

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

2 **RESOLUTION NO. 2012-37**

3 **INTRODUCED BY:**

4
5 Councilor Wurzbarger

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10 **A RESOLUTION**

11 **SUPPORTING THE CONTINUATION OF ECONOMIC DEVELOPMENT ACTIVITIES**
12 **RELATED TO THE FILM INDUSTRY WITHIN THE CITY OF SANTA FE AND**
13 **AUTHORIZING THE USE OF CITY-OWNED PROPERTIES, AT NO COST, FOR FILM**
14 **AND TELEVISION PRODUCTIONS THAT ARE ENROLLED IN THE NEW MEXICO**
15 **FILM PRODUCTION TAX CREDIT PROGRAM.**

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17 **WHEREAS**, the film industry has demonstrated to be a feasible targeted cluster industry for
18 the greater region of Santa Fe, financially impacting the area with more than 250 million dollars of
19 direct expenditure and 750 million dollars of indirect and induced economic impact since 2003; and

20 **WHEREAS**, according to a recent economic impact study completed by Ernst and Young
21 (2009), related film production activities for the State of New Mexico have contributed to an
22 estimated annual creation of more than 2,000 direct jobs and more than 3,700 jobs for capital
23 expenditures and 1,600 jobs for indirect activities; and

24 **WHEREAS**, the film industry promotes wages that exceed the average wage rates within the
25 greater region ranging between \$23 - \$28 per hour plus overtime and benefits for grips, journeymen,

1 best boys and other technical positions; and

2 **WHEREAS**, on November 9, 2011, the Governing Body adopted Resolution No. 2011-60
3 which supports film and media industry economic development activities in the city of Santa Fe as a
4 means towards achieving a sustainable local economy and stimulating local job creation and
5 retention; and

6 **WHEREAS**, the State of New Mexico offers a straightforward 25% film production
7 refundable tax credit with full assistance by the State Film Office & Taxation & Revenue throughout
8 the entire process; and

9 **WHEREAS**, eligible film productions receive a 25% Tax Credit on all direct production and
10 post production expenditures, including New Mexico crew, that are subject to taxation by the State of
11 New Mexico; and

12 **WHEREAS**, pursuant to §15-3B-7.1 NMSA 1978, the State provides “free access to state
13 buildings” to the motion picture industry and the State has implemented *Policies and Procedures for*
14 *Filming in State-Owned Facilities*; and

15 **WHEREAS**, to assist in the development of an indigenous production community, the City
16 should prioritize the needs of local Northern New Mexico/Santa Fe film productions and student
17 productions because low budget film making often operates on micro budgets that do not allow for
18 location fees; and

19 **WHEREAS**, the continuation and expansion of economic activities related to the film
20 industry within the city of Santa Fe are critical to regional and economic development.

21 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
22 **CITY OF SANTA FE** that the Governing Body supports the continuation of economic activities
23 related to the film industry within the city of Santa Fe.

1 1. The Governing Body hereby authorizes the use of City-owned properties, at no cost,
2 for film and television productions that are enrolled in the New Mexico Film Production Tax Credit
3 Program, in exchange for credit recognition in each production, recognizing the City's contribution.

4 2. Economic Development staff and the City Attorney are directed to implement
5 policies and procedures for filming in or on City-owned properties, which shall be modeled after the
6 State's policies and procedures. As part of the policies and procedures, staff shall incorporate a
7 standardized contract which shall include, without limitation, the following terms:

8 A. Suitable arrangements shall be made by the film or television production and
9 the City to accommodate the needs of City staff and residents before, during and after each
10 production.

11 B. The production shall incur costs associated with using the City property,
12 including, without limitation, police and fire personnel overtime, special staffing
13 requirements, building and ground improvements and utilities.

14 C. Each production, in its written agreement with the City, shall agree to the
15 City's standard insurance and indemnity provisions.

16 D. When the production is completed, the production will restore the property to
17 its original condition, or in an improved condition, if improvements are authorized in the
18 contract. In no case shall the property be left in a worse condition.

19 E. The production shall pay for all inspection costs, including city staff time
20 associated with inspection.

21 F. The production shall agree to a credit recognition clause recognizing the City's
22 contribution to the production.

23 3. Staff is directed to prioritize the needs of local Northern New Mexico/Santa Fe film
24 and student productions and provide outreach opportunities for such productions.

25 **BE IT FURTHER RESOLVED** that this resolution shall not apply to City property wherein

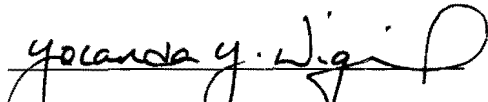
1 the City has entered into federal grant assurances restricting the free use of such property.

2 PASSED, APPROVED, and ADOPTED this 11th day of April, 2012.

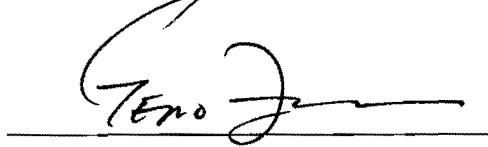
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5 DAVID COSS, MAYOR

6 ATTEST:

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9 VOLANDA Y. VIGIL, CITY CLERK

10 APPROVED AS TO FORM:

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13 GENO ZAMORA, CITY ATTORNEY