



# City of Santa Fe, New Mexico

## LEGISLATIVE SUMMARY

### Resolution No. 2015-\_\_\_\_ Municipal Gas Tax

---

**SPONSOR(S):** Councilors Maestas and Ives

**SUMMARY:** The proposed resolution calls for a special election to be held in the city of Santa Fe on March 1, 2016, in conjunction with the regular municipal election, for the purpose of submitting a question to the qualified electors of the city of Santa Fe to vote for or against the establishment of a municipal gasoline tax, in the amount of two cents (\$.02) per gallon to finance, directly or through the issuance of bonds, road and related sidewalk projects and bridge projects, pursuant to §7-24A NMSA 1978.

**PREPARED BY:** Rebecca Seligman, Legislative Liaison assistant

**FISCAL IMPACT:** Yes

**DATE:** December 29, 2015

**ATTACHMENTS:** Resolution  
FIR

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

2 **RESOLUTION NO. 2016-\_\_**

3 **INTRODUCED BY:**

4  
5 Councilor Joseph M. Maestas

6 Councilor Peter Ives

7  
8  
9  
10 **A RESOLUTION**

11 **CALLING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY OF SANTA FE ON**  
12 **MARCH 1, 2016, IN CONJUNCTION WITH THE REGULAR MUNICIPAL ELECTION,**  
13 **FOR THE PURPOSE OF SUBMITTING A QUESTION TO THE QUALIFIED ELECTORS**  
14 **OF THE CITY OF SANTA FE TO VOTE FOR OR AGAINST THE ESTABLISHMENT OF A**  
15 **MUNICIPAL GASOLINE TAX, IN THE AMOUNT OF TWO CENTS (\$.02) PER GALLON**  
16 **TO FINANCE, DIRECTLY OR THROUGH THE ISSUANCE OF BONDS, ROAD AND**  
17 **RELATED SIDEWALK PROJECTS AND BRIDGE PROJECTS, WITHIN THE**  
18 **MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE, PURSUANT TO §7-24A NMSA**  
19 **1978.**

20  
21 **BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

22 **Section 1. PURPOSE AND DATE OF ELECTION.** A special municipal election  
23 shall be held in conjunction with the regular municipal election on Tuesday, March 1, 2016 for the  
24 purpose of voting for or against the imposition of a municipal gas tax in the amount of two cents  
25 (\$.02) per gallon.

1           **Section 2.       BALLOT QUESTION TO BE SUBMITTED.** The following question  
2 shall be submitted to the qualified electors of the City:

<b>ELECTION QUESTION</b>	
<b><u>Establishment of a Municipal Gasoline Tax</u></b>	
Shall the City of Santa Fe establish a municipal gasoline tax in the amount of two cents (\$.02) per gallon, pursuant to §7-24A NMSA 1978, to finance, directly or through the issuance of bonds, road and related sidewalk projects and bridge projects, within the municipal boundaries of the City of Santa Fe?	
FOR MUNICIPAL GASOLINE TAX	<input type="checkbox"/>
AGAINST MUNICIPAL GASOLINE TAX	<input type="checkbox"/>

12           **Section 3.       CLOSING OF REGISTRATION BOOKS.** Only qualified electors of the  
13 City of Santa Fe may vote in the regular municipal election. A qualified elector is any person whose  
14 affidavit of voter registration has been filed by the Santa Fe County Clerk on or before the twenty-  
15 eighth (28<sup>th</sup>) day prior to the election, who is registered to vote in a general election precinct  
16 established by the Santa Fe Board of County Commissioners that is wholly or partly within the City  
17 of Santa Fe boundaries, and who is a resident of the City of Santa Fe. Registration books for this  
18 election will be closed at 5:00 p.m. on February 2, 2016.

19           **Section 4.       VOTING CONVENIENCE CENTERS.** All voting precincts within the  
20 four (4) city council districts shall be consolidated into Voting Convenience Centers. Any qualified  
21 voter within the municipal limits of the City of Santa Fe may vote at any one of the following Voting  
22 Convenience Centers, between the hours of 7:00 a.m. and 7:00 p.m. on March 1, 2016:

- 23           1.       Montezuma Lodge, 431 Paseo de Peralta
- 24           2.       Gonzales Community School, 851 W. Alameda
- 25           3.       St. John the Baptist Catholic Church, 1301 Osage Avenue

- 1           4.       Atalaya Elementary School, 721 Camino Cabra
- 2           5.       St. John's United Methodist Church, 1200 Old Pecos Trail
- 3           6.       Christian Life Church, 121 Siringo Road
- 4           7.       El Camino Real Academy, 2500 South Meadows Road
- 5           8.       Sweeney Elementary School, 4100 S. Meadows Road
- 6           9.       Southside Library, 6599 Jaguar Drive
- 7           10.     Nava Elementary School, 2655 Siringo Road
- 8           11.     Kearny Elementary School, 901 Avenida de las Campanas
- 9           12.     Genoveva Chavez Community Center, 3221 Rodeo Road

10    **ABSENTEE VOTER PRECINCT (All Districts)**

11    Office of the City Clerk, Room 215, City Hall, 200 Lincoln Avenue

12    **EARLY VOTER PRECINCTS (All Districts)**

- 13           1.       Office of the City Clerk, Room 215, City Hall, 200 Lincoln Avenue
- 14           2.       Genoveva Chavez Community Center, 3221 Rodeo Road

15       **Section 5.     ABSENTEE VOTING.** Absentee voting by mail will begin on Tuesday,  
 16    January 26, 2016 and close at 5:00 p.m. on Friday, February 26, 2016. Absentee ballots may be cast  
 17    in person beginning on Tuesday, January 26, 2016 until 5:00 p.m. on Friday, February 26, 2016.  
 18    Absentee voting will be conducted in the office of the City Clerk, during the regular hours and days  
 19    of business, Monday through Friday. Applications for absentee ballots may be obtained only from the  
 20    office of the City Clerk. All applications for absentee ballots must be completed and accepted by the  
 21    City Clerk prior to 5:00 p.m., Friday, February 26, 2016. After 5:00 p.m. on February 26, 2016, all  
 22    unused absentee ballots will be publicly destroyed by the City Clerk. The City Clerk will accept  
 23    completed absentee ballots delivered by mail, or in person by the voter casting the absentee ballot,  
 24    their caregiver or the voter's immediate family, until 7:00 p.m. on March 1, 2016.

