City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2015-___

Arts Creativity

SPONSOR(S): Councilor Rivera

SUMMARY: The proposed resolution supports the next phase of project planning for the Santa Fe "Arts + Creativity Center" which is intended to provide affordable live, work, creation, performance and retail space for artists and creative businesses in Santa Fe.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: February 11, 2015

ATTACHMENTS: Resolution
FIR

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-___

INTRODUCED BY:

Councilor Rivera

A RESOLUTION

SUPPORTING THE NEXT PHASE OF PROJECT PLANNING FOR THE SANTA FE "ARTS + CREATIVITY CENTER" WHICH IS INTENDED TO PROVIDE AFFORDABLE LIVE, WORK, CREATION, PERFORMANCE AND RETAIL SPACE FOR ARTISTS AND CREATIVE BUSINESSES IN SANTA FE.

WHEREAS, Resolution No. 2014-13 directed City staff to work with Creative Santa Fe; other community arts, culture and creative organizations and businesses; and ArtSpace Projects to produce a plan to move the Santa Fe "Arts + Creativity Center" through several planning and implementation steps to completion; and

WHEREAS, Resolution No. 2014-13 directed City staff to contract with Creative Santa Fe to conduct a sites analysis to identify and building sites deemed the most compatible for achieving the goals of the "Arts + Creativity Center"; and

WHEREAS, Resolution No. 2014-13 directed City staff to also consider placing the project on city-owned property.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the City Attorney's Office, the Land Use Department, the Housing and Community Development Department, the City Manager's Office, the Office of Asset Development, the Public Works Department and other staff as needed are directed to do the following:

1. Review and respond to the sites analysis submitted by Creative Santa Fe, taking into consideration the factors critical to securing Low Income Housing Tax Credit (LIHTC) funds including, but not limited to: location; zoning; the potential for "brownfield" redevelopment; proximity to public transportation and other non-vehicular networks; potential for complementary uses with surrounding neighborhoods; as well as consistency with current City planning efforts, redevelopment goals for urban corridors, and future management of City-owned sites.

2. Develop criteria for a municipal land donation that takes into account feasibility and fiscal impact; identify a project timeline for the implementation of a development agreement that conditions the donation and satisfies the New Mexico Mortgage Finance Authority's definition of "Site Control" for the purposes of the Low Income Housing Tax Credit Program; and investigate the proper mechanism for land donation through the New Mexico Local Economic Development Act and/or the New Mexico Affordable Housing Act;

3. Bring forward for consideration by the Governing Body a municipal land donation proposal of a city-owned site that has potential to attract Low Income Housing Tax Credits (LIHTC) according to the LIHTC Qualified Allocation Plan.

4. Monitor the next level of due diligence on the preferred site, as performed by Creative Santa Fe and its development partner, including but not limited to: definition of the project area; completion of necessary environmental assessments; completion of preliminary engineering assessments; and completion of a land survey and a real estate appraisal of the donated area as required in an application for Low Income Housing Tax Credit funding.

PASSED, APPROVED and ADOPTED this ___ day of _____, 2015.

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

YOLANDA VIGIL, CITY CLERK

APPROVED AS TO FORM:

Kelley A. Brennan

KELLEY BRENNAN, CITY ATTORNEY

M/Legislation/2015 Resolutions/Arts Creativity_AL_KN_2_11_15

FIR No. 2619

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 SUPPORTING THE NEXT PHASE OF DEVELOPING THE SANTA FE "ARTS + CREATIVITY CENTER" WHICH IS INTENDED TO PROVIDE AFFORDABLE LIVE, WORK, CREATION, PERFORMANCE AND RETAIL SPACE FOR ARTISTS AND CREATIVE BUSINESSES IN SANTA FE.**

Sponsor(s): Councilor Rivera

Reviewing Department(s): Housing and Community Development

Persons Completing FIR: Alexandra Ladd Date: 12/23/14 Phone: 955-6346

Reviewed by City Attorney: Kelly A. Brennan (Signature) Date: 2/12/15

Reviewed by Finance Director: (Signature) Date: 2-17-2015

Section B. **Summary**

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

The resolution directs staff to monitor the next phase of due diligence for the construction of the Arts + Creativity Center, specifically as it pertains to donating a parcel of city-owned land. This process includes developing criteria for the donation, environmental site review, establishing the proper mechanism for site control and identifying the legal terms for the donation so that it does not violate the Anti-Donation Clause.

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: _____

___X___ Check here if no fiscal impact. Staff expects that complying with the direction in this Resolution can be absorbed into normal job responsibilities and will not require any additional time allocation.

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"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	$_____	_____	_____	$_____	_____	_____	_____
	All Other Operating Costs	$_____	_____	_____	$_____	_____	_____	_____
	Total:	$_____			$_____			

* 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.)

There is no expense or revenue associated with this phase of the project as the outcome is to determine the feasibility of a land donation. The resolution does not obligate the city to commit any resources or to any future phases of the project at this time.

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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.

This resolution is a follow up resolution to Resolution No. 2014-13 which required a sites analysis be completed by Creative Santa Fe to identify potential sites for the Arts + Creativity Center.

2. Consequences of Not Enacting This Bill/Resolution:

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

Without proper due diligence, the financial feasibility of the project cannot be adequately gauged. Also, the due diligence will provide information for developing a more favorable application for Low Income Housing Tax Credits which is critical to ultimately financing the project.

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.

Staff is not aware of any other considerations.

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.

The actions called for in the resolution will not affect the community in any way as they are limited exclusively to an analysis of current conditions and a proposal for effectively structuring a land donation. The point at which the land donation is considered will be subject to the city's public review process and any adverse impacts will be identified and discussed with the public's involvement at that time.

Form adopted: 01/12/05; revised 8/24/05; revised 4/17/08

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, JANUARY 12, 2015

ITEM 13

REQUEST FOR APPROVAL OF A RESOLUTION DIRECTING STAFF TO IMPLEMENT THE NEXT PHASE OF DEVELOPING THE SANTA FE "ARTS + CREATIVITY CENTER" WHICH IS INTENDED TO PROVIDE AFFORDABLE LIVE, WORK, CREATION, PERFORMANCE AND RETAIL SPACE FOR ARTISTS AND CREATIVE BUSINESSES IN SANTA FE **(COUNCILOR RIVERA) (ALEXANDRA LADD)**

PUBLIC WORKS COMMITTEE ACTION: APPROVED

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	EXCUSED		
COUNCILOR RIVERA	X		