SFC Attorney Walker Boyd is attached as an exhibit to this Agenda Request Form.</p> |
| Alternative plans if action denied: | A lapse or complete lack of Fire/EMS services could occur on 1 July 2026 unless a compromise is reached in the terms and conditions of the JPA Ordinance. |
| Name of person presenting: | Commissioner Rariden |
| Department(s) involved: | Town Staff, Commission and SFC. |
| Budget questions: | |
| • Line Item: | |
| • Fiscal Impact: | |

*Updated 2025-04-16
Created 2025-02-17*



Town of Edgewood AGENDA REQUEST FORM

| | |
|---|--|
| <ul style="list-style-type: none">• Add'l Funding Sources: | |
| Staff Review: | |
| Staff Recommendation: | |

Justin S. Greene
Commissioner, District 1

Lisa Cacari Stone
Commissioner, District 2

Camilla Bustamante
Commissioner, District 3



Adam F. Johnson
Commissioner, District 4

Hank Hughes
Commissioner, District 5

Gregory S. Shaffer
County Manager

Office of the County Attorney

May 29, 2026

Via email only

Young Jun Roh
Rimon PC
500 Marquette Avenue NW, Suite 1200
Albuquerque, NM 87102

Re: Town of Edgewood's proposed ordinance creating the GRT Fire Services Fund

Dear Jun:

I recently received copy of the proposed ordinance of the Town of Edgewood (sometimes, "Town") implementing the Joint Powers Agreement for Fire Suppression, Fire Prevention, Rescue, and Emergency Medical Services Between the Town of Edgewood, New Mexico and The County of Santa Fe, New Mexico ("JPA"). *See* Ex. 1. I am writing to detail several concerns with the proposed ordinance. As published, I am unable to approve the form of this ordinance, because it does not comply with the JPA or state law. Without such approval, the JPA will not go into effect, as a condition precedent was the adoption by the Town Commission of an ordinance approved by the Santa Fe County ("County") Attorney.

Background

On April 20, 2026, Town and County representatives agreed in principle to enter into a revised joint powers agreement for Fire and EMS services. The JPA is the result of the Town and the County's agreement. Importantly, the County and the Town agreed that it was in neither parties' interest for the County to cease providing Fire and EMS services to Town residents abruptly. To that end, the parties agreed that the JPA could be terminated only upon five years' notice. *See* JPA ¶ 4. Both sides agreed that it would take at least that long for the Town to assume full responsibility for the provision of Fire and EMS services to its residents, should it so desire.

It is not necessary to rehash the full history that brought the Town and County to this point. It should suffice to say that when the Town of Edgewood asked the Board of County Commissioners (sometimes, "Board") to negotiate a new JPA for fire and emergency medical

services, the Board required that the new JPA contain provisions ensuring that the Town's payment obligations were:

- Accurately calculated and timely made; and
- Secured.

In addition, the Board wanted to ensure stability in services.

The JPA addresses those clearly articulated interests, as described below.

To address the accurate and timely payment of GRT distributions for fire and emergency medical services, the JPA contains a payment calculation formula, *see* JPA ¶ 1(f), and required the Town to “direct its fiscal agent bank to immediately distribute to the County by ACH transfer from its gross receipts tax distribution” the payment required by Paragraphs 1(g) & (f). *See* JPA ¶ 1(h)(2).

To address the security required by the Board, the Town agreed to make a binding commitment of its GRT and municipal distribution revenue towards the satisfaction of its payment obligations under the new JPA. On this point, the JPA is crystal-clear: directly preceding the five-year termination period, the JPA states that the agreement “is contingent upon the Town Commission adopting an ordinance dedicating revenue in the GRT Fire Services Fund to the Town's [payment] obligations” *See* JPA ¶ 3. To ensure that the ordinance's validity, the JPA further provides that the Town's revenue-dedication ordinance is subject to review and approval by the County Attorney. *See* JPA ¶ 1(h)(1).

Consistent with the Town and the County's agreement, and after the JPA was signed by the Town and County, you provided me with a draft ordinance for my review and approval on May 6, 2026. *See* Ex. 2. I provided you a detailed redline with accompanying comments on May 11, 2026. *See* Ex. 3. On May 13, 2026, you provided me with the Town's responses and revisions. *See* Ex. 4. The next day, I provided you with the County's redlines and comments. *See* Ex. 5. I did not hear anything further from you or Town representatives about the draft ordinance, and so assumed that the Town had no further questions or objections to the County's revisions.

