

Memorandum

To : Santa Fe Board of County Commissioners

From : Steve Shepherd *SS*
Health & Human Services Division
SF County Community Services Department

Date : October 12, 2011

Subject : Appoint Duncan Sill to the to the Santa Fe City and County Advisory Council on Food Policy to Fill the "County Manager or Her Designee Membership Position"

Issue:

At this time there is one (1) vacancy representing the "County Manager or Her Designee" on the Santa Fe City and County Advisory Council on Food Policy (FPC). Mr. Duncan Sill, a Senior Planner with the Santa Fe County Growth Management Department, is recommended to fill this position.

Background:

There are thirteen (13) members appointed to the Santa Fe City and County Advisory Council on Food Policy (FPC) by the Santa Fe City Council (City Council) and Santa Fe Board of County Commissioners (BCC). Six (6) members are appointed by the BCC, and seven (7) members are appointed by the City Council.

This position was vacated by Ms. Renee Villarreal when she left the county. This appointment will finish a three (3) year term that ends on December 31, 2013.

Mr. Sill has worked with Santa Fe County government since 2005, and will bring knowledge and experience to this position.

Staff Recommendation:

Staff believes that Mr. Sill is well qualified, will do an excellent job as a member, and recommends his appointment.

SUMMARY OF QUALIFICATIONS:

- Extensive experience in financial, budgeting, economic development, strategic planning, project and administrative management
- In-depth hands-on experience and skills in the following organizational functionalities:
 - Financial, government/fund accounting; fiscal/budget, accounting and operation controls;
 - Acquisition assessment and analyses, including data, financial and systems analyses;
 - Grant preparation, compliance and administration;
 - Policy/program/compliance and community planning & development;
 - Integrative Infrastructure planning and strategic development, including financing and asset-based management; familiar with Built (civil and social) and Green Infrastructure initiatives and sustainability;
 - Renewable energy, energy and water efficiency and conservation; agriculture/food systems and environmental planning and development;
 - Board & constituent development and relations.

WORK EXPERIENCE:

2008-present. Economic Development. Santa Fe County (Government)

2006-2008. Affordable Housing Administrator. Santa Fe County (Government)

2005-2006. Enterprise Fund Accountant. Santa Fe County (Government)

2001-2005. Financial Services and Executive Management Consultant. Santa Fe

1997-2000. Executive Director/Financial Officer. Alternatives To Violence Of The Palouse (Human Services)

1994-1996 Graduate/Teaching Assistant. University of New Mexico (Education).

1989-1993 Controller/Program Director. Cultural Council Foundation (Arts Management).

1987-1989 Mergers, Acquisition & Global Finance and Infrastructure Analyst—North American Operations. Henderson International (Investment Bank).

EDUCATION

University of New Mexico

Graduate Studies in Accounting and Sociology (concentration in Environmental Management and Economics)

Columbia University

Graduate Studies in American Studies

New York University

Bachelor of Arts in Sociology (concentration in socioeconomic stratification)

BOARDS AND COMMITTEES

Regional Economic Development Initiative (REDI) Broadband Network—Board Member 2011-present

New Mexico Mortgage Finance Authority Housing Trust Advisory Board—Board Member 2007-present

North Central New Mexico Economic Development District—Board Representation from Santa Fe County, 2009-present

Santa Fe Regional Telecom Coalition—Member 2007 - present

Regional Coalition of LANL (Los Alamos National Lab) Communities-- staff liaison 2010- present

Santa Fe County Arts, Culture and Entertainment Task Force—staff liaison 2008 - 2010

Food Policy Council Appointment Dates									
Member Number	Member Type	Last Name	First Name	County\ City	Term Length	Member Type	Appointment Begin Date	Appointment End Date	
County Members									
1	County Manager or Her Designee	Sill	Duncan	County	3 Years	Required	10/25/11	12/31/13	
2	County Department Member	Shepherd	Steve	County	3 Years	Required	03/08/11	12/31/13	
City Members									
3	City Manager or His Designee	Mortimer	Katherine	City	3 Years	Required		12/31/13	
4	City Department Member	Rodriguez	Terrie	City	3 Years	Required		12/31/13	
City (5)\County (4) Appointments									
5	Emergency Food Programs	Hooper	Sherry	City	3 Years	Required	01/01/09	12/31/11	
6	Agriculture	Roy	Pamela	City	3 Years	Required	01/01/09	12/31/11	
7	Food and Nutrition Education	Vacant		City	3 Years	Required		12/31/13	
8	For Profit Food Industry	Vacant		City	3 Years	Required		12/31/13	
9	Other Category	Sopoci-Belknap	Bianca	City	3 Years	Open	07/28/10	12/31/11	
10	SF Farmers Market Institute	Noss	Sarah	County	3 Years	Suggested	01/01/09	12/31/11	
11	Other Category	McCarthy	Tony	County	3 Years	Open	01/01/09	12/31/11	
12	Other Category	Winne	Mark	County	3 Years	Open	01/01/09	12/31/11	
13	Other Category	Warshawer	Steve	County	3 Years	Open	03/08/11	12/31/13	
City Appoints 2 City Staff Members and 5 Other Members									
County Appoints 2 County Staff Members and 4 Other Members									

BOARD OF COUNTY COMMISSIONERS

CASE NO. MP/PDP 09-5300

UDV TEMPLE, APPLICANT

JAMES SIEBERT, AGENT

ORDER

THIS MATTER came before the Board of County Commissioners (“BCC”) for hearing on June 14, 2011 and July 12, 2011, on the application of the Centro Espirita Beneficente Uniao do Vegetal in the United States (“Applicant” or “UDV”) and James Siebert (“Agent”) for Master Plan and Preliminary Development Plan approval for a community service facility (“Application”) pursuant to Ordinance No. 1996-10, the Santa Fe County Land Development Code, as amended (“Code”). The BCC, having reviewed the Application and staff reports and having conducted a public hearing, finds that the Application is not well-taken and should not be granted and makes the following findings of fact and conclusions of law:

1. The Applicant requests Master Plan and Preliminary Development Plan approval for a community service facility (“Facility”) consisting of the following: a 4,660 square foot structure to be used as a temple with a 540 square foot portal; a 1,900 square foot roof and slab structure, which will be enclosed and included in the temple at a later date; a 706 square foot yurt; a 225 square foot utility room; and a 225 square foot storage building.