25       **Section 6. EARLY VOTING LOCATIONS.**

1           A.       Early voting will be conducted in the office of the City Clerk, during the regular  
2 hours and days of business, Monday through Friday. Early voting will begin at 8:00 a.m. on  
3 Wednesday, February 10, 2016 and close at 5:00 p.m. on Friday, February 26, 2016.

4           B.       Early voting will also be conducted at the Genoveva Chavez Community Center,  
5 3221 Rodeo Road and will begin at 9:00 a.m. on Wednesday, February 10, 2016 and close at 5:00  
6 p.m. on Friday, February 26, 2016. Early voting, at this location, will be held Tuesday through  
7 Saturday, during the early voting period from 9:00 a.m. to 6:00 p.m., except on Friday, February 26,  
8 2016, voting shall close at 5:00 p.m.

9           C.       All applications for early voting ballots must be completed and accepted by 5:00  
10 p.m., Friday, February 26, 2016. After 5:00 p.m. on February 26, 2016, all unused early voting  
11 ballots will be publicly destroyed.

12           **Section 7.       BALLOTS.** The casting of votes by qualified municipal electors shall be  
13 recorded on paper ballots to be counted by Image Cast Evolution electronic vote tabulators.

14           **Section 8.       CANVASS OF THE ELECTION RESULTS.** The City Clerk shall  
15 complete the canvass of the election results no later than 5:00 p.m. on March 4, 2016, to certify the  
16 results of the election and take any other necessary action relating to the election.

17           PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015.

18  
19  
20 ATTEST:

\_\_\_\_\_  
JAVIER M. GONZALES, MAYOR

21  
22 \_\_\_\_\_  
23 YOLANDA Y. VIGIL, CITY CLERK  
24  
25

1 APPROVED AS TO FORM:

2   
3 \_\_\_\_\_

4 KELLEY A. BRENNAN, CITY ATTORNEY

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 *M/Legislation/Resolutions 2016/Municipal Gas Tax*

**City of Santa Fe  
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

**Section A. General Information**

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

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION AUTHORIZING THE PLACEMENT OF A QUESTION ON THE BALLOT OF A SPECIAL ELECTION, TO BE HELD IN CONJUNCTION WITH THE REGULAR ELECTION ON MARCH 1, 2016, TO ASK THE VOTERS OF THE CITY OF SANTA FE WHETHER OR NOT TO ESTABLISH A MUNICIPAL GAS TAX PURSUANT TO NMSA 1978, § 7-24A-10 IN THE AMOUNT OF TWO CENTS (\$.02) PER GALLON TO FINANCE ROAD AND RELATED SIDEWALK PROJECTS AND BRIDGE PROJECTS.**

Sponsor(s): Councilor Maestas

Reviewing Department(s): Finance Department

Persons Completing FIR: Oscar Rodriguez Date: 10/21/15 Phone: 955-6530

Reviewed by City Attorney: Kelley A. Brennan Date: 12/29/15  
(Signature)

Reviewed by Finance Director: [Signature] Date: 12-29-2015  
(Signature)

**Section B. Summary**

Briefly explain the purpose and major provisions of the bill/resolution:

**This resolution would authorize the placement of a question on the ballot for the March 1, 2016 election asking voters to approve a municipal gas tax in the amount of two cents (\$.02) per gallon for road and related sidewalk projects and bridge projects.**

**Section C. Fiscal Impact**

**Note:** Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)\*

**1. Projected Expenditures:**

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs  
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs  
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: [Signature]

\_\_\_\_\_ Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
Expenditure Classification	FY <u>15/16</u>	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected	
Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	
Professional Services	<u>\$400.00</u> <u>\$2763.10</u>	<u>A</u>	<u>NR</u>	\$ _____	_____	_____	<u>12011</u> <u>12011</u>	
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	
Total:	<u>\$3163.10</u>			\$ _____				

\* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. \*\*For fringe benefits contact the Finance Dept.

**2. Revenue Sources:**

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected	
_____	\$ _____	_____	\$ _____	_____	_____	
_____	\$ _____	_____	\$ _____	_____	_____	
_____	\$ _____	_____	\$ _____	_____	_____	
Total:	\$ _____		\$ _____			

**3. Expenditure/Revenue Narrative:**

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

The expenditure of \$400 will be used to translate the question into Spanish for placement on the ballot. Revenue increases from implementation of the gas tax is noted in the FIR for the bill. The \$2763.10 will be used for four required publications of special elections.

=====  
**Section D. General Narrative**

**1. Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None.

**2. Consequences of Not Enacting This Bill/Resolution:**

Are there consequences of not enacting this bill/resolution? If so, describe.

The question of implementing a two cent (\$.02) per gallon gas tax will not be put on the ballot for March 1, 2016.

**3. Technical Issues:**

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None.

**4. Community Impact:**

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

Should the governing body approve the resolution, the election question would appear on the ballot on March 1, 2016 asking voters whether or not to approve the implementation of a two cent (\$.02) per gallon tax. This would provide the public with the opportunity to vote for or against the tax.