I now understand that that on May 26, 2025, the Town authorized for publication and notice of potential future adoption a shortened, four-section substitute document (the “Edgewood Draft Ordinance”). *See* Ex. 1. As explained below, The Edgewood Draft Ordinance diverges from the County-approved draft in several significant respects and, as discussed below, contains at least one provision that is directly and materially inconsistent with the pledge commitment in Paragraph 1(h)(1) of the JPA.

Deficiencies in the Edgewood Draft Ordinance

First, and most significant, the Edgewood Draft Ordinance characterizes the Town's pledge of GRT revenue as “a contractual funding mechanism — not a bond or permanent encumbrance.”

This framing is inconsistent with the JPA. Paragraph 1(h)(1) of the JPA provides that the Town's pledge constitutes a "limited revenue obligation" pursuant to Section 3-31-4 NMSA 1978. The JPA's characterization of the Town's obligation as a limited revenue obligation governs; by recharacterizing its obligation as a "contractual funding mechanism," the Town is repudiating its promise to make a binding pledge of GRT revenues towards the satisfaction of its payment obligations under the JPA.

Moreover, Chapter 3, Article 31 defines "bond" in the broadest of terms as "any obligation of a municipality issued under Chapter 3, Article 31 NMSA 1978, whether designated as a bond, note, loan, warrant, debenture, lease-purchase agreement or other instrument evidencing an obligation of a municipality to make payments[.]" NMSA 1978, Section 3-31-1.1.(A). In addition, Section 3-31-1(D) authorizes gross receipts tax revenue bonds to be "issued for any municipal purpose." The provision of the services covered by the JPA is a municipal purpose, and the JPA is an instrument evidencing an obligation of the Town to make payments. Accordingly, for Edgewood to make a valid commitment of its GRT revenues towards the satisfaction of its payment obligations under the JPA, it needs to follow the procedures set forth in Section 3-31-4, i.e., by adopting an ordinance by a $\frac{3}{4}$ majority of the Town Commission. *See* NMSA 1978, § 3-31-4(A)(2) (2018).

Second, Section 3(b) of the Edgewood Draft Ordinance introduces a 20-year automatic sunset, providing that the Ordinance "shall automatically expire" on that date unless renewed by subsequent ordinance. This is directly inconsistent with Paragraph 1(h)(1) of the JPA, which requires the pledging ordinance to be "irrepealable so long as the Town has outstanding amounts due under Paragraph 1(f) or Paragraph 1(g)." The Paragraph 1(f) payment obligation runs for the life of the JPA; it cannot be terminated without five years' prior notice under Paragraph 4. Accordingly, the Town's payment obligation may extend well beyond the proposed 20-year sunset.

Third, Section 2 of the Edgewood Draft Ordinance provides that payment to the County shall be made by ACH transfer by the Town's fiscal agent bank "within five business days of each distribution." The JPA says that the "the Town shall direct its fiscal agent bank to immediately distribute to the County by ACH transfer from its gross receipts tax distribution an amount calculated" in accordance with that paragraph. *See* JPA ¶ 1(h)(2). Language to this effect was included in the ordinance you circulated on May 6, 2026. Before approving the Edgewood Draft Ordinance, I would need clarification as to why five business days should qualify as "immediately" under the JPA. In other words, can the Town not create processes that allow for quicker distribution?

Finally, the Ordinance omits the County Attorney signature block. Paragraph 1(h)(1) expressly provides that the pledging ordinance "shall be in a form approved by the County Attorney." The County Draft transmitted to the Town included that signature line for precisely this reason. Its

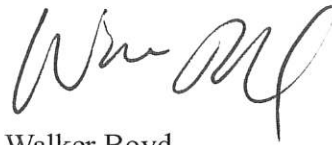
Mr. Y. Jun Roh
May 29, 2026
Page 4 of 4

removal means the Ordinance, as currently drafted, cannot satisfy the condition precedent to the JPA's effectiveness set forth in Paragraph 3.

As I noted at several points during our earlier correspondence, any refusal by the Town of Edgewood to make a binding commitment of the GRT Fire Services fund to the satisfaction of its payment obligations under the JPA must be understood as a repudiation of the JPA as a whole.