2. The Applicant also requests that the Final Development Plan for the Facility be reviewed and approved by the County's Land Use Department ("Staff") administratively pursuant to Article II, Section 2 of the Code.

3. The Facility is to be located on 2.52 acres at 5 Brass Horse Road at the southwest corner of the intersection of Arroyo Hondo Road (CR 58) and Brass Horse Road (CR 58C) within Section 13, Township 16 North, Range 9 East.

4. The Application was submitted pursuant to Article III, "Zoning Regulations, Submittals and Reviews," Section 7, "Community Service Facilities," of the Code, which sets forth the required submittals and reviews for community service facilities, including churches, to be permitted by the County. Article III, Section 7 of the Code states:

SECTION 7 – COMMUNITY SERVICE FACILITIES

Community service facilities are facilities which provide service to a local community organization. These may include governmental services such as police and fire stations, elementary and secondary day care centers, schools and community centers, and churches.

7.1 Standards

Community service facilities are allowed anywhere in the County, provided all requirements of the Code are met, if it is determined that:

7.1.1 The proposed facilities are necessary in order that community services may be provided for in the County;

7.1.2 The use is compatible with existing development in the area and is compatible with development permitted under the Code; and

7.1.3 A master plan and preliminary and final development plan for the proposed development are approved.

7.2 Submittals and Review

The submittals and reviews for community service facilities shall be those provided for in Article III, Section 4.4 and Article V, Section 5.2 (Master Plan Procedure) and Section 7 (Development Plan Requirements).

5. UDV claims that the statute, strictly construed, does not require submission and approval of a master plan, and only submitted one under reservation. See Proposed Findings of Fact and Conclusions of Law at ¶¶ 6-7 & n.2, 16 (Tab 12 of Second Supplemental Submission of UDV) [hereinafter “Proposed Findings”]. This interpretation is incorrect. Article III, Section 7 of the Code, reproduced above, sets forth conjunctive requirements including a “master plan and preliminary and final development plan for the proposed development.” Code, at art. III, § 7.1.3.

6. On November 18, 2010, the County Development Review Committee (“CDRC”) considered the Applicant’s request and recommended approval of the Application.¹

7. Applicant, a New Mexico domestic nonprofit corporation, stated that it conducts religious services and currently has approximately 64 parishioners in Santa Fe County and anticipates a maximum of 100 parishioners.

8. Applicant testified that beginning in 1992, UDV conducted its services at 5 Brass Horse Road in a yurt for 15 years without a permit from the County as a community service facility; Applicant testified that in 2009, it ceased conducting services at 5 Brass Horse Road at the County’s request.

9. Applicant stated that UDV services are held two Saturdays each month from 8 p.m. to midnight with two additional services each month on weekend afternoons or evenings;

¹ The original application considered by the CDRC was subsequently revised to address discrepancies in the square footage as well as the number and timing of the phases of construction.

Applicant states that parishioners stay at the temple after midnight to socialize and eat and leave the premises between midnight and 4 a.m.

10. As part of the religious service, Applicant explained that parishioners drink hoasca tea, described by the Applicant as a mildly hallucinogenic tea. Applicant stated that to insure parishioners do not leave the premises impaired, the gates on the property would be locked until the effects of the tea disappear.

11. In support of its Application, the Applicant submitted information, documentation and expert testimony regarding the requirements of Article III, Sections 4.4 and 7 and Article V, Sections 5.2 and 7 including issues of compatibility with existing development, building design, water needs and availability, wastewater system, traffic and other requirements of the Code for a community service facility.

12. Opponents to the Application, certain residents in the Arroyo Hondo neighborhood in which the proposed temple is to be located, presented experts who disputed the Applicant's submittals as to water needs and availability, adequacy of the proposed wastewater system in regard to the toxicity of hoasca tea, public safety issues related to traffic and compatibility of use with the surrounding community.

13. Opponents to the Application testified that no other use of property in the Arroyo Hondo neighborhood involves regular use between midnight and 4 a.m. at least twice a month with the attendant noise, lights and traffic from 64 to 100 parishioners in 25 to 50 vehicles.

14. Opponents to the Application described the Arroyo Hondo neighborhood as a rural residential community with an average lot size of nine acres and the average house size of

3,600 square feet compared to the Applicant's request for a community service facility in excess of 8,000 square feet on 2.5 acres.

15. Opponents explained that the nearby Love of Learning school is located on property approximately 34 times as large as the Applicant's 2.5 acre lot.

16. There is no similar use in the Arroyo Hondo neighborhood. Santa Fe has not treated the Applicant differently than any other similarly-situated applicant.

17. Applicant has not established that the denial of its Application to institute this facility at this location places a substantial burden on its religious exercise.

18. The Applicant has not provided sufficient evidence that the traffic generation by the UDV would be of minimal disruption to the surrounding neighborhood and agricultural use. The Applicant provides expansive potential hours of operation and fails to compare them with the community's "peak hours." See Proposed Findings, at ¶ 23 (stating that approximately 30 services will begin at approximately 8pm and last four hours, and approximately 36 services will begin between 1pm and 10pm and also last four hours); see also id. at ¶ 26 (asserting that UDV's "traffic counts" showed "relatively minor traffic flows at peak hours, which do not coincide with the UDV primary hours of traffic generation."); id. at ¶ 65 (claiming that the traffic report commissioned by the UDV shows "acceptable traffic increase during peak hours"). For example, the Applicant provides 36 times per year when the traffic produced by the UDV could begin anytime after noon and end as late as 2 a.m. See id. at ¶ 23. Without more specificity, the county's "substantial interests in regulating traffic, noise and pollution" of its lower-density residential/agricultural communities are not overcome by the Applicant's proposal. Grace United Methodist Church v. City Of Cheyenne, 451 F.3d 643, 658 (10th Cir. 2006).

