City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2015-___

Gross Receipts Tax Dedication Provision (Transit)

SPONSOR(S): Councilor Maestas

SUMMARY: The proposed resolution relates to The Municipal Gross Receipts Tax Ordinance, Section 18-10 SFCC 1987. It directs staff to evaluate the allocation and expenditure of gross receipts tax dedicated for the public bus system, the general fund, and quality of life purposes for FY 2012/2013, FY 2013/2014, and FY 2014/2015 so that the Governing Body may determine whether to amend the dedication provision of Section 18-10 SFCC 1987.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: April 23, 2015

ATTACHMENTS: Resolution
FIR

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-____

INTRODUCED BY:

Councilor Joseph Maestas

A RESOLUTION

RELATING TO THE MUNICIPAL GROSS RECEIPTS TAX ORDINANCE, SECTION 18-10 SFCC 1987; DIRECTING STAFF TO EVALUATE THE ALLOCATION AND EXPENDITURE OF GROSS RECEIPTS TAX DEDICATED FOR THE PUBLIC BUS SYSTEM, THE GENERAL FUND, AND QUALITY OF LIFE PURPOSES FOR FY 2012/2013, FY 2013/2014, AND FY 2014/2015 SO THAT THE GOVERNING BODY MAY DETERMINE WHETHER TO AMEND THE DEDICATION PROVISION OF SECTION 18-10 SFCC 1987.

WHEREAS, Section 18-10 SFCC 1987 imposes on any person engaging in business in the City of Santa Fe, for the privilege of engaging in business, an excise tax equal to one and one-quarter percent (1.25%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended; and

WHEREAS, Subsection 18-10.4 SFCC 1987 dedicates the revenue from the fifth one-quarter percent (1/4%) increment of the municipal gross receipts tax to the public bus system and quality of

life purposes; and

WHEREAS, the Governing Body desires that staff evaluate the allocation and expenditure of the Gross Receipts Tax that is dedicated to the public bus system and quality of life purposes and report to the Governing Body on the uses and disposition of such funds for the public bus system and quality of life purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that staff is directed to evaluate the allocation and expenditure of Gross Receipts Tax designated for the public bus system, the General Fund, and quality of life purposes in FY 2012/2013, FY 2013/2014, and FY 2014/2015 and report to the Governing Body on the allocation and expenditure of such funds and whether a balance remained in the fund at the end of each such fiscal year.

BE IT FURTHER RESOLVED that staff is directed to review the process by which needs for the public bus system are identified and prioritized for the expenditure of the designated 1/4% Municipal Gross Receipts Tax.

BE IT FURTHER RESOLVED that staff shall report their findings to the Governing Body within 60 days of adoption of this resolution so that the Governing Body may determine whether there is a need to amend the dedication provision in 18-10.4 SFCC 1987.

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

_____

JAVIER M. GONZALES, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

Kelley A. Brennan

KELLEY A. BRENNAN, CITY ATTORNEY

Legislation/Resolutions 2015/Gross Receipts Tax (18_10_4)

FIR No. 2653

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 RELATING TO THE MUNICIPAL GROSS RECEIPTS TAX ORDINANCE, SECTION 18-10 SFCC 1987; DIRECTING STAFF TO EVALUATE THE ALLOCATION AND EXPENDITURE OF GROSS RECEIPTS TAX DEDICATED FOR THE PUBLIC BUS SYSTEM, THE GENERAL FUND, AND QUALITY OF LIFE PURPOSES FOR FY2012/2013, F 2013/2014, AND FY 2014/2015 SO THAT THE GOVERNING BODY MAY DETERMINE WHETHER TO AMEND THE DEDICATION PROVISION OF SECTION 18-10 SFCC 1987.**

Sponsor(s): Councilor Maestas
Reviewing Department(s): Finance Department
Persons Completing FIR: Jesse Guillen/Oscar Rodriguez Date: 4/22/15 Phone: 955-6518/955-6530

Reviewed by City Attorney: Kelly A. Brennan Date: 4/23/15
(Signature)

Reviewed by Finance Director: [signature] Date: 4-23-2015
(Signature)

Section B. **Summary**
Briefly explain the purpose and major provisions of the bill/resolution:
This resolution would direct staff to evaluate the dedication provision provide for in Section 18-10 SFCC 1987 specifically designated for the public bus system, the general fund, and quality of life purposes. The evaluation would be used to determine whether or not the dedication provision should be amended.

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

Finance Director:_____

e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

____X____ Check here if no fiscal impact

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.)

No impact

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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.

No conflict

2. Consequences of Not Enacting This Bill/Resolution:

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

Municipal GRT would continue to be used for supporting the public bus system, the General Fund and for quality of life purposes.

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.

No conflict

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 resolution will not cost more staff time or funding. The tasks being called for will be completed with existing resources within Finance's and the Utility's current work plans.

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