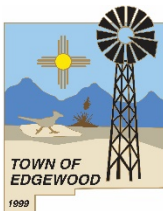
I write to respectfully ask that the Town of Edgewood return to the draft ordinance that its own attorney originally proposed, and which has been carefully vetted across multiple rounds of correspondence. I am very much open to considering further changes to that ordinance the Town would like to propose, so long as those changes are consistent with the JPA and applicable New Mexico law. Alternatively, we can propose necessary edits to the Edgewood Draft Ordinance to address the concerns noted above.

Very truly yours,

A handwritten signature in black ink, appearing to read "Walker Boyd", written in a cursive style.

Walker Boyd
County Attorney

Enclosures: as stated



TOWN OF EDGEWOOD

171A State Rd. 344
P.O. Box 3610
Edgewood, NM 87015
Phone: (505) 286-4518 Fax (505) 286-4519
www.edgewood-nm.gov

TOWN OF EDGEWOOD ORDINANCE NO. 2026-00C

AN ORDINANCE CREATING THE GRT FIRE SERVICES FUND AND PLEDGING GROSS RECEIPTS TAX REVENUES TO SECURE THE TOWN'S PAYMENT OBLIGATIONS UNDER THE JOINT POWERS AGREEMENT WITH SANTA FE COUNTY FOR FIRE, RESCUE, AND EMERGENCY MEDICAL SERVICES.

WHEREAS, the Town of Edgewood ("Town") and the Board of County Commissioners of Santa Fe County ("County") entered into a Joint Powers Agreement effective July 1, 2026 ("Agreement") for the provision of fire, rescue, and emergency medical services; and

WHEREAS, the Agreement requires the Town to adopt an ordinance pledging gross receipts tax revenues to secure the Town's payment obligations thereunder, and provides that such obligation constitutes a "limited revenue obligation payable solely from the GRT Fire Services Fund" (Agreement, Paragraph 1(h)(1)); and

WHEREAS, this Ordinance does not authorize the issuance of any bonds, revenue certificates, or other obligations of indebtedness, and the Town's obligations hereunder are limited to contractual payment obligations under the Agreement, payable solely from the special fund created herein in compliance with the Bateman Act, NMSA 1978, Section 6-6-11;

NOW, THEREFORE, BE IT ORDAINED by the Town Commission:

Section 1. GRT Fire Services Fund; Limited Pledge.

(a) There is hereby created a special fund designated the "GRT Fire Services Fund" pursuant to Paragraph 1(h)(1) of the Agreement and in compliance with the special fund doctrine under the Bateman Act, NMSA 1978, Section 6-6-11.

(b) The Town hereby pledges its local option gross receipts tax revenues and its municipal distribution of statewide gross receipts tax revenues (collectively, "Pledged GRT Revenues"), but only in an amount sufficient to satisfy, as they come due, the Town's payment obligations under Paragraphs 1(f) and 1(g) of the Agreement.

(c) The Town's obligations under this Ordinance constitute a limited revenue obligation payable only from the GRT Fire Services Fund and shall not constitute a general obligation or indebtedness of the Town. All payments to the County shall be made solely from the GRT Fire Services Fund, and no claim by the County shall extend beyond the amounts on deposit or required to be deposited in the GRT Fire Services Fund. This Ordinance shall not be construed as a pledge of the Town's general fund, property tax revenue, full faith and credit, or any other revenues or assets of the Town not specifically pledged herein. Nothing in this Ordinance shall be construed to expand or modify the Town's obligations under the Agreement beyond those expressly stated therein.

Section 2. Deposits and Payments.

Upon each distribution of Pledged GRT Revenues to the Town, the Town shall deposit into the GRT Fire Services Fund an amount sufficient to satisfy the Town's payment obligations under the Agreement as they come due. Payment to the County shall be made by ACH transfer from the Town's fiscal agent bank within five business days of each distribution. Quarterly reconciliation and true-up shall be performed as provided in the Agreement.

Section 3. Term; Sunset; Amendment.

(a) This Ordinance shall remain in effect so long as any amounts remain outstanding under the Agreement. The Town Commission may amend this Ordinance provided that no amendment shall impair the Town's ability to satisfy its payment obligations under the Agreement.

(b) This Ordinance shall automatically expire on the date that is twenty (20) years from the effective date of the Agreement (the "Sunset Date"), unless renewed by subsequent ordinance. This sunset reflects the nature of this Ordinance as a contractual funding mechanism — not a bond or permanent encumbrance — and no obligation created hereunder shall extend beyond what is necessary to satisfy the Agreement. Any payment obligation accrued but unsatisfied as of the Sunset Date shall survive in accordance with the Agreement.