19. Applicant has not alleged or proven that its worship could not occur at another, convenient location within Santa Fe County. Applicant asserts the vague objection to the denial of the application on the ground that there is “no other *permanent* UDV location . . . within Santa Fe County or within a reasonable distance of Santa Fe County.” Proposed Findings, at ¶ 47 (emphasis added). Applicant claims the “next closest *permanent* UDV location is 7 hours by car from Santa Fe County in a city that is two hours from the nearest commercial airport, making it not a reasonable alternative.” *Id.* (emphasis added). Whatever is meant by “permanent,” Applicant has not explained why it may only worship at the location in Arroyo Hondo. In fact, it has conceded that it has worshipped on the land as it stands for almost 15 years. *See id.* at ¶ 51. The Applicant has not provided sufficient evidence to prove that the County’s neutral, generally applicable Code substantially burdens its religious exercise. “A church has no constitutional right to be free from reasonable zoning regulations nor does a church have a constitutional right to build its house of worship where it pleases.” Messiah Baptist Church v. County of Jefferson, 859 F.2d 820, 826 (10th Cir.1988); *see also* Lighthouse Institute for Evangelism, Inc. v. City of Long Branch, 510 F.3d 253, 274 (3d Cir. 2007); Westchester Day School v. Village of Mamaroneck, 504 F.3d 338, 350 (2d Cir. 2007). A substantial burden must be more than an inconvenience or an incidental effect. Midrash Sephardi, Inc. v. Town of Surfside, 366 F.3d 1214, 1227-28 (11th Cir. 2004) *cert. denied*, 543 U.S. 1146 (2005).

20. The Applicant fails to prove a substantial burden by its mere assertion that other available properties are not suitable. *See* Proposed Findings, at ¶¶ 51-53. Applicant’s statements pointing to specific features of the property currently owned by the UDV can not unilaterally create a substantial burden on religious exercise. To wit, the Applicant claims that the “unique history” of the “consecrated” land currently-owned by the UDV is the only viable location

“because it was the site of the first UDV rites in the United States,” “the Santa Fe *nucleo* has a 15-year history of meeting on the land,” and it is a “quiet site in a natural setting.” Proposed Findings, at ¶ 51. These facts, even considered to be true, do not overcome the application of neutral, generally applicable land use regulations – even if they impact a religious entity’s land. Nor does the fact that the use has a long, if informal, history on the land or some special significance to this particular religious sect establish a substantial burden. See Lyng v. Northwest Indian Cemetery Protective Ass’n, 485 U.S. 439 (1988); Navajo Nation v. U.S. Forest Service, 535 F.3d 1058 (9th Cir. 2008), *cert. denied*, 129 S. Ct. 2763 (U.S. June 8, 2009); Westchester Day School v. Village of Mamaroneck, 504 F.3d 338, 350 (2d Cir. 2007); San Jose Christian College v. City of Morgan Hill, 360 F. 3d 1024 (9th Cir. 2004); Civil Liberties for Urban Believers v. City of Chicago, 342 F.3d 752 (7th Cir. 2003), *cert. denied*, 541 U.S. 1096 (2004); Messiah Baptist Church v. County of Jefferson, 859 F.2d 820, 826 (10th Cir.1988).

21. Applicant is incorrect when it asserts “[t]here is no Code provision granting [the Board] the authority to regulate the aesthetics of the physical structures.” Proposed Findings, at ¶ 66. In fact, the Code contains a number of provisions addressing the aesthetics of any proposed property development. See, e.g., Code, at art. III, sec. 4.4.3(b) (“Site Planning Standards: Building Placement”); id. at art. III, sec. 4.4.3(d) (“Site Planning Standards: Terrain Management”); id. at art. III, sec. 4.4.4(b) (“Development and Design Standards: Buffer Zones and Setbacks”); id. at art. III, sec. 4.4.4(c) (“Development and Design Standards: Maximum Height”); id. at art. III, sec. 4.4.4(e) (“Development and Design Standards: Maximum Lot Coverage”); id. at art. III, sec. 4.4.4(f) (“Development and Design Standards: Landscaping”); id. at art. III, sec. 4.4.4(h) (“Development and Design Standards: Outdoor Lighting”); id. at art. III,

sec. 7 (“Community Service Facilities” standards); id. at art. V, sec. VII (“Development Plan Requirements”); id. at art. V, sec. 5.2 (“Master Plan Procedure”). There are various requirements governing the design of the property and the planned structures thereon, which, for example, may mean a structure may be too large for the parcel upon which it would be built or aligned in a non-conforming manner. See Code, at art. III, sec. 4.4.4(b) (buffers and setbacks); id. at art. III, sec. 4.4.4(c) (height); id. at art. III, sec. 4.4.4(e) (lot coverage).

22. Size alone does not necessitate the approval or denial of a proposal. The mere fact that Applicant’s proposed use requires less square footage than some other properties in Arroyo Hondo is not grounds for granting the application. See Proposed Findings, at ¶ 66 (noting the existence of large homes in Arroyo Hondo and several buildings larger than the proposed UDV use).

23. Nor does the fact that the UDV hired an architect “to design a building to look like a house rather than an institutional or commercial building” necessitate the approval of the proposal, which involves a significantly more intense use than a residential use. Proposed Findings, at ¶ 66. These neutral, generally-applicable requirements for the design of a planned development or property do not place a substantial burden on religious exercise, even if the UDV must bear some inconvenience or expense to remedy any defective points of the application. See Grace United Methodist Church v. City Of Cheyenne, 451 F.3d 643, 658 (10th Cir. 2006); Messiah Baptist Church v. County of Jefferson, 859 F.2d 820, 825 (10th Cir.1988); Living Water Church of God v. Charter Twp. of Meridian, 258 F. App’x 729 (6th Cir. 2007); Korean Buddhist Dae Won Sa Temple v. Sullivan, 953 P.2d 1315, 1346 (Haw. 1998).