(c) This Ordinance shall terminate prior to the Sunset Date upon termination of the Agreement and satisfaction of all amounts owed thereunder.

(d) This Ordinance and the Agreement shall be interpreted together to preserve the limited revenue and fund-based nature of the Town's obligation. In no event shall either document be construed to expand the Town's obligation beyond a limited revenue obligation payable solely from the GRT Fire Services Fund.

Section 4. Severability; Repealer; Effective Date.

If any provision of this Ordinance is held invalid, the remainder shall remain in full force. All ordinances in conflict herewith are repealed to the extent of such conflict. This Ordinance shall take effect five days after publication as provided by law.

PASSED, APPROVED, AND ADOPTED this ___ day of _____, 2026, by a majority vote of the Governing Body of the Town of Edgewood.

Mayor, Mike Rariden

ATTEST:

Town Clerk, Misty Witt

APPROVED AS TO FORM:

Y. Jun Roh, Town Attorney

DRAFT

From: [Young Jun Roh](#)
To: [Walker Boyd](#)
Subject: Ordinance for JPA
Date: Wednesday, May 6, 2026 2:09:40 PM
Attachments: [2026 TOE ordinance.docx](#)

Good afternoon, Walker, please find the attached draft ordinance for your review and this ordinance will be presented to the Town's May 12, 2026 regular meeting. Please let me know if you got any questions or comments in this matter. Jun.

Young Jun Roh | Partner

RIMÔN PC

+1 505.437.2220 | youngjun.roh@rimonlaw.com
500 Marquette Avenue NW, Suite 1200, Albuquerque, NM 87102
www.rimonlaw.com | [See Our International Offices](#) | [Read Our Insights](#)
Connect on [LinkedIn](#) | Like us on [Facebook](#)

This e-mail is sent by a law firm and contains information that may be confidential or privileged. If you have received this communication in error, please reply to the sender (only) and then please delete this message from your inbox as well as any copies. Thank you.



From: [Walker Boyd](#)
To: ["Young Jun Roh"](#)
Subject: RE: Ordinance for JPA
Date: Monday, May 11, 2026 9:53:00 AM
Attachments: [2026 TOE ordinance-county edits 2025-05-11.docx](#)

Dear Jun-

Here are my tracked revisions to the ordinance. I think my written comments should explain the edits, but I'm happy to jump on a call if that would be helpful.

All best,

Walker

From: Young Jun Roh <youngjun.roh@rimonlaw.com>
Sent: Wednesday, May 6, 2026 2:09 PM
To: Walker Boyd <jwboyd@santafecountynm.gov>
Subject: Ordinance for JPA

Good afternoon, Walker, please find the attached draft ordinance for your review and this ordinance will be presented to the Town's May 12, 2026 regular meeting. Please let me know if you got any questions or comments in this matter. Jun.

Young Jun Roh | Partner

RIMÔN PC

+1 505.437.2220 | youngjun.roh@rimonlaw.com
500 Marquette Avenue NW, Suite 1200, Albuquerque, NM 87102
www.rimonlaw.com | [See Our International Offices](#) | [Read Our Insights](#)
Connect on [LinkedIn](#) | Like us on [Facebook](#)

This e-mail is sent by a law firm and contains information that may be confidential or privileged. If you have received this communication in error, please reply to the sender (only) and then please delete this message from your inbox as well as any copies. Thank you.



From: [Young Jun Roh](#)
To: [Walker Boyd](#)
Subject: RE: Ordinance for JPA
Date: Wednesday, May 13, 2026 12:09:51 PM
Attachments: [2026 TOE ordinance-county edits 2025-05-13 TOE edits.docx](#)

Good afternoon, Walker, please find the attached red line edits with comments for your review, and since the Town wants to publish it as soon as possible can you kindly contact me if you have any questions at your earliest convenience? Thanks. Jun.

Young Jun Roh | Partner

RIMÔN PC

+1 505.437.2220 | youngjun.roh@rimonlaw.com
500 Marquette Avenue NW, Suite 1200, Albuquerque, NM 87102
www.rimonlaw.com | [See Our International Offices](#) | [Read Our Insights](#)
Connect on [LinkedIn](#) | Like us on [Facebook](#)

This e-mail is sent by a law firm and contains information that may be confidential or privileged. If you have received this communication in error, please reply to the sender (only) and then please delete this message from your inbox as well as any copies. Thank you.

From: Walker Boyd <jwboyd@santafecountynm.gov>
Sent: Monday, May 11, 2026 9:54 AM
To: Young Jun Roh <youngjun.roh@rimonlaw.com>
Subject: RE: Ordinance for JPA

Dear Jun-

Here are my tracked revisions to the ordinance. I think my written comments should explain the edits, but I'm happy to jump on a call if that would be helpful.

All best,

Walker

From: Young Jun Roh <youngjun.roh@rimonlaw.com>
Sent: Wednesday, May 6, 2026 2:09 PM
To: Walker Boyd <jwboyd@santafecountynm.gov>
Subject: Ordinance for JPA

Good afternoon, Walker, please find the attached draft ordinance for your review and this ordinance will be presented to the Town's May 12, 2026 regular meeting. Please let me know if you got any questions or comments in this matter. Jun.

Young Jun Roh | Partner



RIMÔN PC

+1 505.437.2220 | youngjun.roh@rimonlaw.com

500 Marquette Avenue NW, Suite 1200, Albuquerque, NM 87102

www.rimonlaw.com | [See Our International Offices](#) | [Read Our Insights](#)

Connect on [LinkedIn](#) | Like us on [Facebook](#)

This e-mail is sent by a law firm and contains information that may be confidential or privileged. If you have received this communication in error, please reply to the sender (only) and then please delete this message from your inbox as well as any copies. Thank you.

From: [Walker Boyd](#)
To: [Young Jun Roh](#)
Subject: RE: Ordinance for JPA
Date: Thursday, May 14, 2026 8:13:00 AM
Attachments: [2026 TOE ordinance-2025-05-14 County edits.docx](#)

Jun,

Please see the attached revisions to the ordinance. Happy to make time to discuss over the phone if that will help move us forward.

-Walker

From: Young Jun Roh <youngjun.roh@rimonlaw.com>
Sent: Wednesday, May 13, 2026 12:09 PM
To: Walker Boyd <jwboyd@santafecountynm.gov>
Subject: RE: Ordinance for JPA

Good afternoon, Walker, please find the attached red line edits with comments for your review, and since the Town wants to publish it as soon as possible can you kindly contact me if you have any questions at your earliest convenience? Thanks. Jun.

Young Jun Roh | Partner

RIMÓN PC

+1 505.437.2220 | youngjun.roh@rimonlaw.com
500 Marquette Avenue NW, Suite 1200, Albuquerque, NM 87102
www.rimonlaw.com | [See Our International Offices](#) | [Read Our Insights](#)
Connect on [LinkedIn](#) | Like us on [Facebook](#)

This e-mail is sent by a law firm and contains information that may be confidential or privileged. If you have received this communication in error, please reply to the sender (only) and then please delete this message from your inbox as well as any copies. Thank you.

From: Walker Boyd <jwboyd@santafecountynm.gov>
Sent: Monday, May 11, 2026 9:54 AM
To: Young Jun Roh <youngjun.roh@rimonlaw.com>
Subject: RE: Ordinance for JPA

Dear Jun-

Here are my tracked revisions to the ordinance. I think my written comments should explain the edits, but I'm happy to jump on a call if that would be helpful.

All best,



Walker

From: Young Jun Roh <youngjun.roh@rimonlaw.com>

Sent: Wednesday, May 6, 2026 2:09 PM

To: Walker Boyd <jwboyd@santafecountynm.gov>

Subject: Ordinance for JPA

Good afternoon, Walker, please find the attached draft ordinance for your review and this ordinance will be presented to the Town's May 12, 2026 regular meeting. Please let me know if you got any questions or comments in this matter. Jun.

Young Jun Roh | Partner

RIMÔN PC

+1 505.437.2220 | youngjun.roh@rimonlaw.com

500 Marquette Avenue NW, Suite 1200, Albuquerque, NM 87102

www.rimonlaw.com | [See Our International Offices](#) | [Read Our Insights](#)

Connect on [LinkedIn](#) | Like us on [Facebook](#)

This e-mail is sent by a law firm and contains information that may be confidential or privileged. If you have received this communication in error, please reply to the sender (only) and then please delete this message from your inbox as well as any copies. Thank you.