24. Mere inability to use property which UDV owns or in which it holds an equitable interest does not constitute a substantial burden. Applicant claims that “[d]enial of the use for religious exercise of a particular property that a church owns constitutes a substantial burden on that religious exercise.” Proposed Findings, at ¶ 80 (citing DiLaura v. Twp. of Ann Arbor, 112 F. App’x 445, 446 (6th Cir. 2004)). The clear weight of precedent in the Tenth Circuit and authority in the other federal circuits holds that a religious entity is not substantially burdened simply because it cannot use its property as it wishes, or as expansively as it wishes, in the face of neutral, generally-applicable zoning laws and regulations. See Grace United Methodist Church v. City Of Cheyenne, 451 F.3d 643, 660-64 (10th Cir. 2006); see also Petra Presbyterian Church v. Village of Northbrook, 489 F.3d 846, 851 (7th Cir. 2007), *cert. denied*, 552 U.S. 1131 (2008); Vision Church v. Village of Long Grove, 468 F.3d 975 (7th Cir. 2006), *cert. denied*, 552 U.S. 940 (2007).

25. The denial of UDV’s application does not “coerce the religious institution to change its behavior.” Proposed Findings, at ¶ 81 (citing Westchester Day School v. Village of Mamaroneck, 504 F.3d 338, 349 (2d Cir. 2007)). Moreover, the UDV has made no showing that it has “no ready alternatives” or that the alternatives require “substantial ‘delay, uncertainty, and expense’” such that its religious exercise has been substantially burdened. *Id.* The great weight of authority falls on the side of a failure on the part of the Applicant to carry its burden of proving a substantial burden, or coercive effect, even if the denial means that a religious entity cannot build on its own land. See, e.g., Westchester Day School v. Village of Mamaroneck, 504 F.3d 338, 350 (2d Cir. 2007); Messiah Baptist Church v. County of Jefferson, 859 F.2d 820, 824-25 (10th Cir. 1988)); Grace United Methodist Church v. City Of Cheyenne, 451 F.3d 643, 660 & n.4, 661 (10th Cir. 2006); Midrash Sephardi, Inc. v. Town of Surfside, 366 F.3d 1214, 1227 &

n.11 (11th Cir. 2004) *cert. denied*, 543 U.S. 1146 (2005); Civil Liberties for Urban Believers v. City of Chicago, 342 F.3d 752, 761-62 (7th Cir. 2003), *cert. denied*, 541 U.S. 1096 (2004); see also Lyng v. Nw. Indian Cemetery Protective Ass'n, 485 U.S. 439, 450-51 (1988).

26. The denial of a land use application does not constitute a substantial burden simply because the land was fortuitously donated to the religious organization. See Proposed Findings, at ¶ 82. The fact that the UDV may not be able to utilize the land donated to it in the way it wishes does not establish a substantial burden. There is no “free pass” for religious entities to overcome land use regulations. Civil Liberties for Urban Believers v. City of Chicago, 342 F.3d 752, 761-62 (7th Cir. 2003), *cert. denied*, 541 U.S. 1096 (2004); see also Love Church v. City of Evanston, 896 F.2d 1082, 1086 (7th Cir. 1990) (“Whatever specific difficulties [plaintiff church] claims to have encountered, they are the same ones that face all [land users]. The harsh reality of the marketplace sometimes dictates that certain facilities are not available to those who desire them”). A contrary interpretation would lead to the ability of a church to solicit a donation of land at any desired location, regardless of the zoning regulations at that location, then claim a “substantial burden” under RLUIPA to overcome local zoning and land use laws. The fact that a religious entity does not reap extraordinary benefits from a fortuitous gift or from the operation of a neutral law does not constitute a substantial burden. See, e.g., Hernandez v. Commissioner, 490 U.S. 680, 689 (1989); Braunfeld v. Brown, 366 U.S. 599 (1961); Civil Liberties for Urban Believers v. City of Chicago, 342 F.3d 752, 761-62 (7th Cir. 2003), *cert. denied*, 541 U.S. 1096 (2004); Rector, Wardens, & Members of Vestry of St. Bartholomew’s Church v. The City of New York, 914 F. 2d 348, 355 (2d Cir. 1990), *cert. denied* 499 U.S. 905 (1991); Christian Gospel Church, Inc.

v. City and County of San Francisco, 896 F.2d 1221, 1224 (9th Cir. 1990); Messiah Baptist Church v. County of Jefferson, 859 F.2d 820, 824-26 (10th Cir. 1988); Lakewood, Ohio Congregation of Jehovah's Witnesses, Inc. v. City of Lakewood, 699 F.2d 303, 306 (6th Cir. 1983); Korean Buddhist Dae Won Sa Temple v. Sullivan, 953 P.2d 1315, 1346 (Haw. 1998); State v. Fass, 175 A.2d 193, 195, 203 (N.J. 1961); Corp. of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints v. City of West Linn, 111 P.3d 1123, 1130 (Or. 2005); Tran v. Gwinn, 554 S.E.2d 63, 67 (Va. 2001).

27. The Applicant's application was not subject to an "individualized assessment." The law and planning principles applied to it are neutral and generally applicable.

28. Applicant has vastly understated the water budget necessary at .21 acre-feet per year. Regular Meeting of June 14, 2011, pg. 80 A conservative estimate taking omitted factors into account leads to a water budget of .34 acre-feet, substantially higher than the .25 acre-feet per year threshold required by the code. Id.

29. Applicant did not avail itself of any of the appropriate techniques for calculating water availability. Regular Meeting of June 14, 2011, pg. 83 Applicant's use of proper techniques would have set water availability at .09 acre-feet per year. Id. at 89 This is insufficient regardless of any water budget that applicants propose.

30. Applicant materially omitted other wells in surrounding area when calculating 100-year schedule of effects. Regular Meeting of June 14, 2011, pg. 89 The purpose of this calculation is to analyze effect on water decline. Id. Steep water decline can lead to hazardous effects to the area over the course of 100 years.

31. There exists a neurotoxic hazard from the Ayahuasca alkaloids present in Applicant's hoscoa tea. Regular Meeting of June 14, 2011, pg. 90 These toxins resist microbial breakdown and would survive passage through a septic tank. Id. at 94 This may have a negative effect on biological systems in the environment. Id. Applicant's waste water system is greatly under designed and, even taking into account the County's recommendations, will contaminate the environment Regular Meeting of June 14, 2011, pg. 94

32. Santa Fe County has a compelling interest in retaining the quiet, residential, agricultural character of the Arroyo Hondo neighborhood. Village of Euclid v. Ambler Realty Co., 272 U.S. 365, 388 (1926); City of Belle Terre v. Boraas, 416 U.S. 9 (1974). The religious use blended with intoxicating drug use is not a residential, agricultural use.

33. Santa Fe County has no lesser restrictive alternative means of pursuing its compelling interest in retention of the quiet, residential, agricultural character of the Arroyo Hondo neighborhood than denial of the Applicant's application.

34. Santa Fe has a compelling interest in preserving the safety of neighborhoods and citizens from drug-impaired drivers, and no less restrictive alternative to protecting residential neighbors than denial of the Application to locate in the Arroyo Hondo neighborhood.

35. There is a compelling interest in protecting public streets and neighborhoods in particular from harm from drug-impaired drivers. Maso v. State Taxation & Revenue Dep't, 85 P.3d 276, 279 (N.M. Ct. App. 2004), *aff'd* 96 P.3d 286 (N.M. 2004); S.D. v. Neville, 459 U.S. 553, 558 (1983); Mackey v. Montrym, 443 U.S. 1, 17, 19 (1979). The Applicant reports that it has not permitted impaired drivers to leave its premises following services. That is precisely what bars and restaurants with liquor licenses must do if their patrons become incapacitated by

alcohol. The risk to the public from intoxicated individuals still exists at either location, however, and there is a compelling interest in zoning the Applicant's use to a non-residential neighborhood.

36. Santa Fe has a compelling interest in separating uses that involve the routine use of controlled substances and intoxicating drugs from neighborhoods, even if the use of the drugs is religiously motivated. Schad v. Borough of Mount Ephraim, 452 U.S. 61, 68, 71 (1981); Christian Gospel Church, Inc. v. City and Cnty of San Fran., 896 F.2d 1221, 1224 (11th Cir. 1990); Rector, Wardens, & Members of Vestry of St. Bartholomew's Church v. The City of New York, 914 F. 2d 348, 357 n.6 (2d Cir. 1990), *cert. denied*, 111 S. Ct. 1103 (1991); Grosz v. City of Miami Beach, 721 F.2d 729, 738-739 (11th Cir. 1983); Town v. State ex rel. Reno, 377 So.2d 648, 652 (Fla. 1979); Greater Bible Way Temple of Jackson v. City of Jackson, 733 N.W.2d 734, 751-752 (Mich. 2007) *cert. denied* 128 S. Ct. 1894 (2008) Open Door Baptist Church v. Clark Cnty, 995 P.2d 33, 47 (Wash. 2000). To address that compelling interest, Santa Fe only permits the placement of bars and restaurants in commercial or industrial non-residential districts. Code at Article III, Section 4.3.1(e).

37. There is no less restrictive alternative to protect neighborhoods from the potential hazards of routine use of illegal drugs than to zone such uses away from residential neighborhoods. The fact that this particular religious group asserts that its use of a controlled substance has not resulted in an accident, adverse health effects on an adult, or affected a child to date does not undermine Santa Fe's compelling interest. Many bars and restaurants also have such unblemished records but still must operate in commercial and industrial non-residential zones where they will not affect residential neighborhoods. Code at Article III, Section 4

38. Were Santa Fe to permit this religious organization, which routinely uses controlled substances as part of its worship services, to locate in a residential neighborhood, it could not, consistent with the First Amendment's Religion Clauses deny a religious Applicant who uses a different controlled substance in another neighborhood. It is a bedrock constitutional principle that the government must be neutral "between religion and religion and between religion and nonreligion." Epperson v. Arkansas, 393 U.S. 97, 103-04 (1968); Torcaso v. Watkins, 367 U.S. 488, 495 (1961); Fowler v. Rhode Island, 345 U.S. 67, 70 (1953); Zorach v. Clauson, 343 U.S. 306, 314 (1952); Illinois ex rel. McCollum v. Bd. of Educ., 333 U.S. 203 (1948); Everson v. Bd. of Educ., 330 U.S. 1, 16, 18 (1947).

39. The UDV has benefitted from this entrenched constitutional principle, when it argued that the federal government could not prosecute it for using a Schedule I drug when the government had permitted the Native American Church to use another Schedule I drug. Gonzales v. O Centro Espirita Beneficente Uniao do Vegetal, 546 U.S. 418, 433 (2006).

40. There are a significant number of religious organizations that assert the need to use controlled substances as part of their worship. Santa Fe has a compelling interest in not setting a precedent that transforms it into a mecca for drug use. Guam v. Guerrero, 290 F.3d 1210, 1218-20 (9th Cir. 2002) (Rastafarians' use of marijuana); United States v. Bauer, 84 F.3d 1549, 1559 (9th Cir. 1996) (same); Leary v. United States, 383 F.2d 851, 860-61 (5th Cir. 1967) (Timothy Leary's practice of Hinduism with marijuana), *rev'd on other grounds*, 395 U.S. 6, 89 S. Ct. 1532 (1969); United States v. Meyers, 95 F.3d 1475, 1481 (10th Cir. 1996), *cert. denied* 522 U.S. 1006 (1997) (Church of Marijuana); United States v. Quaintance, 471 F. Supp. 2d 1153, 1160-61 (D.N.M. 2006) (Church of Cognizance use of marijuana); Randall v. Wyrick, 441 F. Supp. 312, 314 (W.D. Mo. 1977) (Aquarian Brotherhood Church); United States v. Kuch,

288 F. Supp. 439, 445-46 (D.D.C. 1968) (Neo-American Church use of marijuana and LSD);
State v. Hardesty, 214 P.3d 1004 (Ariz. 2009) (allegedly religiously motivated use of marijuana).

41. Based on the Application, staff reports and other evidence including testimony submitted during the hearing, the Application should not be approved because the proposed Facility does not meet the standards for a community service facility as it is not compatible with existing development in the area and is not compatible with development permitted under the Code as required by Article III, Section 7.1.2 of the Code.

WHEREFORE, the BCC hereby **DENIES** the Application.

IT IS SO ORDERED:

This Order is approved by the Board of County Commissioners on this ____ day of _____, 2011.

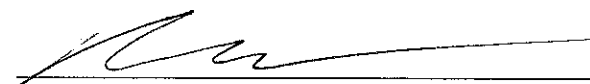
**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By _____
Virginia Vigil, Chair

ATTEST:



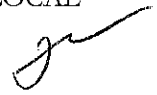
Valerie Espinoza, County Clerk

APPROVED AS TO FORM:



Stephen C, Ross, County Attorney

SANTA FE COUNTY INTEROFFICE MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS
FROM: DUNCAN SILL 
RE: BUDGET ADJUSTMENT RESOLUTION—BUDGET INCREASE (\$5,000) TO FUND 224 FOR NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT CERTIFIED COMMUNITIES INITIATIVE PROGRAM GRANT IN SUPPORT OF LOCAL ECONOMIC DEVELOPMENT ACTIVITIES
DATE: 10/18/2011 
CC: CAROLE JARAMILLO, JACK KOLKMEYER, TERESA MARTINEZ 

Background:

Santa Fe County was recognized as a Certified Community by The State of New Mexico Economic Development Department (“NMEDD”) in 2005 and Santa Fe County entered and executed a grant agreement (attached) in the amount of \$5,000 in support of the local economic development activities as part of the Certified Communities Initiatives (“CCI”) Program. The county has received grant funding for this program each year since certification.

Issues

This request budgets the grant in FUND 224, Economic Development Fund, in the amount of \$5,000 for:

- Partnering with local and regional higher education institutions to provide opportunities to student(s) with interest and aptitude towards community-based economic development initiatives. The primary activities will assist in maintaining and updating economic data and perform preliminary analysis including inventory, resource guide, incentives/cost/benefit, feasibility and investment scenarios relevant to County and regional economic development activities related to critical economic infrastructure, cluster targeted industry, workforce development and business services (retention, attraction and expansion); prepare and develop marketing material, including collateral information and websites for promoting County and regional economic development initiatives.

Recommendation:

Approve Budget Adjustment Resolution to increase budget amount of \$5,000 to Fund 224 for fund received from the NMEDD CCI Grant.

Thank you for your attention and please contact me at 995-2728, dsill@santafecounty.org, if you have questions or require additional information.

SANTA FE COUNTY

RESOLUTION 2011-_____

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on October 25, 2011, did request the following budget adjustment:

Department / Division: Growth Management Fund Name: Fund 224 Economic Development

Budget Adjustment Type: Budget increase Fiscal Year: 2012 (July 1, 2011 - June 30, 2012)

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
224	0532	371	2200	Grant Revenue	5,000.00	
TOTAL (if SUBTOTAL, check here)					5,000.00	

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
224	0532	436	5090	Other Contractual Services	4,250.00	
224	0532	436	6090	Other Supplies—Economic Development	750.00	
TOTAL (if SUBTOTAL, check here)					5,000.00	

Requesting Department Approval: J. Anthony 10/18/11 Title: Growth Management / Economic Date: 10/18/11

Finance Department Approval: Duncan M. Arty Date: 10/18/11

County Manager Approval: _____ Entered by: _____ Date: _____
 Updated by: _____ Date: _____

SANTA FE COUNTY

RESOLUTION 2011 - _____

BUDGET ADJUSTMENT CONTINUATION SHEET

BUDGETED REVENUES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
TOTAL (if SUBTOTAL, check here)						

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/ DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/ OBJECT XXXX	CATEGORY / LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
TOTAL (if SUBTOTAL, check here)						

SANTA FE COUNTY
RESOLUTION 2011 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT: Name: Duncan Sill Dept/Div: GM Phone No.: 995-2728

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 1) Please summarize the request and its purpose.

This Budget Increase reflects a grant provided by the State of New Mexico Economic Development (NMEDD) Santa Fe County is a Certified Communities Initiative under NMEDD and is eligible to receive financial support from the State to facilitate viable economic development activities. This \$5,000 Grant will support internships opportunities for higher education students to assist the County economic development efforts including, but not limited to, research and assessment of local businesses, industry trends and workforce activities to bring enhanced integration, business alliance and create opportunities to support the local regional economy.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass, Overtime)	Position Type (permanent, term)	Position Title
1024	Add	Temporary Employee--Intern	Economic Development Intern

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

- 2) Is the budget action for RECURRING expense _____ or for NON-RECURRING (one-time only) expense XX

SANTA FE COUNTY

RESOLUTION 2011 - _____

ATTACH ADDITIONAL SHEETS IF NECESSARY.

DEPARTMENT CONTACT:

Name: Duncan Sill Dept/Div: GM Phone No.: 995-2728

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

- 3) Does this request impact a revenue source? If so, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following:
 - a) If this is a state special appropriation, YES _____ NO XX
If YES, cite statute and attach a copy.
 - b) Does this include state or federal funds? YES XX NO _____
If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of a award letter and proposed budget. NMEDD Grant Agreement attachment
 - c) Is this request is a result of Commission action? YES _____ NO XX
If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).
 - d) Please identify other funding sources used to match this request. n/a

SANTA FE COUNTY
RESOLUTION 2011 - _____

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 25th Day of October, 2011.

Santa Fe Board of County Commissioners

Virginia Vigil, Chairperson

ATTEST:

Valerie Espinoza, County Clerk

STATE OF NEW MEXICO
ECONOMIC DEVELOPMENT DEPARTMENT
GRANT AGREEMENT

THIS GRANT AGREEMENT is made and entered into by and between the State of New Mexico Economic Development Department, hereinafter referred to as the DEPARTMENT, acting through its Cabinet Secretary, hereinafter referred to as the SECRETARY and Santa Fe County, hereinafter referred to as the GRANTEE.

WHEREAS, the New Mexico Department of Finance and Administration has appropriated and authorized the DEPARTMENT to grant state funds for the Department's Certified Communities Initiative (CCI) to facilitate the recruitment, retention/expansion, and creation of economic based jobs to qualified communities; and

WHEREAS, CCI encourages and supports New Mexico communities in their efforts to create new jobs, the initiative emphasizes the importance of recruitment, as well as retention/expansion and start-up activities. The assistance provided by this initiative will result in job creation and in turn increase community pride, and long term, sustained success that will improve the community's and the State of New Mexico's overall economic condition. Thereafter, The DEPARTMENT has allocated \$ 5,000.00 (Five Thousand Dollars) to the GRANTEE.

NOW, THEREFORE:

ARTICLE I – SCOPE OF WORK

- A. The GRANTEE agrees that it will implement, in all respects, the activities outlined in the Grantee's proposal as approved and awarded by the DEPARTMENT, attached hereto as Exhibit A and made a part of this Agreement. The GRANTEE shall provide all the necessary qualified personnel, materials, and facilities to implement the activities described herein.
- B. The GRANTEE agrees to make no change in the Project Description herein described without first submitting a written request to the DEPARTMENT and obtaining the DEPARTMENT'S written approval of the proposed change.
- C. The GRANTEE agrees that funds distributed under this Agreement shall not be used for purposes other than those specified in the Exhibit A. Any funds found to be expended for other purposes shall be repaid to the DEPARTMENT.

ARTICLE II- LENGTH OF AGREEMENT

- A. This Agreement shall become effective as of July 1, 2011, and shall terminate on or before June 30, 2012.
- B. In the event that, due to unusual circumstances, it becomes apparent that this Grant Agreement cannot be brought to full completion within the time period set forth in Paragraph A of this Article II, the GRANTEE shall notify the DEPARTMENT in writing at least thirty (30) days prior to the termination date of this Agreement, in order that the GRANTEE and the DEPARTMENT may review the work accomplished to date and determine whether there is need or sufficient justification to amend this Grant Agreement to provide additional time for completion of the same.

ARTICLE III – PROJECT DELIVERABLES

- A. **Due Date for GRANTEE to Sign/Return Grant Agreement Copies** –The GRANTEE will receive a copy of grant agreement via e-mail and will be asked to print, sign, and return (3) copies to the DEPARTMENT by the date specified in the e-mail correspondence. (The Grantee is typically given 15 working days to return the signed grant agreements.) Failure by the GRANTEE to sign and return the grant agreement copies by the required due date may result in forfeiture of the grant award.
- B. **Due Date for GRANTEE to Submit Invoice for Payment to Department**
The DEPARTMENT will send an e-mail notifying the GRANTEE that the grant agreement has been fully executed and will be mailed out, and requesting that an invoice be submitted electronically to the DEPARTMENT by the date specified in the e-mail correspondence. (The Grantee is typically given 15 working days to submit the invoice to the Department via e-mail submission.) Failure by the GRANTEE to submit the invoice by the required due date may result in forfeiture of the grant award.
- C. **Completed Land and Building Inventory and Community Profile**
The Grantee must complete the Land and Building Inventory and the Community Profile and return to the Department via e-mail submission by September 30, 2011. The document templates are accessible on the Department's website at www.gonm.biz. These documents must be received by the Department prior to the community receiving payment of the grant award.
- D. **Final Report**
In order that the DEPARTMENT may adequately evaluate the outcome of the Grant Agreement, the GRANTEE shall be required to provide a year-end report to the DEPARTMENT, which will be due by July 16, 2012. The reporting template is accessible on the Department's website at www.gonm.biz. Failure to submit this report by the requested deadline could jeopardize future CCI funding.

ARTICLE IV – CONSIDERATION AND METHOD OF PAYMENT

- A. In consideration of the GRANTEE'S satisfactory completion of all work and compliance with all other Agreement requirements herein stated, the DEPARTMENT shall pay to the GRANTEE a sum not to exceed **\$5,000.00 (Five Thousand Dollars)**. The funds are to be expended in accordance with the budget breakdown as specified on the attached Exhibit A and made a part hereof. It is understood and agreed that the GRANTEE'S expenditure of these monies shall not deviate from the line items of said budget without the prior written approval of the DEPARTMENT.
- B. All expenditures shall be included in the GRANTEE'S single audit for each fiscal year in which funds are expended. The DEPARTMENT retains the right to recover funds from the GRANTEE for any disallowed costs based on the results of any interim or the final audit.
- C. It is understood and agreed that should any portion of the funds approved or paid hereunder by the DEPARTMENT to the GRANTEE for the purpose designated herein remain unexpended after all conditions of this Agreement have been satisfied, said unexpended funds shall revert to the DEPARTMENT for disposition.

ARTICLE V – SUSPENSION, TERMINATION AND MODIFICATION

- A. The DEPARTMENT, by written notice to the GRANTEE, shall have the right to suspend or terminate this Grant Agreement if, at any time, in the judgment of the DEPARTMENT, which judgment shall be final and shall be accepted by Grantee, the terms of this Agreement have been violated or the activities described in the project description do not progress satisfactorily. In this regard, the DEPARTMENT may demand repayment of all or part of the funds disbursed to the GRANTEE.
- B. This Agreement shall not be altered, changed, or amended, except by instrument in writing executed by the parties hereto and approved by the DEPARTMENT.

ARTICLE VI - APPROPRIATIONS

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations and authorization are not made by the Legislature, this Agreement shall terminate immediately upon written notice being given by the Agency to the Contractor. The Agency's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the Agency proposes an amendment to the Agreement to unilaterally reduce funding, the

Contractor shall have the option to terminate the Agreement or to agree to the reduced funding within thirty (30) days of receipt of the proposed amendment.

ARTICLE VII – CERTIFICATION

The GRANTEE hereby assures and certifies that it will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of state funds. Also, the GRANTEE gives assurances and certifies with respect to this Grant Agreement that:

- A. It will comply with the procedures, requirements and deadlines outlined in Certified Communities Initiative Policy and Procedures Manual for FY 2012, and it understands that failure to do so could result in forfeiture of the grant award, revocation of CCI designation, and permanent disqualification from the CCI Program.
- B. It possesses legal authority to accept funds and execute this Grant Agreement;
- C. Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the GRANTEE to administer this Agreement, along with all understandings and assurances contained therein;
- D. It will, to the maximum extent feasible, contract and subcontract with eligible small, minority and women's business enterprises and utilize eligible businesses which are owned by persons located in the unit of local government in which the project is administered;
- E. Its chief executive officer or other officer of the GRANTEE is authorized and consents on behalf of the GRANTEE to accept the jurisdiction of the State courts for the purpose of enforcement of responsibilities as such an official.
- F. This Grant Agreement will be conducted and administered in conformity with the regulations, policies and uniform administrative requirements and standards of OMB Circular Nos. A-102 and attachments; A-87, Principals of Determining Costs Applicable to Grants and Contracts with State, Local Governments; A-133 Audits of State and Local Governments, and with the Uniform Administration Requirements for Grants and Cooperative Agreements to State and Local Governments as may apply under 24 CFR Part 85 to the acceptance and use of this state assisted program.
- G. No officer or employee of the local jurisdiction or its designees or agents, no member of the governing body, and no other public official of the locality who exercises any function or responsibility with respect to this Agreement, during his/her tenure or for one year thereafter, shall have any

interest, direct, or indirect, in any contract or subcontract, or the proceeds thereof, for work to be performed. Further, the contractor shall cause to be incorporated in all subcontracts the language set forth in this paragraph prohibiting conflict of interest.

- H. It will comply with the provisions of the Hatch Act which limits the political activity of employees;
- I. It will give an authorized representative of the DEPARTMENT, access to and the right to examine all records, books, papers, or documents related to this Grant Agreement. All records connected with this Agreement will be maintained in a central location by the unit of local government and will be maintained for a period of six (6) years from the official date of close-out of this Agreement.
- J. The GRANTEE certifies, to the best of its knowledge and belief, no State or any other funds have been paid or will be paid, by or on behalf of the GRANTEE, to any person for influencing or attempting to influence an officer or employee of this or any agency or body in connection with the awarding of any State grant, contract, loan or cooperative agreement; and, that the GRANTEE shall require certifying language prohibiting lobbying to be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that such subrecipients shall so certify and disclose accordingly.
- K. It will comply with all other applicable Federal and State laws, regulations, requirements and policies.
- L. It will finance its share (if any) of the costs of the project, including all project overruns.

ARTICLE VIII – COPYRIGHT AND PATENTS

No report, maps, or other documents provided, in whole or in part, under this Agreement, shall be the subject of an application for copyright or patented by or on behalf of the GRANTEE.

ARTICLE IX – RETENTION OF RECORDS

The GRANTEE shall keep such records as will fully disclose the amount and disposition of the total funds from all sources budgeted for the Agreement period, the purpose of undertaking for which such funds were used, the amount and nature of all contributions from other sources, and such other records as the DEPARTMENT shall prescribe. Such records shall be preserved for a period of not less than six (6) years following project close-out.

ARTICLE X – SPECIAL TERMS AND CONDITIONS

The GRANTEE hereby designates the person listed below as the official GRANTEE Representative responsible for overall supervision of the approved project.

Duncan Sill,
Santa Fe County
P.O. Box 276
Santa Fe, NM 87504-0276
(505) 995-2728
dsill@co.santa-fe.nm.us

ARTICLE XI – OTHER SPECIAL TERMS AND CONDITIONS

None.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date set forth below.

ACCEPTED AND AGREED:

NEW MEXICO ECONOMIC DEVELOPMENT DEPARTMENT

WBJ By: Barbara Bojice
Department Cabinet Secretary/Designee

Date: 9-12-11

ACCEPTED AND AGREED:

SANTA FE COUNTY

By: Katherine Miller
Katherine Miller, County Manager

Date: 9-2-11

DEPARTMENT OF TAXATION AND REVENUE

The GRANTEE is exempt from payment of New Mexico Gross Receipts Taxes.

CRS # 01-505911-001

By: Julia Arco

Date: 9/16/11

Approved as to form

Santa Fe County Attorney

By: David J. Murphy

Date: 8/29/11

DJM

EXHIBIT A

PROJECT DESCRIPTION

Name of GRANTEE: **SANTA FE COUNTY**

Amount: \$5,000.00

Scope of Work:

1. In support of Santa Fe County Economic Development and in partnership with local and regional higher education institutions, provide internship opportunities to student(s) with interest and aptitude towards community-based economic development initiatives.
(\$4,250)

The primary activities will:

- a. Assist in maintaining and updating economic data and perform preliminary analysis including inventory, resource guide, incentives/cost/benefit, feasibility and investment scenarios relevant to County and regional economic development activities related to critical economic infrastructure, cluster targeted industry, workforce development and business services (retention, attraction and expansion);
- b. Prepare and develop marketing material, including collateral information and websites for promoting County and regional economic development initiatives;
- c. Assist with regional economic and community development partnership with existing and developing initiatives, including, but not limited to, collaboration with City of Santa Fe Economic Development and Regional Economic Development Initiative.

Leverage: Staff will align resources in cooperation with City of Santa Fe to achieve and maximize the objectives of this scope of work to capitalize the regional return on investment.

2. Production of marketing and outreach material and related supplies. (\$750.00)

And other related projects not included in above scope of work but approved by DEPARTMENT.

Purpose: Through the implementation of the above-mentioned scope of work, the grantee will facilitate the recruitment, retention/expansion, and creation of economic-base jobs to qualified communities.

Total Estimated Budget: \$5,000.00